# THE RISE OF NEW FORMS OF POWER, FORCED DISPLACEMENTS, AND CONFLICT ON THE DJIBOUTI AND ETHIOPIA BORDER

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## Declaration

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# i.    Summary

The aim of this thesis is to understand and describe a new form of power that emerged in the *Afar* National Regional State in northeastern Ethiopia. In 2004, a new form of power, in the person of As Mohammed Humed Yayyo asserted monopoly control over *Dobi* salt mining land. *Dobi* is the second biggest salt mining site in Ethiopia, excelled only by the *Afdera* Salt Lake. In 2014, for instance, *Dobi* generated about twenty-eight million US dollars, which amounts to nineteen percent of the subsidy the *Afar* Region received from the Federal Government of Ethiopia during that budget year (Ethiopian Business Review, 2014).

The emergence of the Big Man over *Dobi* contradicts a commonly held assumption, according to which as the state gains control over its peripheries, the space for the rise of new forms of power would be limited. This seems to be the case with the *Afdera* Salt Lake where since the beginning of commercial salt mining in 1998, the authority to grant access has moved from clan leaders to the state. Contrary to this, on *Dobi*, a Big Man controls access to the site ever since commercial salt mining started in 2004.

This thesis raises the following research questions: what are the features of the new form of power that emerged over *Dobi*? What was the nature of the relationship between the Big Man and the state? What have been the sources of the Big Man's legitimacy? What have been the sources of the Big Man's power? How did actor groups acquire access to *Dobi* since the rise of the Big Man? What has been the nature of relation between the Big Man and the local *Afar* concerning control of access to *Dobi*? If there was conflict, how was it resolved? To answer these questions, this thesis drew on symbolic interactionism (Geertz, 1973b), extended case method (Burawoy, 1998) and applied ethnographic principles, which accord primacy to the local *Afar* points of view.

One of the peculiar features of the Big Man is that it occupies both the state and non-state spheres: as a district administrator, and as a clan leader and a businessman which signifies union of roles in a person.  It contradicts the 'statist' assumption that states representatives and "traditional authorities" are in an opposite relation to one another. Furthermore, the Big Man operates with a web of social network woven around him through reciprocal patrimonial relations. These features of the Big Man stand in stark contrast to the neotraditional forms of power.

The nature of the relations between the Big Man and the state has been one that sways between accommodation and conflict. Between 2004 and 2016, the relations between the Big Man and the *Afar* National Regional State can be described as accommodative. Their cozy relations faced hiccup in September 2016, when a crucial member of the Big Man's social network, president of the *Afar* Region was removed and replaced with another one. The new president ordered the dismissal of the Big Man from his membership in the central committee of the ruling *Afar* Peoples Democratic Party (APDP). The new president also passed a decision which compels the Big Man to pay all the unpaid royalty. It was a watershed moment not only for the practical relationship between the Big Man and the state, which shifted from accommodation to conflict, but also for the *Afar* people's perceptions about the Big Man. The discussion on the relationship between Big Men and the state corroborates Klute's concept of "besides the state" (Klute, 2013).

The Big Man acquired power through several ways, one of which is through the recognition he received from the people and the State. The Big Man is recognized for inventing a way to begin commercial scale salt mining on *Dobi*, which speaks to inventiveness as a source of power (Sofsky and Paris, 1991). In addition, the Big Man amassed immense wealth from exploitation of *Dobi*, and according to some estimates he earns up to USD twenty million dollars per year. The Big Man also constructs and maintains his legitimacy primarily through the classical Big Men fashion, which is his ability to distribute resource and assist people in times of need (Sahlins, 1963).

Since the emergence of the Big Man, the way actor groups acquire access to *Dobi* has changed. Between 1991 and 2004, access to *Dobi* was acquired through claims of land rights, claims of local belonging and marriage relations. In the Post-2004 period, claims of land rights did not necessarily entitle the actors holding them to derive material benefits from the natural resources to which those rights apply. In the post-2004 period, access to *Dobi* has been acquired through connections with the Big Man. The change in the forms of access to land coupled with the rise of a new form of power that displaced the neotraditional authorities did not go smoothly; it rather led to conflicts.

This thesis sees the conflict over *Dobi* mainly as the struggles for power to decide access to *Dobi*. I drew an inspiration from Clausewitz proposition, according to which conflict is a continuation of power struggle through other means (Clausewitz, 1989). This thesis perceives

that the post-2004 conflicts between the Big Man and the local *Afar* is about the Big Man's attempt to maintain his para-sovereign rule over *Dobi* on the one hand, and the local *Afar* clans attempt to assert their eligibility to exist and authority to act in the face of this new circumstance.

Whereas before 2004, conflict over *Dobi* was resolved through the *Afar* neotraditional conflict resolution system, in the post-2004 period, although the disputants brought their case to the *Afar* neotraditional legal system, it was all but in vain. This is partly attributable to the Big Man's actions of distributing resources to manipulate the *Afar* neotraditional conflict resolution system. To explain this, I drew on Bohannan's thesis that the introduction of money into traditional communal social relation could breakdown norms and rules of conflict resolution. Bohannan introduced the concept of 'spheres of exchange' in analyzing the Tiv in Nigeria. Bohannan identifies three types of ranked exchange objects, each restricted to its own separate exchange sphere; ideally, objects do not flow between spheres (Bohannan and Bohannan, 1968: 16). Each sphere is a different universe of objects, and a different set of moral values and different behavior are to be found in each sphere (Bohannan and Bohannan, 1968: 227). Bohannan points out that the introduction of money could broke down the barriers between spheres by creating a pathway for exchange that is not accounted for in the existing restrictions.

Before 2004, the state court rarely dealt with land dispute that occurred among the *Afar*. Since 2004, however, members of the local *Afar* clans on multiple occasions brought their case to the state. The action of bringing their case to the state may point to how the community uses the state law as a "weapon of the weak" (Scott, 1985) to try to coerce state officials to "abide by the law" (Benda-Beckmann and Benda-Beckmann, 2006: 23). Even though they presented their case to the state, it was not resolved, which begs the question why. To explain this, this thesis drew on Hellman and Kaufmann's proposition of "state capture" (Hellman and Kaufmann, 2000). State capture refers to the way private actor groups manipulate the government to influence state actions in their favor (Hellman and Kaufmann, 2000). The phenomenon of state capture was first identified on post-socialist states in East European and Central Asian countries moving from planned to market economy (Hellman and Kaufmann, 2000).

## ii. Alphabets in the *Afar-af*

The *Afar* refer to their language as *Qafar-af*. There are 35 letters in the *Qafar-af*: 30 are consonant letters while 5 are vowels (the vowel letters are shaded in the table below).

Table 1: Letters in the *Qafar-af*

| English | Latin alphabet for the *Qafar-af* | | Corresponding *Ge'ez* script for the *Qafar-Af* |
| --- | --- | --- | --- |
| | Alphabets | Pronunciations | |
| A | A | *a* | ኸ |
| B | B | *ba* | ባ |
| C | C | *ha* | ሐ |
| D | D | *da* | ዳ |
| E | E | *e* | ኤ |
| F | F | *fa* | ፋ |
| G | G | *ga* | ጋ |
| H | H | *ha* | ሃ |
| I | I | *i* | ኢ |
| J | J | *ja* | ጀ |
| K | K | *ka* | ካ |
| L | L | *la* | ላ |
| M | M | *ma* | ማ |
| N | N | *na* | ና |
| O | O | *o* | ኦ |
| P | P | *pa* | ፐ |
| Q | Q | *'a* | ዓ |
| R | R | *ra* | ራ |

| | | | |
|---|---|---|---|
| S | S | *sa* | ሳ |
| T | T | *ta* | ታ |
| U | U | *u* | ኡ |
| V | V | *va* | ቯ |
| W | W | *wa* | ዋ |
| X | X | *da* | ዳ |
| Y | Y | *ya* | ያ |
| Z | Z | *za* | ዘ |
| | CH | | ቸ |
| | SH | | ሸ |
| | KH | | ኸ |
| | GH | | ቀ |
| | DH | | ዳ |
| | TS | | θ |
| | GN | | ኘ |
| | TCH | | ጨ |

<center>(<em>Afar</em> National Regional State A. L., 2010, pp. 4-5)</center>

As may be seen from the table above, there are eight digraphs in the *Qafar-af* alphabet: *ch, sh, kh, gh, dh, ts, gn,* and *tch*. Furthermore, the *Qafar-af* has five short and five long vowels (in the orthography, long vowels have double the length of the vowel letters in use). The difference in length is contrastive, for example:

> *sara* and *saara;*
> *fera* and *feera;*
> *gita* and *giita;*
> *gora* and *koora;*
> *kuta* and *'kuuta'*

## iii.    Glossary of emic Terms

The emic terms listed in this thesis are *Afar* and *Amharic* unless otherwise specified. I have provided the list of the emic terms repeatedly used in this thesis.  Although the *Afar* National Regional State's Constitution Art 5 declares the *Qafar-af* as the official working language of the region, (*Afar* National Regional State A., 1997).  I have observed during the fieldwork that in the courts *Amharic* is the lingua franca. Accordingly, *Qafar-af* terms will be followed by '*af.*' while *Amharic* terms will be accompanied by '*am*'.

No attempt has been made to adhere to a systematic orthography of transliteration in the English presentation of terms originating in the Latin and Ethiopic scripts. *Afar* and *Amharic* language terms and names are rendered in commonly used and recognized English forms.

<div align="center">

*Afar (af.)*

</div>

| | |
|---|---|
| *Absuma* | Cross-cousin marriage among the *Afar* |
| *Buxxa* | Extended family or house |
| *Daylo* | Supra clan |
| *Doroqqu* | Crime |
| *Faharake yimeeti* | late arrivers |
| *Fihima* | An age set social organization that is responsible for implementing the decision of clan leaders |
| *Fihima Abba* | *Fihima* leader |
| *Gullub* | Lineage (also sub-clan) |
| *Keddo* | Clan |
| *Keddo abba* | Clan leader |
| *Makabon* | Title of a clan leader |

| | |
|---|---|
| *Mada'a* | Law |
| *Muruuso* | Punishment |
| *Naharake yimeeti* | first arrivers |

*Amharic* (*am.*)

| | |
|---|---|
| ልማት *(lmat)* | Development |
| መንግሥት *(meng'st)* | Government |
| ፀረ-ልማት *(Tsere-lmat)* | Anti-development |
| ወፍ-ዘራሽ *(Wef zerash)* | naturally growing pasture or naturally available resource |
| ቀበሌ *(Qäbäle)* | the smallest administrative unit (below a district) in Ethiopia |

Calendar year

Interviews, conversations, and secondary sources reviewed at the local level often refer to the Ethiopian Calendar- የኢትዮጵያ ዘመን አቆጣጠር *(am.)*, which differs from the Gregorian calendar by 7 to 8 years. The Ethiopian Calendar is a solar calendar. Like the Julian calendar, it adds a leap day every four years without exception. There are three options regarding which calendar year to use in this thesis: the Ethiopian calendar, the Gregorian calendar, or both. I fear that use of either the Ethiopian calendar alone or both calendars might create confusion on the readers. Based on this reasoning, for this thesis I chose to use the Gregorian calendar.

## iv.    Definition of central notions

Access                          the ability to derive benefits from land.

Big Men                         highly influential individuals in a society, whose power does not
                                necessarily emanate from formal authority (clan authority or sate
                                authority), but mainly from their ability to provide economic
                                assistances and protection from violence.

Conflict                        is a disagreement (long-term) between two or more actor groups
                                on issues such as distribution of resources and power, and
                                domination. A dispute is a short-term disagreement between
                                people or groups. Conflict resolution is the attempt to end or at
                                least reduce the tension and difficulties associated with a state of
                                conflict.

Culture                         the acquired shared meaning systems that people use to interpret
                                experience and generate social behavior.

Kinship                         System of social organization based on genealogical relationships
                                and family ties.

Basic legitimacy                a particular form of recognition bestowed upon a power figure
                                (such as a Big Man) based on his everyday practices-that is, based
                                on the tangible demonstrations that the power figure has
                                delivered.

Para-sovereign                  a power figure (such as a Big Man) that exercises authorities and
                                functions of the state, but neither is he officially recognized as
                                such.

Pastoral society                a social group of pastoralists whose way of life is based on
                                pastoralism. Pastoralism is a way of life based primarily on
                                raising livestock, particularly small ruminants, cattle and camels.

Power                           ability of a power figure to influence others to heed to his orders
                                and decisions. Such power is ascribed to a person based on the
                                individual's ability to assist others, his individual qualities
                                (charisma), and his capacity to establish order.

Property right (land)          the right to benefit from land

Social network                  'a set of personal relationships which cut across kin and identity-
                                based groups, and as such deviates from 'traditional' social
                                systems

## v.      Abbreviations

ALF             *Afar* Liberation Front

ANRS            *Afar* National Regional State

APDO            *Afar* People's Democratic Organization

ANDP            *Afar* National Democratic Party

APDP            *Afar* Peoples Democratic Party

BoJ             Bureau of Justice

BoCT            Bureau of Culture and Tourism

BoME            Bureau of Mines and Energy

EPRDF           Ethiopian People's Revolutionary Democratic Front

FDRE            Federal Democratic Republic of Ethiopia

MoMP
                Ministry of Mines and Petroleum of the Federal Democratic Republic of
                Ethiopia

MoPFA           Ministry of Pastoral and Federal Affairs

SU              *Samara* University

TPLF            *Tigray* Peoples Liberation Front

ZDSPA           *Zenbaba Dobi* Salt Producers' Association

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enormous sacrifices you made in terms of, not only of waiting for the husband to complete his studies and come home, and for raising our son (Naol Gemechu Adimassu), but also your relentless support and encouragement. That was in fact the source of inspiration for my work. Thank you very much!

Having said this, let me make the usual disclaimer that neither the individuals nor the institutions mentioned in this thesis are to be accounted for the ideas contained in the thesis or for their deficiencies.

# Chapter One: Introduction

## 1. Introduction

### 1.1.    Research Problem

The aim of this thesis is to understand and describe a new form of power that emerged in the *Afar* National Regional State in northeastern Ethiopia. In 2004, a new form of power, in the person of As Mohammed Humed Yayyo asserted monopoly control over *Dobi* salt mining land. *Dobi* is the second biggest salt mining site in Ethiopia, excelled only by the *Afdera* Salt Lake. In 2014, for instance, *Dobi* generated about twenty-eight million US dollars, which amounts to nineteen percent of the subsidy the *Afar* Region received from the Federal Government of Ethiopia during that budget year (Ethiopian Business Review, 2014).

 The new form of power that rose over *Dobi* cannot easily be pigeon-holed in the conventional bifurcation as either state or non-state-it rather occupies both spheres: as a state official (a district administrator) and as a clan leader and businessman (as owner of multi-million-dollar businesses in several sectors ranging from *Dobi* salt mining to hospitality, construction, livestock fattening and the sale of bottled camel milk). This thesis discusses the blurred boundary between the public and private spheres occupied by this new power figure.

The emergence of the new form of power over *Dobi* contradicts a commonly held assumption, according to which as the state gains more control over its peripheries, the space for the rise of a new form of power is limited. In 1991, the rule of the socialist Derg regime (1974-1991) ended, and the Ethiopian People's Revolutionary Democratic Front (EPRDF), which took power, introduced multinational federalism, decentralization, and democratization. Therefore, the post-1991 Ethiopia can be described as a post-socialist state (Vestal, 2001). Since coming to power, the EPRDF restructured the Ethiopian state into a multinational federation with two chartered cities and nine regional states[1] of which the *Afar* National Regional State (ANRS) is one.

There is an assumption that the creation of a self-administering political unit, such as the *Afar* National Regional State, enforces the principle of territoriality and territorial rule, which is one of the properties

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[1] It includes *Tigray, Amhara, Harari, Oromia* and *SNNPR, Gambella, Afar, Somali,* and *Benishangul-Gumuz* and the City Administration of *Addis Ababa and Dire Dawa*.

of the Weberian state[2] (Gane, 2012) in the peripheries of Ethiopia. In the post1991 period, it was assumed that it is the various regional elites themselves who would impose the principle of territoriality in their respective regions. Since the beginning of commercial salt mining on *Afdera* Salt Lake in 1998, the authority to grant access to this Salt Lake has moved from the hands of the clan leaders to the state. Contrary to this, on *Dobi*, Big Men control access to the site ever since commercial salt mining started in 2004. This marks the first research problem.

In the *Afar* Region, although the traditional communal clan ownership of land existed side by side with the state public ownership, in practice each *Afar* clan has its own territory, and access by others is subject to prior mutual consent (Reda, 2014). The emergence of a new form of power that privatized *Dobi* runs contrary to the common assumptions that as state grows stronger, it will bring the administration of land under its jurisdiction. The 1995 Constitution of the Federal Democratic Republic of Ethiopia (FDRE) bestows land ownership "in the State and in the peoples of Ethiopia" (Federal Democratic Republic of Ethiopia, 1995), and entrusts the Regional States with the mandate for the administration of land. The *Afar* National Regional State's land use and administration proclamation criticizes the *Afar* neo-traditional land tenure system and clan authorities for failing to be in line with the state's land administration system and makes a policy objective to put land under the authority of the state (*Afar* National Regional State, 2009: 13).

Big Men join an already plural political landscape, which includes the neo-traditional authorities (such as clan leaders, sultan, and religious leaders) and the Ethiopian state. The issue of explaining the rise of the *Afar* Big Men constitutes the second research problem. There are two main lines of argument that attempt to explain the emergence of new forms of power in Africa: the 'substitute argument' and the 'deviance argument' (Bellagamba and Klute, 2008: 9). The first line of argument, which Utas dubs a 'socio-structural explanation' (Utas, 2012: 28), interprets the rise of the new forms of power as substitutes for the declining state structure. According to this line of argument, it is the weakness of states (structural void) that opens up the space for the emergence of the new form of power in Africa. To put it in a different way, a new form of power emerges where the national state does not reach, or where local authorities do not have sufficient powers (Utas, 2012: 28). The second line of argument, the 'deviance argument', which De Waal calls 'socio-cultural' explanation (De Waal, 2009), advances the proposition that African states deviated from the trajectory of the Weberian model of modern state after its implantation by colonial powers (Chabal, 1999: 83). This strand of argument underlines that

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[2] Max Weber's definition of the state as a human community that successfully claims the monopoly of the legitimate use of physical force within a given territory (Gane Nicholas. 2012. Max Weber and Contemporary Capitalism. Palgrave Macmillan, Basingstoke)

the prevailing forms of power in Africa are embedded in the respective cultures of the societies in which they operate. A common thread that runs through both arguments is that new forms of power are doomed to disappear as soon as the state rebuilds its structures and solves its internal problems (Bellagamba and Klute, 2008).

A new proposition by the German anthropologist Georg Klute, attempts to overcome the limitations in both the substitute argument and the deviance argument. Klute conceptualizes the pluralistic political figuration as "*heterarchy*" (Bellagamba and Klute, 2008: 11). *Heterarchy*[3] underlines the varying distributions of power foci and the fluid and changing relationships between and among the different actors, which operate "besides the state" on a continuum of collaboration and conflict with one another (Bellagamba and Klute, 2008: 17). Fieldwork on *Dobi* shows that the nature of relation between the *Afar* Big Man and the state has changed from collaboration (which characterizes the years from 2004 to 2016) to conflict (in the post-2016 years).

The monopolization of *Dobi* under the Big Man's belt brings to the fore the importance of understanding the relationship between the new form of power and the *Afar*. In Ethiopia, over seventy percent of the population is agrarian and as such their life support 'umbilical cord' is tied to land. Land lies at the center of the uprisings that overthrew the Imperial regime, the Derg regime, and forced the 2018 regime change. Changes in land tenure do not go smoothly; they rather result in frictions, including conflictual relations between the population and the power figures in charge. The third research problem relates to how the changes in land tenure on *Dobi* has been perceived and received by the local *Afar*. A common assumption is that the 'privatization' of a communally owned land might lead to conflicts between the Big Man and members of the local *Afar*. It is also a common assumption that these conflicts would be resolved through 'forum shopping" at the doors of the *Afar* neo-traditional conflict resolution system and the state court. This has been discussed in Chapter Seven. Evidence collected during field visits reveal that a conflict over the power to decide access to *Dobi* indeed erupted more than seventeen times between the Big Man and the local *Afar* and is ongoing without resolution.

Compared to the sedentary agriculturalist highlanders, the pastoral societies[4] in the Ethiopian lowland receives little academic attention. In Ethiopia, the lowland covers about sixty percent of its land area

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[3] Klute says he came across the concept of *heterarchy* while studying the Russian neoevolutionist Bondarenko who used the term to describe huge pre-historic chieftaincies that integrated great number of people but did not develop state structures.

[4] Notable studies on the pastoral societies in Ethiopia includes, on the Somali (Lewis I., 2002; Gebre-Mariam, 2005) and the Oromo (Gebre, 2001; Schlee, 2008; Schlee, 2011).

and is home to about twelve percent of the total population (CIA Factbook, 2019). It is estimated that pastoralists[5] occupy approximately forty percent of the land area of Ethiopia and represent about ten percent of Ethiopia's population (CIA Factbook, 2019). The *Afar* constitute about sixteen percent of the pastoral population and 1.7% of the total population of the country (CIA Factbook, 2019). Available studies on the *Afar* largely focus on the *Awash* River Basin (Behnke, 2013; Kassa., 2001; Hundie, 2006; Reda, 2014; Rettberg, 2010). The *Afar* in the *Danakil* River Basin, in which the study area falls, has not received similar academic attention. This thesis focuses on *Dobi*, located at the southern tip of the *Danakil* River Basin on the border between Ethiopia and Djibouti.

## 1.2. Research objective and research questions

This thesis attempts to understand and describe the features of the new form of power that emerged in the *Afar* Region. It aims to explore the Big Man's sources of power and legitimacy, and its relationship with the Ethiopian State. The specific research questions raised include:

1. What are the features of the new form of power that emerged over *Dobi* in the post-1991 period? What was the nature of the relationship between the Big Man and the state?

2. What have been the sources of the Big Man's legitimacy? What have been the sources of the Big Man's power?

3. How did actor groups acquire access to *Dobi* since the rise of the Big Man?

4. What has been the nature of the relationship between the Big Man and the local *Afar* concerning control of access to *Dobi*? If there was conflict, how was it resolved?

## 1.3. Locating the study within political anthropology

It is possible to identify three lines of research concerning how political anthropology is dealing with changes in political order in Africa (Klute and Hüsken, 2010). The first perspective focuses on African chieftainship and segmentary modes of tribal organization; it tries to integrate a historical perspective

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[5] The conventional definition of a pastoralist (i.e., those who derive 50% or more of their annual income from livestock and livestock products) is used here.

that aims at the analysis of continuities and innovations of these modes of political organization within new contexts and settings (Skalink, 2004). Contemporary chieftaincies seem to run within the setting of modern statehood as well as in the sphere of tradition. Chiefs show competence in both spheres of political organization and are thus able to succeed as political entrepreneurs on local or regional levels, and even become part of the political elite of the state (Skalink, 2004).

The second perspective dwells on local case studies. For instance, Bierschenk analyses the political arena and its actors in the African city of Parakou in Benin and illustrates how the 'command state' operates behind the facade of modern statehood based on clientelism, corruption, and the appropriation of development aid (Bierschenk, 1999 cited in Klute and Hüsken, 2010). The third perspective centers on the emergence of local, non-state forms of power and their interlacement with the state. Several studies in political anthropology have empirically shown the emergence of non-state political actors (non-governmental organization and community-based organization, militia, international organizations and transnational corporations, returnees from diaspora, and the resurgence of the 'traditional' besides, parallel to or in articulation with existing state structures (Bellagamba and Klute, 2008; Ciabarri, 2008; Hüsken, 2009).

This thesis sits within the third perspective. The focus of the third perspective is broad and embraces the rise of local, non-state forms of power and their interlacement with the state in Africa. This thesis tries to carveout a specific niche within this debate. This thesis contributes to the discussion of the rise of new non-state forms of power in pastoral societies in post-socialist states in Africa, by bringing fieldwork from pastoral *Afar* in post-socialist Ethiopia.

Contemporary Ethiopia is one of the post-socialist states in Africa. Socialism is an economic and political ideology, which is associated with the concepts of state ownership of means of production (including land and capital) and the state authoritative control over the decisions of who has access to resources (Pitcher and Askew, 2006). Different types of socialism were practiced on the African continent, which Anne classifies into two: Marxist-Leninist and Non-Marxist Leninist (Pitcher and Askew, 2006). A common thread cutting across both is that socialist states in Africa nationalized pastoral lands (rejecting the existing traditional land tenure regimes) and introduced laws to weaken neotraditional authorities of land governance, as did the socialist Derg regime in Ethiopia (Rahmato, 2007).

Scholars differ on the number of African countries that adopted socialism. It appears the difference emanates from the way scholars define a socialist state. For some scholars, socialist states include both

the countries that have constitutional references to socialism and the countries that were ruled by socialist parties. According to this, between 1950s and 1980s, thirty-five African countries adopted socialism at some point (Pitcher and Askew, 2006). This thesis takes a different approach: a socialist state is a country that had constitutional reference to socialism (Marxist-Leninist or otherwise) even when non-socialist parties rule those countries. According to this, fourteen African countries are post-socialist states, of which Ethiopia is one[6]. Annex 2 shows the list of post-socialist African states.

There are two dozen pastoral communities in Africa (Bolling, Schnegg and Wotzka, 2013). Annex 3 shows the list of the pastoral societies in Africa. The *Afar* society is one of the major pastoral communities in the Horn of Africa. Based on the 2017 population projections done by the Central Statistical Agency of Ethiopia (CSA), the *Afar* Regional State has a population of one million eight hundred thousand, out of which eighty percent were pastoralists (CSA, 2018). This thesis locates itself in political anthropology, with a particular niche in the study of new non-state forms of power in pastoral societies in post-socialist states in Africa, and hence aims to make contribution to debates within this specific niche.

### 1.4.   Area of study

#### 1.4.1.  The *Afar* Region of Ethiopia

Following the reorganization of the Ethiopian state in 1991, the *Afar* National Regional State (ANRS) was created which shares borders with the regional states of *Tigray* in the north, *Amhara* in the west, *Oromia* in the Southwest, and *Somali* in the South. Out of the total area of the region (estimated at 97,250 km2) land in the *Afar* Region is divided into barren land (70.9%) and productive land (29.1%) (*Afar* National Regional State, 2009). The Region's altitude ranges from a maximum of 1500m above sea level to a minimum of 166m below sea level. Temperature varies from 25° centigrade during the wet season to 48° centigrade during the dry season. Rainfall is erratic and scarce, and annual precipitation ranges from 200 mm to 600 mm. The region is frequently exposed to persistent droughts and is classified as one of the drought-affected regions in Ethiopia (*Afar* National Regional State, 2009).

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[6] Out of the fourteen, six countries (Angola, Benin, Congo-Brazzaville, Ethiopia, Mozambique and Somalia) adopted Marxist-Leninist Socialism while the remaining eight (Algeria, Cape Verde, Egypt, Libya, Madagascar, Seychelles, the Sudan and Tanzania) adopted non-Marxist Leninist socialism (Pitcher and Askew, 2006: 13).

The *Afar* Region is subdivided into five administrative zones and one special district. These are *Awusi Rasu* (formerly known as Zone 1), *Kilbet Rasu* (formerly known as Zone 2), *Gabi Rasu* (formerly known as Zone 3), *Fantena Rasu* (formerly known as Zone 4), *Hari Rasu* (formerly known as Zone 5) and *Argobba* Special District. The ANRS is subdivided into twenty-nine districts.

This study was conducted in the *Eli Dar* District. *Eli Dar* District is in the *Awusi Rasu Zone* of the *Afar* National Regional State. The district is bordered on the south by the *Asayta District,* on the west by the *Dubti* District, on the northwest by the *Kori District,* on the north by the *Kilbet Rasu Zone*, on the northeast by Eritrea, and on the east by Djibouti. *Eli Dar* is located in the Ethiopian, Eritrea and Djibouti border triangle. *Dobi*, the focus of this study, is in this border triangle area.

### 1.4.2. *Dobi* on the border between Ethiopia and Djibouti

The focus of this thesis, *Dobi* salt mining site, is located on the border between Ethiopia and Djibouti. It is the second largest salt mining site in the country, next to *Afdera*. In the Fig 1 below, the picture on the top left shows the white'ish' salt covered *Dobi* plain surrounded by hill ranges.

Figure 1 Map of *Dobi*
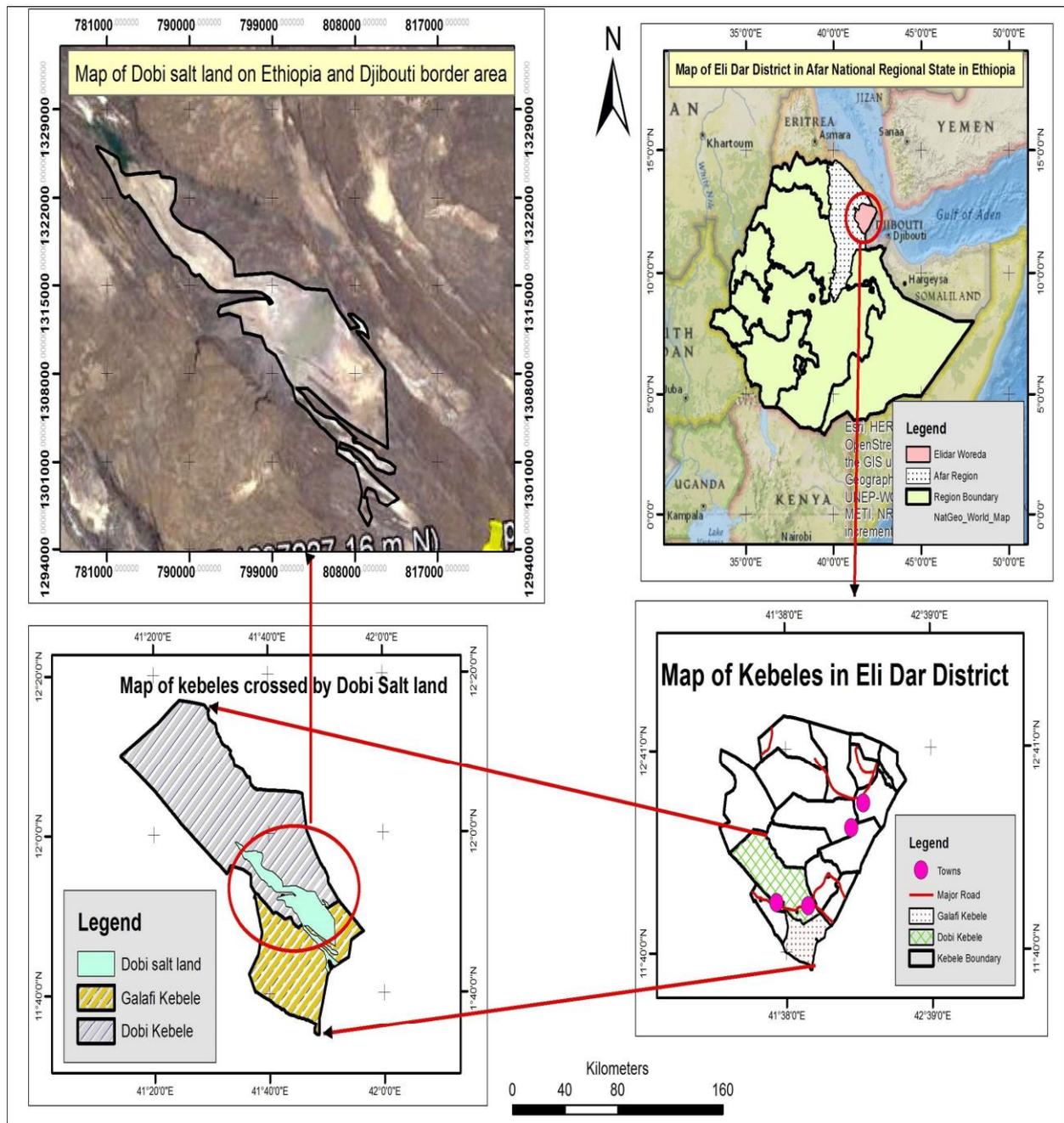


Agro-ecologically, *Dobi* is an arid and very hot place, which in a good time of the year has average temperature of about 36º Centigrade, and in hot months of the year, it is in the forties. *Dobi* is located at a crossroad: the highway that connects *Addis Ababa* to the *Assab* port in Eritrea, and *Addis Ababa* to the Djibouti port. Administratively, *Dobi* falls in two *kebele*s[7]: *Dobi* and *Galafi*, which are located

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[7] Kebele is the lowest tier of state administration structure. In Ethiopia, state administration structure runs from Kebele to District-Zone-Region-and Federal State

on the *Addis Ababa-Samara*-Djibouti port road. *Dobi* is located at eight hundred kilometers from *Addis Ababa* while *Galafi* (a border town between Ethiopia and Djibouti) is found thirty kilometers away from *Dobi*. All this is an etic description of *Dobi*: the researcher's points of view.  The emic description of *Dobi*, which is from the point of view of the *Afar* will be discussed under Chapter 6. It suffices to note here that, from the vantage point of the *Afar* people, *Dobi* is a territory of two clans- the *Lubakubo ke Modaito* clan (*af.*) and the *Wandaba* clan (*af.*), which is not only knit to their local identities but also is central to their pastoral livelihoods.

There are several actor groups who have an interest to access and control *Dobi*. The first actor group, and the core of this research are the *Afar* people, in particular the two clans that live around *Dobi*- the *Lubakubo ke Modaito* clan (*af.*) and *Wandaba* clan (*af.*) who claim traditional land right over *Dobi*. The second actor group is the Ethiopian State, including the Federal Government (seated in *Addis Ababa*) and the *Afar* National Regional State Government (seated in *Samara*). The third actor group constitutes those who have business interest in *Dobi*, including *Zenbaba Dobi* Salt Producers Association (ZDSPA), *Samara* University, and the Big Man, among others. Some actors fall in more than one category. For instance, *Samara* University, which is a federal government funded university located in the *Afar* Region, was also an investor in *Dobi*. As Mohammed, the Big Man who currently controls access to *Dobi* falls in all three categories. The subsection below discusses the process of conducting multisite fieldwork.

### 1.5.      Multi-actors and multi-sites' fieldwork

This thesis grew out of data collected from multiple actors located at multiple sites.  Table 2 on the next page shows the different actor groups and their locations.

Table 2 Multi actor and multi-site fieldwork matrix

| National | | *Samara* University (*Samara*) | Ethiopian State (*Addis Ababa*) |
|---|---|---|---|
| Regional | *Aussa* Sultanate (*Asayta*) | | ANRS (*Samara*) |
| Local | *Lubakubo ke Modaito* clan (*af.*) in *Dichoto* and *Dobi*; and the *Wandaba* clan (*Galafi*) | *Zenbaba Dobi* Salt Producers Association (ZDSPA), its members and its leader the Big Man (*Dichoto* and *Dobi*) | |
| Levels and sites | Society | Business | State |
| | Actor group classifications | | |

Key informants from the three actor groups were selected for interview. The sub-sections below present the multiple sites at which fieldwork was conducted. The profile of my key informants and focus groups discussants has been presented under annex 1.

### 1.5.1. *Addis Ababa*: the first site of fieldwork

Over the course of this PhD, I have conducted three rounds of fieldwork. The first field visit was conducted between October 2015 and January 2016. It was an eye-opener: it helped me to focus on *Dobi*. My journey started from Germany. I flew out with the Ethiopian Airlines from the Frankfurt International Airport (Germany) at the end of September 2015. After I arrived in *Addis Ababa*, I presented a letter of introduction signed by the Bayreuth International Graduate School of African Studies (BIGSAS) to two Federal Government ministries, namely FDRE Ministry of Mines, Natural Gas and Petroleum and FDRE Ministry of Federal and Pastoral Affairs. *Dobi* is a salt mining site and as such falls within the jurisdiction of the FDRE Ministry of Mines, Natural Gas and Petroleum. Since *Dobi* is located in the *Afar* Region, it also falls within the jurisdiction of the FDRE Federal and Pastoral Affairs. I approached both ministries during the first week of October 2015. During my employment with the Department for International Development (DfID), I had built collegial connections with

some senior staff in these ministries, which helped in easily getting appointments with key experts in these ministries. The FDRE ministries, located in *Addis Ababa*, are the first sites of fieldwork. My meetings at the federal level went smoothly.

### 1.5.2. *Samara*: the second site of fieldwork

The second site of fieldwork is *Samara*, the capital of the *Afar* National Regional State. Mohammed Detona, an *Afar* (a lecturer at *Samara* University), whom I came to know through my supervisory team, played a very important role in introducing me to the key offices in the *Afar* Region. *Samara* University and Bayreuth University have a sisterly memorandum of understanding to work together in areas of mutual interest. I entered the *Afar* Region under the umbrella of this agreement. In addition to Mohammed, I have had the pleasure of having two more very resourceful and helpful academics in the *Afar* Region: Abubeker Gebro (Head of *Samara* University's Public Relations), and Dr. Adem Borri (President of *Samara* University)[8]. *Samara* University provided me with office and logistical support during fieldwork.

Mohammed Detona was my host and research assistant during the first leg of my fieldwork. I spoke over the phone with Mohammed before flying from *Addis Ababa* Bole International Airport to *Samara* Airport. Mohammed belongs to the *Gala'ela* clan from the *Gabi Rasu* Zone of the *Afar* Region. The *Gala'ela* clan is a 'neutral' clan with regards to the struggles over *Dobi*, as *Gala'ela* clan does not have a territory in the *Eli Dar* District.

My main interlocutors in the *Afar* Region (Mohammed included) are well connected to key personalities in the region. There are two big lessons that I have learned from conducting fieldwork in the *Afar* Region. First, although official support letter alone does not open doors, they are symbolically important to attest legality of one's activities. Second, official support letter alone (be it from Bayreuth University or the FDRE ministry) does not help much unless one has the right connections. My interlocutors provided this badly needed connection. Mohammed presented me to the *Samara* University officials. He introduced me to the *Afar* Region's Mining and Energy Bureau and other pertinent bureaus. These connections with the regional government are important not simply because

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[8] Mohammed Detona's support was during the first leg of my fieldwork while the latter two helped me immensely during the second and third leg of my fieldwork.

they are sources of data but also because they provide support letters to conduct fieldwork in localities within the region. It was through connections created by my interlocutors that I managed to meet with the key decision makers to have them sanction my travel to the *Eli Dar* District. *Samara* University wrote a letter to the ANRS Bureau of Mining and Energy, and the latter issued a letter to the *Eli Dar* District Administration declaring legality of my fieldwork in the district. *Samara* University (one of the investors in *Dobi* salt mining), the Bureau of Mining and Energy (mandated to govern *Dobi* salt mining), the Bureau of Rural Land Use and Administration (mandated with the *Afar* Region's rural land administration), all located in *Samara*, are the second site of my fieldwork.

### 1.5.3. *Dichoto* and *Dobi*: the third and fourth sites of fieldwork

*Dichoto* and *Dobi* are the third and fourth sites of my fieldwork. *Dichoto* is a rural town found on the *Addis Ababa-Samara*-Djibouti port highway. *Dichoto* is the seat of the leader of *Lubakubo ke Modaito* clan, the seat of As Mohammed (the Big Man) and main office of *Zenbaba Dobi* Salt Producers Association (ZDSPA). The first visit to *Dichoto* was conducted in early November 2015. During my visit to *Dichoto*, I met with Ibrahim Intibara, leader of *Lubakubo ke Modaito* clan (*af.*). To meet with Ibrahim Intibara, I used local connections; a method that can be compared with snowballing technique. Mohammed Detona has an uncle named Mussadin, a police officer placed in *Dichoto,* a member of *Gala'ela* clan. Mussadin's daughter is married to the son of Ibrahim Intibra. Mohammed telephoned uncle Mussadin to arrange a meeting with Ibrahim Intibra, which he did. After about two weeks of several appointment cancellations, the actual meeting took place on the morning of the 23rd of November 2015 I in Mussadin's house.

During the first leg of my visit to *Dichoto*, my aim was to select a specific site for fieldwork. Luck was on my side, since Ibrahim Intibara suggested that I could conduct fieldwork on *Dobi*. He says:

> Three out of the 18 '*kebele*s' in the *Eli Dar* District belongs to the *Lubakubo ke Modaito* Clan. These are *Dobi*, Imino, and *Dichoto*." I[9] suggest that you conduct your studies in *Dobi*. *Dobi* is very close to *Dichoto*. It is located near the main

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[9] I will have to admit that Ibrahim Intibara later regretted suggesting Dobi as area for my fieldwork after realizing that my research extended to issues of who controls access to *Dobi*, how resources generated from *Dobi* are distributed etc. The same facts also led Mussedin sliding away from me. I gather that both men are afraid of retaliation by Ass Mohammad.

highway that runs to *Samara*. Furthermore, we have good people in *Dobi* who

can host and help you during your study (Intibara, 23 November 2015, *Dichoto*).

Ibrahim's suggestion and my interest converged: *Dobi* became the main site of fieldwork for my doctoral research. My first visit to *Dobi* was conducted between December 2015 and January 2016. Up on my arrival, I met with Hussen Yassin, a point of contact suggested by Ibrahim Intibara.

Hussen Yassin is a member of the *Asdara* sub-clan of the *Lubakubo ke Modaito* clan. Hussen lives with his extended family on the edges of *Dobi* salt mining site, on the left side of the main highway that connects *Addis Ababa* with Djibouti. He lives on a place known as *Abba Barahabe* (*af.*) translated as 'the place that the father left for his son'. Hussen Yassin's extended family includes more than thirty-six people. His family includes, among others, his newly married daughter, and her husband, who in accordance with their tradition were living with his spouse's family for the first two years of marriage (or until the first two children are born) on the house of the wife's father.

During my first visit to *Dobi*, I have learned that the *Lubakubo ke Modaito* clan has four subclans: the *Lubakubo*, the *Asdara*, the *Aysa Mali* and the *Aydahis Bara*. (For details on this, please refer to Chapter Four). Out of these four sub-clans, *Dobi* salt mining land cuts across the territories of the first two sub-clans, whom I have selected for this study. Both the *Lubakubo* and *Asdara* sub-clans are found in *Dobi Kebele*[10].

During my first visit to *Dobi*, I have learned that large part of what is known as '*Dobi* salt land' falls in the territory of the *Wandaba* clan. Accordingly, towards the end of my first field visit, I left *Lubakubo ke Modaito* clan territory and entered the *Wandaba* clan territory to establish rapport. Fortunately, my first key informant from the *Wandaba* clan, Mohammed Ibrahim, lives in proximity from Hussen Yassin's family.

### 1.5.4. *Galafi*: the fifth site of fieldwork

During my second field visit, I learned that the *Wandaba* clan is sub-divided into ten subclans[11]; six of who are in Ethiopia and the remaining four are in Djibouti. *Dobi* cuts across the territories of four sub-clans: *Gambel*, *Asduri*, *Dala'ala*, and *Hamiltu*. Mohammed Ibrahim belongs to the *Asduri* sub-

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[10] *Dobi Kebele* is one of the eighteen kebeles found in the *Eli Dar* District.

[11] Sub-clan leaders: Mohammed Ibrahim (*Gambel),* Hanfare Hassan *(Asduri),* Aden Ahmed and Ali Umad

clan of the *Wandaba* clan. Through my acquaintance with Mohammed Ibrahim, I met with Hajji Yassin, who belongs to the *Gambel* sub-clan of the *Wandaba* clan.

During a focus group discussion (FGD) held in *Galafi*, the *Wandaba* elders drew a social map, which shows the location of the four sub-clans of the *Wandaba* clan (FGD *Wandaba*, 2017). I will describe the social map they drew. Following the *Addis Ababa*-Djibouti highway, the *Asduri* sub-clan is the first to find after leaving *Dobi*. The *Asduri*, with a population of about eight hundred people, are found on the right side of the highway while the *Gambel* are found on the left side. After these two sub-clans, the *Hamiltu* sub clan is found on the left side of the highway next to the *Gambel*, while the *Dala'ala* sub-clan is found on the right side, opposite to the *Hamiltu*. All these four sub-clans are found in the *Galafi Kebele*. All the four sub-clans have their own leaders. However, at the clan level, Mohammed Ali Afahaso, who seats in the *Galafi* (the sixth site of fieldwork), is the overall leader of the clan (FGD *Wandaba*, 2017). I met with Mohammed Ali Afahaso during my second field visit.

During the second field visit, I spent several months among the four *Wandaba* sub-clans in *Galafi Kebele*. Through the initial connection with Mohammed Ibrahim and Haji Yassin, and the snowballing effect this acquaintance creates, I met with several of my key informants from the *Wandaba*. I also came back to *Galafi* in August 2018 (third field visit) to continue an interview with the *Wandaba* clan elders, which was discontinued due to their arrest in January 2017.


### 1.5.5. *Asayta*: the sixth site of fieldwork


During the second leg of my fieldwork, in late August 2016, I came to *Asayta* (the sixth site of fieldwork) to meet with members of the *Aussa sultanate*. Leaders of the *Aussa sultanate* are important for two reasons. First, due to the sensitivity of my research on *Dobi*, I wanted to make sure that I have acquired their support. Secondly, I wanted to interview them as important *Afar* neotraditional leaders. Accordingly, I met with Hussen Yayyo member of the ruling *Aussa* sultan, and who not only sanction my fieldwork but also became my mentor. He was one of my key informants. I also followed him to observe the conflict resolution process between the Big Man and the *Wandaba*.

In *Asayta*, I have also interviewed leaders of two 'neutral' clans to incorporate 'third party' perspective. I organized a three-way discussion with Ibrahim Humed (elder from the *Hululto* ke *Wadima* clan) and Umar Yayyo (elder from the *Modaito* ke *Mahandita* clan). I should emphasize here

that this venturing out of talking to 'third-party' does not in any way undermine the accounts of the two stake-holding clans; rather, it provides outsider's look into the claims of both parties.

### 1.5.6. Conducting ethnography in "zones of danger" and in "times of political crisis"

As stated above, this thesis grew out of three rounds of fieldwork. The first round, which was an exploratory one, was conducted between October 2015 and January 2016, the second round was conducted between August 2016 and May 2017, and the third round was conducted between July and August 2018, all of which sums up to roughly ten months of fieldwork.

The first round of fieldwork went smoothly; people I met with, such as Ibrahim Intibara (the leader of the *Lubakubo ke Modaito* clan) were very cooperative. I cannot say the same about the second and third leg of my fieldwork. The second field visit was conducted between August 2016 and May 2017. During this period, Ethiopia was engulfed by widespread and sustained (2014-2018) protest the TPLF-led -EPRDF regime, epicenter of which is my home state of Oromia. In response to the protest, the Government declared state of emergency (SoE) on two rounds of six months each. The protest and the SoE that followed significantly limited my ability to travel freely within the *Afar* Region. Due to the sensitivities of conducting fieldwork at that troubled time in general and of working on *Dobi* in particular, I made sure that I had acquired a support letter from the *Afar* National Regional State President's office, in *Samara* and from leaders of the *Aussa Sultanate* in *Asayta*.

The second visit mainly focuses on clans around *Dobi*. I spent over a month working with the two sub-clans of the *Lubakubo ke Modaito* clan in the *Dobi Kebele*. Contact I made during the first leg of fieldwork, in the person of Hussen Yassin, helped to meet with additional informants. After working with the two sub-clans, I crossed over to the territory of the *Wandaba* clan.

Mohammed Ibrahim was the first person I met from the *Wandaba* clan during the first field visit. Through him, I met with Hajji Yassin. During the second field visit, I used these connections and the snowballing technique these acquaintances created. I met with and interviewed several key informants from the four *Wandaba* sub-clans who live around *Dobi*. It was during the second visit that I observed the *Wandaba* clan protest the Big Man, their arrest, court processes and their final release. Both of my initial contacts from the *Wandaba* clan, Mohammed Ibrahim and Hajji Yassin were detained. During this second leg of my fieldwork, I faced a lot of challenges. This is partly due to my closeness with

the two individuals who were accused of leading protesting the Big Man. It is also because, as an *Oromo* scholar whose home state was an epicenter of the political protest that shook the country to its core, I was accused of trying to import the protest from Oromia to the Afar Region. The blend of the two factors got me at odds with the Big Man and state authorities which led to interruptions to my work, a temporary detention (in *Dichoto)*, and later eviction from the Region.

The third field visit was conducted in Summer of 2018 to incorporate the voices of the *Wandaba* clan elders who were arrested during the second field visit. However, this came at a price: I ended up in detention in *Dichoto*. My experiences speak to the challenges of conducting ethnographic fieldwork in Afar came to be termed 'zones of danger' (Anderson, 2016). The "danger question" has become increasingly important for anthropology as the discipline has had to face up to insecurity on both practical fronts in recent years. A key dilemma that has lingered in ethnographic fieldwork is the question of how to research and write about politically sensitive issues tearing through communities, while adapting our methods and ethics to deal with situations of danger. This question and the associated practical conundrums loom large as researchers enter the "zones of danger", the kind I encountered in the *Afar* Region which Anderson calls "the new global danger zones" (Anderson, 2016). Indeed, in an era of rampant insecurity, our quest for knowledge of the insecure Other is becoming intimately tied up with the insecurity of the anthropological Self.

However, all the major scholarship on the challenges of conducting fieldwork in "zones of danger" has been dominated by the experiences of occidental researchers who step out of their comfort zones in the West and enter the "zones of danger" in the Global South (please refer to Anderson 2016; Peter and Strazzari, 2016). This thesis elucidates the experiences of an anthropologist from the Global South doing research in danger zones and in "times of crisis". I conducted my fieldwork during one of the worst political crises in Ethiopia (2014-2018) including two state of emergencies which lasted for one year. I will argue that we (anthropologist from the Global South) face a dual problem: on the one hand, we had to deal with and overcome the challenges (such as unwarranted detention and harassments) posed by the "zones of danger" and 'times of political crisis' as any other anthropologists conducting research under such circumstances, and on the other hand, we carryout our research with very little to no institutional support under such circumstances-the kind of support and advocacy a Western scholar is guaranteed to get when faced with these challenges.

## 1.6.    Methodology

### 1.6.1. Symbolic interactionism

The aim of this thesis is to understand and describe the emerging new forms of power in the *Afar* Region. My amplified interest to understand actors' perceptions (Spradley calls this meaning system) about power and land is central not just in the definition of culture but also in the choice of the methodological approach (Spradley, 1979: 5). Culture has been defined in different ways. Marvin Harris states, "the culture concept comes down to behavior patterns associated with particular groups of people, that is 'customs,' or to 'people's way of life' " (Harris, 1968: 16). This definition obscures the distinction between the outsiders and insiders' point of view (Spradley, 1979: 5). Behavior patterns, customs, and a people's way of life can be defined, interpreted, and described from more than one perspective. In ethnography, the goal is ''to grasp the native's point of view'' (Malinowski, 1922: 25). Spradley defines culture as "the acquired meaning systems that people use to interpret experience and generate social behavior" (Spradley, 1979: 5). In this thesis, culture refers to the acquired perceptions that people use to interpret experience and generate social behavior. This is very important. By restricting the definition of culture to shared perceptions, I do not eliminate an interest in behavior, customs, objects, or emotions. It is merely meant to shift the focus from these phenomena to actor groups' perceptions about it. As an ethnographer, in addition to observing behavior concerning struggles over *Dobi*, I go beyond it to inquire about people's perceptions concerning power and land. In this thesis I will use the term 'perceptions', which refers to and subsumes such terms as 'beliefs', 'conventions', 'truth', 'ideas', knowledge, cultural imaginations, or cultural meaning systems.

This concept of culture has much in common with symbolic interactionism, a methodological approach that seeks to explain human behavior in terms of meanings (Geertz, 1973b). American philosopher George Herbert Mead primarily established the theory in the 1920's, and American sociologist Herbert Blumer later coined the term in the 1960's (Blumer, 1969). Blumer identifies three premises on which Symbolic interactionism rests (Blumer, 1969). The first premise, which is central to this research, is that human beings act towards things based on the meanings that the things have for them (Blumer, 1969: 2). This, I take it to refer to the perceptions that people have for the things and world around them. In short, people do not act towards things, but toward their perceptions of these things (Geertz, 1973a). For instance, as discussed in detail under Chapter Six, for the local *Afar*,

*Dobi* is their clan territory-mark of their identity- and the actions they take to protest the Big Man is defense of their clan territory. From the point of view of the Big Man, his own actions in occupying *Dobi* are 'development' while the actions of members of the *Wandaba* clan who protest him is 'anti-development'.

The second premise underlying symbolic interactionism is that meanings are derived from, or arises out of, the social interaction that one has with one's fellows (Blumer, 1969: 2). Culture, as a shared system of meanings, is learned, revised, maintained, and defined in the contexts of people interacting. The third premise of symbolic interactionism is that meanings are modified through an interpretive process used by the person dealing with the things he encounters (Blumer, 1969: 2). The *Afar* people are not automatons, driven by their culture to act in the way they set. Rather, as actors, the *Afar* people use their culture to interpret all situations they are part of. Culture serves as a guide for acting and for interpreting experience; it does not compel actors to follow a particular course (Spradley, 1979). Actors view their world through their perceptions. In other words, these perceptions serve as eyeglass through which actor groups interpret their world and act on it.

This thesis took perceptions very seriously, as did symbolic interactionists, and studied actor groups' perceptions carefully. For this reason, I needed a specific methodology designed to investigate perception. Scholars argue that there are certain assumptions underpinning ethnographic studies. Andreas Glaeser, while acknowledging that not all studies hold these assumptions to the same degree, identifies the following assumptions (Glaeser, 2005). The first assumption is that the aim of ethnography is to investigate the life of a group of people, its customs, and its traditions. The second assumption is the groups of people studied were typically conceived as self-constitutive in at least those aspects relevant to investigation. This means that all relevant interaction that could be studied was supposed to happen within that group (Glaeser, 2005: 29). This assumption is something I found ripe for criticism. The *Afar* people residing around *Dobi* are not the only actors involved in the interactions, and factors around *Dobi* are not the only detrimental factors influencing their perceptions and behaviors. The third assumption is that the group was conceived as a self-sustaining system and the group was supposed to be bounded in a location (Glaeser, 2005). Finally, since the group was thought of as self constitutive, the ethnographer could treat himself as a kind of alien, a member of another world who had no real influence on what is going on locally (Glaeser, 2005). These assumptions underpin classical ethnography, and in recent years assumptions of classical ethnography have been heavily criticized (Glaeser, 2005).

The attack on the assumptions of classical ethnography came in several ways. The first major critique came from Manchester School scholars (Gluckman, 1940; Gluckman, 1961). The aim of ethnography is no longer the bounded group but a process that gets instantiated by a set of people with relations stretching well beyond the confines of the locality. To describe how a process ought to be studied, Gluckman adopts the term 'extended case method' (Gluckman, 1961: 5), a method which was refined and better formulated by Burawoy (Burawoy, 1998; Burawoy, 2009). Gluckman underlines taking "a series of specific incidents affecting the same groups through a period, showing how these incidents, are related to changes within a group'' (Gluckman, 1961: 6).

The criticisms against the assumptions of classical ethnography led to the realization that ethnographers and their objects were part and parcel of wider encompassing relations, which in turn led to what we know now as reflexive ethnography. The reflexive turn gave way to the realization that cultures are not bounded and isolated things to be discovered in remote localities, but have been actively shaped by movement of people, conflict, and state building etc. As such, although it is still interesting to study groups in their distinct local contexts, this is no longer sufficient; one must analyze culture considering its interactions with regional and national contexts. The 'village' was no longer the only object of anthropological study. *Dobi* has been studied by situating it within the wider dynamics. The behavior of the *Afar* people around *Dobi* is shaped by factors that exist beyond the locale, which points to the centrality of 'unbounded culture' view adopted for this thesis. Furthermore, the new turn in anthropology gave way to an awareness that cases need to be studied as extended not only in time but also across space, which slowly triggered what would eventually be termed 'multi-sited ethnography' (Marcus, 1998: 72). The consequence of the realization of the limitation of classical ethnography was that ethnographic practices must become both temporally and spatially extended (Marcus, 1998: 73).

### 1.6.2. Primacy given to the *Afar* point of view

The goal of ethnography, as Malinowski puts it, is "to grasp the native's point of view, his relation to life, to realize his vision of his world'' (Malinowski, 1922: 25). Some authors underline that ethnography has to meet four essential prerequisites: "(i) residing for a long time among the members of the studied culture, (ii) proficiency in the language of the community, and (iii) the use of participant observation; and (iv) and as a product, the ethnographic monograph has to adopt the emic perspective,

as opposed to the etic one'' (Spradley, 1979: 19). After all, in ethnography, local modes of thought and behavior are the primary focus of the exercise (Burawoy, 1998: 12).

In this thesis, I tried to walk a fine line between the overtly euro-centric, and etic view of Wilfred Thesiger's ''The *Danakil* Diary'' (Thesiger, 1996) and quite patronizing and factually questionable works of Hashim Shami's 'The Almanah' (Shā mī, 1997). Tackling this Herculean task is not easy, even Thesiger admits "I regretted that I had not studied anthropology instead of history at Oxford' (Thesiger, 1996: 88).

Based on my ten months stay in the study area, I tried as much as possible to give primacy to the voices and points of view of the *Afar*. This project embraces an emic approach. However, grasping the insider's point of view is not an easy task. This recalls the importance of understanding the local language, *Afar-af.* During my fieldwork, I hired an *Afar* to teach me the *Afar* language. Due to the state of emergencies (remained in effect for ten months over the course of my fieldwork), the protest and my eviction, the lesson did not go as much as I wanted to. Furthermore, government structures including the state court use *Amharic* as their official language, as you will see in the annexes attached with this thesis. I relied on the assistance of research assistant/translator, although I communicated with the *Afar* without too much help of an interpreter.

## 1.6.3. Extended case method

Burawoy claims that the ECM is founded on four principles: extension of the observer into the lives of participants under study; the extension of observations over time and space; the extension from micro processes to macro processes; and the extension to theory (Burawoy, 2009). These principles formed the basis for the extended case method, which create ties between the past and the present, between the micro and the macro, between the researchers and researched, as well as between the pre-existing and new theories (Burawoy, 1998: 5). I believe that, although ECM is best fit for legal anthropological studies, it can be usefully drawn to the study of power struggles (political anthropology), by capitalizing on the first two principles.

ECM emphasizes linking local realities to forces outside a given socio-cultural area. This differs from the bounded view of culture that dominated classical ethnography that limited the domain of investigation to a specified cultural group or setting. In classical ethnography, a researcher may not go beyond a specific socio-cultural setting even when there are events that have close links with his/her

area of investigation. Burawoy's seminal work, which was based on his study of post-colonial Zambia, gave way to the realization that culture is unbounded, and researcher can go beyond a specific cultural context. ECM is founded on the idea that researchers should extend their domain of exploration over time and space. Extended case method appreciates the link between local realities and forces outside their borders and doing so creates links between micro and macro forces. This has been employed in discussion in Chapter Seven.

The aim of this thesis is to understand and describe the emerging new forms of power in the *Afar* Region. The principles of ECM, particularly extension of observations over time and space and extension from micro processes to macro forces appear to be fitting for this research. This method helped me investigate changes over time in the struggles over *Dobi* amongst actor groups. Struggles for access to and control of *Dobi* involves several actors' groups, some of whom are located in *Dobi*, and others are located outside of *Dobi*, operating beyond the local. ECM will help to link the forms of struggles over *Dobi* to factors that lie beyond the local. In my study, the micro- mezzo linkage can be observed in the way the *Afar* Region politics contributed to the rise of the Big Man. The micro–macro linkage can be seen in the way the Ethiopian and Eritrean border War (1998-2000) led to shortage of salt imported from Eritrea and hence led to the beginning of commercial salt mining on *Dobi*, and therefore the changes in the forms of control from clan ownership to the Big Man's control.

This research is rooted in a grounded theory methodology. Grounded theory is a systematic methodology that has been largely, but not exclusively, applied to qualitative research. The methodology involves the construction of hypotheses through the collecting and analysis of data. Through this methodological approach, this project begun with a question and collection of qualitative data. As I review the data collected, ideas and later concepts become apparent: ideas/concepts "emerge" from the data. The researcher then tagged those ideas with *codes* (using ATLAS Ti) that succinctly summarize the ideas/concepts. As more data are collected over the course of the extended fieldwork, and re-reviewed, codes were grouped into higher-level concepts, and then applied to abstract data and challenging the prevailing theorisation with regards to emergence of new forms of power, associated new ways of access to *Dobi* Salt Lake, and the protracted local conflict. The choice of appropriate techniques for data collection is very important to collect reliable data, to generate concepts, and eventual abstractions.

### 1.6.4. Techniques and sources of data collection

Techniques of empirical investigation are key to a proper anthropological study. As an ethnographer, I drew on several techniques: key informant interview, observation (including by accompanying a local elder), focus group discussion, interview, diaries, and review of secondary sources. Being aware of the critique against the social network analysis (see Scott, 2017), I was somehow reluctant to do a network analysis according to the technical pre-set of network analysis (Jon and Richard, 2013: 596). During fieldwork, I also became more and more aware of the danger I would run when researching bluntly the Big Man's network. However, the network of the *Dobi*'s Big Man was revealed rather indirectly through other qualitative techniques used in this thesis.

### 1.6.4.1. Key informants' interviews and observations

I conducted interviews with more than 28 key informants selected from the *Afar*, the state (federal and local government) and investors. Please refer to annex 1 for the list and profile of my key informants. A key informant is someone who can offer specific, specialized knowledge on a particular issue you wish to understand better (Spradley, 1979). KIIs are qualitative, in-depth interviews of people selected for their first-hand knowledge about a topic of interest. The interviews are loosely structured, relying on a list of issues to be discussed, informed by my research questions. Key informant interviews resemble a conversation among acquaintances, allowing a free flow of ideas and information (Spradley, 1979: 29). As an interviewer, I raised questions and took their replies on my notes and recorded on audio-recorder, when the interviewee agreed to it.

Observation is a powerful technique to get firsthand experience about the day-to-day lives of the subjects of the research. The method was used for understanding forms of power at play over *Dobi*, how actors acquire access to *Dobi*, and the land dispute between the Big Man and the local *Afar*. It was useful to understand the struggles that each actor group makes to establish their control over *Dobi*. Importantly, it helped in understanding whether the actions of the actor groups are in line with their discourses. I then triangulated the data generated from my observation with data generated through other techniques. For instance, the Big Man claims he does not use any armed force to protect his interest over *Dobi*, but in practice I have observed that he uses the local police and *fihima* (clan armed militia) to defend his interest on *Dobi*.

I have also observed the *Wandaba* clan protest the Big Man. When the protest erupted in last week of December 2016, I was in *Dobi*. I personally observed the *Wandaba* in action. After five elders from the *Wandaba*, accused of organizing and leading the protest were imprisoned, I also observed the court process by following them to *Eli Dar* and *Asayta* towns. Please refer to Chapter 7 for details on this. I am aware that in anthropological research participant observation was preferred to get the "insider" point of view (Spradley, 1980). Unfortunately, due to the sensitivity surrounding *Dobi*, I could not involve in the protest as a way of participant observation. The context within which I was conducting the study and the nature of the conflict itself proved to be a challenge for participant observation. To observe the court process and the back door negotiations, I chose to follow a respected *Afar* elder, Hussen Yayyo. I found this technique to be very safe and very productive. Hussen Yayyo is a member of the *Aussa Sultanate* and a respected *Afar* elder. He is usually invited to resolve major conflicts that occurs among the *Afar*. One such case he was involved in was the conflict between the *Wandaba* and the Big Man.

### 1.6.4.2.  Focus group discussions and social mapping

I have conducted three focus group discussions (FGDs) over the course of my fieldwork. This includes a FGD with members of the *Wandaba* clan (in *Galafi*) and a FGD with members of *Lubakubo ke Modaito* clan (in *Dobi*) and a FGD in *Asayta*. Focus group discussions are predetermined semi-structured interview discussions moderated by the researcher. During FGDs, I asked questions (with the help of my assistant) to elicit responses and generate discussion among the participants. My goal was to generate the maximum number of opinions to understand specific themes at a deeper level than I have managed to get from individual interviews and other techniques. During the FGDs, several issues were discussed including the *Afar* ethno-genesis, social differentiations among the *Afar*, local belonging (autochthone versus allochthone) and the *Afar* traditional conflict resolution system. FGD questions flew in two stages: introducing participants to the discussion topic and make them feel more comfortable sharing their opinion with the group and then delving into the discussion topics. The fact that the *Afar* speak turn by turn makes the whole process very smooth and enjoyable. Although ideally, it is recommended that a FGD should be between 60 and 90 minutes (Neuman, 2011: 61), in my experience among the *Afar*, it took between 120 minutes and 180 minutes. A key lesson is that, when it comes to sequencing, it is better to conduct FGD after the researcher is acquainted with local people so that discussants are comfortable with the researcher to speak freely.

Figure 2 Focus group discussion held with the *Wandaba* clan elders



I asked the participants of the FGDs to draw social maps. When I was working in international development agencies, I came to learn a tool known as social mapping. Social mapping is a visual method of showing the relative location of clans, the distribution of people over land, resources available in an area etc. I put this technique to use in mapping *Dobi*, in defining clan and sub-clan territories.  It was a participatory technique, which involved and was led by the *Afar* themselves. My role was facilitation. Participants of the FGD in the two clans drew their clan territories, location of their sub-clan's vis-a-vis *Dobi*, types of natural resources available on *Dobi* etc.

### 1.6.4.3.    Case study

For the discussion on land dispute, the case study was used to reveal the power struggles and legal realities in the *Afar* Region. This thesis adopts Gluckman's view that taking a series of cases (in this case land dispute cases) will provide a better understanding of conflict over land. Disputes can be used as an entry point of social analysis (Gluckman, 1961). In this thesis, land conflict will be used as an entry point to understand the power struggles between and among the different actor groups.  Chapter seven, to which the case study method was applied, explores forms of land conflict over *Dobi*. I have

presented two cases: conflict between the Big Man and members of the *Lubakubo ke Modaito* clan and conflict between the Big Man and members of the *Wandaba* clan.

### 1.6.4.4.    Diaries and recordings

In addition to the interviews, observation and focus group discussions, complementary techniques were used to gather data. Accordingly, I have taken photo pictures, recorded audio conversations, and took field-notes. During the evenings, data collected through the different techniques were transcribed. This strategy helped to capture information while the memory is fresh in mind. It also helps initial data analysis whilst in the field, and to identify data gaps that need to be filled. Data gaps that were identified the nights before were filled on the days that follow.

Keeping diaries and field-notes has another advantage. It helps to compare narratives (discourses) of the actor groups generated through the different techniques with what actors do, with accounts of real events of struggles over *Dobi*. This helps to check if there are discrepancies between what the local *Afar* were saying and doing in their day-to-day lives.

### 1.6.4.5.    Review of secondary sources

Secondary sources were reviewed to get basic information on forms of ownership and governance of land, and the geographical, historical and socio- economic background of the *Afar*, and to get various researchers' ideas and debates on the subject. In this regard, different literature, reports and archival materials, figures, maps of the study area have been consulted in detail. Government land use and administration policies and proclamations, as well as mineral proclamations have been consulted.

At this juncture, I would like to state that to provide a better context, *Dobi* salt land has been compared with *Afdera* Salt Lake. Information about *Afdera* is acquired primarily from Dereje Feyissa's article on the *Afdera* Salt Lake. This, I hope will give more nuance to the difference in the way the two salt lakes are governed. On *Dobi*, commercial salt production started in 2004. Archives at the *Afar* Region Mining and Energy Bureau shows that *Afdera* salt mining begun in 1998. *Afdera* is a Salt Lake, while *Dobi* is not.

Both *Afdera* and *Dobi* use solar evaporation mining. Solar evaporation is the oldest method of salt production. In addition to difference in governance, the other difference is that in the case of *Afdera*, salt water is harvested from the lake while in the case of *Dobi* the salt water is excavated from underneath the surface. Two types of ponds are used. First is the concentrating pond, where the salty water is concentrated. The second is the crystallizing pond, where the salt is produced.

Overall, it is fair to declare that, in this thesis I did not excessively rely on a single technique or source of data. Rather, the application of the principle of triangulation was used wherein more than one data or method are employed when investigating a research question so that diverse viewpoints are expressed on a topic.

### 1.6.5. Reflexivity: mirror reflection of self

In this subsection, I will recount the image of myself as seen in a mirror. I was born in *Gidda Ayana*, a mid-highland town located in Western *Oromia*, about 1,060 km away from *Dobi*. I had never been to the *Afar* Region in general and to *Dobi* before travelling for the fieldwork. In fact, the *Afar* Region was not even my first choice of study area. When I submitted my doctoral proposal to the Bayreuth University in the summer of 2014, my interest was to conduct fieldwork in the *Gambella* Region, the western most region of Ethiopia. I changed my mind after realizing that there is already research being conducted in *Gambella*. In any case, apart from being in Ethiopia, the *Afar* Region is a new world to me.

Conducting fieldwork in the *Afar* Region is like studying a world that is far but also close to home. I am an *Oromo* from the western part of *Oromia*. I was born to a Christian family and identify myself as such. I belong to what is generally labeled as 'highlander'. The *Afar* people in *Dobi* are Muslim pastoralists in the Ethiopia's northeastern lowland periphery. As such, the *Afar* and the study area are new worlds to me. Therefore, my endeavor can be seen as study of the 'other', although my otherness can be questioned. I am an Ethiopian, as are *Afar*. The *Oromo* and *Afar* belong to the lowland Cushitic linguistic group, and as such share up to thirty percent of vocabulary in addition to similarity in grammar. That makes it close to home.

From the outset, I made it very clear that I am a student from a university in Germany. This reduces the perceptions of partiality. I repeatedly declared that I am a researcher who came to the *Afar* Region

to learn about forms of land ownership and governance. I also made it clear from the beginning that I did not have an affiliation with any political party or government official in the *Afar* Region. Therefore, I remained impartial throughout the discussions on both politics and religious issues.

 I have worked very hard to avoid biases, although I cannot say for neutrality[12]. Remember the timing of the fieldwork was informative of my inclinations of struggles over land. During my fieldwork, the country was undergoing a continued, bloody protest, which was triggered by land questions in my home region of *Oromia*. So, I was already inclined towards sympathizing with people who have been forcefully evicted from their lands. However, I did not use this inclination to deliberately alter any of the discussions.

I relied on two tactics to ensure reliability and validity of my research project. First, I decided to work with an *Afar* elder who is well respected by all sides of the dispute on *Dobi*. Hussen Yayyo, son of a former Sultan is a living-breathing-walking library when it comes to land issues in *Afar*. He was a senior official under the Dreg and in the post-1991 regime. He is seen as the eldest uncle in the *Aussa sultanate* family. In addition to being my mentor, and person I shadowed to observe the court process of the *Wandaba* clan elders, he was also a springboard to ensure that I stayed on course, that I remained impartial.

The second tactic I employed was plugging myself to *Samara* University. *Samara* University, in addition to providing support for my fieldwork, also became an institutional springboard where I presented my findings (formally and informally) to academics at the University to receive critiques and to gauge my progress. All this shows the rigor to which the study was subjected and how the thesis is constructed, and inferences are generated. Above all, I have repeatedly tried to check with my informants as to whether my inferences reflect their lived experiences. Rigor while conducting fieldwork enables immersion in detachment, closeness in distance.

### 1.7.    Structure of the thesis and major argument

This thesis is organized into eight chapters. In 2004, a new form of power, in the person of As Mohammed Humed Yayyo asserted monopoly control over *Dobi* salt mining land. The emergence of the new form of power, a Big Man over *Dobi* contradicts a commonly held assumption, according to which as the state gains control over its peripheries, the space for the rise of new forms of power

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[12] Oxford dictionary defines neutrality as absence of decided views, expression, or strong feeling.

would be limited. This seems to be the case with the *Afdera* Salt Lake where since the beginning of commercial salt mining in 1998, the authority to grant access has moved from clan leaders to the state. Contrary to this, on *Dobi*, Big Men control access to the site ever since commercial salt mining started in 2004. This marks the first research problem.

The Big Man joins an already plural political landscape, which includes the neo-traditional authorities (such as clan leaders, sultan, and religious leaders) and the Ethiopian state. The second research problem concerns the nature of relation among the Big Men, the neotraditional leaders and the state. In Ethiopia, over seventy percent of the population is agrarian and as such their life support 'umbilical cord' is tied to land. This is also the case in the *Afar* Region. Changes in land tenure do not go smoothly; rather, they result in conflicts between the population and the power figures in charge. Land lies at the center of the uprisings that overthrew the Imperial regime, the Derg regime, and forced the 2018 regime change. The third research problem relates to how the changes in land tenure on *Dobi* has been perceived and received by the local *Afar*. A common assumption is that the 'privatization' of a communally owned land might lead to conflicts between the Big Man and members of the local *Afar* and eventually remove him from power.

Considering these research problems, this thesis raises the following research questions: what are the features of the new form of power that emerged over *Dobi*? What was the nature of the relations between the Big Man and the state? What have been the sources of the Big Man's legitimacy? What have been the sources of the Big Man's power? How did actor groups acquire access to *Dobi* since the rise of the Big Man? What has been the nature of relation between the Big Man and the local *Afar* concerning control of access to *Dobi*? If there was conflict, how was it resolved?

It is possible to identify three lines of research concerning how political anthropology is dealing with changes in political order in Africa (Klute and Husken, 2010). The first perspective focuses on African chieftainship and segmentary modes of tribal organization. The second perspective dwells on local case studies: for instance, Bierschenk analyses the political arena and its actors in the African city of Parakou in Benin and illustrates how the state operates behind the facade of modern statehood based on clientelism, corruption, and the appropriation of development aid (Bierschenk, 1999 cited in Klute and Husken, 2010). The third perspective focuses on the emergence of local, non-state forms of power and their interlacement with the state. This thesis falls in the third perspective. Within this perspective, this thesis clears its own specific niche by dwelling on the analyses of the rise of non-state forms of power in pastoral societies in the post-socialist states in Africa. Ethiopia is one of the fourteen post-

socialist states in Africa and the *Afar* is one of the two-dozen pastoral communities on the African continent.

This thesis focuses on *Dobi* salt mining land, which is found in the *Eli Dar* District in the *Awusi Rasu* Zone of the *Afar* National Regional State in the northeastern Ethiopia. Since there are multiple actors with interest over *Dobi*, data for this thesis has been collected from the multiple actors located at multiple sites: including *Samara*, *Addis Ababa*, *Asayta*, *Dichoto*, *Dobi* and *Galafi*. Three rounds of fieldwork have been conducted over the course of this doctoral study, which sums up to roughly ten months of fieldwork.

This thesis is interested in understanding actor groups' perceptions about land and power. This brings to mind symbolic interactionism, according to which human behavior may be explained in terms of perceptions, or what Spradley calls 'cultural meaning system' (Spradley, 1979; see also Geertz, 1973b). For this reason, I needed a theory of meaning and a specific methodology designed to investigate perception. The emphasis on understanding and describing the perceptions of the *Afar* people recall the use of ethnography as the methodological approach. Several techniques of data collection have been used, including key informant interviews, observation (included accompanying a local elder), focus group discussions, and review of secondary sources. It is through all these that I managed to understand the features of the new forms of power, access to *Dobi*, and the conflict between the Big Man and the local *Afar*, and between the Big Man and the state.

Under Chapter Two, I will present a review of the relevant literature on new forms of power in pastoral societies in post-socialist states in Africa. In contemporary Africa, the cast of political actors includes state and non-state orders (Bellagamba and Klute, 2008: 16). Bellagamba and Klute have grouped the new forms of power into two broad categories: 'old fellows' and 'new guys' (Bellagamba and Klute, 2008: 17). Chiefs, and headmen (Ciabarri, 2008; Husken, 2009), religious leaders (Bellagamba, 2008), local notables and other influential personalities are 'old fellows' (Bellagamba and Klute, 2009: 17). Examples of the 'new guys' may include nongovernmental organization (de Bruijn, 2008), returnees from the diaspora (Ciabarri, 2008), and Big Men (Boas, 2012; Jourdan, 2008).

For the study of new forms of power in pastoral societies in the post-socialist states in Africa, this thesis has been inspired by the works of Thomas Husken's 'the neo-tribal competitive political order in the borderland of Egypt and Libya' (Husken, 2009), Alice Bellagamba and Georg Klute's (eds.) 'beside the state: emergent powers in contemporary Africa' (2008), and Mats Utas's (eds.) 'African conflicts and informal power: Big Men and networks' (2012). The works of Ciabarri on the new forms of power among a pastoral *Somali* society in Somaliland were insightful (Ciabarri, 2008), Luca

Jourdan's study on Governor Serufuli in North Kivu in DRC (Jourdan, 2008), Bellagamba and Klute's piece on emergent forms of power in *Kidal*, North of Mali (Bellagamba and Klute, 2008), Utas's edited book on Big Men in Africa.

Under Chapter Three, I will present the conceptual approaches used to investigate the new form of power in the *Afar* Region in northeastern Ethiopia. This study is inspired by Mats Utas's conception of 'Big Men and networks' (Utas, 2012: 11). Mats Utas combined Sahlins's concept of Big Men with Mitchell's concept of social networks (Utas, 2012: 16). Sahlins defines a Big Man as a highly influential individual in a tribe, but such a person may not have formal tribal or other authority (Sahlins, 1963: 286). Sahlins's Big Man provides his followers with protection and economic assistance, and in return receives recognition and legitimacy, which he uses to increase his status (Sahlins, 1963). Mitchel describes social network as 'a set of personal relationships which cut across kin and identity-based groups, and as such deviates from 'traditional' social systems (Mitchell, 1973: 21).

Big Men ascend to power based on their ability to create a following through their informal abilities to assist people (Utas, 2012: 6). However, this is not the only source of their power. Sofsky and Paris identify reciprocity, charisma, and the capacity to establish social order as additional sources of power (Sofsky and Paris, 1991).

Big Men construct and maintain their internal and external recognition through their everyday practices. This thesis is inspired by the approach to legitimacy, which incorporates different forms of legitimacy into the concept of 'basic legitimacy' (Klute, 2013). Basic legitimacy refers to a particular form of recognition based on the tangible demonstration that those in power can do something (Klute, 2013). Kelly argues that reciprocal patrimonial distribution of resources is an important aspect in conferring legitimacy (Kelly, 2012: 36). Furthermore, Klute argues that basic legitimacy may be acquired through one's ability to produce 'state effects' to project one's power over a specific territory and provide protection against violence within that territory (Klute and Trotha, 2004).

In order to study the nature of relation between the new form of power and the Ethiopian State, I drew inspiration from Klute and Trotha's conception of "para-sovereignty" (Trotha and Klute, 2004), which they used in order to describe a situation whereby the local traditional authority (chieftaincy in *Kidal* in northern Mali) appropriate powers and functions of the central Malian state. Another study uses this concept to focus on the takeover of central functions of the state by development organizations

(Neubert 1997). In this thesis, the conception of para-sovereignty will be engaged to focus on how the *Afar* Big Men appropriate the functions of the state.

Since the emergence of the Big Man, the way actor groups acquire access to *Dobi* has changed. This raises the question of what concept to use to investigate the new ways of acquiring access. There are three alternatives: property (Hann, 2007: 290), territoriality (Sack, 2001), and access (Ribot and Peluso, 2003: 154). This thesis argues that the latter is appropriate. Whereas property refers to the right to benefit (Hann, 2007: 290), access refers to the ability to benefit, and hence is more encompassing and broader than property (Ribot and Peluso, 2003: 22). Access entails that actor groups may acquire or enjoy benefits from land through several ways, including through property (through state and neotraditional land rights), local belonging, marriage relations, belonging in the Big Man's social network, and begging (which I prefer to call 'ritualized begging' in the case of *Dobi*). All these different avenues can be subsumed under access.

The empirical chapter begins in Chapter Four. Under this Chapter, I will discuss the neotraditional forms of power that had the power to grant access to *Dobi* between 1991 and 2004. The neotraditional socio-political organization is rooted in kinship, in particular clanship. At the clan level, there are three socio-political organizations, which I call the triads: *makabon*, *malla* and *fihima*. *Makabon*. These triads are just one constellation in the universe of power in the *Afar* region. Above the seemingly egalitarian social structure, there is a hierarchical political system, which constitutes the realm of the sultanate. My study area falls within the *Aussa Sultanate*. The new form of power that emerged in 2004 did not only displace the state and clan leaders, but also challenged the authority of the sultans.

Under Chapter Five, I will discuss the rise of a Big Man, in the person of As Mohammed Humed Yayyo. This new form of power differs from the neotraditional forms of powers discussed above. The Big Man is at the same time a state official, a businessman and a clan leader. It contradicts the 'statist' assumption that states representatives and "traditional authorities" are in an opposite relation to one another. The Big Man acquired power through several ways, one of which is through the recognition given to him by the members of the *Afar* society and the Ethiopian State. The Big Man received state awards, displays of billboard, t-shirts and documentary video and songs glorifying his 'historic' deeds with regards to *Dobi*. In 2010, the *Afar* Region awarded As Mohammed a gold medal labeling him a model businessman and hero of development. In 2014, the Federal Government awarded As Mohammed a gold medal labeling him, again, a model investor for his 'monumental' achievements in developing *Dobi* (Ethiopian Broadcasting Corporation, 2014).

The Big Man also acquired power through the perceptions that he is inventive, which speaks to one of the crucial sources of power proposed by Sofsky and Paris (1991). The Big Man is credited for inventing a way to begin commercial scale salt mining on *Dobi*. Furthermore, Big Man acquired his power through amassing immense wealth from exploitation of the local natural resources. The Big Man earns more than USD twenty million dollars per year. The appropriation of material resources from salt mining is reinforced by the Big Man's access to the state's budget through his position as district administrator and his membership in the central committee of the ruling party of the *Afar* National Regional State, *Afar* Peoples Democratic Party (APDP).

The Big Man also constructs and maintains his power through the classical Sahlins's Big Men fashion, which is his ability to redistribute resource and assist people in times of need (Sahlins, 1963), which also speaks to Kelly's argument about how power may be acquired through reciprocal patrimonial distribution of resources (Kelly, 2012).

Chapter Five also includes discussion of the Big Man's legitimacy. This thesis drew inspiration from Klute's approach to legitimacy which incorporates different forms of legitimacy into the concept of 'basic legitimacy', which refers to a particular form of recognition based the tangible demonstration that those in power can do something beneficial for the people (Klute and Trotha, 2004). During the 2015 drought, *Dobi*'s Big Man provided emergency assistances to the *Afar* in my study area. This is one of the classical definitions of Sahlins's Big Men. The Big Man has dual faces. He has monopolized the territory of two clans; he grabbed the authority of the *Afar* neotraditional leaders to grant access to *Dobi*, and he collects tax from investors and refuses to pay royalty to the state. At the same time, the Big Man distributes money not only to his kin but also to people in his network. The question is how to explain these seemingly contradictory faces of the Big Man. A little digging into the Big Man's persona reveals that these facades are not contradictory at all.

Since its emergence, the Big Man took over some of the functions of the state and non-state actors. The Big Man grants access to *Dobi*, collects tax and provides protections for persons and property on *Dobi*. This differs from the experience on *Afdera* Salt Lake, where all the 570 active investors acquired mining permit from the state and are all paying taxes to the state. The Big Man uses local state police force and clan 'militia' to provide protection for persons and property on *Dobi*. As Mohammed uses his position as vice administrator of the *Eli Dar* District to deploy members of the district police force to play his bidding. On top of that, the Big Man also relies on the *fihima*, whom he turned to his personal militia. During my extended fieldwork, I have observed that the *Lubakubo ke Modaito* clan's

*fihima*, whom he arms; protect the Big Man's interest on *Dobi*. The appropriation of the role of the state by the Big Man corroborates Klute and Trotha's concept of 'para-sovereignty' (Klute and Trotha, 2004).

Under Chapter 6, I will present how in the post-1991 period actor groups (including the *Afar* people) acquire access to *Dobi*. I will argue that the form of access to *Dobi* from 1991 to 2004 differs from the experience since 2004 (that is since the rise of the Big Man). Between 1991 and 2004, access to *Dobi* was acquired through claims of land rights, claims of local belonging and marriage relations. In the Post-2004 period, claims of land rights did not necessarily entitle the actors holding them to derive material benefits from the natural resources to which those rights apply. The local *Afar* have the right to use *Dobi* by citing to the *Afar Mada'a*; however, they lacked the capacity to derive any material benefit from it. In the post-2004, access to *Dobi* has been acquired mainly through connections with the Big Man. The change in the forms of access to land coupled with the rise of a new form of power that displaced the neotraditional authorities did not go smoothly; it rather led to conflicts, a subject which will be discussed in Chapter Seven.

Under Chapter Seven, I will present the forms of conflict over *Dobi* since 1991 (with particular emphasis on the post-2004 period). This thesis sees the conflict over *Dobi* mainly as the struggles for power to decide access to *Dobi*. I drew an inspiration from Clausewitz proposition, according to which conflict is a continuation of power struggle through other means (Clausewitz, 1989). This thesis perceives that the post-2004 conflicts between the Big Man and the local *Afar* is about the Big Man's attempt to maintain his para-sovereign rule over *Dobi* on the one hand, and the local *Afar* clans attempt to retake that power away from him.

Whereas before 2004, conflict over *Dobi* was resolved through the *Afar* neotraditional conflict resolution system, in the post-2004 period, although the disputants brought their case to the *Afar* neotraditional legal system, it was all but in vain. This differs from Saltman's study among the Kipsigis of Southwestern Kenya where, despite the change in the forms of land tenure from communal ownership to private holding, they managed to resolve their conflicts through the traditional conflict resolution systems (Saltman, 2002: 159). Saltman argues that even though the Kipsigis did not have legal precedents that could offer solutions to the disputes that inevitably derive from the concept of private ownership of land, the neotraditional law has generated changes in adapting to these changing socioeconomic conditions (Saltman, 2002: 160).

The Big Man has aggressively manipulated the *Afar* neotraditional conflict resolution system. My key informants say that the Big Man employed a divide and rule tactic, to turn clan leaders against their members, mainly through distribution of resources. The introduction of money into traditional social relations recalls Bohannan's thesis. Bohannan introduced the concept of 'spheres of exchange' in analyzing the Tiv in Nigeria. Bohannan identifies three types of ranked exchange objects, each restricted to its own separate exchange sphere; ideally, objects do not flow between spheres (Bohannan and Bohannan, 1968: 16). The first sphere includes food items, the second sphere includes wealth items such as brass rods and cattle while the third and most prestigious sphere was a marriageable female relative. Each sphere is a different universe of objects, and a different set of moral values and different behavior are to be found in each sphere (Bohnnan and Bohannan, 1968: 227). It is considered immoral to use prestige objects to purchase goods from a lower sphere. Bohannan points out that the introduction of money broke down the barriers between spheres by creating a pathway for exchange that is not accounted for in the existing restrictions.

The introduction of money into communal societies may break the exchange restrictions; thus, making it possible to be able to do what is previously unacceptable. This may explain why the *Afar* neotraditional legal system failed to resolve the conflict over *Dobi*, which is going on since 2004. The Big Man's financial handouts to the clan leaders may have led them to abandon their local norms in favor of material interests. Let's look at this example. Before 2004, displacing member of a clan from its territory was seen as a crime as it did during the 1985 inter-clan conflict between the *Lubakubo ke Modaito* clan and the *Wandaba* clan. In the post-2004 period, even though the Big Man, who hails from the *Lubakubo ke Modaito* clan, displaced several families from the *Wandaba* clan for the extraction of salt, to the clan leaders, it was not considered a crime. Leaders of the two clans benefit from *Dobi* salt mining business. This shows changes in legal perceptions –of what is right and what wrong, presenting a challenge to the exercise of neotraditional justice system. Due to this reason, the attempts by the local *Afar* to take their plea to the doors of the clan leaders did not bear result.

Before 2004, the state court rarely dealt with land dispute that occurred among the *Afar*. Since 2004, however, members of the two *Afar* clans on multiple occasions brought their case to the state. The action of bringing their case to the state may point to how the community uses the state law as a "weapon of the weak" (Scott, 1985) to try to coerce state officials to "abide by the law" (Benda-Beckmann and Benda-Beckmann, 2006). Even though they presented their case to the state, it was not resolved, which begs the question why. The failure of the state to address the conflict may be explained by Hellman and Kaufmann's proposition of "state capture" (Hellman and Kaufmann, 2000).

State capture refers to the way private actor groups manipulate the government to influence state actions in their favor (Hellman and Kaufmann, 2000). The phenomenon of state capture was first identified on post-socialist states in East European and Central Asian countries moving from planned to market economy (Hellman and Kaufmann, 2000).

Under Chapter Eight, I will present the overall conclusion of the thesis.

## Chapter Two

## 2. Literature on emerging new forms of power in pastoral societies in post-socialist States in Africa

### 2.1. Introduction

In contemporary Africa, the cast of relevant political actors goes far beyond the realm of the state and includes non-state orders (Bellagamba and Klute, 2008: 16). Various scholars analyzing the post-cold war political dynamics in Africa have described a process of pluralization of forms of power in several states across Africa (Klute and Bellagamba, 2008; Mbembe, 2000). In the book 'Beside the State: Emergent Powers in Contemporary Africa', Bellagamba and Klute identify non-governmental and community-based organizations, militia, international organizations and transnational corporations, returnees from diasporas, and the neo-traditional[13] authorities as some of the power figures observed in contemporary Africa (Bellagamba and Klute, 2008: 16).

Bellagamba and Klute have grouped the plural forms of power in Africa into two broad categories of 'old fellows' and 'new guys' (Bellagamba and Klute, 2008: 17). Chiefs, and headmen (Ciabarri, 2008; Husken, 2009), religious leaders (Bellagamba, 2008), local notables and other influential personalities, whose contemporary return to the stage has come after a long history of conflicting relationships and adjustments to states, are 'old fellows' (Bellagamba and Klute, 2008: 17). Examples of the 'new guys' may include ethnic militia (Bellagamba and Klute, 2008), non-governmental organizations (de Bruijn, 2008), returnees from diaspora (Ciabarri, 2008), and Big Men (Boas, 2012; Jourdan, 2008).

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[13] Scholars differ on whether to use the term 'traditional' or 'neo-traditional'. Tradition may be seen as a set of cultural practices and ideas, which provides people with claims (for instance over land). Spear defines tradition as discourses through which people assert or present interests in terms of the past (Spear, 2003, S. 4). However, Spears advises that we should neither be too constructivist nor too essentialist in our thinking about tradition (Spear, 2003, p. 6). Building on this, Kramer points out that tradition is not a phenomenon of an objective length of time and that no tradition, nor 'traditional authority' exists which has not been transformed. Hobsbawum's the "invention of tradition, a concept made prominent in the eponymous 1983 book, claims that many "traditions" which "appear or claim to be old are often quite recent in origin and sometimes invented (Ranger E. H., 1983, p. 9). I also acknowledge that tradition is always contested and changing, a process of tradition being reinterpreted and reconstructed by rulers and ruled alike to gain power and access to land. Neotraditional implies a gradual synthesis of old traditions and newer ideas. The adjective 'neo-traditional' is more appropriate and I use it for the purpose of this thesis.

2.2.    Emerging new forms of power in pastoral societies in post-socialist states in Africa

In this sub-section, selected literature on new forms of power in pastoral societies in postsocialist states in Africa will be reviewed. I am inspired by the following works: Bellagamba and Georg Klute's (eds.) 'Beside the state: emergent powers in contemporary Africa' (2008), Thomas Hüsken's 'The neo-tribal competitive political order in the borderland of Egypt and Libya' (Husken, 2009), and Mats Utas's (eds.) 'African conflicts and informal power: Big Men and networks' (2012). Bellagamba and Klute's edited book is devoted to the discussion of the new forms of power in Africa, which includes a dozen chapter, and this thesis was inspired by Bellagamba and Klute's introductory section on emergent forms of power in *Kidal*, North of Mali (2008), Ciabarri's section on the emerging forms of power among a pastoral *Somali* society in Somaliland (2008), and Luca Jourdan's section on Governor Serufuli of North Kivu in DRC (2008).  Hüsken's article discusses the re-emergence of neo-tribal associations among a pastoral *Aulad* Ali *Bedouin* society in a post-socialist state of Egypt and Libya. I have selected Utas's edited book is devoted to the discussion of Big Men in Africa, a form of power that shares similar features with the new form of power in the *Afar* Region.

2.2.1. Features of the new forms of power in Africa

Since the 1990s, different forms of power have appeared on the political landscape in several post-socialist states in Africa. 'Old fellows' in the shape of tribal associations and elders seems to have acquired key role in the military and security apparatus in Somaliland (Ciabarri, 2008), in the north of Mali (Klute and Trotha, 2004), and dominate the political arena in the borderlands of Egypt and Libya (Hüsken, 2009).  Furthermore, 'new guys' in the shape of Big Men have also emerged, including Ibrahim Ag Banhage in the *Kidal* in the North of Mali (Boas,
2012) and Governor Serufuli in North Kivu in Democratic Republic of Congo (Jourdan, 2008).

Luca Ciabarri's study of Somaliland focuses on clan leaders and returnees from diaspora as the two key figures of power (Ciabarri, 2008: 55). He argues that clan leaders have gained a visibility that they never enjoyed under the Socialist regime. In addition to clan elders, returnees from the Gulf States and from western countries have emerged as key figures in the process of political reconstruction that occurred after the civil war, providing material, intellectual and social services to sustain party politics

and political competition at both the local and national levels (Ciabarri, 2008: 56). He underlines that the core of these two forms of power is kinship relation.

Hüsken argues that among the *Aulad* Ali *Bedouin* in the borderland of Egypt and Libya, neotribal associations and their leaders represent the key forms of power (Hüsken, 2009). Hüsken states that the *Bedouin* use the Arabic term Aila (Lineage) to identify the neo-tribal associations, although he finds this emic typology inaccurate. Hüsken argues that although the core of the associations is based on kinship relations, they are not necessarily congruent with lineages or clans. The associations refer to the tribal tradition, but they are not a functional element of the tribe, clan, and lineage as stated by the classical segmentary theory (Evans-Pritchard, 1940). In the case of associations, which have currently evolved around Islamic preachers, the tribal reference is left behind in favor of a religious logic. For this reason, Hüsken prefers the term neo-tribal association, and the associations are led by dominant personalities, whom he labels "Pioneers", "Political Entrepreneurs", and "preachers" (Husken, 2009).

Since the early 1990s, the *Kidal*, Mali's northern region bordering Algeria, has experienced profound changes, which have led to the emergence plural forces such as the *Tuareg* insurgents, the Islamic GSPC (*Groupe Salafiste pour la predication et le Combat*), the Malian State and the Malian army, the Algerian Military, and the United States of America (USA) army and Big Men (Bellagamba and Klute, 2008: 8). As can be seen from the list, the forces at play in this region are local, regional, and trans-regional, and global. Bellagamba and Klute's work focuses on the *Tuareg* rebels and their articulation with the other forms of power in *Kidal* (Bellagamba and Klute, 2008: 8).

Morten Boas' article titled 'Castles in the sand: informal networks and power brokers in the northern Mali periphery' (Boas, 2012) documents the rise of Big Men, in the person of Ibrahim Ag Bahanga in *Kidal* (Boas, 2012: 120). Boas discusses the evolution of Ibrahim Ag Bahanga from a junior rebel fighter to leader of a new violent insurgency against the Malian state in July 2007. After the end of the Second *Tuareg* Rebellion (1990-1996), Ibrahim Ag Bahanga, managed to acquire his own commune, in the border area between *Gao* and *Kidal* (Boas, 2012: 125. Boas further notes that the Big Man did not come from noble or royal lineage (Boas, 2012: 121).

Luca Jourdan discusses a new form of political order in North Kivu, in the Democratic Republic of Congo, by taking the case of Governor Eugene Serufuli from the Eastern Congo in the borderland of the DRC and Rwanda (2008). Governor Serufuli (who ruled the North Kivu between 2000 and 2006) represents a Big Man.

The above scholars offer different explanations regarding the factors surrounding the emergence of new forms of power. For some, new forms of power emerge due to the space created by the weakness or absence of state, while for others it is not necessarily related to the weakness of a state. Ciabarri indicates that the disappearance of the state, particularly as military and coercive structures, may have confounded the rise of new forms of power in Somaliland (Ciabarri, 2008: 57). That is, the emergence of clan leaders as key political players in Somaliland may be associated with the breakdown of the state of *Somali*a, which made the reconfiguration of a viable political space in the Northern *Somali*a possible. Jourdan also underlines that Governor Serufuli emerged as powerful figure following the conflicts that have ravaged the Great Lake region since the 1990s, which crumbled state structures, including the State of DRC (Jourdan, 2008: 76).

For other scholars, weakness of the state is not to blame for the emergence of new forms of power. Bellagamba and Klute argue that state weakness is not to blame for the rise of the *Tuareg* rebels in *Kidal*. These scholars argue that Mali does not even fit the stereotype of a state that is 'weak' or 'failing' (Bellagamba and Klute, 2008: 8). Along the same line of argument, Morten Boas argues that it is the combination of Malian politics (especially decentralization) played out on the local scene and a re-emergence of the importance of old trade routes into Algeria (now chiefly with illicit trade, smuggling of contraband cigarettes, emerging drugs trade and trafficking of people destined for Europe) that has created not only new regional networks with, for instance, *al-Qaeda* in the Land of Maghreb (AQIM) and the Niger Justice Movement (MNJ), but also novel types of Big Men contesting local power (Boas, 2012: 126).

Hüsken argues that weakness of state is not the precondition for the emergence of neo-tribal associations and their leaders among the *Aulad* Ali *Bedouin* in the borderland of Egypt and Libya (2009). Hüsken elaborates this by taking the Egyptian state as an example. The Egyptian state is comparatively stable and capable of acting. It provides its citizens with basic services, has the monopoly of violence, and controls its territory (Hüsken, 2009). Hüsken goes on to argue that it is not the weakness or ill-functioning of the state, but the interlacement of an already informalised state with local power groups that accounts for the emergence of neo-tribal associations (Hüsken, 2009).

From the above discussion, it is possible to draw two points. First, among the pastoral societies of *Aulad* Ali *Bedouin* (Hüsken, 2009) and *Somali*s (Ciabarri, 2008), it was the neo-traditional leaders rooted in kinship system that reappeared on the public space. This is not the case in my study area, where a Big Man emerged and pushed the neo-traditional leaders to the side. In setting where Big Men emerged, such as in *Kidal* and North Kivu (Boas, 2012; Jourdan, 2008), the Big Men did not belong

to the noble lineage, which differs from the *Afar* Big Man. Secondly, the question of whether a state weakness is a confounding factor for the emergence of a new form of power has not been conclusively answered.

### 2.2.2. Relationship between the new forms of power and the state

Scholars have debated the nature of the relationship between the state and the new forms of power in African states. Ciabarri argues that the nature of relation between the state and nonstate actors (clans and party politics) in Somaliland is one of cooperation and violent confrontation (Ciabarri, 2008: 57). Ciabarri claims that the weakening of the state, in terms of financial resources and capacities to control the people and the territory, places it on the same level as other authorities, sometimes competition, sometimes collaborating. Ciabarri further notes that what is peculiar about Somaliland is that the new forms of power are beside the state, since they maintain equal and sometimes superior strength and legitimacy in controlling resources, people and territories (Ciabarri, 2008: 62).

Jourdan argues that Governor Serufuli is a power beside the state, which according to contingent interests, can oppose the state as well as try to be co-opted into its structures (Jourdan, 2008: 75). In similar vein, Klute argues that the *Tuareg* rebels act beside the state. The *Tuareg* rebels are visible and sit at the table during peace-making negotiations (Bellagamba and Klute, 2008: 16). In other words, the historical relationship between the *Tuareg* communities and the Malian government has been characterized by on-going process of collaboration and conflict (Bellagamba and Klute, 2008: 10).

### 2.2.3. Sources of power and legitimacy of the new forms of power

The question of identifying the source of power of the new forms of power has also received attention in the debates on the non-state forms of power in Africa. Boas argues that *Kidal*'s Big Men, in particular Ag Bahanga, acquired power through combinations of the following: charisma, ability to use force, and by drawing on new economic opportunities of the trans-Saharan trade, including drugs and the trafficking of people (Boas, 2012: 125).

Jourdan argues that at the local level, Governor Serufuli's power network rested on three interdependent footings (Jourdan, 2008: 79). First, Serufuli governed North Kivu on behalf of the

Congolese state. Secondly, Serufuli created a local non-governmental organization (called *Tout pour la Paix et le Developpemen*t-TPD) whose declared objective was fighting for peace. Thirdly, Serufuli armed and commanded his personal militia (called Local Defense Force-LDF) under the pretense of securing the region.  At the regional level, his power was based on an alliance with Kigali, the Rwandese capital, which gave economic and military support (Jourdan, 2008: 76).  Finally, Serufuli resorted to a strategy of "extraversion" (Bayart, 2000) through exploitation of local natural resources and aid industry, which plays an important role in confirming local power structures (Jourdan, 2008: 76).

The next question is how the new forms of power construct and maintain their internal and external recognition/legitimacy. It appears that several strategies have been used. Klute argues that the legitimacy of the *Tuareg* rebels was related to their ability to produce 'state effects' to territorialize themselves, to redistribute resources, and to develop elements of justice and equality (Klute and Trotha, 2004: 122).

Hüsken on his part argues that among the *Aulad* Ali *Bedouin*, the core of the neo-tribal association is based on close kinship relations, whereby the neo-tribal associations refer to the tribal tradition to acquire legitimacy (Hüsken, 2009: 9).  This is in line with the third form of legitimacy, 'moral legitimacy' (Spear, 2003), which uses the convincing power of reimagined historical traditions.

Ciabarri notes that tribal elders in Somaliland acquired legitimacy through what can be qualified as a form of 'basic legitimacy', the most important aspect of which is 'protection from violence' (Ciabarri, 2008: 65). Clan affiliation, and their leaders, play a central role when seeking shelter, and was the ultimate guarantor of personal protection (Ciabarri, 2008: 69). Ciabarri further notes that the tribal leaders in Somaliland play a central role in resolving disputes through tribal procedures of dispute settlement, which often substitute the ones offered by the state (Ciabarri, 2008: 69).  Finally, Ciabarri argues that legitimacy involves lineages, where most of wealth redistribution occurs within patron-client relationships (Ciabarri, 2008: 70).

The power and legitimacy of a prevailing form of power is also associated with ability to grant access to resources. In other words, ability to grant access to land establishes political relationships in two important and interrelated ways. First, land tenure is fundamentally redistributive in nature, and has profound political consequences (Boone, 2014: 11).  Secondly, land tenure is related with authoritative power because claims over land incentivizes actors to seek authorization of their access claims at the door of figures of power, and by so doing, contribute to the construction and consolidation of their

power and legitimacy (Lund, 2013). In other words, the process of seeking and acquiring access to land has the effect of granting power and legitimacy to the authorizing forms of power. This will take us to the next sub-section that discusses how actor groups in pastoral societies in post-socialist states in Africa acquired access to land.

### 2.3. Access to land in pastoral societies in post-socialist states in Africa

The aim of this sub-section is to present review literature regarding forms of access to land among pastoral societies in post-socialist states in Africa. It is possible to identify two lines of argument concerning how actor groups acquire access to land. The first line of argument states that among pastoral societies in post-socialist states, access to land may be acquired through land rights (both the state and traditional land tenure regimes), and both traditional authorities and the state structure may grant such access (Boone, 2014: 9). In Africa, two types of land tenure systems have crystallized over the course of time. The first is the state systems, which is based on policies, laws and proclamations put in place by the governments and the second relates to non-state (also known as neotraditional tenure arrangements), which operates in accordance with existing traditional rules, norms, and value systems (Boone, 2014). The second line of argument states that access to land may also be acquired by virtue of belonging to the local population (Lund, 2011).

This thesis was inspired by four studies conducted on pastoral societies in post socialist states. It includes Reda's study on the Ethiopian *Afar* (Reda, 2014), Gebre's study of the *Karrayyu Oromo* (Gebre, 2009), Mariam's study on the Ethiopian *Somali* (Gebre-Mariam, 2005), and Fratkin and Mearns's study on the *Maasai* in northern Tanzania and Mongols in Mongolia (Fratkin and Mearns, 2003). Fratkin and Mearns study focuses on the *Maasai* in northern Tanzania and Mongols in Mongolia (Fratkin and Mearns, 2003). The *Maasai* are cattle and small stock (goats and sheep) herders occupying the savanna grasslands of southern Kenya and northern Tanzania. Under the socialist regime, Tanzania embraced *Ujamaa*, which completely changed the property rights regime in the country, including that of the *Maasai* (Fratkin and Mearns, 2003). Previous land rights granted to families and individual rights held under traditional law were abolished. Traditional land rights of the *Maasai* were transferred to the Village Councils, which were responsible for land allocation and management (Fratkin and Mearns, 2003).

With the change of government in 1985, *Ujamaa* policy was reversed. In its place, the new government implemented a gradual transition to the property rights and resource governance systems that are still being put in place to date. This transition meant that the new land policy enacted in 1995 supported private property rights. The new land policy also recognized traditional land laws, which had been abolished under the *Ujamaa* system. In practice, however, ignoring traditional land tenure in favor of individual land tenure rights, Tanzania has encouraged the privatization of *Maasai* communal lands (Fratkin and Mearns, 2003).

A quite different situation faces the Mongolian pastoralists. Following the collapse of the Soviet bloc in the early 1990s, the dismantling of the pastoral collectives led to a dramatic reassertion of the importance of pastoralism within the Mongolian economy. Hybrid institutional forms have emerged that testifies to the strong resilience of the neotraditional institutions repressed under the agricultural collectivization during the previous four decades (Fratkin and Mearns, 2003). In marked contrast to the *Maasai*, the Mongolian pastoralists continue to herd their animals on common pastures and enjoy constitutional protection of their land rights (Fratkin and Mearns, 2003).

The *Maasai* example discussed above shows that the existence of formal land rights does not necessarily imply that the social actors holding them are able to derive material benefits from the natural resources to which those rights apply. This is exactly what the distinction between property and access is about: property is about claims, which are considered legitimate, and access is about the 'ability to benefit' (Ribot and Peluso, 2003). For families who did not benefit, 'property rights' remained effectively vacuous claims (Little, 2008)

In Ethiopia, pastoralists represent some ten percent of the country's population (CIA Factbook, 2019). The *Somali*, *Afar* and pastoral sections of the *Oromo* (including *Karrayyu* and *Borana*) constitute the three largest pastoral communities in the country. The 1975 Land Reform[14], introduced by the socialist Derg regime, is one of the most far-reaching land reform projects implemented in Africa (Reda, 2014), according to which all rural lands in Ethiopia were placed under state ownership and referred to as the collective property of the Ethiopian people (Rahmato, 2007). Peasant Associations (PAs) were established to implement the reform (Rahmato, 2007). During the Derg regime, the land reform nationalized all rural land (including pastoral lands) and declared land the property of the Ethiopian people. According to the 1975 proclamation, the power of administering land was vested in the

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[14] According to the 1975 Land Reform sale, lease, transfer, exchange or inheritance of land was prohibited, as was the use of hired farm labor.

Ministry of land reform and Administration (MLRA) through Peasant Associations at the grassroots level.

The 1995 Constitution declares that all land is the common property of the various ethnically based regional states ('the Nations, Nationalities and Peoples of Ethiopia') and says (in Article 40), on whose behalf the state will shoulder administration of land (Federal Democratic Republic of Ethiopia, 1995). However, during the first decade following the fall of the socialist Derg regime, the EPRDF regime seem to have adopted an accommodating approach towards the traditional land tenure systems and traditional authorities that authorizes access to land.

Mariam's study in *Godey* Zone of the *Somali* National Regional State of Ethiopia focuses on the lived experience of two *Somali* clans- the *Abdalla Tolomogge* and *Awlihan* (Gebre-Mariam, 2005). The traditional *Somali* law called *xeer* (which means law) governs land ownership and social relations among *Somali*s in *Godey*, including the *Abdalla Tolom*ogge and *Awlihan* (Gebre-Mariam, 2005). Mariam underscores that clan is the basis of socio-political organization in the *Somali* Region. Each clan has its own territory (grazing area covered with grassland, bush, and shrub land) and the corresponding lineages have their own specific areas within proximity. The clan grazing area is accessible for all clan members by virtue of belonging in a patrilineal descent group (Gebre-Mariam, 2005). Accordingly, *Abdalla Tolomogge* clan and *Awlihan* clan have their own territories with wet and dry season grazing areas, water points and farmland (Gebre-Mariam, 2005). Mariam notes that each clan (through its clan leader) allows the others to use its grazing land upon request even if the two clans are at conflict against each other. The only precondition is that the permission is temporary.

It seems that the introduction of multinational federalism and subsequent decentralization policy brought about a new dimension to the struggle over land in *Godey* Zone of the *Somali* Region, that is, 'clanisation of territory' and 'territorialisation of clans. Mariam shows how in the post 1991 period, the *Awlihan* initiated the formation of a new district on their own clan territory (Gebre-Mariam, 2005).

Gebre's article "When pastoral commons are privatized" explores the changes in land tenure among the pastoral *Karrayyu* society. The *Karrayyu*, indigenous inhabitants of the Metehara Plain and Mount Fentale area are *Oromo* pastoralists (Gebre, 2009). Land in the *Karrayyu* territory has been administered by traditional law, according to which land is 'communally' owned (Gebre, 2009). Increasingly, however, with the increase of the population size, largely precipitated by the continued influx of neighboring highlanders into the area and the expansion of the agricultural frontier, the land-use and tenure arrangements are undergoing a transformation.

Gebre study shows how 'communal' land tenure arrangements are increasingly changing in the direction of privatized range areas (Gebre, 2009). The major manifestation of this change is the growth in land enclosures associated with opportunistic farming. Hence, 'ownership' of the area belongs to the individuals who put up the fences first (Gebre, 2009). Furthermore, disputes that were not previously common over the use and sharing of grazing resources developed in the *Karrayyu* social structure as private restrictions increased due to the continued shrinkage of the land and as more and more pieces of it were enclosed (Gebre, 2001; Gebre, 2009).

There are several studies conducted on the *Afar* society, the relevant of which are Getachew Kassa's study in Gewane District in Zone 3 (Getachew, 2001), Bekele Hundie's research in the *Awash Fantalle* and Dulecha Districts in Zone 3 (Hundie, 2006), Kelemework Reda's research 'Formal and informal land tenure systems in *Afar* Region of Ethiopia' (2014 (Reda, 2014), and Ali Hussen's study among the *Aghini* clan (Hussen, 2008). A common theme running through these studies is that in the *Afar* Region, the traditional clan communal ownership of land exists alongside the state's public ownership of land (Hundie, 2006; Hussen, 2008; Reda, 2014).

Reda's article, for instance, argues that pastoral lands in *Afar* have long been governed by the sultanate or/and clan-based institutions (Reda, 2014). Each clan and sub- clan have its own territory and access by others is subject to prior mutual consent. Reda notes that the clan-based institutions are central to *Afar* culture. The *Afar* social organization is highly segmented into clans, sub-clans, lineages, and households. Each of these has the autonomy to deal with its own domestic matters. Within these units, kinship groups enjoy communal ownership of territories and access to land is acquired by virtue of belonging, which is also recognized in their traditional law known as *Mada'a* (*af.*).

Based on his fieldwork in nine districts (*Awash*, *Asayta*, *Dubti, Chifra, Kuneba, Ab'ala, Amibara, Gewane* and *Ewa*), Reda concludes that the informal tenure system, in which land boundaries and rules of resource use and administration are traditionally defined based on clan-based social organization, has hitherto been dominant and has not been in concurrence with government tenure approaches that place emphasis on harmonized national level land use rights. Except in the case where land was taken by the government for development projects and specific plots apportioned for investors (which for the most part remains in the custody of clan heads), most other land is communally administered and is predominantly used for communal livestock grazing (Reda, 2014). The *Afar* Region introduced its Land Use and Administration Policy in 2011. The policy clearly

underlines the intention of the state to replace traditional land tenure regimes with the state land tenure regimes and take the administration of land from the clan and put it under the state.

It was within this context that a new form of land tenure emerged on *Dobi*: private ownership of *Dobi* in the hands of a Big Man. The Big Man took over the authority of the traditional leaders (clan leaders) and state with regards to granting access to *Dobi* salt mining site. None of the studies discussed above observed this phenomenon in their study areas. This is one of the contributions of this thesis. This thesis hypothesizes that in post-2004 period, access to *Dobi* depends neither on traditional land rights nor the state land tenure regimes, but on belonging in a social network woven around the Big Man. This contradicts a common assumption according to which the state is gaining more and more control over its peripheries. On the other hand, this is by no means a return to a pre-state figuration.

# Chapter Three
## 3. Theoretical approaches to the study of emerging new forms of power

### 3.1.    New forms of power

#### 3.1.1. Big Men and networks

For the study of the new form of power in *Afar* Region, this thesis has been inspired by the proposition-'Big Men and networks' put forward by Mats Utas. Utas's proposition combines Sahlins's concept of 'Big Men' (Sahlins, 1963) with Clyde Mitchell's 'social network' theory (Mitchell, 1973). The pioneering research on Big Men[15] came from American anthropologist, Sahlins's study in Papua New Guinea[16] in the 1960s. In his much-quoted 1963 article "Poor Man, Rich Man, Big Man, Chief: Political Types in Melanesia and Polynesia", Sahlins defines a Big Man as a highly influential individual in a tribe, but such a person may not have formal tribal or other authority (Sahlins, 1963: 286). Sahlins's Big Man provides his followers with protection and economic assistance, and in return receives recognition and legitimacy, which he uses to increase his status (Sahlins, 1963). The Big Men's ability to build renown and legitimacy is based on amassing wealth and redistributing it with astutely calculated generosity (Sahlins, 1963). Gathering of power and its maintenance are built on reciprocity and as such this is one of the defining characteristics of Big Men. This is one of the defining features of the *Afar* Big Men, as has been discussed under Chapter Five.

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[15] Big Man is not a gendered concept; despite the gender specificity of the term, women can also be Big Men (Utas, 2012).

[16] In recent years, some writers identify between Big Men and Big Shots, as in Keir Martin's book titled "The Death of the Big Men and the Rise of the Big Shots is a fascinating ethnographic study of a relatively small society in East New Britain, a province of Papua New Guinea" (Martin, 2013)[16]. Keir Martin's book is an important work to show cases how societies transform themselves, including their politico-legal orders. Martin's fieldwork took place in the aftermath of a volcanic eruption that had heavily damaged Tolai people's traditional villages. Martin carefully documented how the Tolai underwent change because of internal and external factors. One of these changes is the emergence of big shots (Martin, 2013). Martin argues that in his study area villagers differentiate between Big Men and Big Shots, and claim that the era of Big Men, the era in which power was built through distribution of resources had ended, and the era of big shots that disrespect reciprocity has arrived (Martin, 2013). To villagers, big shots are greedy and possessive individuals in C. B. Macpherson's sense[16] (Martin, 2013). The Big Shots see themselves as owing nothing to the wider community: they buy and live on non-clan land; they prefer not to employ close kin in their businesses; they try to avoid making requests for traditional, local-level resources so as not to demean themselves and curtail their independence (Martin, 2013). The big shots seek to delimit clan-based claims upon them. They disparage villagers as mere children who want nothing more than to be "spoon fed" by the state or by big shots like them (Martin, 2013: 227). Martin claims Big Man system is dying away as westernization is influencing the people.

Sahlins's Big Man emerged in egalitarian societies of Melanesia and Polynesia. The *Afar* is a segmentary society organized into clans, lineages, and extended families that determined an individual's social relationships, as theorized in classical segmentary theory. Individuals are members of their father's groups in a patrilineal system of filiation. Above the clan structures, the *Afar* society has developed a hierarchical political structure known as sultanates. In Ethiopia, the Sultanate of *Aussa* whose center is in *Asayta* was created in the 17th Century (Yasin, 2008). The fact that the *Afar* has a hierarchical political system may lead to questioning how Sahlins's Big Men concept may be applied to explain the new form of power in *Afar*. While this is a very good question, I will argue that there are certain features that can be borrowed from Sahlins's concept to my study area.

Mats Utas combined Sahlins's Big Men concept with social networks theory (Utas, 2012: 16). Network studies within social anthropology owe credit to Barry Barnes, one of the first scholars who ventured beyond the classic kinship theory (Mitchell, 1973). Mitchel, building on Barnes's work, describes social network as 'a set of personal relationships which cut across kin and identity-based groups, and as such deviates from 'traditional' social systems (Mitchel, 1973: 21).

Several pastoral societies in Africa have traditionally organized their world through genealogy or relations of descent, for which descent theory has robust explanatory capacity. Evans Prichard's study of the Nuer (Evans-Pritchard, 1940), Abbink's study of the *Somali* (Abbink, 2009), and Legesse's study of the *Borana Oromo* (Legesse, 1973) are some examples for this. A prominent British social anthropologist, Evans-Pritchard argues that kinship is important in 'traditional' societies because of its role in shaping social relations, access to and ownership of resources (economics) and forms of social organization and decision-making (politics) (Evans-Pritchard, 1985: 23), all of which is embedded in kinship. In short, traditional social groups are bounded, and socio-economic and political behaviors and institutions are embedded in kinship.

Social networks differ from kinship relations. Mitchell posits a theoretical differentiation between the boundedness of a social group founded on kin relations and the unboundedness of social networks (Mitchell, 1973: 20). This thesis hypothesizes that the *Afar* underwent a qualitative change from a traditional social organisation rooted in kinship relations to a new form of power woven in social networks. Chapter Four presents the neo-traditional authorities in my study area, while Chapter Five presents the new form of power.

A seminal book in the study of Big Men is 'African Conflicts and Informal Power: Big Men and Networks' (Utas, 2012), to which prominent anthropologists and political scientists have contributed.

The contributors present both country and thematic case studies augmented by empirical research emanating from fieldwork mostly done in western Africa (the glaring absence of cases from the Horn of Africa is concerning). Thematically, this collection argues that when the state withers, the ensuing vacuum paves the way for emergence of Big Men and claims Big Men spring-up at the margins of state institutions (Utas, 2012).

Studies on Big Men in Africa identified two important issues. First, the power of the Big Man is not structurally ascribed. A Big Man's position is not inherently heritable and is never secured as in an inherited position (Sahlins, 1963). In other words, it is not necessarily formally assigned. The Big Man ascends to power based on his ability to create a following through his informal abilities to assist people (Utas, 2012: 6). By assisting people, Big Men convert economic resources into power. Johan de Smedt's study of vote manipulation in Kenya's 2007 elections (De Smedt, 2009) highlights the fact that 'local "Big Men" exercised authority by sharing out their wealth – the recipients of this redistribution, the poor, then 'inevitably owed obedience' (De Smedt, 2009: 583). In his book Big Men, Small Boys and Politics in Ghana, Paul Nugent claims that in Ghanaian politics, Big Men sought to win over potential voters by insinuating that some of their wealth would rub off on them – either directly (through patronage) or indirectly (because of the application of their business acumen to national affairs) (Nugent, 1995: 5). The Big Man depends to a large extent on his informal abilities to assist people to garner power. However, this is not the only source of power.

Sofsky and Paris identify four crucial characteristics of power[17]: reciprocity, the values an authority represents, the personal character of the relationship, and the capacity to establish social order (Sofsky and Paris, 1991 cited in Krämer 2019). Sofsky and Paris argue that an authority receives social recognition from the people around him and his subordinates (Sofsky and Paris, 1991:28 cited in Krämer 2019). In this sense, a reciprocal patrimonial distribution of resources contributes to the construction of power (Kelly, 2012). Power is also acquired based on the respect people have for the individual's qualities and capabilities (Sofsky and Paris, 1991:28 cited in Krämer 2019). This respect

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[17] Three are two perspectives on the relationship between power and authority. The first approach represented by Patrick Chabal claims that authority is different from power (Chabal, 2009), whereas the second approach represented by Heinrich Popitz argues that authority is a specific form of power (Popitz, 2017). In his book 'Africa: The Politics of Suffering and Smiling', Chabal argues that power and authority are distinct phenomena (Chabal, 2009). His definition of power is Weberian: the capacity to force others to obey commands. In contrast, authority is based on persuasion rather than coercion (Chabal, 2009: 40). The second perspective perceives authority as a specific form of power and thus contradicts Chabal's argument. The late German sociologist Heinrich Popitz in his seminal book Phenomena of Power, distinguishes between four elementary forms: 'power of action' (*Aktionsmacht*), 'instrumental power' (*instrumentelle Macht*), 'authoritative power' (*autoritative Macht*), and 'power of data constitution' (*datensetzende Macht*) (Popitz, 2017: 31).

may manifest itself as an admiration of the abilities of the authority or of the extraordinariness of a charismatic leader. Finally, Sofsky and Paris point to the aspect of social order (Sofsky and Paris, 1991:38 cited in Krämer 2019). A power figure may fall back on sanctions or other rougher means of exerting power (Sofsky and Paris, 1991: 28 cited in Krämer 2019). In other words, the ability to sanction order is a source of power.

### 3.1.2. Basic legitimacy

In this section, I explore the question why Big Men's power is respected or obeyed. In anthropological studies, the Weberian concept of legitimacy is still influential. Weber's concept of legitimacy has been widely discussed and it is sufficient to mention here that he focuses on one dimension: the belief in legitimacy (Weber, 1922). According to Weber, people believe in a social or political order due to i) tradition, ii) rules and laws, and iii) the charisma of an extraordinary leader (Weber, 1922). However, this conceptualization has been criticized. Weber's concept of legitimacy is particularly weak to study legitimacy of neo-traditional authorities and Big Men. Beetham criticizes Weber's approach to legitimacy for disregarding actions as an important element of conferring and confirming legitimacy. Beetham asks what establishes the legitimacy of a charismatic leader (Beetham, 2013) and answers by arguing that it is not just the belief that an individual possesses exceptional qualities, but it is the actions that confers legitimacy (Beetham, 2013: 41).

It may be hypothesized that Big Men construct and maintain their internal and external recognition through their everyday actions. This thesis is inspired by Klute's work, which incorporates different forms of legitimacy into the concept of 'basic legitimacy' (Klute and Trotha, 2004: 122). Basic legitimacy refers to a particular form of recognition based on everyday practices-the tangible demonstration that those in power can do something (Klute, 2013). Everyday practices of providing basic services may have a persuasive effect on subordinates and lead to legitimacy of power. In her study in South Africa, Kelly shows that reciprocal patrimonial distribution of resources in patron-client ties might be an important aspect in conferring legitimacy (Kelly, 2012: 36). In other words, reciprocal patrimonial relations may be crucial everyday practices of conferring legitimacy. Furthermore, as Klute argues, legitimacy may be acquired through one's ability to produce 'state effects' to project one's power over a specific territory and provide protection against violence within

that territory (Klute and Trotha, 2004:122). Basic legitimacies contribute to the construction of power, which in turn may contribute to taking over specific functions of the state.

Klute and Trotha introduced the conception "para-sovereignty" (Trotha and Klute, 2004) to explain the situation of a chieftaincy in Mali. They describe a situation whereby the local traditional authority appropriate powers and functions of the central Malian state. Another study uses this conception to focus on the takeover of central functions of the state by development organizations (Neubert 1997). In this thesis, the conception of para-sovereignty will be adopted to understand how the *Afar* Big Men took over state functions such as the authority to grant permit to salt mining on *Dobi*, collection of taxes from salt miners, and providing protection for person and property on *Dobi*.

Furthermore, Klute's concept of "*heterarchy*" will be used to capture the fluid and changing relations between the Big Men and the state (Bellagmba and Klute, 2008). This thesis hypothesizes that the *Afar* Big Man operates "besides the state" on a continuum of collaboration and conflict (Bellagamba and Klute, 2008).

### 3.2.    Access to land

Since 2004, *Dobi* became privately controlled by a Big Man. This new form of ownership differs from both the *Afar* neotraditional land tenure regime (which stipulates communal[18] clan ownership) nor from the view of the state land tenure provision (which stipulates state ownership of land). In her work titled 'Beyond Embeddedness: A Challenge Raised by a Comparison of the Struggles Over Land in African and Post-socialist Countries', Pauline Peters documents the changes in land tenure in post-socialist countries in Africa (Peters, 2006). The question is how to conceptualize the emerging new forms of land tenure. There are three alternatives: property (Hann, 2007), territoriality (Sack, 1983; Saltman, 2002), and access (Ribot and Peluso, 2003). This thesis claims that the last one (i.e., access) is the most appropriate concept for this study.

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[18] There are widely cited broad categories of property, namely 'open access', state property, private property and communal property', which are labeled by Franz von Benda Beckmann as 'The Big Four' (Benda-Beckmann F. v.-B., 2006: 196).  The neotraditional Afar land tenure regime recognizes communal property regime.

It is true that actors may gain access to land through property right to land (Boone, 2014). Chris Hann defines property as 'the rights that people hold over things which guarantee them a future income stream' (Hann, 2007: 288). This thesis begins with the proposition that in contemporary pastoral societies in post-socialist states in Africa, property is not the only way of acquiring access to land. Rather, actors may gain access to land through local belonging (Lund, 2012) and marriage relations (Ribot and Peluso, 2003: 153). This makes access, which refers to 'the ability to benefit from things (in this case, land)' more encompassing than property (Ribot and Peluso, 2003: 153).

Proponents of land property right focus on actor groups' ability to acquire access based on their legitimate rights [19] to the land. Land tenure defines the manner and terms under which these rights in land are granted, held, enforced, contested, and transferred (Boone, 2014). In other words, land tenure regimes define which groups of people have what rights over what resources and at what times. Land tenure rights may include those of access, usufruct, inheritance, and disposal, but need not necessarily imply ownership (Lund, 2011). They may cover specific parcels of land and the resources associated with them such as trees, salt, water, or resources separately from the surrounding land (Boone, 2014: 4). Boone develops a typology of land tenure regimes (LTRs), dividing them into two broad categories: 'traditional' and 'statist' (Boone, 2014: 19). In the former, land is governed through local, neotraditional authorities, and in the latter, governments administer the allocation of rural property directly via state representatives (Boone, 2014).

There are scholars who used the concept of land tenure to the study of access to land. For instance, Dessalegn Rahmato's study in Ethiopia's lowland peripheries (Rahmato, 2011), Getachew's study in Gewane District in Zone 3 of the *Afar* Region (Getachew, 2001), Bekele Hundie's research in *Awash Fantalle* and Dulecha Districts in the Zone 3 of the *Afar* Region (Hundie, 2006), Reda's research in nine districts in the *Afar* region (Reda, 2014), and Ali Hussen's study among the *Aghini* clan of the *Afar* (Hussen, 2008) concluded that in the *Afar* Region neotraditional land rules and the state's land tenure regime exist side by side with each other (Hundie, 2006; Hussen, 2008; Reda, 2014).

There are several criticisms that may be leveled against the use of property rights in the study of the new forms of access to land (*Dobi*). First, there are scholars who claim that property is inapplicable to

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[19] Hann claim that "the study of property rules in general, and of land tenure in particular, is the study of relations between people with respect to things" (Hann, 2007, p. 290).

the study of pastoral societies[20]. Karl Polanyi, a scholar who drew the contours of the debate between the formalists and substantivists, argues that the concept of property is applicable only to western, industrial societies (Polanyi, 1944). He argues that the use of property was inappropriate in pastoral societies. In pre-capitalist economies, rather than being a separate and distinct sphere, the economy is embedded in non-economic institutions such as in kinship (Polanyi, 1944: 23). Polanyi labeled this approach substantivism. In market societies, by contrast, economic action is "disembedded' from society (Polanyi, 1944). He calls this approach formalists. The formalists claim that we can understand struggles over land in all economies, including in pastoralist societies by analyzing economic relations (Polanyi, 1944). The 'substantivists' argue that in pastoral societies struggles over land are embedded in social and political contexts, and could only be analyzed with their own, quite distinct approachessuch as reciprocity and redistribution (Polanyi, 1944: 23).

The strongest critique to the formalist and substantivists' approaches in economic anthropology came from Stephen Gudeman who underlines the importance of grasping indigenous (local) understandings of economic life (Gudeman, 2016). His claims emphasize showing sensitivity to the dangers of imposing Western conceptions of ownership where they did not belong. Gudeman argues that on the one hand the formalist insistence on reducing all exchanges to the rational decision-making of individual is not helpful to understanding pre-capitalist economies, and on the other, the substantivist paradigm offers little value in grasping 'local models' (Gudeman, 2016: 17).

The second criticism against the use of property comes from the observation that land rights do not necessarily imply that the actors holding them are able to derive material benefits from land to which those rights apply. *Dobi* is a very good example in this regard. Although the local *Afar* people have the right to use *Dobi* (recognized by the neotraditional and state laws), in the post2004 period, for families who did not benefit from such rights, land property rights remained vacuous claims. Cousins

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[20] Some scholars vehemently argue that property has an inherent problem in applying it to the study of pastoral society. Property was thought to be applicable only to what Adam Smith and Adam Ferguson labelled 'commercial society' (Hann, 1998, p. 13). Adam Smith and Adam Ferguson were among the first to address property issues in a comparative anthropological way, by analyzing the forms of property associated with different types of society in evolutionary ranking. In their four-stage categorization, hunters formed the simplest kind of social organization, thought to be lacking any developed sense of property, though individuals may 'possess' their catch; ownership of animals (not land) was important to pastoral peoples; and ownership of the land to agriculturalists; and property is a characteristic of the 'commercial society'[20] (Hann, 1998, p. 23). For scholars who claim that property is inapplicable to pastoral population, territoriality[2020] is proposed for hunters-gatherers and pastoralists, while what may be equivalent behavior among agriculturalists is described in terms of land tenure systems (Saltman, 2002; Sack, 1983).

(1997) argues that people may lack 'real' rights even if law guarantees such rights but are denied in practice.

Furthermore, lack of legitimized land property rights does not exclude actors without rights to benefit from the resource (Ribot and Peluso, 2003). The Big Man's control of *Dobi* is legitimate neither from the neotraditional land tenure laws nor from the state's land policy provisions. The Big Man does not have any legal basis to own *Dobi*. Due to this, the utility of property as an analytical lens has been challenged as too narrow, as there are multiple ways that open up, influence, or hinders access to land (Macpherson, 1978; Ribot and Peluso, 2003). The difference between access and property implies that social actors may derive benefits from resources without holding rights to them (Ribot and Peluso, 2003: 154).

For other scholars, territoriality is a preferred concept for the study of access to land in pastoral societies (Saltman, 2002). Sack defines territoriality "the act of delimiting and controlling an area of space-a territory- in order to control people and things" (Sack, 2001: 15602). It involves rights to specific areas and the resources within them. Sack differentiates between the nation-state territoriality and the clan territoriality (Sack, 2001); the latter is also called 'tribal territoriality' (Schlee, 2011), or in the context of post-1991 Ethiopia, 'ethnic territoriality'. The cognitive aspect of territoriality is about the association of identity of a given social group and a location (Saltman, 2002). Identity and self-identification may take the form of belonging to a sociolinguistic community (ethnic group[21]) or a part of an ethnic group that share common lineage (for instance, a clan) (Schlee, 2011). In either case, the message is that access to land may be acquired through claims of belonging to an identity group, such as a clan or an ethnic group that owns the territory. Lund (2011), and Boone (2014) have empirically demonstrated how claims of local belonging are central to inclusions and exclusions concerning access to and ownership of land in Africa.

Several scholars have used the concept of territoriality in their research. For instance, Schlee, (2011) in his study of the pastoral communities of Northern Kenya and Southern Ethiopia, discussed 'tribal' territories and how this has shaped local politics. Simone Rettberg's research on 'the political ecology of conflicts between *Afar* and Issa pastoralists in Ethiopia and Djibouti' drew on the concept of territoriality to explore how territoriality figured in disputes between the two ethnic groups (2012). This thesis borrows the idea of local belonging as the basis for acquiring access to land. I will also

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[21] Ethnicity in its narrowest anthropological sense refers to groups set apart by different origins, while broad definition encompasses groups set apart by cultural characteristics (Saltman, 2002: 5).

argue that the concept territoriality cannot be used in this thesis for two reasons. First, in none of the literature cited above was the concept used to discuss an individual's control a clan territory, as it did on *Dobi*. Second, since 2004, access to *Dobi* is not necessarily acquired by virtue of local belonging. This will take us to the discussion of access as the central concept.

This thesis acknowledges that access to land may be acquired through land rights (state and neotraditional), local belonging and marriage relations. It also acknowledges that new forms of acquiring access, such as belonging in the Big Man's social network, can be subsumed under access. Furthermore, the use of the concept of access considers the existence of an underlying cultural layer that provides a collection of cognitive models from which people (re) create their perceptions about what is valuable in (their) life. It also entails that the struggle to acquire access to land is a process-an ongoing bargaining process. As a process, actors make use of different perceptions under different circumstances (James Ferguson, 2002; Li, 2007). Saltman's research on the Kipsigis of Kenya is very informative in this regard (Saltman, 2002: 159-171). Saltman describes how the Kipsigis's transformation from pastoralism into settled cultivation was accompanied by a transformation perception about land. Under pastoralism, "land is a territory over which the whole group roams and herds its cattle, while under cultivation, land becomes property, and rights of ownership previously unknown to Kipsigis' thinking, now emerge" (Saltman, 2002: 161).

# Chapter Four

## 4. Neotraditional forms of power in the Study Area

### 4.1. Introduction: The *Afar* people

I arrived in the *Afar* Region by early November 2015. By the time I arrived there, I had little knowledge of the *Afar* ethno-genesis, social structure, and their neo-traditional forms of power. Over time, through my conversation with my key informants, I came to understand these issues, and the description in this chapter is a result of what I have learned.

The earliest surviving written mention of the *Afar* is from the 13th Century Andalusian writer Ibn Said, who reported that the *Afar* inhabited the area around the port of Suakin, as far south as Mandeb, near Zeila (Pankhurst, 1997). However, the origin of the *Afar* people is debatable. There are two main arguments. The first line of argument posits that the *Afar* occupied their current place after coming from another region. The *Afar* believe themselves to be in the line of the generation of Cushite's who were among 'the first to move from their original home and settle in the *Danakil* Depression' (Yasin, 2008). Shami argues that the name *Afar* might be drawn from the South Yemeni *Ma'fara* sub-clan of the *Hameda* tribe who were the traditional rulers of Ardel Huria territory in the east of *Bab-el-Mandeb* across the *Afar* coast on the Red Sea (Shā mī, 1997: 39).

Trimingham claims "the *Afar*-Saho, *Somali* and *Oromo* belong to one of the waves of Cushitic migrations […] who crossed the Bab-el Mandab and the Gulf of Aden in early times into the coastal regions of East Africa" (Trimingham, 1976: 8). According to Trimingham, these groups fundamentally belong to the same stem, and are usually classified as "Low Cushitic" and their original homeland seems to have been between the upper course of the Webi River and the coast of the Gulf of Aden (Trimingham, 1976: 76). Those who spread northwards into the *Danakil* depression and its coastal region are distinguished by the linguistic group names of *Afar* and Saho (Trimingham, 1976: 76).

According to the second argument, the *Afar* people are indigenous to their current area. The *Afar* People are one of Africa's long-established and culturally homogenous indigenous people who have lived in the *Afar* Triangle for long time (Bates, 1979: 71). This author argues that along with other Cushitic groups such as the *Oromo*, the *Afar* are indigenous stock in this part of Eastern Africa (Bates,

1979: 72) and many Paleontologists refer to the *Afar* homeland as the "cradle of humanity" (Pankhurst, 1997: 13).

Oral stories told by the *Afar* elders combine the above two lines of arguments. It seems that *Afar* identity is a result of years of mélange of several population groups. For instance, my key informant, Hussen Yayyo, notes:

> The *Afar* nation is created through intermingling of the indigenous *Afar* and 'newcomers'. That is to say, the *Afar* ethno-genesis can be traced back to two main roots: the indigenous *Afar* and the 'newcomers'. The 'newcomers' are in turn subdivided into three sub-groups: those who came from Arabia, from *Oromo* and from *Somali*, referred to as *Asahyammara*, Ana *Haysi*, and *Gabalah* respectively (Yayyo H. M., 2016).

This, according to Yayyo, is nowhere evident than among the *Lubakubo ke Modaito* clan. Whereas some members of this clan trace their ethno-genesis to the *Oromo* (the *Lubakubo* clan), the remaining members claim descent from the Arabs (the *Aydahis Bara* clan) (Yayyo, 2016). This is discussed in detail under 4.2.2.2.


4.2.    *Afar* social differentiations

      4.2.1. *Asahyammara* versus *Adohyammara*


The *Afar* people have been divided into two major groups: the *Asahyammara*[22] and *Adohyammara*. The *Asahyammara-Adohyammara* cleavage cuts across *Afar* society. In my study area, for instance, whereas the whole of the *Wandaba* clan belongs to the *Asahyammara*, the *Lubakubo ke Modaito* clan, embodies one *Asahyammara* sub-clan and three *Adohyammara* sub-clans.  This division has been given various explanations, which can be grouped into two arguments. The first argument attributes this differentiation to groups' respective habitats, while the second argument claims that the differentiation is an outcome of political developments, migration and intermingling in the past between people of different origins and status the first line of argument attributes the *Asahyammara-Adohyammara* differentiation to their respective habitats. Deschamps (1948 cited in Kassa 2001),

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[22] Encyclopedia Aethiopica states 'Ad. and 'As are the two former main political Afar coalitions. *Ad*. Is the nominalization of *adoh yan mara* (the people the *mara* who are white (*ado-h*) in Afar. The word is also pronounced *adoyammara or ado ya mara*-the people who say -*ya*-white.  It is often misspelled as '*'Ado maara'* or ''*Adoi mara''* and ''*Asa maara''* or *Asai mara'* (Didier and Kassa, 2003)

based on a tradition among the *Debne* clan of the *Goba'ad,* explains the terms as referring to geographical distribution: the ''White'' living near the Red Sea shore and the *Asahyammara*, the ''Red'' living on the red colour of soil of the *Aussa* region and of the *Awash* Valley (Kassa, 2001: 59-61).

According to the second argument, Franchetti (1930 cited in Didier and Kassa 2003) claims that ethnic origin differentiates the ''White' of Arab descent from the ''Red'' of an autochthonous stock (Didier and Kassa, 2003: 104). According to this view, the *Afar* is divided into two classes: the '*Asaimara*' (the Red), or nobles, and the '*Adoimara*' (the White), commoners (Lewis, 1994: 159). Lewis states that the *Adali*, sultanates of *Tajura* and *Rahayto*, who are 'White' reject the narratives in the second argument (Lewis, 1994: 159). Getachew Kassa also challenges the second argument based on his research in Zone 3 of the *Afar* Region and argues "there is no strong evidence that demonstrates the *Asahyammara* to have been politically dominant over the *Adohyammara* (Kassa, 2001: 39). He argues that there seems to be no tribute payment relationship and no registered case of power relation between *Asahyammara* and *Adohyammara* (Kassa, 2001: 49).

Based on data collected during the fieldwork, I came to learn that the *AsahyammaraAdohyammara* differentiation is the result of differences in descent, which was later, strengthened by differences of political status wired in the war of the late 18th Century. My key informant Intibara argues: "The ancestral father of the *Asahyammara*, Harel Mahesi[23], came from Arabia" (Intibara, 2015). Intibara claims that descendants of the Harel Mahesi migrated inwards from the coastal areas of the Red Sea and intermingled with the descendants of the Ankala Derder *Afar* population (the *Adohyammara*) and the others. My key informant, Hussen Yayyo notes: "the descendants of *Sheikh* Harel Mahesi became *Asahyammara*, the 'Red', while the local *Afar* became *Adohyammara*, the 'White'" (Yayyo, 2016). The two words came to be accentuated following the wars which raged at the end of the 18th Century and beginning of the 19th Century for control of territories. The reference to colours appears to be political, each colour referring to one coalition of tribes. According to my key informant Alganni, the above-mentioned period of war was for this reason given the name '*idik isi* (*af.*), which translates to 'White and Red' (Alganni, 2016). According to Alganni, the war led to the end of the dynasty of imams who had been in power since 1600 in *Aussa* and to the victory of the 'Red' *Modaito* after the battle of Darma in 1843 (Alganni, 2016).

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[23] Harel Mahesi (an Arab Sheikh) is a person said to have introduced the faith of Islam to the Afar hinterland

My key informant, Hussen Yayyo supports the view of Alganni. Yayyo claims that the difference in descent was bottled in the political colouring during the war for territorial control in the late 18th C. Yayyo notes:

> The *Aydahiso* led the *Modaito* clan federation (*Asahyammara*) in their march towards *Asayta* defeated the *Lubakubo* clan. Since then, the rulers of *Dobi* are the *Aydahis Bara*, the 'Red', over the *Lubakubo* (Yayyo, 2016).

During the large part of the *Afar* history, the relationship between *Asahyammara* and *Adohyammara* is that of noble and commoner. The authority of the nobles is political since the chiefs and heads of kinship groups are the 'Reds', and territorial rights are vested in them, though the 'White' own herds and have rights of grazing on the 'Red' land. The differentiation and the titles that come with it were suppressed during the Derg regime (1974-1991) only to resurface again, though in weaker form, after the reinstatement of the *Aussa Sultanate* in 1991. The *Asahyammara* and *Adohyammara* cleavage is not the only form of differentiation among the *Afar* people.

### 4.2.2. *Afar* segmentation

#### 4.2.2.1.    Descent based differentiations

The *Afar* is segmentary society organised into clans, lineages, and families. This sits well in the classical segmentary theory (Evans-Pritchard, 1940). The *Afar* have a patrilineal descent system based on which a person belongs to a particular clan. In his study on the Nuer, Evans Pritchard differentiates the lineage into four sub-categories: maximal lineage, major lineage, minor lineage, and minimal lineages (Evans-Pritchard, 1940: 45).

The *Afar* is segmented into: *keddo* (a clan), *gullub* (sub-clan), *dalla* (sub-lineages) and *buxxa* (extended family).  Based on my observations and from my interviews, I will describe my understandings of clan, sub-clan (lineage), sub-lineage and extended family in the study area. Clan (*Keddo*) is the largest group of agnates who trace their descent from a common ancestor. It is the level at which the strongest and most effective traditional leadership structures are found. It is also important in claims of local identity and control of territory. In my study area, a clan (*keddo*) comprise between a few hundred people up to about eight thousand, and between four to ten lineages (*gullub*) and sub-lineages (*dalla*). Members of a clan cooperate in defence of their land, people, and livestock. Clan has legislative, executive and judiciary functions.

Each clan is divided into sub-clans or lineages (*gullub*). Sub-clan members share the same locality, residence, pasture, and migrations. A sub-clan is most significant in terms of maintenance of social order at the local level. Each sub-clan is further sub-divided into *dalla* (sub-lineage), which consist of several related individuals that descended from a common ancestor up to seven generations. Each sub-clan consists of several extended family units, known as *Buxxa*.

Figure 3 Clan segmentation
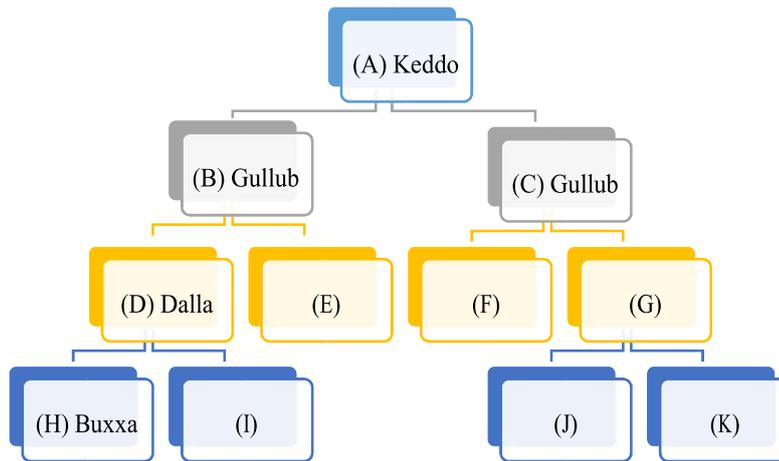


The *Afar* belongs primarily to *buxxa*. *Buxxa* is composed of people sharing a common ancestor up to four generations. The smallest genealogical unit among the Nuer, which Evans calls the minimal lineage has a time depth of three to five generations from living persons (Evans-Pritchard, 1940: 192), which is somehow like the *Afar Buxxa* which takes a time span of up to four generations. Family (*Buxxa*) covers an extended form of social organization comprising immediate parents, paternal and maternal grandparents, uncles, aunts, cousins, and nephews constitute the smallest unit in the *Afar* social organization, and extended family forms the lowest social unit. Family has ownership rights over stock (camel, cattle, goat, sheep, and donkey). In my observations, an extended family settlement consists of five to eighteen huts (Ari).

The *Afar* social organisation differs from the Nuer in one big respect: the *Daylo*, a higher-level clan federation. The collection of clans based on descent commonality or through clan integration/assimilation forms a supra-clan, *Daylo*. In his study of the Nuer, Evans Pritchard claims that without being aware of it, the Nuer is organized according to two principles: fission and fusion (Evans-Pritchard, 1940: 193). The *Afar* exhibit fusion of clans. There are several examples of clan fusion among the *Afar*. Scholars use the term clan integration (Hundie, 2006) or clan confederation (Kassa, 2001) to refer to the phenomena of clan coupling. I, on the other hand, argue, that the clan

coupling that is observed in my study area has the appearance of clan integration, but has the substance of a super-imposition of one clan onto another clan. My key informant, Hussen Yayyo, states:

> The *Danbela* clan (*Modaito*) was super-imposed on the *Askak* Mali (non*Modaito*) to form *Danbela* ke *Askak* Mali. The *Aydahis Bara* clan was superimposed on the *Mahandita* clan to form the *Modaito* ke *Mahandita*. The Huluto clan (*Modaito*) was super imposed on the *Wadima* clan (non-*Modaito*) to form the *Hululto* ke *Wadima*" (Yayyo, 2016).

Clan fusion, through super-imposition, is not confined to the above examples; it is also observed on the *Lubakubo ke Modaito* clan, a clan that lives around *Dobi*. The super-imposition of the *Aydahis Bara* clan (*Modaito*) on the *Lubakubo* clan (a non-*Modaito* clan), created the *Lubakubo ke Modaito* clan. Details of this will be presented below.

### 4.2.2.2.    The *Lubakubo ke Modaito* clan
#### 4.2.2.2.1. The *Lubakubo*

I arrived in *Dobi* by early December 2015. By the time I arrived there, the name of the clan that I heard about was the *Lubakubo ke Modaito*. I did not know about the internal differentiations within this clan. It was Hussen Yassin, one of my earliest acquaintances and key informants, who opened my eyes and ears to this differentiation.  Yassin notes:

> The *Lubakubo ke Modaito* clan was created by super-imposing the *Aydahis Bara* clan over the *Lubakubo* Clan. The *Aydahis Bara* clan is the dominant clan within the *Lubakubo ke Modaito* (Yassin, 2015).

According to my key informant, Yassin, the *Lubakubo ke Modaito* (*af.*) was formed during the reign of Sultan Aydahis, which Pankhurst estimates to be between 1801 and 1832 (Pankhurst, 1997). Sultan Aydahis introduced the super-imposition to ensure governance over his non-*Modaito Afar*. The *Lubakubo* clan members do have an oral account of their ethnogenesis. Ali Mohammed, an elder from the *Lubakubo* clan narrates their myth of ethno-genesis as follows:

> In our oral tradition, the *Lubakubo* came from *Oromo*. We descended from an ancestral father Ana *Haysi*, who had five sons: *Alalo, Haysi, Lubakubo, Balahito and Askak Mali*. Ana *Haysi*'s sons got their name from an event when they fought with a lion. *Alalo* (the one who shouted for help), Aysi (held the tail of the lion), *Lubakubo* (held

the lion on the neck), and *Balahito* (held the lion on the abdomen). The five sons over time grew to form five clans. The *Lubakubo* clan on *Dobi* are the descendants of the third son, *Lubakubo* and currently includes three sub-clans: *Lubakubo*, *Aysa Mali* and *Asdara*. The *Lubakubo* are called the *Kolaud* (*af.*), which means fierce warriors. Among the prominent *Afar* heroes whose fame has gone beyond their clan and even sultanate territory, *Dharuma* of the *Lubakubo* is one of them[24] (Mohammed, 2016).

Figure 4 The *Lubakubo* clan genealogical tree
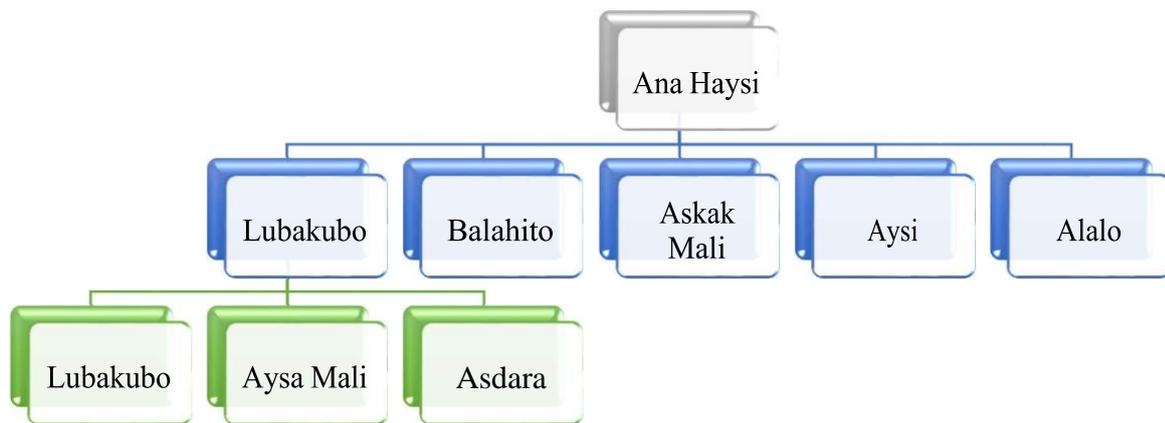


Hussen Yassin, my first key informant in *Dobi*, is a member of the *Asdara* sub-clan of the *Lubakubo* clan. The *Asdara* includes about fifty families. My other key informant, Ali Mohammed belongs to the *Lubakubo* sub-clan. After conducting fieldwork among the *Lubakubo*, in *Dobi*, I travelled to *Dichoto* town-an uphill travel with a rented tuk-tuk[25] to meet with *Aydahis Bara* elders and learn their side of the story.

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[24] The Encyclopedia Aethiopica states that among the names of the prominent Afar figures whose fame has gone beyond their clan and even sultanate territory, Tola Hanfare (Hanfare son of Tola) and *Dahruma* of the *Lubakubo* is known in *Aussa* and in the *Gobad* (Kassa D. M., 2003, S. 119)

[25] *Tuk tuk* also known as auto rickshaw (referred to as Bajaj in Afar) is a motorized development of the traditional pulled rickshaw or cycle rickshaw. *Tuk tuk* has three wheels.

*Dichoto* is a rural town located eighteen kilometers away from *Dobi*.  In *Dichoto*, I met with Ibrahim Intibara, leader of the *Aydahis Bara* sub-clan, and by extension, the leader of the *Lubakubo ke Modaito* clan. I spoke with him about the *Aydahis Bara* myth of ethno-genesis, and here is his account:

> Harel Mahesi had three sons: *Moday*, Sanbola Oli, and Adi Ali. *Moday* had eight sons from four wives: *Afkihe* ke *Mahad*, *Arabta* ke As *Bakari*, *Nasrake* ke *Aginni*, and *Kihu* ke *Hinbeka*. They in turn became four big *Modaito* clan families. From *Moday's* eight sons, *Afkihe* ke *Mahad* became the rulers. From the *Afkihe* ke *Mahad*, the *Aydahiso* became the ruling clan of *Moday* descendants (Intibara, 2016).

 The *Aydahis Bara* clan was created through what Pritchard calls 'fission' (Evans-Pritchard, 1940). Sultan Aydahis Hanfare founded the *Aydahiso* clan, after detaching himself from his parent clan, the *Afkihe* ke *Mahad*. Similarly, Ahmed Aydahis Hanfare founded the *Aydahis Bara* clan after detaching himself from the *Aydahiso* clan (Intibara, 2015).  Figure 3 below shows the *Aydahis Bara* clan in relation to the *Moday*.

Figure 5 The *Aydahis Bara* clan genealogical tree
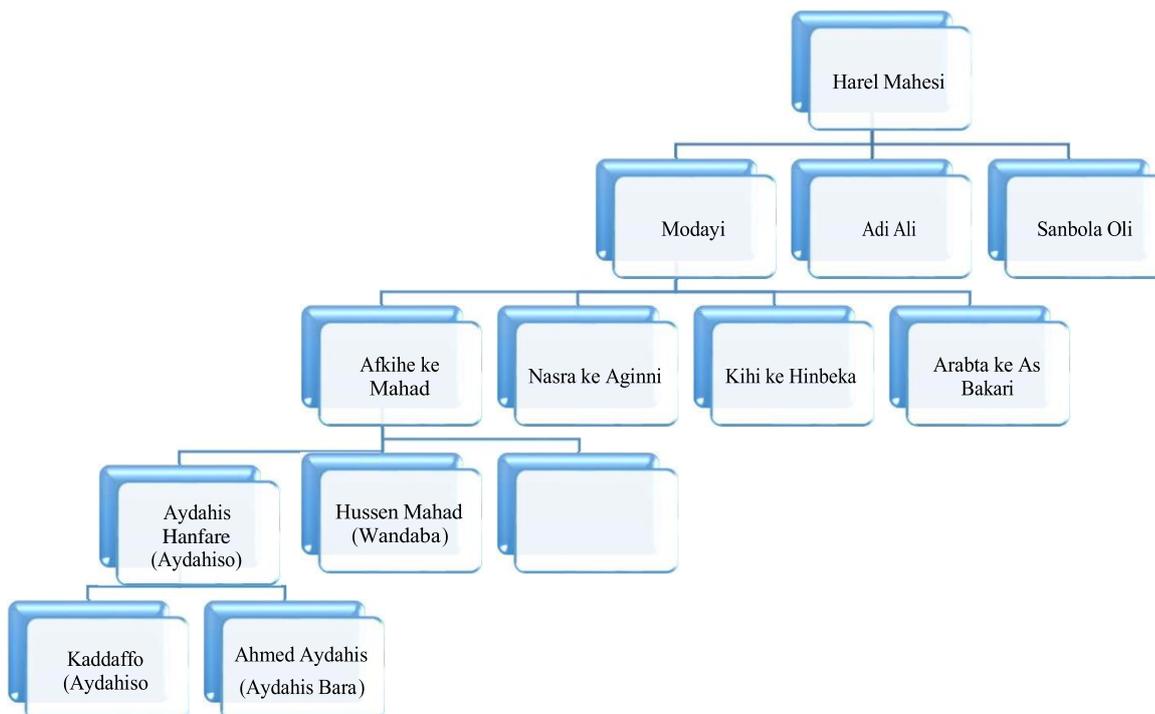
My key informant and mentor, Hussen Yayyo notes:

> The *Aydahiso* clan was named after sultan Aydahis Hanfare. He had three sons: Kaddaffo, Ibrahim and Ahmed. The *Aydahis Bara* clan did not have a territory of their own in *Dobi* but after the formation of the *Lubakubo ke Modaito* clan they became the rulers over the people and the territory (Yayyo, 2016).

My key informant, Ibrahim Intibara, leader of the *Lubakubo ke Modaito* clan, says that their clan numbers at about six thousand five hundred people. He also says that the majority are constituted by the three sub-clans of the *Lubakubo* and the *Aydahis Bara* constitute over a thousand members (Intibara, 2015). My key informants from the *Lubakubo* vehemently reject Intibara's estimate by arguing the *Aydahis Bara* in *Dichoto* are not more than two hundred, and there are none around *Dobi* (Mohammed, 2016). Despite the controversy over the demography, it remains that when it comes to making decisions concerning access to *Dobi*, it is the *Aydahis Bara* who are in charge, be it the legitimate clan leader (Ibrahim Intibara) or the Big Man (As Mohammed).

The formation of the *Lubakubo ke Modaito* clan through super-imposition of one clan that claims having Arab roots on another clan that claims to have come from *Oromo* was way beyond my expectation. To get to the bottom of this, I organized a discussion with members of neutral clans, which was with Ibrahim Humed (elder from the *Hululto* ke *Wadima* clan) and Umar Yayyo (elder of the *Modaito* ke *Mahandita* clan). I should emphasize here that this venturing out of talking to 'third-party' does not in any way undermine the accounts of the two stake-holding clans; rather it is meant to enrich it. These elders noted that the formation of *Lubakubo ke Modaito* clan may be traced back to the sultanate building zeal of the *Modaito* clan federation (FGD Neutral clans, 2017). Umar Yayyo notes: "upon conquering *Dobi*, the *Aydahis Bara* clan was super-imposed on the *Lubakubo* clan to create the *Lubakubo ke Modaito* clan'' (FGD Neutral clans, 2017).

After receiving enough information on the *Lubakubo ke Modaito* clan's ethno-genesis, I decided to enter the *Wandaba* clan territory and learn about their stories. Fortunately, my first key informant from the *Wandaba* clan, Mohammed Ibrahim, resides in proximity from Hussen Yassin of the *Lubakubo* clan, with whom I stayed for a while during my fieldwork.

### 4.2.2.3.    The *Wandaba* clan

Mohammed Ibrahim's family differs from that of Hussen Yassin's family in one big respect: the *Wandaba* clan is a member of the *Modaito* clan federation and *Lubakubo* is not. As we will discuss in the next chapters, this makes a great difference when it comes to the power to decide access to land. I will admit that the bulk of my study focuses more on the *Wandaba* side than on the *Lubakubo*. Mohammed belongs to the *Asduri* sub-clan of the *Wandaba* clan. I stayed with his family intermittently during the second leg of my fieldwork. After staying with Mohammed Ibrahim, I have also stayed with Hajji Yassin in *Galafi*. Through them and the snowballing effect this acquaintance created, I met with several of my informants learned about the *Wandaba* clan and their claim over *Dobi*.

During a focus group discussion with members of the *Wandaba* clan held in *Galafi* (a border town between Ethiopia and Djibouti), the population of the clan was estimated at about eight thousand people (FGD *Wandaba*, 2017). There is no government statistics regarding the demography of the *Wandaba* clan. Therefore, I took the estimate of *Wandaba* elders for this study, albeit with reservations. The Wadalba clan is sub-divided into ten sub-clans, six of whom are in Ethiopia and the remaining four are in Djibouti.

Figure 6 The *Wandaba* clan
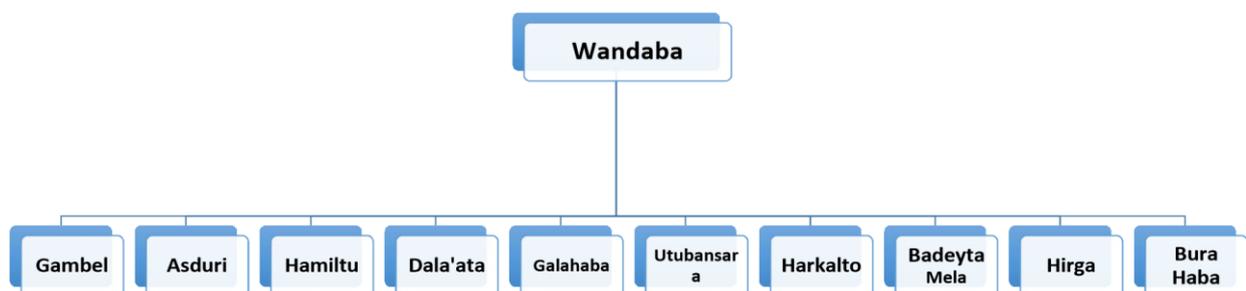
Mohammed Ali Afahaso is the leader of the *Wandaba* clan. All the ten sub-clans have their own leaders at sub-clan level, but they all submit to the overall leader of the clan. My fieldwork area includes the territories of four *Wandaba* sub-clans: *Gambel*, *Asduri*, *Dala'ala*, and Hamiltu. During a focus group discussion (FGD) held in *Galafi*, the *Wandaba* elders drew a social map, which shows the relative locations of the four sub-clans vis-à-vis *Dobi* (FGD *Wandaba*, 2017). I will describe the map they drew. *Dala'ala* and *Gambel* are found around *Hanaf* area, which is a rural village located at about eight kilometers from *Dobi*. The *Asduri*, with a population of about eight hundred people is found between *Hanaf* and *Galafi* on the left side of the *Addis Ababa* - Djibouti highway. Hamiltu are found on the opposite side of the *Asduri*. Although all the four *Wandaba* sub-clans have their own leaders who decide on their respective internal affairs, at the clan level, the decision of Mohammed Ali Afahaso, the leader of *Wandaba* clan is final (FGD *Wandaba*, 2017).

It is also crucial to mention here that the *Wandaba* clan and the *Aydahis Bara* clan belong to the *Modaito* clan federation and the *Asahyammara* group, 'the Red'. This makes them different from the *Lubakubo* who are 'the White'. Although this differentiation has had an impact on claims of ownership and governance of *Dobi*, it is not the only deciding factor.

### 4.3.    Marriage relations

Marriage relationship is another way of acquiring access to land. In my study area, the *Afar* practice exogamous marriage. There are several marriage patterns that I have observed and heard during my field visits, including inter-clan marriages between unrelated people, *Absuma* (*af.*) cross-cousin marriages and leviratic arrangements (widow inheritance). I have heard that cross-cousin marriages are stronger than marriages between unrelated persons because it is said no serious harm is inflicted on one's own blood and flesh in times of conjugal conflict. My key informant, from the *Wandaba* clan, Yassin, notes:

> A man may marry daughters of his father's sister. The nearest cousins are preferred as partners. Girls in *absuma* category to a man are his potential wives and are considered as his reserves to such extent that if any man takes them for marriage, he will be penalized by law. I was borne out of an *absuma* marriage. I got my wife through *absuma* marriage. My first son got married through *absuma* marriage (Yassin, 2018).

On the other hand, parallel cousin marriages are strictly forbidden for cultural reasons. My key informant, Yassin comments: "even though this [parallel cousin marriage] is not completely forbidden in religious terms, our Ada [custom] does not allow us to exercise it" (Yassin, 2018). There is, of course, an explanation for this. A person cannot marry his father-brother's daughter because ideally these children belong to one father. A Father's brother may, upon the death of a father, replace the biological father and marry the widow of his deceased brother. The same applies for the mother-sister's children. In short, father- brother and the mother-sister are potential fathers and mothers.

No matter which way an *Afar* gets married, marriage relations cultivate reciprocal obligations between the marrying families concerning access to land. My key informant, Hussen Yayyo says, *absuma* marriage creates bonds of reciprocal obligations between not just marrying families but also clans with regards to access to land (Yayyo, 2016). However, some of the youth I have spoken within my study area, say that nowadays, cross-cousin marriages, which used to be the most common, is weakening.

### 4.4. *Afar* neotraditional forms of power

In this sub-section, I will discuss the traditional forms of power that claims the power to grant access to *Dobi* until 2004.

#### 4.4.1. The triad of *Afar* neotraditional authorities: *Makabon*, *malla* and *fihima*

Politically the *Afar* people are organized based on clanship. Members of the same clan tend to live in well-defined territories along with their affine. At the clan level, there are three socio-political organizations, which I call the triads: *makabon*, *malla* and *fihima*. *Wandaba* clan elder, Yassin explains:

> We, the *Afar*, govern our daily life through the judiciary (*Makabon*), the legislative (*Malla*) and the executive (*fihima*). The *makabon* is a substitute for the judiciary of state courts. The *malla* is a legislative assembly of clan leaders and knowledgeable elders. A clan leader is the head of the legislative assembly. The *fihima* and its leader are executive organs of the *Afar* traditional authorities that act as enforcers of decisions of the other bodies (Yassin, 2018).

Above these social organization sits the *Aussa sultanate* (this will be discussed under section 4.4.2). It suffices to bring an *Afar* proverb to show this hierarchy. My key informant, Hussen Yayyo notes: "*Nek Inenekhi Sangira, Sangirak Ineneki waldora*" which translates to 'If you refuse to accept *Makabon*'s decision, you will go to *Sangira* (sultan's court), if you still refuse to accept *Sangira*, you will be buried" (Yayyo, 2016). *Sangira* is the highest traditional court in the *Aussa Sultanate*.

### 4.4.1.1. *Makabon* and *Malla*

In the *Afar* language *makabon* is the title of a clan leader. All issues that arise within a clan are handled by the *makabon* (also called *keddo abba*) of the respective clans. The decision of the *makabon* is final in cases arising within a specific clan. A clan leader status is achieved based on age, strength in decision- making and overall credibility in the society. Leadership positions are sometimes accessed through inheritance. Upon the death of a clan head, his sons will be considered for the position, however if they lack the necessary quality of leadership, election may be arranged. Clan heads are expected to mobilize clan members for positive pursuits, including co-operation in certain domestic activities and raising money for compensation for damages caused upon others during conflict. They make sure that every clan member is socially and economically secure. Due to this, I heard several times that members are loyal to their clan leader. The *Afar* expresses this through a saying, according to my key informant Hajji Yassin:

> *"Essi Amoita Hamita Mella Ke Daar Akak Maki Me Garbo Aysuk Matayssa"*, which translates to 'A forest through which a river has ceased to run, and a clan even slightly unfaithful to its leader are both on the decline' (Yassin, 2016)

Power is substantively and represented among the *Afar*. The substantive aspect has been discussed above. Let me talk about the symbolic aspect of power. This dimension of my work has been inspired by the study of the iconography of power. I have observed among the clans in my study area that the symbol of the status of a clan leader is the attire they place on their shoulders. My key informant Hussen Yayyo says:

> The primary symbol of the power of the *Aussa* Sultan is a silver baton that was considered to have magical properties. The symbol of power of a clan leader is an attire, which is symbolically powerful to an extent that if a clan leader with the attire on his

shoulders stands in between disputing clans, they would stop attacking each other. (Yayyo, 2016).

The two clans in my study area, the *Lubakubo ke Modaito* clan and the *Wandaba* clan have their own *makabon*: Ibrahim Intibara and Mohammed Ali Afahaso, respectively. The distribution of power amongst the sub-clans varies in the two clans. In the case of the *Wandaba* clan, power is equally divided amongst the different sub-clans. On the contrary, within the *Lubakubo ke Modaito* clan the *Aydahis Bara* enjoys an upper hand when it comes to deciding control over *Dobi*. Ali Mohammed explains:

> The *Aussa Sultanate* created against us double marginalization. All the *Afar* clans, *Modaito* and non-*Modaito*, are ruled by the *Aydahiso* clan (*Modaito*). We, along with all others in the *Aussa Sultanate* are under the *Aydahiso*. However, the non*Modaito* clans, are subject to a second layer of rule. From within the *Modaito*, the *Aydahis Bara* clan rules over the *Lubakubo ke Modaito*. You have to remember that the *Wandaba* clan is not subject to this second layer of rule because they belong to the *Modaito*. We, the *Lubakubo*, along with other non-*Modaito* clans have been subject to a *Modaito* clan rule (Mohammed, 2016).

Hussen Yassin further reinforces this claim by saying:

> *Makabon* of the *Lubakubo ke Modaito* clan is elected from the *Aydahis Bara*. Although this differentiation was abolished during the Derg regime, it was resuscitated in 1991 following the overthrow of the Derg and the return to power of the *Aussa* Sultan (Yassin, 2015).

The *malla* is a legislative assembly of the clan leaders.

### 4.4.1.2.  *Fihima*

*Fihima* is an age-set or council of peers. There are no exact age classifications, but my personal observation was that people borne around the same time are bundled together to form a common *fihima*. *Fihima* is an executive organ of the *Afar* traditional political system. As executive hand, it requires physically able men and as such a specific *fihima* comes to shoulder societal responsibilities when its members reach late teen. Its active role ends when its members reach early adulthood.

Unlike the clan, which is based on descent and/or affinities, *fihima* is an age-based organization that cuts across the *Modaito* - non-*Modaito*, and *Asahyammara -Adohyammara* divisions. For instance, the *fihima* of *Lubakubo ke Modaito* includes members from both the *Lubakubo* and *Aydahis Bara*, and its leaders come from either side. Hussen Yayyo states

> The *Fihima* combines both the *Modaito* and non-*Modaito* clans. It knits the divide. It is a social institution that unites the *Afar*. Sultan Aydahis created the *fihima*, during the early nineteen century to mend the divides between *Modaito* and non-*Modaito*, and between *Asahyammara* and *Adohyammara* (Yayyo H. M., 2016).

There are similar institutions among other pastoral communities in Ethiopia. The *Karrayyu Oromo*, one of the neighbors of the *Afar* is a good example. *Oromo* society is based on the *Gada* system, an age-ordering system (Legesse, 1973). For instance, "*Qerro*", a council of youth constitutes male between ages of 18 and 24 years old. The "*Qerro*" shares some commonalities with *Fihima* on *Dobi*. The *fihima* and its leader are executive organs of the *Afar* neotraditional authority. Therefore, the *Fihima* constitutes a social institution capable of providing sanctions to ensure peaceful outcomes without referring to the state rule. My key informant Hajji Yassin note that the *Fihima* provides protection and defense (Yassin, 2018). *Fihima* plays a key role both at the time of the physical failings (drought or conflict) and following events causing significant expenditures (for marriage and burial).

Mohammed Ibrahim is the leader of the *fihima* of the *Wandaba* clan. Dawud Mohammed is the leader of the *fihima* of *Lubakubo ke Modaito* clan. Mohammed estimates the number of his *fihima* at two thousand, while Dawud estimates his *fihima* at one thousand three hundred. As discussed under Chapter 7, whereas Mohammed Ibrahim mobilized his *fihima* against As Mohammed (the Big Man), by contrast, Dawud mobilized his *fihima* in favor of the Big Man. *Fihima* members are armed. In fact, as we shall see later, the Big Man is known for arming and financing the *Lubakubo ke Modaito fihima*, who in turn protect his interests around *Dobi*.

These triads are just one constellation in the universe of power in the *Afar* Region. Above the seemingly egalitarian social structure, there is a hierarchical political system, which is the realm of the sultanate.

4.4.2. The *Aussa Sultanate*

In the *Afar* Triangle, there are five sultanates: *Aussa sultanate*, *Rahayto* Sultanate, *Tadjoura* Sultanate, Biru Sultanate and *Goba'ad* Sultanate, which governed *Afar* land territory prior to the introduction of current colonial borders. My study area falls within the *Aussa Sultanate*.

It has been discussed above that the *Aussa sultanate* was reinstated in 1991. Its tentacle, the maliks (traditional area administrators appointed by the Sultan) have not managed to be resuscitated back to life. The *Aussa sultanate*, the confederation of the *Modaito Afar*, began expansion from present day *Eli Dar* marching through *Dobi*" and invaded *Aussa* in 1725 (Pankhurst, 1997: 23). The *Aussa Sultanate* was established by Sultan Kaddaffo around the year 1734, and was thereafter ruled by his *Modaito* Dynasty, to which the current *Aydahiso* rulers belong (Pankhurst, 1997). My key informant, As Mohammed Alganni, an *Afar* elder and a senior expert in the *Afar* Region Culture and Tourism Bureau has a very good grasp of the political history of the *Afar* Region Alganni says:

> By 1734, Kaddaffo prevailed as Sultan over *Aussa* and established the *Modaito* dynasty. One of his decisions was to change the administration of territories hitherto held by non-*Modaito Afar* clans such as the *Lubakubo*, *Wadima*, and the *Mahandita*. These changes resonate to the present day (Alganni, 2016).

After the overthrow of the Ethiopian monarchy by the Derg, Sultan Ali Mirah was targeted by the new socialist regime for his influence and support for the deposed emperor. According to my key informant Yayyo:

> In 1974, Sultan Ali Mirah was forced to flee the country when the Derg attempted to capture him in a bloody raid on *Asayta*. Sultan Ali Mirah then proceeded to establish the *Afar* Liberation Front (ALF) to resist the government (Yayyo, 2016).

After the removal of the Sultan, the Derg introduced local state administrations, known as peasant associations (PAs). In the context of my study area, two PAs were formed, one on the *Lubakubo ke Modaito* clan territory at *Dobi* and the other on the *Wandaba* clan territory at *Galafi*. From 1975 to 1991, the heads of *Dobi* PA were selected from the demographically numerous *Lubakubo* clans.  In the words of Ali Mohammed:

During the Derg, the *Aydahis Bara* was removed from their position as leaders of the *Lubakubo ke Modaito*. We became equals. You have to bear in mind that before the Derg, even to appear in front of the sultanate court we had to bring an *Aydahis Bara* clan member as a spokesperson. We were not human enough to be accepted at these institutions. Derg changed all that. We were organized into a peasant association, and we elected our leaders. Our peasant association was called *Zenbaba* Peasant Association. This name comes from the palm trees on the hill-range that surrounds *Dobi*. However, after the Derg was defeated and the *Afar* Liberation Front (ALF) headed by Hanfare Ali Mirah took over the *Afar* Region's government, we went back to pre-1974 system. We were placed under the *Aydahiso* rule again (Mohammed, 2016).

The Ethiopian People's Revolutionary Democratic Front (EPRDF) reinstated Ali Mirah in 1991. Ali Mirah Hanfare was Sultan of *Aussa* from 1944 until his death in 2011, and was succeeded by his son, Hanfare Ali Mirah. Between 1991 and 1998, whereas the Sultan sat at the helm of the *Aussa Sultanate*, his sons ruled the *Afar* Regional State as presidents in succession to one another: Habib Ali Mirah from 1991 to 1995 and Hanfare Ali Mirah from September 1995 to March 1998. My key informant and mentor, Hussen Yayyo commented:

Relations with the EPRDF soured, however, over the issue of the *Afar* in Eritrea, whom the Sultan saw as undivided part of the *Afar* people. Sultan Ali Mirah wanted the Eritrean *Afar* to remain part of an autonomous *Afar* Region within Ethiopia for the sake of unity of the *Afar* communities on both sides of the border (Yayyo, 2016).

This, amongst other disputes, led to the Sultan's and his sons' marginalization from the politics of the *Afar* Region.

### 4.4.3. Perceptions about the authority and legitimacy of the neotraditional governance systems

Traditionally, the authority to govern a territory in *Afar* has been ascribed to clans (FGD Neutral clans, 2017). However, as next chapter will show, the perception that supreme power is vested in clan leaders is no longer correct. This is not to undermine the role played by clan heads in leadership, nor to deny their active roles in gauging the behavior of clan members, but to underline the fact that in the post

2004 period, as *Dobi* shows, clan leadership position is not necessarily inherited, nor clan leaders possess veto rights on community matters.

Before 2004, descent and affinities are central to the exercise of power and definitions of legitimacy. Clan (seen in this thesis as a local identity) has been the basis of neotraditional socio-political organization and legitimate authority. It forms the basis for judging who should have power over a given territory and whose power is legitimate. Clan leaders have the authority to decide access to land. My key informant, Yayyo notes:

> According to our *Mada'a*, the authority to decide access to a clan territory lies with the clan leader. Individual members of a clan, however rich and powerful they may be, cannot decide on clan territories if they are not a legitimate clan leader (Yassin, 2016).

The perception on the scope of clan leader's authority brings mind the notion in symbolic anthropology that there is metaphorical space of images of power (Geertz, 1973a). Building on Geertz's idea, Ferguson and Gupta wrote an article titled 'spatializing the state', which perceives the state in terms of its spatial properties-verticality and encompassment (Ferguson and Gupta, 2002: 982). Verticality refers to the idea that a state is "above" civil society, community, and family and that its agents are "everywhere" watching you; while encompassment entails that the state "encompasses" its localities (Ferguson and Gupta, 2002: 982). In this thesis, I have extended their conception to the study of neotraditional authorities. Up until 2004, a clan leader's authority is heeded and respected by members of the respective clan, irrespective of their geographical locations, whether near or far, and whether in the same country or in different countries. For instance, my key informant from the *Wandaba*, Haji Yassin, notes that the authority of Ali Afahaso, leader of the *Wandaba* clan, extends across two countries in Ethiopia and Djibouti, where members of the clan reside. This captures the perception of the *Afar* about neotraditional authority. It differs from the Ethiopian State's perception of authority to grant access to land.

The Ethiopian State's perception is that the state is the only legitimate authority. My key informant from the FDRE Ministry of Federal and Pastoral Affairs (MoFPA), Zegeye refers to the FDRE constitution to emphasize that the state constitutes legitimate authority (Zegeye, 2016). To the contrary, it may be argued that up to 2009, at which point the *Afar* Region officiated its rural land use and administration proclamation, which openly criticizes the traditional clan authority of land governance, the Ethiopian state accommodated a plurality of land governance authority in the *Afar* Region

The state and the *Afar* differ on their perceptions of encompassment of authority. The state, rooted in the Weberian view, perceives the scope of its authority to its national boundaries. State boundaries in the Horn of Africa divide the *Afar* into three different countries-that is Ethiopia, Eritrea and Djibouti. Accordingly, the reach of the authority of the Ethiopian state is confined within its national boundaries. The reach of the power of the neotraditional authorities, for instance clan leaders by contrast, reaches where their members reside, even if that means beyond national boundaries. This difference in perception locked horns head on during the Ethiopia and Eritrea War (1998 to 2000). My key informant, Yayyo remembers:

> During this war, the *Aussa* Sultan refused to mobilize kin in Eritrea in favor of the Ethiopian military because, in the sultan's view, there is no-boundary between the *Afar* people on both sides of the border' as they all belong to the *Modaito*, and as such the war is not an *Afar* war (Yayyo, 2016).

Sarah Vaughan has also documented this in her article in which she hinted at how this difference of perception contributed to Meles Zenawi's[26] misgivings about the Sultan whom he helped to be reinstated in 1991 (Vaughan, 2003).

In the previous chapters, I have discussed the social differentiations between *Modaito* and non*Modaito*. I will argue here that this differentiation plays a role in claims to power in my study area. The *Modaito Afar*, of which the *Aydahis Bara* and the *Wandaba* are a part, claims that they are descendants of Harel Mahesi (Intibara, 2015). In connection with this, it is worth mentioning a book "*Al-Manhal fī tā rīkh wa-akhbā r al-'Afar*", a Yemeni author's eyewitness accounts of his personal journey across the *Afar* land in the 16th Century (Shā mī, 1997). In this book, Shami makes a claim that during his travels, he encountered *Afar* clans who live in today's *Afar* Region whose ancestors have come from Arabia (Shā mī, 1997). However, I could not find any reference to the *Aydahis Bara* nor the *Wandaba* in the book. Irrespective of whether the *Modaito* clan actually has Arab origins or not, what is important is not just the perception about themselves but also about the others: the dominant discourse glorifies the *Modaito* while discriminating against the non-*Modaito*.

In one of the focus group discussions (held in *Asayta*) attended by elders from both the *Modaito* and non-*Modaito* clans, an elder state:

> The non-*Modaito* were primitive, savages and uncivilized. On the contrary, the *Modaito*, the descendants of Harel Mahesi originated from the lands that

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[26] Meles Zenawi was former prime minster of Ethiopia who ruled the country from 1991 until his death in 2012.

produced the prophets. They have leadership and civilization qualities in them (FGD Neutral clans, 2017).

These narratives have been used to justify the continued ruled of the *Modaito* as clan leaders and sultans over the non-*Modaito*. The elder justifies *Modaito* rule claiming that:

The *Modaito* brought civilization to this land. Before we came here, the rest of *Afar* eat raw meet. We taught them how to cook. We taught them how to live by a law. We brought *Afar Mada'a* (FGD Neutral clans, 2017).

To make sense out of the above stated perception, I engaged Edward Said's idea of 'orientalism'. "Orientalism" refers to a general patronizing Western attitude towards Middle Eastern, Asian and North African societies (Said, 1978: 23). In Said's analysis, the West essentializes these societies as static and undeveloped while considering the Western society as developed, rational, and superior. In short, orientalism is the presumption of the Western superiority, and the application of clichéd analytical models for perceiving the Oriental world (Said, 1978: 3). The case in my study could arguably be seen as orientalism in the Horn of Africa.

One possible explanation can be sought through Dida Badi's concept of '*ailleurs sacre'* (sacred elsewhere), of coming from a sacred other place to show one's superiority (Badi, 2010). The *Modaito* (*Aydahis Bara* and the *Wandaba*) in my study area claim having originated from the holy land of Arabia, home of the prophet, is used to legitimize claims to authority. "Arabness" is used as a legitimation discourse to rule over the *Afar* in general and *Dobi* in particular. Dida observed similar phenomena in his study among the *Tuareg* in Northern Mali where a section of the *Tuareg* society claims to be Arabs by referring to their origin from the sacred land (Badi, 2010: 77). During a biographical interview, As Mohammed counts his genealogical tree, claiming descent from Harel Mahesi, and hence of having Arab roots. As Mohammed tells through a genealogical tree, as follows

I can count my forefathers up to Harel Mahesi: As Mohammed-Umed-Yayyo-Mohammed-Hanfare-Yasin-Ali-Yayyo-Ahmed-Aydahis-Kaddaffo-HanfareAydahis-Mesikhe-Ahmed-Hunda-Ali-*Mahad-Moday*-Harel Mahesi (AsMohammed, 2018).

One question that remains is how the *Modaito* (including the *Aydahis Bara* and *Wandaba* clans) who claim Arab origin and a superior status over others, ended up adopting *Afar* names and culture. One hypothesis is that the descendants of Harel Mahesi adopted indigenous *Afar* language and culture. *Afar* speak the *Afar* language, which is part of the Cushitic branch of the Afro-asiatic family, while

Arabic is part of the Semitic branch. So, if the *Modaito* have Arab roots, it means they ended up being culturally absorbed into the indigenous *Afar* culture. There are historical parallels that support this hypothesis. For instance, the *Bussasse*, a small ruling group of the *Anfillo* of Western *Oromia*, adopted the culture and language of the majority *Ma'o* (*Anfillo*) (Gidada, 1984). Another example can be cited from Europe. The Franks, members of Germanic speaking people who invaded the Western Roman Empire in the 5th century dominated the present-day northern France, Belgium and Western Germany (James, 1988). The Franks established the most powerful Christian Kingdom of the early medieval Western Europe; however, they ended up adopting the local French language and culture (James, 1988). It may be the case that like the *Bussasse* and the Franks, the descendants of Harel Mahesi adopted the indigenous *Afar* language and culture.

The second hypothesis is that the Arab ethno-genesis claims are inventions. The phrase ''invention of tradition'', introduced by E.J. Hobsbawm refers to situations when a new practice is introduced in a manner that implies a connection with the past that is not necessarily present (Hobsbawm and Ranger, 1983). A tradition may be deliberately created and promulgated for interest, or it may be adopted rather than developing and spreading organically in a population (Hobsbawm and Ranger, 1983). Drawing on this conceptualization, the claims of descending from Arabs, of being better than the rest of the *Afar*, could just be an invention.

Despite the controversial nature of the *Afar* ethno-genesis, clan (as local belonging) continues to be the basis for not just neotraditional authority but also for morality. Among the *Afar*, kinship groups enjoy a multitude of reciprocal rights while at the same time fulfilling certain obligations that are instrumental for inter-group solidarity. Members of a particular clan have collective responsibilities and moral obligations to help one another during drought and conflict. In other words, morality is embedded in kinship relations among the *Afar*. Here, it is important to point out *lahu* (which means call for emergency support in times of need) as a moral code deeply rooted in *Afar* concept of kinship. Traditionally, clan leaders and the sultanate had the responsibility to mobilize the *Afar* for *lahu* during times of need. My key informant Ibrahim says:

> We, the *Afar* have a saying related to intra-clan sharing. We say "*Sagage'ri nama lakal masa*" (Literally: a cow's tail is equidistant from both its legs.) This means: 'Those belonging to the same group share and share equally, both the good and the bad.' Members of a particular clan have collective responsibilities and moral obligations to help one another during drought and conflict (Ibrahim, 2015)

As discussed above, traditional authority is rooted in discourses of local belonging. Local belonging defines legitimacy (or illegitimacy) of traditional authority figures and morality of spaces these actor groups occupy, and actions carried out in these spheres. Accordingly, clan leaders who came to power through the *Afar* norms are seen as legitimate, and the actions they take to further the interests of the pastoral *Afar* are seen as moral. On the contrary, from the point of view of the *Afar*, the post 1991 state is seen as illegitimate, and their actions fall in the immoral spaces. My key informant, As Mohammed Alganni states:

> Relatively speaking the *Afar* tolerated the imperial Ethiopia because, in our view it did not change our traditional socio-political system, and the imperial regime did not involve much in our day-to-day lives. The Derg regime chased away the *Aussa sultanate* (Alganni, 2016).

However, this view is not shared by all *Afar*. As discussed before, the local itself is contested. The actor groups around *Dobi* view the action of the state differently; the actions of the Derg constitute the moral for the non-*Modaito* clan (such as *Lubakubo*), it was immoral and illegitimate for the *Modaito* clans (such as *Aydahis Bara* and the *Wandaba*). My key informant, Ali Mohammed notes:

> The imperial Ethiopia tolerated the unjust traditional socio-political system. The Derg regime chased away the *Aussa sultanate* and the social differentiation that was imposed on us. The post 1991 state reinstated this differentiation and its head, which is the *Aussa Sultanate* (Mohammed, 2016).

Despite these controversies, from the *Afar* people's point of view, the role of the state administrative units has been limited to the provision of technical backstopping. In relation to this, the pastoral *Afar* often say 'God and the state should rule from above' (Yassin, 2017, *Galafi*), which points to a hierarchical view of power.

Chapter Five

## 5. A "King" is born from a '*dead land*': the rise of a Big Man

### 5.1. Features of the Big Man

This chapter chronicles the rise of a Big Man by the name As Mohammed Humed Yayyo. In the sub-sections below, I will argue that the Big Man's features differ from the *Afar* neotraditional forms of powers (discussed in Chapter 4). The Big Man occupies both the state and non-state spheres: as a district administrator, and as a clan leader and a businessman which signifies union of roles in a person. It contradicts the 'statist' assumption that states representatives and "traditional authorities" are in an opposite relation to one another. As will be discussed below, the Big Man occupies multiple roles: a businessman, a state official and a clan leader

Up until 2004, although officially the Ethiopian State is mandated with land administration, in practice, leaders of-the *Lubakubo ke Modaito* and the *Wandaba* clans decided on matters of granting access to *Dobi* (as discussed under Chapter Four). Since 2004, however, As Mohammed Humed Yayyo gained monopoly control over *Dobi*. The Big Man benefits immensely from the multi-million-dollar business transaction that comes from the control of *Dobi*. Individual control of a clan territory is a new phenomenon to the pastoral *Afar* in the study area. From the point of view of the *Afar*, the rise of As Mohammed as a Big Man over *Dobi* breaks away from the *Afar*'s neotraditional socio-political system for two reasons. First, according to *Afar Mada'a* (*af.*), territories belong to clans and respective clan leaders administer clan territories. Secondly, As Mohammed's control was not limited to the territory of the *Lubakubo ke Modaito* clan, to whom he belongs, but extends to parts of *Dobi* that belongs to the *Wandaba* clan.

Legally, the 1995 Constitution of the Federal Democratic Republic of Ethiopia (FDRE) and the 1998 Constitution of the *Afar* National Regional State (ANRS) authorize the *Afar* Region to administer land and related natural resources in the region. In practice, however, since 2004, *Dobi* fell under the control of the Big Man. Aliye Suleiman, my key informant from the *Afar* National Regional State's Mines and Energy Bureau says: "As Mohammed is a king over *Dobi*. He is the one that decides who gets to mine salt on *Dobi*" (Suleiman, 13 November 2016, *Samara*, own interview).

Since 2005, As Mohammed is the vice administrator of the *Eli Dar* District. Furthermore, from 2006 to 2016, As Mohammed was a member of the central committee of the *Afar* People's Democratic Party (APDP), the ruling party of the *Afar* National Regional State. Moreover, As Mohammed is also the leader of the *Lubakubo ke Modaito* clan. Ali Mohammed, one of my key informants from this clan, says that As Mohammed was handpicked by Ismael Ali Sero, the former president of the *Afar* Region, to become an intermediary between the *Afar* Regional State and the clan. He further notes, "As Mohammed is not a legitimate clan leader. The legitimate leader of the clan is Ibrahim Intibara, and As Mohammed is not" (Mohammed, 12 September 2016, *Dobi*, own interview). I have personally met with and interviewed Ibrahim Intibara in 2015, during the first field visit, during which time he introduced himself as a clan leader.

What is significant about the Big Man, or any Big Man, for that matter, is that the status –Big Man- is not a position that can be inherited. It is a status, a fragile one that is maintained through a careful handling of cronies connected to him in a social network woven around him. This will take us to the next sub-section.

### 5.2. Sources of the Big Man's power

#### 5.2.1. The Big Man's recognition as source of his power

The Big Man acquired and maintained his power through several ways, one of which is the recognition given to him by the members of the *Afar* society and the Ethiopian State. As Mohammed received state awards, displays of billboards, t-shirts and documentary videos, and songs glorifying his 'historic' deed of developing *Dobi*. In 2010, the *Afar* Region awarded As Mohammed a gold medal labeling him model businessman and hero of development in the *Afar* Region. In 2014, the Federal Government awarded As Mohammed a gold medal labeling him, again, model investor for his 'monumental' achievements in developing *Dobi* (Ethiopian Broadcasting Corporation, 2014).

The first billboard (Fig 8) that honors As Mohammed was erected in his hometown in *Dichoto*, in 2007. The inscriptions on the Fig 8 below have faded away although the picture of the young As Mohammed is still visible. The inscription on this billboard, which was written in *Amharic* script, though not visible on the figure below, reads *"የዶቢ ልማት የብሄር ብሄረሰቦች ልማት ነው፡፡ ዓስ መሐመድ ሑመድ ያዬ የልማት ጀግና ነው (am.)*, which may be translated as '*Dobi*'s development is the development

of the Nations, Nationalities and Peoples of Ethiopia, As Mohammed Humed Yayyo is development hero."

Figure 7 The first billboard erected in recognition of As Mohammed



According to Hamid, the former vice president of the *Samara* University, in 2014, As Mohammed was honored by the *Samara* University as a guest of honor at a student graduation ceremony (Hamid, 11 December 2017, *Samara*, own interview). During the same year, the Ethiopian State-owned TV, the Ethiopian Broadcasting Corporation (EBC) run a documentary video about As Mohammed's achievements in *Dobi* (Ethiopian Broadcasting Corporation, 2014). Furthermore, I have heard of several *Afar* songs that were sung in honor of the Big Man, of which I have personally listened to two: Africa Ali and Ali *Afar*, both songs glorified *Dobi* and As Mohammed. Africa Ali's song titled "*Afar*", includes:

> *Tuxig mango Doobi qasbo*
>
> *Agat maduruuy kibala*
>
> *Ummatak dadalle qasboy faxe qasabok istaturle*

This translates to:

> *Dobi*'s salt has multiple benefits
>
> It is the backbone of the *Afar* Region's economy
>
> It has superior quality, like no other, known in the four corners of Ethiopia

Even on social media, As Mohammed has been hailed as the man of the people. For instance, *Walaq Macammad*, an *Afar* who has a strong social media following among the *Afar*, posted the following text and picture on the Facebook:

> *Cubusaayy. Qafar inkitu sehda hinayy saqiiy kaa kicinam cumadih Macammad Yayyoo Agriuy Qafar goori le.*

> English translation

> Listen well. I will tell you about the only *Afar* hero. Let alone humans, even animals
>
> love him! If you ask me who he is, I will tell you his name is As Mohammed Yayyo.

Figure 8 As Mohammed is loved not only by humans but also animals



In 2015, an elementary school in *Asayta* town was named after As Mohammed. These are some of the evidences for social recognition As Mohammed received since rising to the Big Man standing. The

Big Man acquired social recognition, and the power that comes with it, for several reasons. This will take us to the next sub-sections.

### 5.2.2. The Big Man's inventiveness as source of his power

When the Big Man detained me in August 2018, I turned the hurdle into an 'opportunity' to arrange an interview with the Big Man convincing him that it will be an opportunity to tell his side of the story. During a biographical interview, As Mohammed notes:

> My name is As Mohammed Humed Yayyo. I was born and raised up in *Dichoto*. The prefix 'As' in my name 'As Mohammed' means 'Red' in the *Afar* language. It refers to my physical complexion. You see, when I was younger, I had a fair complexion. People use the prefix 'As' to say, 'Mohammed the Red' (As Mohammed, 13 August 2018, *Dichoto*, own interview).

He further notes:

> I began salt mining in a place called *Fil-Whuha* in 2004. Although there were so many people from abroad and Ethiopia who has thought that there would be a big investment potential on *Dobi*, nobody has achieved it in real sense, until I did. Although many foreigners (including Italians) and Ethiopians tried to turn *Dobi* into a successful salt mining site, it was me who succeeded in doing so in 2004 (As Mohammed, 13 August 2018, *Dichoto*, own interview).

The Big Man is credited for his inventiveness in starting commercial scale salt mining on *Dobi*. Almost all the informants I interviewed acknowledge his role in opening up *Dobi*. During a biographical interview, As Mohammed claims "I am the one who opened up *Dobi* to commercial salt mining. I invented the way to produce salt on *Dobi*: excavating the saline water from underground and treating it" (As Mohammed, 13 August 2018, *Dichoto*, own interview). The Big Man boasts his ingenuity in transforming *Dobi* from a barren land to a large-scale commercial salt mining site.

In addition to the billboard shown in Fig 8, the *Afar* Regional State has also produced a pamphlet, which seems to owe credit to the ingenuity of the Big Man. This is shown on Figure 10 on the next page. Once again, the text on the pamphlet, which is written in *Amharic* script, reads:

የልማት ጀግና ዓስ መሐመድ ሐመድ ያዬ

የብሩህ አእምሮ የፈጠራ ዉጤት ዶቢ

Which may be translated as:

As Mohammed Humed Yayyo, the hero of development

A person with exceptionally bright mind'

Figure 9 A leaflet that glorifies the qualities of As Mohammed



In addition to inventing a way of mining salt from *Dobi*, Hussen Yayyo acknowledges As Mohammed for setting up and leading an institution, as he comments: 'He should be recognized for

forming *Zenbaba Dobi* Salt Producers Association (ZDSPA), which runs *Dobi* salt mining operations. As Mohammed is the founder and the chair of the Association" (Yayyo, 09 December 2016, *Asayta*, own interview).

As Mohammed's qualities in inventing a way of transforming a barren land into the second salt mining site in the country, and his institutional innovation – of forming the ZDSPA, are, indeed qualities of an inventive person, all of which corroborates Poptiz's proposition about how capability of an individual could become a source of power (Poptiz, 2017).

### 5.2.3. Wealth as a source of power

The other source of the Big Man's power is the immense wealth that he extracted from his control of *Dobi* salt land. During the time of the fieldwork, I have observed that the Big Man controls the entire *Dobi* plain, which is tens of kilometers. I will have to admit that my attempts to enquire from As Mohammed, *Zenbaba Dobi* Salt Producers Association, (ZDSPA), and the *Afar* Region's Bureau of Revenue about the actual amount of wealth generated from *Dobi* was unsuccessful. Due to this, I generated an estimate based on the *Afar* Region's report about the size of salt produced from *Dobi*, as shown in the table below. Table 3 shows the size of salt produced from both *Afdera* and *Dobi*, the first and second biggest salt producers in Ethiopia.

Table 3 Amount of salt produced from *Dobi* and *Afdera*

|  | Estimated production size from 2004 - 2016 (in Quintals) | | Quota since September 2016 (in Quintals) | |
|---|---|---|---|---|
|  | Monthly | Annually | Monthly | Annually |
| *Afdera* | 350,000 | 4.2 million Qt | 282,000 quintals | 3.38 mil |
| *Dobi* | 170,000-250,000 | 2.04 mil-3 mil | 57,000 quintals | 684,000 |
| Total) | | | 387,000 | 4.6 mil |

Source: The *Afar* National Regional State Mines and Energy Bureau, September 2016

In 2012, the FDRE Ministry of Trade (MoT) set the prices of salt: at the production site at 160

Br[27] ($ 7.30/100 kg), and wholesale price between 200Br ($ 9.13/100kg) and 300 Br ($ 13.7/100 kg) (Fortune, 2015). Based on this price, it is possible to estimate annual wealth generated from *Dobi*.

Table 4 Estimate of the amount of wealth extracted from *Dobi* annually between 2012 and 2016

| | At the production site | | At Wholesaler | |
|---|---|---|---|---|
| | In Birr | US Dollars | Birr | US Dollars |
| *Afdera* | 672 million | 30.7 million | 840 milion-1.26 billion | 40 mil to 60 mil |
| *Dobi* | 326.4 million | 14.9 mil to 21.9 million | 408 million to 900 million | 18.6 million to 41.1 million |

Source: Researchers own analysis, October 2017

From the above table, it is possible to generate estimate of wealth generated annually from *Dobi* between 2012 and 2016. If all produce is sold at the production site, *Dobi* may have generated between USD 14.9 million and 21.9 million, while at the wholesale price it may be estimated to fetch between USD 18.6 million and USD 41 million. On average, it may be argued that annually twenty-eight million US dollars were extracted from *Dobi*. In 2014, the *Afar* Region received 3.1 billion Birr (which is about US $ 142 Million) as subsidy transfer from the federal government (Ethiopian Business Review, 2014). In comparison, wealth generated from *Dobi* amounts to about nineteen percent of the subsidy the *Afar* Region received during that budget year.

My key informant from the *Afar* Region Mining and Energy Bureau, Suleiman says that the government has not issued a license for salt mining business on *Dobi* (Suleiman, 20 January 2016, *Samara*, own interview). It is fair to assume that a substantial part of the wealth estimated above is channeled to the Big Man's account. After all, it is the Big Man that controls *Dobi*. To the contrary, in *Afdera*, it is the state that grants mining licenses to investors (Suleiman, 20 January 2016, *Samara*, own interview).

The Big Man started his salt mining on the *Lubakubo ke Modaito* clan. Later, he expanded it to the *Wandaba* clan. In order to expand into the *Wandaba* clan territory, the Big Man employed a combination of stick and carrot. My key informant, Yassin explains:

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[27] As of 2016, 1USD was exchanged for 21.9 Ethiopian Birr.

> As Mohammed grabbed our land using his authority as Deputy Administrator in charge of the district police force, which he used to give orders to the police and *kebele* officials (*Galafi*) to remove our people from the *Dobi* salt sites. Where possible, the Big Man distributes money to gain recognition. When As Mohammed started salt mining in 2005, we resisted because it broke our tradition of clan self-governance. He, as district administrator, labeled us ፀረ-ልማት (*am.*) (which means 'anti-development') and threatened us with imprisonment (Yassin, 2016).

The Big Man does not have the right to own *Dobi*. Despite lacking legal right of ownership, the Big Man has managed to control the flow of benefits from *Dobi*. This speaks to the relevance of Ribot and Peluso's conceptual differentiation between access and property rights (Ribot and Peluso, 2003). To illustrate this point, I will compare *Dobi* with *Afdera*[28]. *Dobi* and *Afdera*, though both are located in the *Afar* Region, it seems, are worlds apart in terms of their governance. Both were opened for commercial salt production following the Ethiopian-Eritrean border conflict. They differ in one big dimension: whereas *Afdera* is managed by the state, *Dobi* is under the grip of the Big Man. Several explanations can be sought to explain this difference. One factor, possibly the major one, is their history: *Afdera* was opened by the state while *Dobi* was opened by the Big Man. My key informant, Aliye Suleiman from the *Afar* Region's mining and Energy Bureau, remembers:

> I led the campaign to open up *Afdera* Salt Lake to investors in the late 1990s. In 1998 we advertised the investment potentials of the *Afdera* Salt Lake on the Ethiopian Television. We encouraged investors to come and invest. It was during the Ethio-Eritrean War at which time the import of salt from Eritrea was halted. So, the Ethiopian government was desperately trying to open alternative domestic salt mining sites. Three investors came in, and with the assistance of the government started producing salt. Later, investors came in thousands. *Dobi* is a totally different story. We had no hands in it (Sulieman, 2016).

Archives from the *Afar* Region's Bureau of Mining and Energy show that there are about 570 active licenses operating in *Afdera*, all of which were licensed by the Ethiopian State. In *Dobi*, it is a different story: it is the Big Man who decides who gets access to *Dobi*. All the investors in salt mining on *Dobi* received access from As Mohammed. The Big Man, in addition to being the owner of *Dobi*, is also

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[28] For details on Afdera, please refer to Dereje Feyissa, the Political economy of salt in Afar Region '(Feyissa, The Political economy of salt in the Afar Region in northeast Ethiopia, 2011)

the sole supplier of machineries (such as excavators) need on the site. The Big Man decides wage rates of laborers, and collects tax from producers etc.

As Mohammed gives and takes away permits for salt mining on *Dobi*. Anyone who receives the blessings of the Big Man engages in salt mining operation with strict conditions. The first condition is what Umar Ida calls 'agreeing to a share-production system' (Ida, 23 December 2016, *Galafi*, own interview). Umar Ida explains:

> A plot received from As Mohammed is equally divided into two: produce from one half will be handed over to As Mohammed and from the other half belongs to the producer. Second, all production inputs needed for salt mining on *Dobi*, including renting excavators, water pipes, and chemicals are supplied by As Mohammed. Third, salt produced from *Dobi* is sold to *Zenbaba* ZDSPA at a price fixed by As Mohammed. The Big Man decides prices. Fourth, all the daily laborers in *Dobi* are paid wage rates decided by As Mohammed. With these conditions, *Dobi* is running like a lubricated and well-oiled machine, which produces salt of a high quality and provides jobs for thousands of unemployed youths (Ida, 23 December 2016, *Galafi*, own interview).

According to my key informant, Yassin, "the Big Man has displaced hundreds of people from *Dobi* to pave the way for salt mining by strangers-people who do not belong to the local clan" (Yassin, 2016). The days of clan identity-based access to and ownership of land ended in 2004. Governance of *Dobi* in the post-2004 shows the true colors of capitalism operating in the periphery.

### 5.2.4. The Big Man's social network as a source of his power

The Big Man may be seen as a node in a web of social network woven around him. The network includes members from the Ethiopian National Defense Force (ENDF), senior state officials, and clan leaders. It is reported that the relation between the Big Man and members of the ENDF was forged during the Ethiopian and Eritrean War (1998-2000). Husen Yayyo notes:

> The ENDF, at its highest level in *Addis Ababa*, has endorsed As Mohammed's control over *Dobi*, and in return As Mohammed generously awarded parts of *Dobi* to ex-military personnel. It is said that, today nearly a third of *Dobi* salt land belongs to ex-military personnel (Yayyo, 02 December 2016, *Samara*).

Ali Mohammed, explains the strong connection between the Big Man and members of the ENDF as follows:

> When As Mohammed's mother passed away in 2011, she received an honorary burial, escorted by members of the ENDF, with salutation gunfire, an honor I thought was reserved for patriots and national heroes. I knew his mother very well. She was not a member of the ENDF. She was not a stateswoman. She did not do anything that merits this honorary burial. We knew that the ENDF did that to demonstrate the strong relation between As Mohammed and members of the ENDF. After all, As Mohammed has given huge salt lands to ex-military personnel (Mohammed, 26 December 2015, *Dobi*).

Due to the sensitivity of this topic, the author did not venture out to contact the ENDF to comment on the alleged connection between the Big Man and the ENDF. However, a documentary video prepared by the state-owned Ethiopian Broadcasting Corporation (EBC) in 2014, reveals, inadvertently, the lists of middle ranking ex-military officers who have received plots of salt land on *Dobi* from the Big Man (Ethiopian Broadcasting Corporation, 2014). However, it was clear that the Big Man came to acquire its power through a creative manipulation of the political-economy structure - in particular the distribution of power within the ruling EPRDF coalition. Under EPRDF Ethiopia, ultimate power is exercised not by the government but by the party. And within the party there was a power asymmetry that gives disproportionate power to the TPLF, a member of the EPRDF coalition whose constituency is the *Tigray* region with a population that represents only six per cent of the country's population. This political economy seems to have played out in the way As Mohammed interacted with various government institutions and the party structure. The federal government, dominated by the TPLF has shown greater ''tolerance'' of the Big Man's transgression of state authority including evasion of tax because of the interest network between As Mohammed and TPLF in general and the military, itself a government institution dominated by the TPLF. This is the key reason why the push back by the regional bureau of Mines and Trade proved to be inconsequential.

The social composition of the upper echelon of the military shades light on the way the Big Man has interacted with the state. The post-1991 Ethiopian military under EPRDF is dominated by the Tigrayan military elite linked to the TPLF, itself very much linked with the *Afar* Regional State. In a speech he gave to parliament in November 2020, Prime Minister Aby Ahmed disclosed to the Ethiopian public the extent to which the *Tigray*an dominated officer ranks in the Ethiopian National Defense Force (ENDF). *Tigray*an constitute 60% of four-star officers (Generals), 50% of three-star officers (Lieutenant Generals), 45% of two-star officer (Major Generals), 40% of one-star officers (Brigadier

Generals), 58% of Colonels, 66% of Lt. Colonels, and 53% of officers at the rank of Major in the army (Dr Abiy Ahmed's speech in the House of Peoples Representative, 2020). This is even though *Tigray*an constitute barley 6% of the Ethiopian population. This asymmetrical representation is reflected in the military divisions located in the *Afar* Region, whose leadership is almost exclusively constituted by elites from the neighbouring *Tigray* Region. In fact, the *Afar* Regional State has functioned as a de facto client state to the much more powerful neighbouring state of *Tigray* that TPLF administers. The emergence of As Mohamed as a big man is situated within this power nexus that brings together different forms and centres of state and non-state forms of power all enmeshed within one power matrix under the auspices of the TPLF whose power radiates from *Addis Ababa* to *Meqele* (capital of *Tigray* Region), from *Samara* to *Dobi*.

Senior government officials are also members of As Mohammed's social network. I will discuss one specific example here: Ismael Ali Sero, ex-president of the *Afar* Region (1998-2016). Hussen Yayyo states:

> Ismael Ali Sero played a key role not only for the rise of As Mohammed as a Big Man, but also for the latter's gaining of monopoly over *Dobi*" Yayyo, 02 December 2016, *Samara*).

Hussen Yayyo, my key informant, argues that there are several pieces of evidence to back this claim. First, Ismael selected As Mohammed as a leader of the *Lubakubo ke Modaito* clan and made him a point of contact between the clan and the *Afar* National Regional State.  In the eyes of members of the *Afar* sultanate, this appointment breaks the *Afar Mada'a* not only because of the illegitimate way by which he was selected, but also because he was selected while the legitimate leader is still alive (Yayyo, 02 December 2016, *Samara*). Second, Ismael appointed As Mohammed as vice administrator of the *Eli Dar* District, a district in which *Dobi* is found. Third, As Mohammed was selected to join the central committee of the *Afar* Peoples Democratic Party (APDP), the ruling party of the *Afar* National Regional State. Due to this, Yayyo leaps in his claim as far as saying 'Ismael made As Mohammed' (Yayyo, 02 December

2016, *Samara*). One thing is clear: Ismael was an influential member of the Big Man's network.

Members of the *Eli Dar* District Police Force are also part of As Mohammed's network, particularly those stationed in localities in and around *Dobi*. They proved to be the Big Man's loyal eyes, ears, and acting hands. During my fieldwork, I observed how As Mohammed uses members of the police force in his networks to ensure his grip over *Dobi*.  During my fieldwork in 2018, a five-man strong police force detained me despite presenting an official permit letter signed by the *Afar* Region. The police

took me to the residence of As Mohammed (in *Dichoto*) where I was not only interrogated but also given a full flash back of all the places I visited, people I have met, words I have uttered and even where I ate and slept. I was detained and harassed simply because I happen to be doing research on *Dobi* and talking with the people who disagree with the Big Man's control over *Dobi*. In return for their service, it can be expected that the Big Man generously reward the police force in his network. Let me indulge you with one specific example, which I came to know while working from *Dichoto*. One of the five policemen who participated in my detention is called Nuredin Ahmed, a member of *Gala'ela* clan from a distant Zone 3 of the *Afar* Region. Nuredin received from the Big Man a salt mining plot on *Dobi*, a transport truck worth over USD fifty thousand and a mini-bus worth over USD twenty thousand. This is a public secret for the residents of *Dichoto*.

In addition to members of the district police force, the Big Man also relies on clan 'militia', the *fihima*. In the words of Mohammed Ibrahim, one of my key informants, As Mohammed uses the *Lubakubo ke Modaito* clan's *fihima*, whom he also arms (Ibrahim, 28 December 2015, *Galafi*). These armed *fihima* protect the interest of As Mohammed, and in return he generously assists them with financial and material resources, including providing firearms and ammunitions" (Ibrahim, 28 December 2015, *Galafi*).

Local government administrators are also important members of the network. At the local level, this includes administrators of *Dobi Kebele* and *Galafi Kebele*. Additionally, As Mohammed coopted some of the leaders of the two clans around *Dobi*, in return for a salt mining plot and financial assistances. For instance, Umar Ida (leader of the *Gambel* sub-clan of the *Wandaba* clan), and the legitimate leader of *Lubakubo ke Modaito* clan, Ibrahim Intibara, received plots for salt mining in return for, at best their recognition of As Mohammed's control over *Dobi*, or at least their silence on the matter.

A key feature of this new form (Big Man) is that the social network woven around the Big Man differs from the kinship relations (social group) associated with the neotraditional authority (clan leaders). Here is the argument. In the traditional *Afar* social organization, which is clan based, leaders emerge from and serve at the pleasure of closely-knit kin sharing common patrilineal descent. In contrast to this, in the case of the Big Man, members of the network are people from different religious, ethnic, and social backgrounds. In fact, the *Afar* people make up only a portion in the list of the people who have salt mining business on *Dobi*, the rest is constituted by non-*Afar* Ethiopians. The people in the Big Man's network come from across localities, religious affiliations, ethnicity, and geographical origin. This seems to confirm Mitchell's theoretical differentiation between the boundedness of a

social group and the unboundedness of social networks (Mitchell, 1973: 18). In my study area, it was the kinship based social organization that defined access to land until 2004. Since 2004, this has changed.

### 5.2.5. Perceptions about the Big Man's power and legitimacy

#### 5.2.5.1. The Big Man is powerful

The year 2004 is a watershed point not only in terms of the actual rise of a new form of power but also the perceptions of this power. Before the commercialization of salt mining operation on *Dobi*, the *Afar* view of legitimate power is one that is derived from and rooted in local belonging. In the post-2004 period, "a 'king' was born," says my key informant, Aliye Suleiman (Suleiman, 20 January 2016, *Samara*, own interview). All other forms of rule state or otherwise, became irrelevant at the dawn of the rise of the Big Man.

From the *Afar* point of view, the Big Man breaks away from the *Afar* neotraditional perception of power in terms of two important aspects. First, according to *Afar Mada'a*, clan leadership structure (the triads of power discussed in Chapter 4) manages respective clan territories and related natural resources on it. As Mohammed is not a legitimate leader of the *Lubakubo ke Modaito* clan. Secondly, As Mohammed destroyed clan territoriality. His control was not limited to the territory of the *Lubakubo ke Modaito* clan to who he belongs but extends to the *Wandaba* clan territory.

#### 5.2.5.2. The Big Man has eyes and ears everywhere

As Mohammed has eyes and ears everywhere, says my key informant, Yassin (Yassin, 19 August 2018, *Galafi*). This recalls Ferguson and Gupta's work "Spatializing the state", in which they identified two concepts that are central to people's perceptions about the state: 'verticality" and 'encompassment" (Ferguson and Gupta, 2012). I will draw on the concept of verticality to describe the *Afar* people's perceptions about the Big Man. Verticality" refers to the perceptions that the agents of the state are presumed to be "everywhere, watching you" (Ferguson and Gupta, 2002: 20). My key informant, Ali Mohammed says:

> The *fihima*, clan elders, local *kebele* administration officials, and members of the *Eli Dar* District police force serve as As Mohammed's eyes and ears" As Mohammed's

influence reaches beyond national borders, for instance to Djibouti, to influence members of the *Wandaba* clan Ali Mohammed, 26 December 2015, *Dobi*).

The Big Man's antennas reach beyond the traditional kinship based social relations. Members of the Big Man's network are people from different religious, ethnic and social backgrounds. The Big Man's influence also goes beyond the local *Afar*. During a biographical interview, As Mohammed noted:

> People who have a stake in *Dobi* salt mining business are like chicken whose one leg is tied to a rope. Whenever I want, I just pull the rope. It is not important that they are in *Dichoto* or in *Addis Ababa*. As long as they have interest over *Dobi*, they will not go against me (As Mohammed, 24 August 2018, *Dichoto*).

The Big Man's legitimacy which he acquired by providing informal assistance to the needy people and his ability to provide protection from violence also contributed to the construction and maintenance of the Big Man's legitimacy. This will be discussed below.

### 5.3. Sources of the Big Man's legitimacy

#### 5.3.1. Providing aid for the *Afar to gain legtimacy*

In November 2015, Hussen Yassin, member of the *Asdara* sub-clan of the *Lubakubo*, temporarily hosted me. Hussen Yassin and his extended family live in *Dobi Kebele*. By the time I arrived there, the whole area was affected by one of the most severe droughts, due to which several livestock have died, including those of my host. It was during this time that I came to learn As Mohammed's generous assistance to the people in the area. I personally witnessed As Mohammed's trucks bringing food and water for the drought affected families and their livestock. I came to learn that it was As Mohammed who financed and transported the assistance. During a biographical interview, As Mohammed confirmed to me that he personally covered all the expenses associated with the emergency relief provided on *Dobi* during the 2015-2016 drought.

The question is how to explain this seemingly contradictory faces of As Mohammed: a person that asserted individual monopoly control of clan territory, refuses to pay royalty tax to the state while (re) distributing parts of his wealth (in cash and in kind) to his kinsmen. A little digging to the Big Man's persona reveals that these faces are not contradictory at all. As Mohammed's generosity of helping his

kin in times of need is borrowed from the *Afar* traditional morality, *lahu* (*af.*), which is the responsibility of members of a clan to assist their fellow kin. When the emergency is beyond the reach of a clan, the *Aussa Sultanate* used to provide (coordinate) emergency assistances (discussed under Chapter 4).

Over the last two decades, the *Afar* people in general and the two clans around *Dobi* in particular, faced recurrent droughts which weakened the capacity of clans to provide a timely and adequate assistance to their fellow kin to cope with and recuperate from these repeated strains. On the other hand, the removal of *Afar* Liberation Front (ALF) from ruling the *Afar* Region in 1998, and the sidelining of the sultan by the government, contributed to an already weak economic capacity of the *Aussa Sultanate* to shoulder their traditional responsibility of providing emergency assistances to the *Afar*. Conversely, during the last two decades, As Mohammed rose as an economic powerhouse. He took over the *Afar* '*lahu*' responsibility.

The Big Man is using his new social responsibility meticulously to garner legitimacy and build his public image, a textbook definition of Sahlins's Big Man: redistribution of resource to garner power and legitimacy (Sahlins, 1963). Therefore, Martin's concept of Big Shot, which disrespects reciprocity, is not applicable to the study of the *Afar*'s Big Man. My key informant Yayyo notes:

> When the *Aussa sultanate* was strong, the sultan provided emergency assistances. Now, the sultan is very weak to provide such assistances. As Mohammed fills this space. He became the social safety net. I respect him for it (Hussen Yayyo, 02 December 2016, *Samara*)

However, the Big Man's generosity is not limited to his kin. As Mohammed provides salt land and cash to people in his network, to garner power, recognition and legitimacy. Through this reciprocal relation, Yayyo claims, if the Big Man and his interests are harmed, his cronies will fight for him. Yayyo says this reciprocal relation resembles the saying 'if a nose is hit, the eye shades tears' (Hussen Yayyo, 02 December 2016, *Samara*). My key informant Yayyo notes:

> As Mohammed acquires immense wealth from *Dobi*. He uses some of that money to buy-off support. He does not pay royalty to the government; rather, he distributes it to the people allied to him and his protectors, especially to the rank and files of government officials. It is within this context that you have to understand why he was awarded medals by the state when he did not even pay tax (Hussen Yayyo, 02 December 2016, *Samara*).

One striking feature about members of the network that benefit from As Mohammed is that they are heterogeneous. They come in all sizes and shapes. It includes institutions such as *Samara* University, local *Afar* from around *Dobi* (such as Umar Ida from the *Wandaba* clan, Kedir Hassan from the *Lubakubo* and Ibrahim Intibara from the *Aydahis Bara*), *Afar* from a distant clan (such as Mussedin), non-*Afar* civilians such as (Mehari), and non-*Afar* ex-military officers (such as Kahsay, Aleqa Welday).

In 2014, Ethiopian Broadcasting Corporate (EBC), now renamed ETV, prepared a documentary video titled "the visionary leader and development of *Dobi*" (Ethiopian Broadcasting Corporation, 2014). In that documentary, the Big Man proudly claims that several retired army officers got plots of salt land on *Dobi* and became millionaires. During a biographical interview, As Mohammed confirmed it by saying:

> Ato Kahasay Tesfay is one of the salt producers on *Dobi*. He came from *Addis Ababa* in 2006. Since then, he has been working on *Dobi* with my help and he has become rich (built a house and bought a car). Aleqa Welday asked me to work in the salt mining on *Dobi*. I facilitated everything for him so that he can work. Now he is the owner of a building and two cars. After I pulled them all into the salt mining, they changed their life As Mohammed, 24 August 2018, *Dichoto*).

Members of the local *Afar* clans have also acquired access to *Dobi* through a reciprocal relation. It includes Umar Ida (leader of the *Gambel* sub-clan of the *Wandaba*), Kedir Hassan (leader of the *Lubakubo* clan and administrator of *Dichoto Kebele*), and Ibrahim Intibara (the legitimate leader of the *Lubakubo ke Modaito* clan).  As Mohammed granted plots on *Dobi* to these influential elders in return for their tacit recognition of his control over *Dobi*. All of this contributes not just to cementing his power over *Dobi*, which it did, but also in legitimizing power he earned. It confirms the classical definition of Big Men and how through redistribution of resources, he garners recognition and power. It also speaks to what Klute calls 'basic legitimacy' (Klute, 2013). Basic legitimacies are based on everyday actions of doing something.

These local *Afar* who benefited from the Big Man claim that *Dobi* is still a clan territory and criticize members of the local clan who stood against As Mohammed. What I observed during the fieldworkis that material interest has overtaken kinship concerns, and allegiances to the Big Man replaced kinship-based solidarity.

The Big Man is Robin-Hood in disguise. He collects taxes from salt producers on *Dobi* but evades tax payment to the state. He spills some of his wealth to his clan members, which drew from the traditional *Afar* moral space. This brings to mind Peter Ekeh's work "Colonialism and the two Publics in Africa: A theoretical Statement" (Ekeh, 1975). Ekeh argues that colonialism in Africa created two publics. Ekeh identifies the two publics are the primordial public realm and civic public realm. These two public realms are governed by different moral codes.

In the primordial public realm, primordial groupings, ties, and sentiments influence and determine the individual's public behavior. It is moral realm. On the contrary, the civic public realm is historically associated with the colonial administration. It is based on civil structures: the military, the civil service, police, etc. Its main characteristic is that it has no moral linkages with the private realm. The main theme of the article is that most African elites are citizens of the two publics in the same society. On the one hand, they belong to a civic public from which they gain materially but to which they give only grudgingly. On the other hand, they belong to a primordial public from which they derive little or no material benefits but to which they are expected to give generously and do give materially. Their relationship to the primordial public is moral, while that to the civic public is amoral. Ekeh's argument is that African elites use civic public to gain financially so that they please their communities. As such, it is legitimate to be corrupt for one to strengthen the primordial public. According to him civic public is starved of morality (Ekeh, 1975).

The actions of the Big Man in evading tax payment from the 'civic public space while distributing financial and material assistances to the primordial space- to his kinsmen during times of need is 'moral'. I will argue that the fact that the Big Man distributes money to members of his network who are not necessarily members of his clan, point to the existence of a third 'space', which differs from the two public spaces discussed above. The third space, which is rooted in reciprocal beneficial relation between As Mohammed and the people in his network, seems to be amoral, that is it is not driven by the right and wrongs, but by interests.

### 5.3.2. The Big Man performs state's functions

#### 5.3.2.1.    The Big Man grants access to *Dobi*

Since 2004, As Mohammed decides access to *Dobi*. Officially, the Ethiopian state has the mandate to administer all land and related natural resources. Despite this, senior government officials interviewed during my fieldwork confirm that since 2004, *Dobi* fell under the control As Mohammed Humed

Yayyo (Suleiman, 20 January 2016, *Samara*). Aliye Suleiman, Head of the *Afar* National Regional State Mines and Energy Bureau claims, "As Mohammed is a 'king' over *Dobi*. He is not a king in the proper sense, but when it comes to *Dobi*, As Mohammed's rule is supreme" (Suleiman, 20 January 2016, *Samara*). My key informants from the *Lubakubo ke Modaito* clan stated the obviousness of As Mohammed's power in the following saying: "Namanti Lenumu Aran Mayabulan" which can be translated as "It is stupid to ask a person with two healthy eyes if he can see the sky'' (Yayyo, 02 December 2016, *Samara*). Aliye Suleiman explains why he says As Mohammed is a 'king':

> As Mohammed rules over *Dobi*. His decisions are implemented. No one takes out anything from *Dobi* without his permission. I mean not even clan members who live around *Dobi*. The government does not touch him. My office never got access to *Dobi*, although we are officially mandated to administer all salt lands in our Region. He is not touched by the clan leaders, nor by the *Aydahiso* sultan, at least not publicly. He is a 'king' (Suleiman, 20 January 2016, *Samara*).

One of the revealing indicators of the rise of As Mohammed to a Big Man stature is his demonstrated ability to grant or deny access to salt mining operations on *Dobi*. For the sake of comparison, let's look at *Afdera* and *Dobi*. The FDRE Mineral Proclamation No 678/2010 states, under its Art 5 (1) "that mineral resources existing in their natural condition on, in, and under the territory of Ethiopia are the property of the Government and all the peoples of Ethiopia" (Ministry of Mines, 2010). Further Art 5 (3) of the same proclamation states that the Government, acting through the licensing authority. That is, the Federal Democratic Republic of Ethiopia Ministry of Mines and Energy (MoME) and regional state Bureau of Mines and Energy (BME) shall control and administer mineral resources and grant, refuse and manage licenses (Ministry of Mines, 2010). According to my key informant, Tekola, the *Afar* National Regional State Bureau of Mining and Energy, the Bureau gave 1670 licenses to investors in *Afdera* and none to *Dobi* (Tekola, 03 November 2015, *Samara*). In the words of ANRS Mining and Bureau expert, Mr. Gebru Tekola, "*Dobi* is a problem and access to the site is off-limit to us. I doubt that even you, a researcher, will get access to *Dobi*. Access to *Dobi* is granted only by As Mohammed" (Tekola, 03 November 2015, *Samara*).

Additional evidence regarding As Mohammed's power over *Dobi* comes from *Samara* University. *Samara* University is the biggest federal institution located in the *Afar* Region. In the words of my key informant, Hamid, former vice president of the *Samara* University:

In 2010 *Samara* University approached the *Afar* Region's Bureau of Mining and Energy to request for a permit to start salt mining in *Dobi*. However, instead of *Dobi*, the Bureau promised to offer to us a plot in *Afdera*. It was clear to us that *Dobi* was not under the Bureau's control. At that time, as everybody knows, *Dobi* was under As Mohammed's control. The then *Samara* University president approached As Mohammed. After a lengthy process of pleading with As Mohammed, we were offered a plot. But, As Mohammed did not give us an official letter or permit license to produce salt in *Dobi* (Hamid, 01 December 2016, *Samara*).

### 5.3.2.2.    The Big Man collects taxes

As Mohammed collects tax from salt miners on *Dobi*; however, he evades royalty payment to the State. Since 1991, the Federal Democratic Republic of Ethiopia (FDRE) introduced several proclamations aimed at governing mining operations in the country. The most recent is the mining operations proclamation No. 816/2013 (Ministry of Mines, 2013). Article 11 of this proclamation puts the following obligations on the license holders:

> The License Holder shall report to the Licensing Authority the quantity and type of mineral mined each month within 10 days from the end of such month and shall sell the minerals mined every financial quarter within 30 days from the end of each financial quarter and notify the same to the Licensing Authority (Ministry of Mines, 2013).

Art 63 (1) of the proclamation No. 678/2010 states, "The holder of a mining license shall pay royalty based on the sales price of the commercial transactions of the minerals produced in accordance with sub-article (2) and (3) of this Article" and Art 63 (2) states the amount of royalty payable by holders of licenses shall be at the rate of 4% (Ministry of Mines, 2010). The proclamation defines royalty as:

> The payment to the government and the peoples who are the sole owners of the mineral resources to be made by the licensee for producing minerals from the production site of minerals and the percentage rate of such payment is to be assessed from time to time excluding the price of production and risk expenditures (Ministry of Mines, 2010).

In 2012, the FDRE Ministry of Trade (MoT) set the prices of salt: at the production site 160 Br ($ 7.30/100 kg) and selling to wholesalers for 200Br ($ 9.13/100kg) to 300 Br ($ 13.7/100 kg) (Fortune,

2015). These prices are maintained throughout my fieldwork years. This means that calculation of royalty (4%) will be made at the price at the production site of 160 Br. According to the Ministry of Trade, as of 2012, the country consumes 300,000ql of table salt and 30,000ql to 40,000ql of industrial salt per month (Fortune, 2015). All of it was supplied from salt production at *Afdera* and *Dobi*. According to the FDRE mines operations proclamations, the *Afar* Region Mines and Energy Bureau has the authority to collect royalty from producers. All the 570 active producers in *Afdera* pays royalty. In 2016 alone, *Afdera* salt producers paid royalty in the amount of seventy-six million Ethiopian Birr (which is about three and half million US dollars) to the ANRS BEM (Mines and Energy Bureau, 2017). My key informant, Suleiman, says that As Mohammed have not paid to the state since 2004 (Suleiman, 20 January 2016, *Samara*).

The story is simple: unlike *Afdera*, *Dobi* has not become a beneficial resource to the people of the Region. According to my key informant, Gebru Tekola, a senior expert in the *Afar* Region's Mining and Energy Bureau:

> We hear that *Dobi* produces from 170,000ql to 250,000ql per month. We also know that As Mohammed collects taxes from all producers on *Dobi*. However, we do not know to whom he pays, or if he pays it. I know he did not pay to us.
> So, the *Afar* people are not benefiting from *Dobi*, as they should (Tekola, 03 November 2015, *Samara*).

The claim that As Mohammed collects tax payments from salt producers at *Dobi* is corroborated by evidence from the *Samara* University, one of the producers of salt in *Dobi* between 2010 and 2014. Review of archives at the University reveals that the university had, in fact paid tax to As Mohammed during their first year of salt production in 2011 (*Samara* University, 2011).

### 5.3.2.3.    The Big Man provides protection for persons and property on *Dobi*

The Big Man uses the local state police force and clan 'militia' to provide protection for persons and property on *Dobi*. As a vice administrator of *Eli Dar* District, As Mohammed is a state authority in charge of security and justice portfolio of the district.  He uses the state's police force to further his personal interest around *Dobi*. In particular, he relies on members of police stationed in *Dobi* and *Galafi kebele*s. They proved to be the Big Man's loyal eyes, ears and acting hands. As Mohammed uses these police force to ensure the safety and security of the persons (laborers and investors) and properties on the salt mining site.

In addition to members of the district police force, the Big Man also relies on the *fihima*, whom he turned to his personal militia. During my extended fieldwork, I have observed that the *Lubakubo ke Modaito* clan's *fihima*, whom he also arms, protect *Dobi*. As discussed in the previous section (section 4.4.1.2), there are two *fihima* around *Dobi*: *Wandaba* clan *fihima* and *Lubakubo ke Modaito* clan *fihima*. Whereas Mohammed Ibrahim is the leader of the *Wandaba* clan *fihima*, Dawud Mohammed is the leader of the *Lubakubo ke Modaito* clan *fihima*. These leaders estimate the number of their *fihima* at two thousand three hundred and one thousand five hundred respectively. The *fihima* constitutes able men who can perform physical duties, such as fights when situations demand. I have personally seen the armed *fihima* of the latter clan around *Dobi* providing protection and openly declaring that As Mohammed buys AK47 and ammunitions for them.

5.4.     Factors for the rise of the Big Man

5.4.1. The Ethiopian-Eritrean border conflict

There are several factors that contributed to the emergence of the Big Man. It can be argued that the rise of As Mohammed may not necessarily be due to the weakness of the Ethiopian State, the *Aussa sultanate* nor the clan leaders. Following the toppling of the Derg in 1991, the FDRE instituted multinational federalism, which entailed 'ethnicisation of territories' and 'territorialisation of ethnicities' in Ethiopia. In the *Afar* context, it brought back to power the *Aussa Sultanate*, making the *Afar* Region the only region in Ethiopia where neotraditional 'kingship' was re-introduced. The *Afar* Liberation Front (ALF), a party formed and led by the Sultan family, led the *Afar* Region from 1991 to 1998. This shows that there were opportunities that were available to the neotraditional leaders to expand their footholds in the region. The hypothesis of this thesis is that the ingenuity of As Mohammed to take advantage of opportunities available to him seems to have launched him up the height of power.

As Mohammed exploited the opportunity created by the Ethiopian and Eritrean Border War (1998 and 2000). One of the battlefronts of the War was at Bure, which is located inside the *Eli Dar* District. As Mohammed convinced the *Afar* clans on the Eritrean side to support the ENDF. The story goes like this. Following the secession of Eritrea from Ethiopia in the 1990s, the *Afar* Region became a borderland interfacing the two countries. From the Ethiopian state's point of view, *Eli Dar* District is a border district and Bure, located in the *Eli Dar* District is one of the focal points of the border dispute.

The leaders of the *Aussa Sultanate*, as the leaders of all *Modaito Afar* in Ethiopia and Eritrea, recognize no borders between the *Afar* people of Ethiopia and Eritrea. This shows difference in perception between the Ethiopian State and the *Aussa sultanate* regarding borders.

The *Nasra* ke *Aginni* clan resides on both sides of Bure, in Ethiopia and Eritrea. During the War, the sultan family was divided regarding the decision whether to mobilize the *Nasra* ke *Aginni* clan in support of the ENDF. This story was recounted by Hussen Yayyo notes:

> Descendants of *Moday* inhabit a territory that stretches from *Bayihlul* (near Assab) on the Red Sea coast in Eritrea, extending through *Eli Dar* District, encompassing all of the present day *Awusi Rasu* Zone. Therefore, the leaders for the *Aussa Sultanate* recognize no borders between these brotherly *Afar* people in Ethiopia and Eritrea. The border war was not an *Afar* War (Yayyo, 02 December 2016, *Samara*).

During this War, the leaders of *Aussa Sultanate* felt that the border war was not an *Afar* war since members of the same *Afar* clan reside on both sides of the border, a position that was not satisfactory to Meles Zenawi, the former Prime Minister of Ethiopia. Conflicts everywhere, and particularly so in the borderlands, present both opportunities and challenges for the locals. The Ethiopian and Eritrean War (1998-2000) was particularly opportune time for some local elites in the *Afar* Region, such as to As Mohammed. According to my key informant, Alganni, it was at this juncture that As Mohammed, who hails from the same lineages as the leaders of the *Aussa Sultanate*, stepped-up and mobilized members of the *Nasra* ke *Aginni* clan to collaborate with the Ethiopian National Defense Force (ENDF) (Alganni, 23 November 2016, *Samara*). This opened an opportunity for As Mohammed to establish connections with the senior military, security and political officials, which he later used to assert firm grip over *Dobi*. In the words of my key informant, Zegeye, a senior expert at the Ministry of Federal and Pastoral Affairs:

> Even after the Ethio-Eritrean War ended in 2000, the no-war no-peace situation that followed reinforced the Ethiopian State's perception regarding the *Eli Dar* District as borderland and security zone. On top of this, due to its location, *Dobi* is not just a borderland between Ethiopia and Djibouti, it is also the main transport route connecting Ethiopia with Djibouti port, an export-import lifeline of the country. As Mohammed, as the Vice Administrator of the *Eli Dar* District, in charge of security used all these factors to strengthen his connection with the
> ENDF. This helped in his rise to power (Zegeye, 13 August 2016, *Addis Ababa*).

The other important opportunity created for As Mohammed by the Ethiopian and Eritrean War was its impact in changing actors' perception about *Dobi*. Before the War, salt consumed in Ethiopia was imported from Eritrea. According to the FDRE Ministry of Mines and Energy, prior to the War, about 200,000tns of salt were obtained from the Red Sea for human consumption in Ethiopia (Fortune, 2015). Salt import from Eritrea was banned following the outbreak of the War. This led to an increase in importance of salt lands at the national level (Suleiman, 20 January 2016, *Samara*).

This relates to what I call 'salt rush'. Following the start of the Ethio-Eritrea War and the consequent ban on salt import from Eritrea, on which Ethiopia depended for its salt consumption, there was a rush to open new salt mining sites inside Ethiopia. It is important to note here that all major salt mining sites in Ethiopia are in the *Afar* Region. The rush to open up new salt mining sites in Ethiopia has been paralleled by the global rush (the global scramble) to acquire lands in the Global South. Rahmato approximated that Ethiopia has transferred 3.6 million hectares of land (corresponding roughly to four percent of Ethiopia's land) to investors as of January 2011 (Rahmato, 2011: 19). It seems as if this figure has increased since then (Oakland Institute, 2014). This does not include state-led mega 'development' projects such as the Tendaho Sugar Planation located in the *Afar* Region. These land enclosures are concentrated in the lowland peripheries of Ethiopia (Jon Abbink et al, 2014).

In the context of my study area, this increase in value of salt lands encouraged entrepreneurs to open new salt mining sites. As Mohammed was one such entrepreneur: in 2004, As Mohammed's ingenuity, economic calculus and determination led to a historic outcome: *Dobi* became a site of commercial salt mining.

### 5.4.2. The formation of the *Afar* Peoples' Democratic Party

The other important factor that contributed to the rise of the Big Man was the formation of the *Afar* Peoples Democratic Party (APDP) in 2000. From 1991 to 1998, the *Afar* Region was ruled by the *Afar* Liberation Front (ALF): Habib Ali Mirrah and Hanfare Ali Mirrah, the two sons of Sultan Ali Mirrah Hanfare. In 1998, all the five political parties in the *Afar* Region, including the ALF, merged to form the *Afar* Peoples Democratic Party (APDP). With the formation of the APDP, the reign of the ALF's *Aussa Sultanate* over the *Afar* Region ended and Ismael Ali Sero became the new president. The new president appointed As Mohammed to different social and political positions, which opened strong political networks between the two.

Ismael's role in the rise of the Big Man has been discussed in the previous section. It suffices to note here that Ismael was instrumental in selecting As Mohammed as a clan leader, appointment as district administrator and to join the central committee of the *Afar* Peoples Democratic Party (APDP), the ruling party of the *Afar* National Regional State. Last but not the least, Ismael Ali Sero provided the institutional vacuum for As Mohammed's free ride over *Dobi*. My key informant, Aliye Suleiman from the *Afar* Region's Mines and Energy Bureau, elaborates this claim, as follows:

> Ismael refused to approve the *Afar* Region's minerals proclamation. In fact, he swore that as long as he is the president, the *Afar* Region's minerals proclamation would not be approved. Due to this, the proclamation for the establishment of the *Afar* Region's Mines and Energy Bureau, which was submitted for the president's approval in 2006, remained shelved for over ten years. It was Haji Seyoum, successor to Ismael, who approved it in 2016. Ismael chose to allow unlawful exploitation of the mineral resources of the region. So, the problem in *Dobi* was created due to the actions/inactions of our top government officials (Suleiman, 11 January 2017, *Samara*).

This will take us to the discussion of the nature of relation between the Big Man and the state.

## 5.5. Relationship between the Big Man and the Ethiopian State

### 5.5.1. The state tolerated the Big Man between 2004 and 2016

According to the Constitution of the Federal Democratic Republic of Ethiopia (FDRE), land belongs to the Ethiopian Nations, Nationalities and Peoples, on whose behalf the Ethiopian State is mandated with its governance (Federal Democratic Republic of Ethiopia, 1995). Since 1991, the Federal State introduced three proclamations aimed at governance of mineral land and related resources. The recent of these proclamations is the mining operations proclamation No. 816/2013 (Ministry of Mines, 2013). According to this proclamation, at the Federal level there will be the Ministry of Mines, Petroleum and Natural Gas and at the regional level, the *Afar* Region's Bureau of Mines and Energy, mandated with issuance of licenses, collection of taxes and overall administration of mineral lands and related resources.

Since 2004 (the rise of As Mohammed as a Big Man), two important proclamations were introduced by the government that could have affected the Big Man's grip over *Dobi*. The first is the long-awaited Rural Land Use and Administration Proclamation of 2009. This proclamation calls unequivocally for taking rural lands from neotraditional authorities, which it describes as inefficient and a challenge to development and put under the *Afar* Regional State. The other proclamation is the proclamation introduced by the FDRE Ministry of Mines - the Mining Operations Proclamation No. 678 in 2010. However, neither of the two laws had any effect in changing the Big Man's monopoly control over *Dobi*. It seemed as if the Big Man was immune to the state rules.

There are two lines of argument that may explain the apparent immunity of the Big Man to state rules: the weakness of the state, or institutional tolerance –that is the state deliberating playing lullaby for the Big Man. My key informant, Aliye Suleiman, says:

> Despite repeated request by the *Afar* Region to the federal government for support to assert state's authority over *Dobi*, the relevant federal sector ministry chose to stay away" (Suleiman, 11 January 2017, *Samara*).

My key informant from the FDRE MOM, Sisay Nega says, "The ministry chose to stay away because of the power networks built around *Dobi*" (Nega, 11 August 2017, *Addis Ababa*). Yayyo postulates that "despite the official hierarchical authority structure, the power network that decides on *Dobi* lies outside of the state structure: in the hands of elites in the ruling party and the military" (Yayyo, 02 December 2016, *Samara*). This will be an interesting subject for further research.

I second the view that the state chose to accommodate the Big Man's rule over *Dobi*. Comparing *Dobi* with *Afdera* may reveal evidence for this argument. *Dobi* and *Afdera*, though located in the *Afar* Region, seem like they are from different worlds. As discussed above (under 5.4.) all the 570 active license holders in *Afdera* acquired permit from the Ethiopian State. This shows that the state, if it had the will, could have replicated it on *Dobi*.

The second evidence, discussed above (under 5.3), shows that the former president of the *Afar* Region, Ismael Ali Sero refused to approve the *Afar* Region's minerals proclamation, which could have directly impacted on *Dobi*'s operations. Based on these two pieces of evidence, I will argue that the nature of relation between the Big Man and the state between 2004 and 2016, was accommodative, not because of the weakness of state capacity but seemingly an intentional tolerance. This does not mean that the Big Man had a smooth ride all along.

During my field visit, I heard about a dispute between the Big Man and a senior official in *Afar* Region's government and I decided to investigate the matter. My key informant, Aliye Suleiman, a government official in the *Afar* Region's Mines and Energy Bureau claims that in the year 2014, he was verbally threatened by the Big Man (Suleiman, 20 January 2016, *Samara*). According to Suleiman, his office wrote several letters to the Big Man demanding payment of the backlog of unpaid royalty from 2004 to 2014. The Ethiopian law obligates salt producers to pay royalty to the state. However, Aliye Suleiman's action to discharge his duties put him in conflict with the Big Man. In the words of Suleiman:

> As head of the Mining and Energy Bureau, I wrote several letters to As Mohammed since he is the head of the *Zenbaba Dobi* Salt Producers Association (ZDSPA) requesting royalty payment, which has not been paid since salt mining began in 2004. In September 2014, As Mohammed telephoned on my private cellphone and threatened to kill me if I do not stop bothering him (Suleiman, 20 January 2016, *Samara*).

Suleiman and As Mohammed come from two different clans. My key informant, Hussen Yayyo notes:

> Aliye belongs to Dammoita clan from Zone 2 of the *Afar* Region. As Mohammed belongs to *Aydahis Bara* clan member of the *Modaito* clan federation in Zone 1. There has always been tension between the two. Elders chose to resolve the dispute within inter-clan dispute resolution (Yayyo, 02 December 2016, *Samara*).

Aliye Suleiman did not take this case to the state court; rather, he opted for the traditional dispute resolution approach. According to the *Afar Mada'a* threat to take one's life irrespective of age, sex, wealth, and membership in a clan, social or political status constitutes a big offence. Aliye Suleiman informed his clan leader about the crime and his clan leader brought the case to leader of *Arabta* ke As*bakari*, a neutral clan, through *Afar* traditional court (known as *maro*). Leader of the *Arabta* ke As*bakari* clan approached the two 'disputant' clan leaders to set a date for hearing. The arbitration process took place in *Samara*. As Mohammed was found guilty and ordered to compensate Aliye in terms of livestock payment and also to kill a camel, which he did. The decision of the *maro* court was accepted by both parties and was enforced. This is the only case of dispute involving *Dobi* that was amicably resolved through the traditional justice system.

## 5.5.2. Conflict between the state and the Big Man since 2016

The cozy relationship between the Big Man and the *Afar* Regional State faced hiccup since September 2016, when Ismael Ali Sero was removed from his position as president of the *Afar* National Regional State. The Big Man lost his long-time ally. My key informant, Hamid says that upon his election, the new president, Haji Seyoum made a bold move to remove As Mohammed from membership in the central committee of the ruling *Afar* Peoples Democratic Party (Hamid, 01 December 2016, *Samara*).

Between 1991 and 1998, the *Modaito* clan dominated the state and non-state rule in the *Afar* Region. It was the height of the rule of the *Modaito* over the Region. The neotraditional authority was occupied by the *Aussa sultanate*, while leaders of the *Afar* Liberation Front (ALF), a party created by the late *Aussa* sultan, ruled the *Afar* Regional State. The two sultan's sons ruled the Region in succession. So, it can be said that between 1991 and 1998, it was the sultanate representing the state and no-state (neotraditional) rule alike.

In 1998, the *Modaito* rule over the regional state came to an end, and era of the rule of Dammoita clan (from the present-day Zone 2) began. This is the prevailing perception in the *Afar* Region. However, after sixteen years of Dammoita dominance over the Region, the contestation between *Modaito* and Dammoita once again surfaced in 2016, after Ismael vacated his position in 2016.

In the summer of 2016, the APDP central committee members held a meeting in Aba'ala town, located in northwest of the *Afar* Region, to elect a new president. My key informant, Aliye Suleiman, who attended the APDP Central Committee meeting, told me a *Modaito* influential person asked the participants, "Are we here to elect another Dammoita as president of the *Afar* Region?" (Suleiman, 20 January 2016, *Samara*). All this shows that the *Afar* Regional State is not free from identity politics. In fact, it is entangled with it. This shows that both the state and non-state forms of rule are caught in what I call the primordial political entanglements.

My key informant, Aliye Suleiman, further notes that at the conclusion of the APDP central committee meeting, Haji Seyoum was elected as the new president of the *Afar* Region. Soon after his election, Haji Seyoum removed As Mohammed from APDP central committee. He also orders As Mohammed to pay all the unpaid taxes, which the Big Man has not done since *Dobi* salt mining began in 2004. Furthermore, he made a bold gesture of freezing all the bank accounts and assets of the Big Man until he pays. It was a watershed moment in the relationship between the Big Man and the state: from

accommodation to conflict. From the outset, the new phase of the relationship, it seemed, was antagonistic. Aliye Suleiman comments:

> Since Haji Seyoum came to power, it seems we have entered a new phase. He ordered the Head of *Afar* Region's Bureau of Revenue (BoR) and Bureau of Mines and Energy to demand As Mohammed to pay the twelve years of unpaid royalty. The Head of the BoR replied to Haji Seyoum that he would not demand As Mohammed for the unpaid tax backlog but that he will demand payments from 2016 onwards. I, too, am of the same view (Suleiman, 11 January 2017, *Samara*).

The news of the fallout between Haji Seyoum and As Mohammed circulated through the *Afar* Region like a wildfire. Sooner, the perception of the power of the Big Man, which until that point was seen as 'untouchable king', (as discussed under 5.2.5.) was put to question. This was nowhere evident than among the *Wandaba* clan. From December 2016 to January 2017, members of the *Wandaba* clan staged the biggest protest ever on *Dobi*, which halted salt mining. The protesters, numbered in the hundreds blocked access to and from the salt site. *Wandaba* clan members claimed that *Dobi* belongs to them and that no one should produce salt without their consent. The protest failed to bring the desired result, which is removing the Big Man from his grip over *Dobi*. In fact, district police force detained five men they accused of leading the protest. The five men were brought to the *Eli Dar* District Court where each were sentenced to three to five years in prison. After an appeal to the *Awusi Rasu* Zone High Court, the sentence was overturned, and all the five men were released free. The decision of the High Court became a symbolic defeat for As Mohammed, who until that point in time was used to getting what he wanted. This sent a message that the Big Man's power over *Dobi* was fragile. This will be discussed in detail in Chapter Seven.

This shows that the relation between the Big Man and the state is dynamic in that it sways between accommodation and antagonism. Since April 2018, the *Afar* Region and the FDRE appointed new president and prime minister, respectively. This thesis did not include how the regime change in *Samara* and *Addis Ababa* may have affected politics and business in the *Afar* Region in general and on *Dobi*, in particular.

## 5.6. The ambivalent position of the Big Man

The Big Man grant access to salt mining operations on *Dobi* by taking over the roles of the state and the neotraditional authorities. He collects tax from salt miners on *Dobi*; however, he evades royalty payment to the State. The Big Man uses the local state police force and clan 'militia' to provide

protection for persons and property on *Dobi*. These are some of the core functions of the state which the Big Man grabbed. Between 2004 and 2016, it may be argued that the state tolerated the Big Man to perform these central functions of the state. The Big Man was a 'king' and he acted like one. This stature of the Big Man was challenged in the post-2004 period.

The standing of the Big Man and his relationship with the state came under fire in 2016. With the appointment in 2016 of a new President of the *Afar* Region, the height of the Big Man's stature and roles came under pressure. The new president of the *Afar* Region ordered the Big Man to pay all unpaid taxes, froze bank accounts and assets until it is paid. In this sub-section, I would like to highlight the ambivalent position of the Big Man. Big Manity is not a position of power that is guaranteed, rather a shaky status that is continually challenged.

The relationship between the Big Man and Afar Regional Government shifted from seemingly accommodation to conflict for several reasons. One of the reasons for the new president's big gesture announcement is related to the altercation that took place in the summer of 2016 at APDP central committee meeting in *Aba'ala* town. My key informant, Aliye Suleiman, who attended this meeting noted that the Big Man opposed the nomination for presidency of Haji Seyoum as the new president of the *Afar* Region (Suleiman, 20 January 2016, *Samara*). Not long after his election, the new president ordered the removal of As Mohammed from APDP central committee, and ordered him to pay all the unpaid taxes, which the Big Man has not done until mid 2017. In effect, this thesis identifies an avenue for further research: the question of whether the new regional president was merely bluffing when he announced the freezing of As Mohammed's account unless he pays tax (a rhetorical strategy to extract concessions from the Big Man), or a politics of concern that seeks to redistribute wealth for the sake of the greater public good.

## Chapter Six

## 6. Changes in access to *Dobi* since the Rise of the Big Man

### 6.1.    Introduction

In this chapter, I will discuss the different ways by which actor groups acquired access to *Dobi* since 1991. I will argue that access to *Dobi* between 1991 and 2004 which largely relied on land rights, local belonging and marriage relations, changed after the rise of the Big Man in 2004. Since 2004, access to *Dobi* has been acquired mainly through connections with the Big Man. This new basis of access to *Dobi* differs from the forms of access to *Afdera* Salt Lake. For ease of analysis, I chose temporal presentation and discussion of access to *Dobi* between 1991 and 2004 and access to *Dobi* in the post 2004 period. Where relevant, I also compared the post 2004 period with how actor groups acquired access to the *Afdera* Salt Lake.

### 6.2.    Basis for acquiring access to *Dobi* between 1991 and 2004

Between 1991 and 2004, access to *Dobi* was acquired through multiple ways, which includes claims of land rights, claims of local belongings and marriage relations. I will also argue that these determinants of access to land were shaped by the *Afar* people's perceptions about land.

#### 6.2.1. Perceptions about *Dobi*n as a pastoral clan territory

From the vantage point of the *Afar* (for the *Wandaba* clan, as much it is for the *Lubakubo ke Modaito* clan), *Dobi* is home to resources that are essential to their livestock (goats, camels and cattle), which again is essential to their way of life, i.e., pastoralism. During the second field visit conducted in 2016, I held two focus group discussions (FGD) with the *Afar* elders- one FGD in each of the two clans. Based on the FGD held with the *Wandaba* elders, I came to learn that the *Afar* categorize natural resources available on land into two based on their temporal availability: seasonal resources and perennial resources (FGD *Wandaba*, 2017). Seasonal resources are resources that become available following rainy seasons, and do not require labor to grow, and last only for a season. Examples for

this include pasture and salt. Perennial resources, on the other hand, are available year-round and require labor from the members of the respective clans to sustain. Examples for this include palm trees and acacia. *Dobi* has both seasonal and perennial resources. My key informant, Yassin notes:

> The hill ranges that surround *Dobi* are endowed with palm trees and grasses while low-lying plains have salt. All other major salt sites in *Afar* Region is salt lakes. *Dobi* is not one of them. The seasonal salt on *Dobi* forms after rainfall evaporates and leaves behind sheets of salt. We collect it and use for household consumption and to sell it to generate additional income (Yassin, 19 August 2018, *Galafi*).

The perception of the Ethiopian State about *Dobi* differs from that of the *Afar*. Until 2004, the Ethiopian state viewed *Dobi* as a barren land. The 'Atlas of the *Afar* Region' published by the Bureau of Finance and Economic Development, divides land in the *Afar* Region into barren land (70.9%) and productive land (29.1%), and it is stated there that *Dobi* is part of the barren land (*Afar* National Regional State Bureau of Finance and Economic Development, 2002, p. 4). This view stands in an unembellished contrast to the view of the *Afar*. The view of the Ethiopian state is neither unique nor surprising, since in several instances, people engaged in sedentary and commercial agriculture have looked down on pastoral livelihood. Rahmato, in his study of land tenure in Ethiopia (Rahmato, 2007) and Hesseling's study in the Niger indicate that from the sedentary agriculturalist point of view, land that is not cultivated is often seen as unused (Hesseling, 1999).

Initiatives and reforms within Ethiopian land tenure legislation at the national level are formulated on the basis of issues relevant primarily to the arable agriculture in the highlands. The Derg's (1974-1991) and EPRDF's view of pastoral population, it seems was shaped by the Marxist (Historical Materialism), according to which society moves from traditional mode of production to complex one, including from pastoral mode of production to sedentary agriculture (Afanasyev, 1963). Of course, this is not the only theory: in his book "Nomads and the outside world," Khazanov argues that pastoralism is a specialized form of agriculture that grows out of sedentary agriculture characterized by mixing of crop cultivation and animal husbandry (Khazanov, 1984: 29). Despite Khazanov's appealing arguments, politicians and policy makers in Ethiopia have been attracted more towards the narratives of the Marxist historical materialism. In Ethiopia, the state land policies seem to privilege the sedentary agriculturalist view while discriminating against the pastoralist views of land and land use. For instance, the Federal Land Use Police (1997) declares that the possessors of the land have only usufruct rights and unlike that of agriculturalists and agro pastoralists, the issue of compensation is not stated in the provisions that deal with the land use right of pastoralists. This casts doubt on

whether communal grazing lands are obliquely considered as 'no man's land' as was during the Derg regime (Makki, 2013). It may be argued that the state's land tenure systems are an extension of the government's experience with agrarian societies in the highland parts of Ethiopia.

For the *Afar*, land is tightly knit to clan identity. This clanisation of land is a testimony to the relationship between land and identity. I have discussed this in detail under Chapter 4. It suffices to state here that the issue of local identity is raised in claims of access and ownership of *Dobi*. According to my key informant Ali Mohammed:

> People say *Dobi* is a territory of the *Lubakubo ke Modaito* and the *Wandaba* clan. I will tell you this: *Dobi* is a territory that is shared between the *Lubakubo* clan and *Wandaba* clan. *Dobi* cuts across three sub-clans of the *Lubakubo* clan and four sub-clans of the *Wandaba* clan. The *Aydahis Bara* clan does not have land in *Dobi* (Mohammed, 26 December 2015, *Dobi*).

In the early years of the post-1991 Ethiopia, there seems to have been a convergence in discourses of the *Afar* and the Ethiopian State regarding land and local identity. The introduction of multi-nation federalism in 1991 has, inadvertently it seems, strengthened clan territoriality. At the national level, the introduction of multination federalism cultivated the 'ethnicisation of territories' and the 'territorialisation of ethnicities'[29]. This thesis advances the claim that in the *Afar* Region, multi-nation federalism policy, has reinforced the 'territorialisation of clans' and the 'clanisation of territories'. When Sultan Ali Mirah was reinstated to the *Aussa Sultanate*, he resuscitated the previous clan territoriality in Zone 1 of which *Dobi* is a part.

This thesis argues that between 1991 and 2004, access to land was acquired through several ways, including land rights, claim of local belonging and marriage relations.

### 6.2.2. State land tenure provisions as basis for access to *Dobi*

When the FDRE constitution was adopted in 1995, public ownership of land was adopted, which is a continuation of the Derg era (1974-1991) land tenure system (Rahmato, 2007).  Article 40 (sub-Article

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[29] I will draw on the 'travelling model' hypothesis to discuss how the ethnic federalism ideology which was conveniently assembled from abroad and imported to Ethiopia by the EPRDFites breathe new life to territoriality.

3) of the 1995 FDRE Constitution states that the right to ownership of rural and urban land, as well as of all natural resources, is exclusively vested in the state and in the people of Ethiopia (Federal Democratic Republic of Ethiopia, 1995). Art 52 of the Constitution states that respective regional governments have the duty to administer land and other natural resources in accordance with the federal laws (Federal Democratic Republic of Ethiopia, 1995). In similar vein, Article 2 (6) of the FDRE "Rural Land Administration Proclamation, No. 89/1997", vests Regional Governments with the power of land administration (defined as "the assignment of holding rights and the execution of distribution of holdings" (Federal Democratic Republic of Ethiopia, 1997).

The major difference between the Derg land tenure (1974-1991) and the FDRE land tenure (post-1991) is that, in the case of the latter, land tenure seems to be tied to the 'ethnicisation of territories' and 'territorialisation of ethnicities'. National (ethnic) identity became the basis for ownership rights over land. In this regard, Art 38 (3) of the Revised Constitution of the *Afar* National Regional State declares that all rural and urban land in *Afar* Region is a communal property of the *Afar* people and the State (*Afar* National Regional State, 2002). *Afar* land belongs to the *Afar* people. This position has been reinforced by the *Afar* Region's 'Rural Land Use and Administration Policy', which declares that land belongs to the *Afar* people and the *Afar* Regional State and shall be administered under the laws and regulations of the regional government (*Afar* National Regional State, 2009). It was in this policy document that the pastoral *Afar*'s right to use and the right to transfer their land holdings are clearly stated.

Based on my conversations with my key informants around *Dobi*, I came to realize that between 1991 and 2004, the state land law was not a major reference point on the issue of acquiring access to *Dobi*. Although the dominant argument is that people practice forum shopping to acquire access to land, on *Dobi*, access was acquired mainly through traditional rules and norms, including through the *Afar Mada'a*, marriage relations and claims of local belonging. I will discuss each of these one by one.

### 6.2.3. The *Afar Mada'a* and local belonging as basis for access to *Dobi*

The *Afar* people profoundly rely on the *Mada'a* (*af.*), which means law in *Afar* language. The *Mada'a*, according to my key informant, Hussen Yayyo, is an embodiment of the *Afar* worldview and livelihood specific values that govern all aspects of *Afar* society, including land (Yayyo, 02 December 2016, *Samara*).

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To the local *Afar*, the state land tenure provisions were not the major reference points in claims over *Dobi*. A proxy indicator for this is the number of land related claims and dispute cases referred to the state court. Based on interviews with the *Eli Dar* District First Instance Court judge, no land related dispute among clans in the district has been presented to the state court between 1991 and 2004 (Abdela, 12 January 2017, *Eli Dar*). The story is almost similar at the *Afar* National Regional State level as well. None of my key informants from the two clans used the state law as a basis for their claim over *Dobi* between 1991 and 2004. The *Afar* people rely largely on the *Mada'a*, belonging and marriage relations.

Discussion of the *Mada'a* brings to mind the need to describe the social context from which it emerges, and in which it is embedded. My key informant, Yayyo notes that the *Mada'a* emerged from the particular needs of the pastoralist *Afar*. The *Afar* is pastoralist society that is organized into clans. The fact that the same clan occupies different territories has strong ties with the *Afar* pastoralism that requires availability of ecological diversity to sustain this form of livelihood. The high value attached to huge cattle size in the *Afar* society invites the seasonal movements that open possibility of settling in open and favorable areas. According to my key informant, Yayyo, it was this process that triggered the formation of a clan in a separate territory (Yayyo, 02 December 2016, *Samara*). To introduce a minimum common reference to one's own clan of origin, the first *Mada'a* emerged nearly three and half centuries ago (*Afar* National Regional State Bureau of Culture and Tourism, 2015: 6). Up until very recently, the *Mada'a* was unwritten law that passed on from generation to generation through the words of mouth. In 2015, the ANRS Bureau of Culture and Tourism codified the *Mada'a*.

There are five *Mada'a* in the whole of *Afar* triangle. The first is Burquli *Mada'a* which is practiced in Kilbati Zone and Fanti Zone as well as the whole of the Eritrean *Afar*. The second is the Budihito Badi practiced in part of the *Awusi Rasu* Zone and partly in the Fanti Zone. The third is the Afkiqe ke Ma'ad *Mada'a* which is applicable in *Awusi Rasu* Zone clans other than those clans governed by the above two *Mada'a*. The fourth is the Bodoyta Melah *Mada'a*, which is applicable in Hari Zone, and finally the Debine ke Waqima *Mada'a*, applicable in the whole of Djibouti and on the Debine and Weqima clans (after whom the *Mada'a* is called) of the Gebi Zone (*Afar* National Regional State Bureau of Culture and Tourism, 2015). Every *Afar* falls under one of the five *Mada'a* governing a group of clans in the same or different localities and states that give it a non-territorial character of application. My study area falls under the *Afkihe* ke *Mahad Mada'a*.

The *Mada'a* bears names of the clan's leader who initiated the law. The *Afkihe* ke *Mahad Mada'a* is named after *Afkihe* ke *Mahad* to which the *Wandaba* and *Aydahis Bara* clans belong. *Afkihe* ke *Mahad Mada'a* is applicable to both the *Lubakubo ke Modaito* clan and the *Wandaba* clan. For now, it suffices to state here that according to this *Mada'a*, land is a communal clan territory. In the context of my study area, it entails that *Dobi* belongs to the two clans: the *Wandaba* and the *Lubakubo ke Modaito* clans.

The *Mada'a* defines ownership of territories to clans. This makes local belonging the center of discussion in the communal and equal ownership of territories[30]. The *Afar* have a patrilineal descent system based on which a person belongs to a particular clan. Yayyo states "there is a widely shared view that all *Afar* clans have their own territories- which its members communally own by virtue of belonging to respective clans" (Yayyo, 02 December 2016, *Samara*). Members of a clan are entitled to enjoy equal rights concerning access to and control over *Dobi* and related natural resources. The rights and obligations include the sharing of resources and helping each other in times of emergencies.

The prevailing clan territories in *Awusi Rasu* Zone of the *Afar* Region dates back to Sultan Aydahis, according to the *Wandaba* Clan leader, Ali Afhaso (Afhaso, 29 January 2017, *Galafi*). According to Ali Afhaso, "it was Sultan Aydahis who divided the territory in *Aussa sultanate* (equally) for all clans" (Afhaso, 29 January 2017, *Galafi*). *Afar* elders and clan leaders use this as their basis for territorial references in territory related clan disputes. My key informants from both the *Lubakubo ke Modaito* and the *Wandaba* clans say that their territories are known to each other. However, when it comes to access to land, even members of a different clan may gain access.

Access to seasonally available resources on *Dobi* used to be open to all *Afar*, by virtue of being an *Afar*, which I call 'ethnic belonging'. My key informant, Yassin, states: "until 2004, *Dobi*'s salt was openly accessed by all *Afar*. *Afar* from as far as Zone 5 used to come and collect salt" (Yassin, 19 August 2018, *Galafi*). My key informant, Ali Mohammed from the *Lubakubo ke Modaito* adds:

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[30] Both the Mada'a and local belonging grant communal ownership of land and in the context of my study area, all members of the two clans communally and equally share the rights to enjoy the resources in the territories. In fact, it is not like that; benefits are differentiated, notably along gender differences. In other words, although all members of a clan have equal rights to ownership of land by virtue of their belongingness, male and female members are not equal. An unmarried woman has no equal right with men to inherit lands, especially for fear that when she marries, she would transfer the property rights of such land from her parents to that of her husband. A married woman has no right to inherit land if she has not given birth to a child at the time of divorce, or if her husband dies before she gives birth. In this thesis, I have consciously chosen to stay away from the gendered issue of access and ownership of land in Afar Region.

Seasonal resources are open to all *Afar* clans. Access to seasonal resources cannot be prohibited. It does not belong to the clan within whose territory the resource is found. However, after the seasonal resources are finished, the users (guest clans) ought to go back to their own clan territories. This is understood in the *Mada'a* (Mohammed, 26 December 2015, *Dobi*).

The perennial resources are reserved for the members of a clan that owns the territory. In this thesis, I will refer to local belonging to refer to resources belonging to specific clans. Local belonging goes with agnatic [31] relations, which is relationships between groups of persons by virtue of their membership in a group on paternal line. According to the *Wandaba* elder, Yassin, when it comes to ownership of a territory and access to perennial resources, the *Afar* differentiate between agnatic groups and the kinship system (is a system of categories of relationship to any individual (Yassin, 19 August 2018, *Galafi*).

Up until 2004, the two clans-the *Wandaba* and the *Lubakubo ke Modaito*-enjoyed access to *Dobi* by virtue of ownership of the territory. The *Afkihe* ke *Mahad Mada'a* appreciates that *Dobi* belongs to the two clans. The ownership right bestowed upon the two clans by the *Mada'a* grants them access to both the seasonal and perennial resources. *Dobi* falls in four sub-clans of the *Wandaba* and two sub-clans of the *Lubakubo ke Modaito* clan. However, ownership of territory is discussed at the clan level. The *Mada'a* and belonging are not the only ways to acquire access to land. Marriage relations also open up the doors to access land.

### 6.2.4. Marriage relations as basis to access *Dobi*

Under Chapter Four, I have outlined marriage relations as one of the structures within which the *Afar*, as agents, are situated and which they also shape. In this sub-section, I will discuss how marriage relations help open the doors to acquiring access to resources on *Dobi*.

The *Lubakubo ke Modaito* and the *Wandaba* clans are related by *absuma* marriage relations, which creates a bond, which is the base to assist each other in times of need, including allowing members of

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[31] Agnatic relation differs from a cognatic relation that is relationship with any person with whom one can trace any genealogical link, whether through males or females.

each-other's clans to access perennial pastures. For generations, these two clans opened up their territories to each other because they are *absuma*. Elders from the two clans, Ali Mohammed and Yassin recounted that this reciprocal relation was a common practice. Marriage relations create a reciprocal rights and obligations to access not just the seasonal resources (which is open to all *Afar* anyway), but also to perennial resources found on each other's territories.

Yassin explains:

> *Absuma* is based on the following principle: one clan that gave a woman to another is entitled to expect that the latter gives to it the girls who will be born from this alliance. The *absuma* marriage creates between the two swinger subclans a kinship called "axle's Ballis" (donor-recipient of the women and vice versa). Through *absuma* a man creates at the same time an alliance between his sub-clan and that of his future wife. Their progeny will then enter the *absuma* system that is maintained on each side for the common interest (Yassin, 28 December 2015, *Galafi*).

During one of my conversations with my key informant, Hussen Yayyo, I asked how marriage relation in general and *absuma* in particular came to play such a vital role. He told me that it was partly due to the agro ecology within which the *Afar* live. The *Afar* people try to survive with their livestock in one of the most inhospitable environments in the world. That means it takes a constant struggle for survival (perpetual search for pasture and water so rare in the semidesert). The *Afar Mada'a*, which recognizes the clanisation of territories, does not ease this challenge. In the face of such challenge, the *Afar* people realized that their survival depended on the cohesion of its members. The *absuma* marriage, as an institution, therefore, grew out of recognition of this reality, as it unites several clans by ties of blood.

From the above discussions, there is one thread of argument that emerges. Despite the multiplicities of ways through which actor groups acquire access, such as the *Afar Mada'a*, claims of belonging and marriage relations, all seem to revolve around a common denominator: *Afar* identity. The *Mada'a* is designed to govern the lives of the *Afar*. Belonging and *absuma* relations are confined to the *Afar*. In this sense, the neotraditional rules and norms of access to *Dobi* are bounded in nature: keep the *Afar* inside and the 'others' outside. This reality faced the test of time and was challenged in the post-2004 period.

Between 1991 and 2004, the neotraditional land tenure system and government's tenure systems have been in frequent interaction with one another. However, in the case of *Dobi*, the traditional tenure land right provisions, claims of belonging and marriage relations have been the major ways to acquire

access to land. This may seem to negate a common assumption that people practice forum shopping. In *Dobi*, it wasn't. In fact, other scholars who have done research on *Afar* have also come up with similar conclusion. For instance, Reda based on his research in nine districts concludes, "Except in the case of land taken by the government for development projects and specific plots apportioned for investors (which for the most part still remains in the custody of clan heads), most other land is communally administered and is predominantly used for communal livestock grazing. The sultanate or/and clan-based institutions have long governed grazing land and forest reserves. Each clan and sub-clan have its own territory and access by others is subject to prior mutual consent" (Reda, 2014: 16).

### 6.3.        Changes in access to *Dobi* since 2004

#### 6.3.1. Changes in perceptions about *Dobi*

In the post-2004 period, the discourses, and practices of access to *Dobi* have changed. First, the state came to perceive *Dobi* as 'white gold', which is a radical departure from the previous perception as a barren land. Second, *Dobi*, which was a communally owned territory before 2004, now fell under the control of a Big Man. Post-2004 period saw the commodification of land, the replacement of kin based bounded social group by an interest based unbounded social network, which resulted in the marginalization of the local clans.

##### 6.3.1.1.     *Dobi* as 'white gold'

In 2004, an entrepreneur by the name As Mohammed began producing salt on *Dobi* for Ethiopian national market. *Dobi* is unique: it is not a Salt Lake. Unlike that of *Afdera* Salt Lake, *Dobi*'s salt is not harvested from a lake. On *Dobi*, salt is produced by excavating underground water and subjecting it to series of treatments.  After 2004, the Ethiopian State changed its perceptions about *Dobi* from 'barren land' to 'white-gold'. According to As Mohammed:

> *Dobi* salt is used as a recipe for food and as a raw material for industries (particularly leather industries) and hence helps economic development of the country. The development of the salt mining of *Dobi* has saved the foreign currency expenses that our country has been paying for salt. Since 2004, *Dobi* salt mining has created job

opportunity not only for producers but also for over three thousand unemployed youth (As Mohammed, 24 August 2018, *Dichoto*)

For investors, such as *Samara* University (SU), *Dobi* has a related but different meaning. SU started salt production on *Dobi* in 2010. According to my key informant, Hamid:

> *Dobi* was seen as an additional source of income for the University. SU began its operation on *Dobi* with the directive set by the Board of *Samara* University to supplement the budget the university receives from the Federal government. Secondly, *Dobi* was seen as an opportunity for research: to investigate salt reserve (for how long *Dobi* can be extracted), ways to improve production efficiency (decreasing production cycle) of *Dobi* salt, and to generate modern technology to help transfer to local artisan salt producers (Hamid, 01 December 2016, *Samara*).

However, some officials in the *Afar* Region do not share these views. For instance, my key informant, Aliye Suleiman from the *Afar* Region Mines and Energy Bureau, says *Dobi* had a potential to benefit the *Afar* but to date it proved to be a curse (Sulieman, 2016). He further notes:

> *Dobi* salt production started in 2004, fourteen years ago by As Mohammed Humed. As Mohammed created a system of commercial scale salt mining on *Dobi*. Although *Dobi* has huge potential, neither the ANRS nor the FDRE has done enough to bring it under the state management and to collect its revenue (Suleiman, 20 January 2016, *Samara*).

This brings to mind the literature of the resource curse (Behrends, 2008). Economists first diagnosed the contradictory effects of resource wealth in the form of the 'Dutch disease'- a term that was coined to explain why productivity in some sectors declined when large quantities of natural resources were found (Behrends, 2008: 6). As Reyna and Behrends argue, 'Oil is a particular resource, so oil's curse is a specific instance of the Dutch Disease in petroleum-based resource booms' (Behrends, 2008: 6). Whereas Dutch disease describes how natural resource sectors experience a boom at the expense of other economic domains, the resource curse is used to describe not just economic stagnation, but also conflict, displacements and instability that arise (Behrends, 2008: 9). In this thesis, I speak of the 'salt curse'.

Some members of the *Lubakubo* and the *Wandaba* clans share the 'salt curse' thesis. For instance, my key informant Ali Mohammed notes, "since 2004, *Dobi* became a site where few individuals generate wealth by displacing the *Afar*" (Mohammed, 26 December 2015, *Dobi*). Mohammed continues, "The post-2004 *Dobi* represents "exclusion and displacement of the members of the *Lubakubo* and the

*Asdara* sub-clans from their own territory" (Mohammed, 26 December 2015, *Dobi*). After 2004, *Dobi* became a 'grabbed territory'. In similar vein and tone, my key informant, Yassin from the *Wandaba* says:

> After the commercialization of *Dobi* and its control by As Mohammed, *Dobi* became a place where people who have connections (including non-local highlanders) profit and became millionaires in front of our eyes while we were excluded from it. This became a risk not just to our control over our territory but also a risk to our pastoral way of life since we are denied access to seasonal and perennial pastures available on *Dobi*. Furthermore, commercialization of *Dobi* salt brought wave of non-*Afar* laborers from the highlands. They came in large numbers. We see this as a threat to our identity (Yassin, 19 August 2018, *Galafi*).

My key informant from the *Lubakubo* clan, Ali Mohammed, shares the above sentiment, as he notes:

> Since 2004 *Dobi* became a site of huge commercial salt production, job creation for highlanders, economic benefit for As Mohammed and his allies. For us, *Dobi* has symbolized displacement, fear, and impoverishment. *Dobi* has become a place of struggle where we continuously lost the fight against As Mohammed (Mohammed, 26 December 2015, *Dobi*).

### 6.3.1.2.    *Dobi* as borderland

To the Ethiopian State, *Dobi* is a borderland and a security corridor. Borderlands are territorially defined as the physical space along the border (Baud, 1997: 2016). *Dobi* which is found in the *Eli Dar* District, is located in the Ethiopian, Eritrean, and Djibouti border triangle, is a borderland. For the Ethiopian Federal State, too, *Dobi* is a borderland.

The *Afar* are aware of the border and are benefiting from it. The border is not alien to them. In discourses, the *Afar*, although are aware that *Dobi* is a borderland, they do not emphasize the idea that there is a border between them and their kin across the border. Members of the *Modaito* clan federation who live on both sides of the Ethiopian and Djibouti border do not appreciate the existence of a border separating their clan. The location of *Dobi* makes this discussion even more interesting. For the *Wandaba*, who live on both sides of the border in Ethiopia and Djibouti, there is no border between their kinsmen in the two countries. Ali Afhaso, leader of the whole Wanadaba clan, resides both in

Ethiopia and Djibouti. *Dobi* on both sides of Ethiopia and Djibouti border belong to the *Wandaba* clan. The views of the ANRS State seem to fall halfway between the *Afar* clans and that of the Federal State. The ANRS State recognizes the international border between Djibouti and Ethiopia, but it also recognizes the 'no border' between the *Wandaba* clan in Ethiopia and Djibouti. The *Afar* benefit from discourses of border and borderland. For instance, local *Afar* clans can cross to and from Djibouti without presenting a visa or a passport, which is not allowed to a non-*Afar*. I tried to cross over to Djibouti to meet with Ali Afhaso in 2016 and in 2017, in vain because I am not an *Afar*, and I was requested to present a valid travel paper, which my *Afar* research assistant was not requested.

Academic discourse on state borders in the Horn of Africa is largely focused on the constraints side (Adugna, 2010; Feyissa, 2010). Markakis views borderlands as marginal spaces inhabited by underprivileged people who suffer from lack of infrastructure and political participation and from repression (Markakis, 2011). On the other hand, Adugna discusses how the *Borana Oromo* use borders to their advantage. He argues that the *Borana Oromo* who were divided by the colonial border between the two empires, Ethiopia and Great Britain, suffered enormously at various times (Adugna, 2010). He claims how individuals and groups instrumentalize the border at present as a resource to win competition and conflict among themselves, on the one hand, and between themselves and the states to which they 'belong', on the other.

For others, borders can be a resource, or what Asiwaju and Nugent call 'conduits and opportunities' (Asiwaju, 1996), which can be instrumentalized in developing political or economic strategies. For instance, Dereje Feyissa argues that contrary to established understanding, the Ethio-Sudanese border has functioned as an opportunity structure for the Anuwak (Feyissa, 2010). The *Afar* borderlands have not been adequately studied, nor will I discuss it here in detail. In a study that focuses on the Horn of Africa, edited by Feyissa and Hoehne (Hoehne, 2010), contributions cover almost all corners of Ethiopia, in the north, west, south, and south-east, except for the *Afar* corridor. This may be an area for further research.

The Ethio-Eritrea War (1998-2000), and the stalemate (no peace, no war) that followed, cemented the state's view that *Dobi* is a borderland. Due to the border war, all the salt the country used to import from Eritrea was banned, which became an opportunity for local entrepreneurs to open up new domestic salt mining fields in the country. According to my key informant from the FDRE MoFPA, Zegeye, "due to the border war and the closure of access to the Assab port in Eritrea, the *Addis Ababa-Djibouti* port highway, which passes through *Dobi* became redefined as the lifeline of the country" (Zegeye, 13 August 2016, *Addis Ababa*). All these developments fed-in to the securitization discourse.

### 6.3.1.3.   State perception concerning the *Afar* neotraditional ownership of land

The turn of the Century brought with it many developments in Ethiopia. One such development was the discourse of developmentalism and developmental state. The late prime minister of Ethiopia, Meles Zenawi, spearheaded this discourse as documented in his publications on the developmental state for Ethiopia (Zenawi, 2012). One major effect of this new discourse was government rescinding its endorsement of pastoral livelihood as a viable strategy and openly critiquing traditional land ownership systems.

The Ethiopian state's view of the *Afar* traditional communal land ownership as inefficient is related to the state's overall ideology which was informed by Marxist Historical Materialism. The Derg's (1974-1991) and EPRDF's (post 1991) view of pastoral population, it seems was shaped by the Marxist (Historical Materialism) according to which society move from traditional mode of production to complex one, including from pastoral mode of production to sedentary agriculture. This has been discussed under the previous section. It suffices to state here that since 2000s, pastoral livelihood has been described more and more as 'inefficient' and 'backward', reversing the initial endorsement for the pastoral livelihood as a viable livelihood strategy[32].

In similar tone, the *Afar* National Regional State land use and administration policy criticizes the *Afar Mada'a* for failing to be in line with the government land administration and use system, and for creating hindrance to investment activities in the region (*Afar* National Regional State A., 2009: 13). In fact, in the post 2000s period, period during which developmentalism and developmental state assumed hegemony, Ethiopian lowlands (which include *Afar*) came to be viewed through an 'economistic' lens- as a resource that should be utilized to its maximum for economic development. After the introduction of developmentalism discourse, the Ethiopian state began awarding people who conquered and exploited the lowlands for what they call 'model businessmen/women'.

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[32] Large scale induced voluntary villagisation in Afar and large-scale commercial agriculture, which displaced tens of thousands of pastoral households (eg Tendaho Sugar Factory on 60,000 hectares) can be cited as examples.

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6.3.2. Land rights of the *Afar* as vacuous claims

The Ethiopian Constitution of 1995 declare land to be owned by both the people and the state. The land policy of Ethiopia is founded on Art. 40 of the 1995 FDRE Constitution which declares land is the common property of the nations, nationalities and the peoples of Ethiopia and will not be subjected to sale (Federal Democratic Republic of Ethiopia, 1995). The possessors have only usufruct rights—the right to use.  Art 40(5) of the FDRE Constitution declares that pastoralists have the right not to be displaced from their grazing lands (Federal Democratic Republic of Ethiopia, 1995). The *Afar* National Regional State Constitution Art 31 (*Afar* National Regional State, 1997) and the revised constitution (*Afar* National Regional State, 2002) declares that all rural and urban land is a communal property of the *Afar* people and the State.

As discussed under the previous sections, in most parts of the *Afar* Region, including in *Dobi*, land is divided amongst clans and administered by clan leaders. The state and public ownership of land is hardly recognizable (*Afar* National Regional State, 2009), which necessitated the introduction of the *Afar* Region's land use proclamation (*Afar* National Regional State, 2009).

The policy, which was endorsed in 2009, reaffirms that the *Afar* people have ownership right over land in the Region (*Afar* National Regional State, 2009).

My key informant, Hussen Yayyo, was one of the people involved in the policy formulation process. He remembers:

> The first conference to discuss the *Afar* Region's rural land policy was held in Dubti town in 2006. That is, two years after *Dobi* started salt production. Over 3000 people attended the conference. I was a keynote speaker, as the government knew I am respected and can allure the participants to agree to the policy (Yayyo, 02 December 2016, *Samara*).

The Ethiopian state views *Dobi* as a mineral land. As such it is subject to mineral laws and proclamations. Since 1991, the Federal Democratic Republic of Ethiopia (FDRE) introduced several proclamations aiming at governing mining operations in the country, including salt mining in *Dobi*. The proclamations are Mining operations proclamation 2002, mining operations proclamations No. 678/2010, and the mining operations proclamation No. 816/2013. In essence, all of these

proclamations aim at putting mineral lands in the hands of the State. Despite state legal provisions that put ownership of *Dobi* in the hands of the people and the state, on the one hand, and the *Afar Mada'a* that defines land as communal clan territories on the other, none of these mattered in the post-2004 period in *Dobi*.

The state laws provided no legal shelter for the local clans who have been forcefully displaced from their territories since 2004. The forceful displacement of members of the six sub-clans goes contrary to both the traditional *Afar* law of respecting clan territories and the State laws. The ANRS 2009 Rural RLA policy states "pastoralists have… the right not to be displaced from their own lands" (*Afar National Regional State, 2009*). It is despite this provision that the six sub-clans have been displaced from *Dobi*, their homeland without consultation and or compensation. Rights did not translate into access and benefits.

I have shown that state land property rights do not necessarily imply that the actors holding them are able to derive material benefits from the natural resources to which those rights apply. People lack 'real' rights if such rights are promised in law but denied in practice. In *Dobi*, it is possible to argue that both the clans and the state have been dispossessed not just of the land (or territory as the clans prefer to call it), but also of their rights. This dispossession can be taken as land grabbing.

### 6.3.3. Basis for access to *Dobi* since 2004

In the post-2004 period, the profile of actor groups who enjoy access to *Dobi* has changed.
First, between 1991 and 2004, it was mainly the *Afar* who enjoyed access to *Dobi*. In the post2004 period, beneficiaries are heterogeneous- includes institutions such as *Samara* University, individual *Afar* from around *Dobi* (such as Umar Ida from the *Wandaba* clan, Kedir Hassan from the *Lubakubo* and Ibrahim Intibara from the *Aydahis Bara*), *Afar* from distant clans (such as Mussedin), non-*Afar* civilians such as (Mehari), and non-*Afar* ex-military officers (such as Kahsay, Aleqa Welday). Second, whereas between 1991and 2004, the *Afar* enjoyed access to *Dobi* by virtue of land rights, local belonging and marriage relations, in the post-2004, it all fell on connections with the Big Man. The list and details of who have been benefiting from *Dobi* have been discussed in the previous chapter (under 6.1.). With regards to the profile of actor groups who benefited, *Dobi* is not different from *Afdera*. The major difference lies in how the actor groups acquired access to salt mining site.

### 6.3.3.1. Reciprocal relationships as basis for access to *Dobi*

In the post-2004 access to *Dobi* has been acquired through connections with the Big Man. This makes *Dobi* to be different from *Afdera*. My key informant, Aliye Suleiman, claims that whereas in *Afdera* there are more than a thousand licenses issued by the state, in *Dobi* access to salt is granted by As Mohammed. Aliye Suleiman notes:

> There are 1,700 licenses awarded to salt mining in *Afdera*[33], out of which there are 570 active producers. Today, *Afdera* salt mining is conducted on 39 kilometers (20 KM to the Northeast of the lake and 19kms on southeast side of the lake). By contrast, on *Dobi* it is As Mohammed that grants access permits (Suleiman, 20 January 2016, *Samara*).

In 2014, the Ethiopian Broadcasting Corporate (EBC), now renamed ETV, prepared a documentary video titled "the visionary leader and the development of *Dobi*" (Ethiopian Broadcasting Corporation, 2014). In that documentary, the Big Man proudly claims that several retired army officers got plots of land at *Dobi* and became millionaires. In the latter part of this chapter, I will indicate to the reader that during the 2017 *Wandaba* protest, the protesters attacked the assets of the 'stranger' investors. These ex-military personnel acquired access to *Dobi* through reciprocal relations with the army: As Mohamed provides access to land, in return for their support for the ENDF's grip over *Dobi*. This has been discussed in detail under Chapter Five.

Members of the local clans have also enjoyed access to *Dobi* through the reciprocal relations with the Big Man. It is important to note here that, unlike the pre-2004 period, when all members of the *Lubakubo ke Modaito* and *Wandaba* clans have had access to *Dobi*, in the post2004 period only few enjoy this privilege. Influential clan leaders such as Umar Ida (leader of the *Gambel* sub-clan of the *Wandaba*), Kedir Hassan (leader of the *Lubakubo* clan and administrator of *Dichoto Kebele*), and Ibrahim Intibara (the legitimate leader of the *Lubakubo ke Modaito* clan) have salt land on *Dobi*. Ali Mohammed, my key informant notes:

> As Mohammed granted plots of salt land to influential elders in return for their tacit recognition of his control over *Dobi*. These elders claim that *Dobi* is still a clan territory

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[33] Aliye Suleiman notes about sixty percent of the active producers in the Afdera salt mining business are Tigrayans, while the Amhara (especially from Wollo) constitute about 20%. The Afar, who were artisan level, were given at the margins, very far away from the sea. Back then, we were very much focused on demonstrating that salt can be mined in Afdera. By then I was head of population Bureau, the reason they brought me to lead the initiative is because I am originally from Afdera.

and criticize their own kin who stood against As Mohammed (Mohammed, 26 December 2015, *Dobi*).

The post-2004 experience on *Dobi* demonstrates how material interest has overtaken kinship concerns, and allegiances to the Big Man replaced kinship-based solidarity. Adam Smith's The Wealth of Nations symbolizes capitalism as we know it today. It cites the principle of self-interest as the driving force of capitalism, which is founded on the logic of profit at any cost, of exploitation without thinking of other people 's welfare, unrestrained by other moral compasses. It is assumed that in capitalism, the pursuit of self-interest is all that matters and all that is necessary to form and regulate human individuals and societies. This has come under heavy criticism. I read about 'savage capitalism' in 2013 on a news feed posted on the Reuters (Reuters, 2013). It describes criticism against "the logic of profit at any cost, of exploitation without thinking of people, that consistently subordinates concern for human beings to questions of efficiency and profit. The logic of operation of salt mining and the behavior of the local clan leaders exhibits some features of savage capitalism whereby material interest overtook kin relations and norms.

### 6.3.3.2. Begging the Big Man as a way of getting access to *Dobi*

I have also met ordinary non-*Afar* who came to acquire access to *Dobi* by pleading with the Big Man, begging. My key informant Mehari (Mehari, 09 November 2016, *Dichoto*) says this works mainly for non-*Afar*, and it is not an ordinary form of begging. Begging is the practice of imploring others to grant a favor, often with little or no expectation of reciprocation. The begging practiced on *Dobi* takes this one step forward. First, there is reciprocity- those who get the Big Man's favor will join the network woven around the Big Man and serve mutual purposes. Secondly, begging usually involves extended period of imploring and often takes a form of 'ritualized' emasculating to the beggar. Mehari, is a case in point. One of the approaches I used to gather who has acquired land through begging was hanging out at a 'café' in *Dichoto*. I became friends with the owner of the 'café', Semhal Gidey, her husband Biniam Akale, and Mehari who owns small electronics shop next to the café. I enjoyed the gossips and rumors, particularly about how people acquire access to *Dobi*.

Mehari says he pleaded with the Big Man for over six months during which time he was emasculated by the Big Man, and Mehari belittled himself in front of As Mohammed to acquire a plot. This is what I called ritualized begging. Mehari described one of his experiences from his encounter with the Big Man as follows:

It is Friday. I knew As Mohammed is in *Dichoto* and I went to his home around 1200 AM. As Mohammed came back from Friday prayer along with many people and his entourage. I have been following him for over six months and I felt I am getting closer to getting a plot. I knew, if I get a plot on *Dobi*, it will change my life for good. If I get a plot, I can build a very nice house for my widowed mother and me in Woldiya, North Wollo, and in the *Amhara* National Regional State. So, on this day, after everybody had lunch, As Mohammed commanded me to prepare coffee. I know this is an insult and if my mother sees this, she will cry to death knowing that her son has been humiliated. But I had to do it. I swallowed my pride and made coffee. You know too well that making coffee is the job of girls, and there were many in the room at the time when As Mohammed commanded me. I did it anyway. I did this at least three times. Few months later, he gave me a plot (Mehari, 09 November 2016, *Dichoto*).

My key informant, Mehari says that for ordinary non-*Afar*, begging is unpleasant process one has to endure to acquire salt mining plot on *Dobi* (Mehari, 09 November 2016, *Dichoto*). It is like an unofficial procedure to get a permit to mine salt in *Dobi*. For the Big Man, his emasculation of Mehari is an expression of symbolic performances of his power. This enactment of power through feminization of members of a previously dominant group is very significant not only as a window to understand the modus operandi of the big man but also to understand the changing power relation between the *Afar* and the Highlanders. The researcher hints that this could be avenue for further researcher to understanding reversed power relation between members of a previously dominant group (*Amhara*, the Highlanders) and a previously marginalized group (*Afar*, the Lowlanders).

The process through which *Samara* University acquired a plot is not qualitatively different from the experiences the Highlanders. *Samara* University got access to *Dobi* through connections, although it also involved begging. Dr. Neway Hamid states:

SU first started salt mining on *Dobi* in 2010. In order to acquire a plot, the University approached As Mohammed. The former SU president, Mohammed Usman approached As Mohammed and made his request. At that time, as everybody knows, *Dobi* was under As Mohammed's control. We first approached the *Afar* Region's Bureau of Mining to acquire a plot in *Dobi*, but instead of *Dobi* we were offered a plot in *Afdera*. Although As Mohammed was just deputy district administrator, the *Afar* Region Bureau of Mines and Energy who have the authority to grant licenses were afraid to intervene in *Dobi*. After a lengthy process of pleading with As Mohammed, we were

offered a plot. I remember that getting a meeting with As Mohammed was not easy. We had to contact As Mohammed's loyal networks to know whereabouts of As Mohammed, and we would go there. I remember one time, we heard that he is in *Asayta* and we headed there. He agreed to meet with us. But what I clearly remember is that when he greets you, he does not even look at you, just extends his hands for greetings. This is a sign of disrespect. We had to swallow our pride (Hamid, 11 March 2017, *Samara*).

Daily laborers are another actor group that benefited from *Dobi* salt mining operations. This group, almost exclusively labor migrants from the neighboring *Amhara* National Regional State solicit benefits through sale of their labor. My key informant from the local clan that live around *Dobi* views laborers as *yimeeti* ('strangers'), who do not speak their language, and are risk to their identity by claiming that laborers came in large numbers (Yassin, 19 August 2018, *Galafi*). This hostile perception fed the 2016-2017 protests during which time, hundreds of laborers were physically attacked by the *Afar*. I personally observed the protest and the battering of the 'strangers'. It is the aggregate of all these factors that forced the local *Afar* clans to feel marginalized and exploited, and they consequently begin a protracted struggle to claim back their territory from As Mohammed.

### 6.3.4. Challenges to the Big Man's control over *Dobi*

Post-2016 is a different world for As Mohammed. Despite the outward appearances of invincibility, the Big Man's control over *Dobi* proved to be fragile. Since the election of Haji Seyoum as president of the *Afar* Region, the power of the Big Man as provider of access has been challenged. This is discussed in detail in Chapter Seven. From December 2016 to January 2017, members of the *Wandaba* clan staged the biggest protest on *Dobi*, which brought salt mining to a standstill. I personally observed the protest. In December 2006, thirty-four members of the *Wandaba* clan were rounded up and detained by *Eli Dar* Police. They were accused of engaging in ፀረ-ልማት (*am.*), which means 'anti-development' activities in *Dobi*. Five out of the thirty-four were taken to the *Eli Dar* District First Instance Court and accused of organizing and leading demonstrations in *Dobi*. They were accused under the state of emergency (SoE) law introduced by the federal government on October 8, 2016, which bans all forms of demonstrations. The government used the language of ፀረ-ልማት (*am.*) against protesters who opposed As Mohammed's control of *Dobi*.

My female key informant from the *Wandaba* clan, Momina notes that "As Mohammed sees his activities on *Dobi* as ልማት (am.) (which literally translates to development) and our opposition to his control over our territory as ፀረ-ልማት (*am.*)" (Momina, 26 March 2017, *Galafi*). I will underline here that members of the local *Afar* clan use the *Amharic* word ልማት *(am.)* and ፀረልማት *(am.)*. There are not *Afar* equivalents for these terms, at least not yet. The Ethiopian State, a self-proclaimed developmental state, uses these discourses at the national level, which percolated down the state fabric to the local level. As Mohammed tapped into these discourses to further his interest.

## 6.4. From bounded kinship to unbounded social network

In this sub-section, I would like to pick up and discuss one major change that has happened since 2004. It is a change from access to land rooted in kinship relations (be it in terms of the *mada'a*, local belonging or marriage relations) to unbounded social network rooted in individual material interests. Before 2004, although the state rules were there, the non-state law (*Mada'a*), *absuma* and belonging were the main basis for acquiring access. Access was almost encircled around *Afar* identity-it was bounded. In other words, access to land is embedded in kinship relations which purports rights and reciprocal obligations (Gudeman, 2016). Since 2004, access is acquired mainly through connection with the Big Man.

In comparison, in the post-2004 period, we saw not only changes in the how access is acquired but also the types of actor groups who enjoy access to *Dobi*. In the post-2004 period, although state and non-state laws and norms were still in the air, on the ground it was connection with the Big Man that awarded and rewarded one's attempt to gain access to *Dobi*. The social network in the post-2004 period is 'unbounded' in the sense that membership cut across localities, identities, and religious affiliations. This shift from belonging in clan to membership in a network recalls Mitchell's differentiation between social group (bounded) and social network (Mitchell C., 1973). In the post-2004 period, access to *Dobi* is acquired not by virtue of local belonging but through 'membership' in the network that surrounds the Big Man.

Chapter 7

## 7. Conflict over *Dobi* between Big Man and the local *Afar*

### 7.1. Conflict over *Dobi* as a struggle for power to assert authority to act on Dobi

The aim of this chapter is to describe the (post-2004) conflicts over *Dobi* between the local *Afar* and the Big Man. The previous chapter (Chapter 6) shows the changes in the forms of access to *Dobi* (from clan to individual control) since the rise of the Big Man. These changes did not only exclude some members of the local *Afar* from accessing *Dobi*, but also dispossessed the traditional clan leaders and the state from their power to administer it. These changes did not go smoothly; rather, they precipitated conflicts between members of the local *Afar* and the Big Man.

Conflict and conflict resolution is mainly studied in legal anthropology, and nowadays the emphasis is on the process by which conflicts are resolved. That is, the strategies actors employ to resolve conflicts and the choices they make between alternative modes of conflict settlement, which have been referred to as "forum shopping and shopping forums" (Benda-Beckmann K. v., 1981). Forum shopping is defined as disputants' choice of one or another forum or dispute settlement institutions to resolve their problems (Benda-Beckmann, 1981: 117). In my study area, there is a plural legal system, which includes the state, the traditional conflict resolution systems (TCR), and Islamic/religious conflict resolution systems. Disputants in *Afar* may choose from these several institutions. The TCR court derives its legitimacy from the *Afar*'s Ada or cultural norms and values, while the Sharia courts derive their legitimacy from the Islamic jurisprudence, and the state court derives its legitimacy from the state legal system (Pankhurst and Getachew, 2008: 19).

This thesis proposes to locate the study of the conflict on *Dobi* within political anthropology. I will propose that the conflict over *Dobi* is mainly about the struggles for power to decide access to *Dobi*. I drew an inspiration from Clausewitz's proposition, according to which war, and hence violent conflict, is a continuation of power struggle through other means (Clausewitz, 1989)[34]. This thesis perceives the post-2004 conflicts between the Big Man and the local *Afar* as the Big Man's attempt to

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[34] This book is an English translation of Clausewitz's book. Clausewitz, a Prussian general who stressed that dispute is simply the continuation of political intercourse with the addition of other means.

maintain his para-sovereign rule over *Dobi* on the one hand, and the local *Afar* clans aim to take-back the power to decide over *Dobi*, on the other.

The question is how such conflicts are resolved. To get the contemporary understanding on this matter, I have reviewed three major works of Ethiopian scholars, including Pankhurst and Getachew (2008), Getachew and Shimelis (2008), and Reda (2006). Alula Pankhrust and Getachew Aseffa co-edited a comprehensive book on the traditional conflict resolutions in Ethiopia, titled "Grassroots justice in Ethiopia" (Assefa, 2008). The conclusion of this book is that much of the justice that is delivered in Ethiopia is provided at a very local level through the traditional conflict resolution institutions (Assefa, 2008: 70). Getachew and Shimelis, who conducted their research on *Afar* conclude that the TCR is the dominant way of resolving land conflicts in the *Afar* Region (Getachew Talachew, 2008: 98). In similar vein, Kelemework Reda, based on his study in the Aba'ala District of the *Afar* Region concludes that the *Afar* resolve land conflicts mainly through the traditional conflict resolutions (2006). Saltman's study shows that the Kipsigis of Kenya resolve their land conflicts through their traditional law (Saltman, 2002).

The German anthropologist Gerd Spittler proposes in his article "*Streitregelung im Schatten des Leviathan*" (1980) ("Dispute Resolution in the Shadow of the Leviathan") that it is the wish to avoid the coercive, law-and-order mechanisms of the (colonial) state that motivated Africans to resolve disputes through traditional means (Spittler, 1980). For Spittler, the Leviathan state (the law-and-order state) casts a threatening shadow, because of which Africans chose the traditional legal avenue over the state (Spittler, 1980). Pankhurst and Getachew (Assefa, 2008), and Markakis (2011) report that the Ethiopian state had imposed an 'alien' legal system (state legal system) over the pastoral *Afar* during their incorporation into Ethiopian empire, and that the state legal system was met with fierce resistance from below. Under these circumstances, the local *Afar* largely abstained from the state legal system, using instead their traditional legal system. In recent years, societies resolve land conflicts by choosing from the plural legal avenues available to them, which has been referred to as forum shopping and shopping forums (Tezera, 2018).


By using the extended case method, my aim is to describe how the post-2004 conflict on *Dobi* has been resolved. Burawoy places particular emphasis on the temporal aspect of extending case studies. In other words, he argues that the most fruitful use of cases consists in taking a series of specific incidents affecting the same persons or groups, through a long period of time (Burawoy, 1998). *Dobi*

is a good case to examine land conflict over time, because it has been and continues to be the center of the struggles amongst different actor groups for control of the territory. Burawoy suggests that a careful attention to incidents may lead to an analysis of domination and resistance (Burawoy, 1991: 279). I will present two cases generated from my observations, key informant interviews and review of letters and courts proceedings related to the selected cases.

## 7.2. Conflict between the Big Man and members of the *Wandaba* clan

This case takes the conflict between the Big Man and members of the *Wandaba* clan. The Big Man is a member of the *Lubakubo ke Modaito* clan. A conflict between an individual from this clan and members of the *Wandaba* clan used to be categorized as an inter-clan dispute, as it did in 1985 when a conflict broke out between these two clans over the use of pasture on *Dobi*. In the post-2004 period, the conflict between As Mohammed and members of the *Wandaba* clan has not been categorized as an inter-clan dispute. I will discuss this in detail below.

First, I will present a condensed version of the conflict between the *Lubakubo ke Modaito* clan and the *Wandaba* clan. This is reconstructed based on the verbatim accounts given by three key informants (Hamid Gule, Yassin, and Ali Mohammed). Hamid Gule, one of the elders who were involved in resolving the dispute between the *Lubakubo ke Modaito* clan and the *Wandaba* clan tells the story. According to Gule,

> The two clans entered conflict in 1985, during one of the severe droughts in the area. The dispute occurred after members of the *Gambel* sub-clan of the *Wandaba* brought their livestock to a protected perennial grazing area on the territory of the *Lubakubo ke Modaito* clan, without the permission of the latter. The dispute was an inter-clan dispute. Even though it was a sub-clan of the *Wandaba* who trespassed onto the turf of the territory of a sub-clan of the *Lubakubo ke Modaito* clan, once the conflict started, it soon became an interclan conflict (Gule, 15 April 2017, *Asayta*).

I also interviewed elders from the disputant clans: Yassin (*Wandaba*) and Ali Mohammed (*Lubakubo ke Modaito*). My key informant, Ali Mohammed remembers:

> Yes, that conflict is the only dispute between the two clans I know. It happened during a very bad drought period. The *Wandaba* clan moved with their livestock to a

pastureland which our sub-clan (the *Lubakubo*) have been protecting for our own livestock. They did not have permission to use it, and our kin considered the actions as aggression, and were mobilized to remove them, which led to a bloody conflict. Lives were lost (Mohammed, 26 December 2015, *Dobi*).

My key informant, Hamid Gule, remembers that the dispute was resolved through the *Afar Mada'a* [the traditional *Afar* conflict resolution system]. Gule notes:

> The leader of the *Lubakubo ke Modaito* clan, Ibrahim Intibara, who is still alive, brought the case to me. I am the leader of the [neutral] *Hululto* ke *Wadima* clan. I sent a messenger to Ali Afhaso, leader of the *Wandaba* clan who agreed to the proposed date and venue for the arbitration. In the meantime, I brought some of my clan members to settle between the disputing clans to stop the dispute from escalating further after lives were lost on both sides. In those days, clan leaders, with our attire on our shoulder, were respected very well as peacemakers. Nowadays it is diminishing. On the date of the hearing, Ibrahim Intibara and Ali Afhaso represented their respective clans and presented their version of the dispute. After hearing both sides, the *Wandaba* clan was found to be at fault by trespassing into the *Lubakubo ke Modaito* clan territory without the permission of the leader of the *Lubakubo ke Modaito* clan. After the arbitration[35] the *Wandaba* clan was punished in the form of livestock payments, in addition to immediately pulling back from the territory they held, which Ali Afhaso did. The *Lubakubo ke Modaito* clan also paid blood money in lieu of the lives lost (Gule, 15 April 2017, *Asayta*).

This incident sheds light on two core issues. First, it shows that conflict over *Dobi*, in addition to being about access to the precious pasture at a time of drought, was also and importantly so, about the authority to grant access. The chair of the *maro* court emphasizes that members of the *Wandaba* clan were found to have committed a crime because they did not respect the power of the leader of the *Lubakubo ke Modaito* clan to access pasture on their territory. The second point is about the role of the *Afar Mada'a* and in particular the *maro* court to resolve the conflict over authority to access land

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[35] Arbitration refers to a process where the decision is taken, and/or enforced by a third party. This is different from mediation which refer to a process where a neutral third party assists parties who have disagreements to reach an agreement.

in the *Afar* Region in general and on *Dobi* in particular. It was a preferred institution to all other forms of conflict resolution.

It has to be remembered that in the *Afar* Region, there are three conflict resolution institutions: (1) the *Afar* law (*Mada'a*) which includes *mablo*, *maro* and *hera*, and in the past when the Sultan played a crucial role, *sangira* court; (2) the Islamic law enacted by the Sharia Court (also referred as religious conflict resolution-RCR); and (3) the codified law of the state courts. The above incident is an example that shows that the *Afar* people rely on the traditional courts in resolving conflicts over land. My key informant, Ali Mohammed, notes that the sharia court mainly deals with resolving family and marital affairs limited to matters of divorce and inheritance (Mohammed, 26 December 2015, *Dobi*). Mohammed states that the state courts are rarely attended for resolving conflict among the *Afar*, and even in cases of conflict between an *Afar* and a non-*Afar*, the *Afar Mada'a* has a conflict resolution component known as *adanle* (Mohammed, 26 December 2015, *Dobi*).

Let's discuss in detail the *Afar* traditional conflict resolution system. My key informant, Hamid Gule says:

> There are three terms that make up the basis for the *Afar* traditional conflict resolution: *Mada'a* (*af.*), which means law; *doroqqu* (*af.*), which means 'law breaking' or a crime; and *muruuso* (*af.*), which means punishment for crimes committed. There are five types of *doroqqu* pertaining to the object of offence believed involved: life, body and property, adultery and insult (Gule, 15 April 2017, *Asayta*).

Hamid Gule explains this by taking the dispute between the *Lubakubo ke Modaito* clan and the *Wandaba* clan discussed above. The earth on *Dobi* has palm trees, grass and salt, which were considered beneficial for the cattle. The dispute started after members of the *Wandaba* clan, without permission brought their cattle to graze and use the salt lick on the territory of the *Lubakubo ke Modaito* clan, which constitutes a *doroqqu*- a crime. All *Afar* clans know each other's territory, as defined during the reign of Sultan Aydahis. The action of the members of the *Wandaba* clan was a transgression, which according to the leader of the neutral clan (the *Hululto       ke       Wadima*

clan) constitutes a *doroqqu* (crime) against 'property'- transgression against clan territory. Arbitration by a third-party clan leader-imposed punishments on the *Wandaba* clan in a form of livestock payments, which constitutes *muruuso*.

*Figure 10 Afar Traditional Conflict Resolution System*
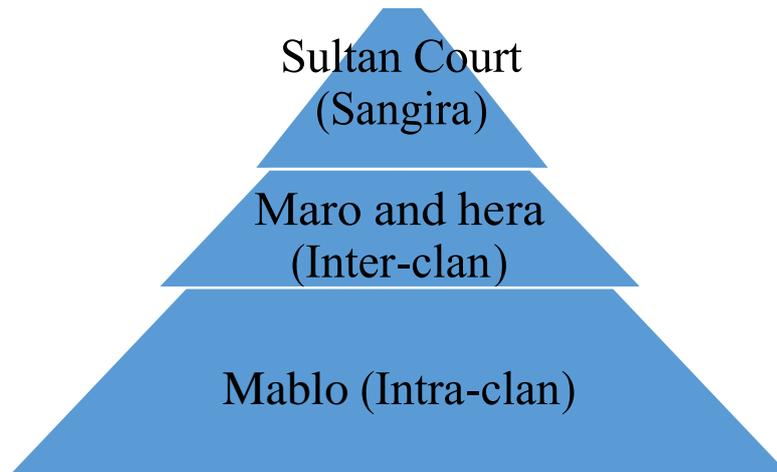


The *Afar* traditional conflict resolution is based on the *Afar Mada'a*. Every *Afar* falls under one of the five-*Mada'a* (discussed under Chapter 4), and *Dobi* falls under the *Afkihe* ke *Mahad Mada'a*. According to my key informant, Yassin, the *Afkihe* ke *Mahad Mada'a* has three avenues: the *mablo* mediation (to resolve intra-clan conflicts), and the *maro* and *hera* arbitration courts (to resolve inter-clan conflicts), and *sangira* (cessation court) (Yassin, 09 December 2015, *Dobi*).

According to my key informant, Hussen Yayyo, the *mablo* is a mediation court, which serves the purpose of resolving intra-clan conflicts involving light physical damage, minor insult, theft and any other crimes at sub-clan and clan levels. Clan leader, elders (irrespective of age) and knowledgeable individuals recognized for their fairness, impartiality and experience in mediating local conflicts might sit on the *mablo* court (Yayyo, 02 December 2016, *Samara*).

My key informant, Yayyo tells the procedures in intra-clan disputes resolution at the *mablo* court:

> First, the plaintiff lodges his petition to the clan leader. Upon the agreed hearing date, the plaintiff presents his case to the court in the presence of the defendant who is supposed to be present or represented by somebody else (member of his clan) for the procession to proceed. The defendant after performing oath of innocence presents his defence. Upon hearing the litigation on both sides, a second round of hearing may be offered to both parties to further substantiate their point. Finally, the chair (often clan leader) deliberates their decision. In the absence of divergent views, the process of determining the amount of compensation will be made based on the principles of making restorative and transformative decisions accepted by all in the society (Yassin, 19 August 2018, *Galafi*).

The *maro* is an arbitration assembly, which has jurisdiction over inter-clan conflicts. One or more clan leaders or elders preside over the *maro* court. According to my key informant, Hussen Yayyo:

> The number of 'judges may vary depending on the gravity of the issue involved. Conflicts over territories[36] between clans are arbitrated through a third clan leader in a third party *maro*. Such arrangement gives spirit of impartiality and fairness contributing to enforceability of decisions (Yayyo, 02 December 2016, *Samara*)

Hamid Gule, who was involved in resolving the 1985 dispute, explains the procedures applied to resolve inter-clan disputes. Hamid says:

> When inter-clan dispute occurs, leader of one of the disputant clans brings this case to the leader of a neutral clan. Otherwise, members of the victimized clan are duty bound to revenge any member of the offender's clan, including an innocent person in vengeance. The leader of the neutral clan, to whom the dispute is referred, announces to both parties the date of the hearing and orders both parties not to take measures that can harm the amicable resolution of the case. Both parties and members of the injured clan are expected to refrain from taking vengeance. Depending on the gravity of the case, the invited leader of the neutral clan may ask the help of other third-party clan leader and selects elders from different clans to resolve the dispute. After hearing from the leaders of the disputant clans on their versions of the dispute, the procedure goes through procedures employed to resolve intra-clan disputes at *mablo* court. (Gule, 15 April 2017, *Asayta*).

My key informant, Hussen Yayyo, adds:

> Where parties are dissatisfied with decision of a court, appeal is lodged against its ruling in the next higher institution. In case of intra-clan conflict, the decision of a clan leader at the *mablo* court shall be appealed to the clan leader at the *maro* court; and in the case of inter-clan conflict, dissatisfaction with the decision of a clan leader may appeal to the assembly of clan leaders at the *hera* courtrepresented from all clans falling under the same *Mada'a*, in the *Aussa* under the *Afkihe* ke *Mahad Mada'a*. An appeal against the decision of the *Hera* court may be lodged at the sangria (*af.*), the sultan's court, which is the cessation bench of the *Afar* traditional judicial system- decision of

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[36] Also, cases such as, theft, rape, abduction, murder, physical injury, environmental offence, insults against once lineage involving clans

which is final and binding. The *fihima* and its leader-*Fihima abba* are executive organs acting as enforcers of decisions of dispensation of traditional conflict resolution (Yayyo, 02 December 2016, *Samara*).

The aim of the discussion above is to show how in the pre-2004 period, a conflict over *Dobi* involving members of two different clans, an inter-clan conflict, was resolved through the *maro* court of the *Afar* traditional conflict resolution system. It is also meant to show that, in the case of the particular incident discussed above, the *maro* court which arbitrated the inter-clan conflict recognized the power of the leader of the *Lubakubo ke Modaito* clan over the territory invaded by members of the *Wandaba* clan. This has changed in the post-2004 period.

First, let's identify the protagonists in conflict over *Dobi* in the post 2004 period. It is possible to differentiate the *Wandaba* clan into three groups, based on their perceptions about the Big Man's control over *Dobi*. The first group constitutes of members of the clan who have received a salt mining plot and financial assistances from the Big Man. This group includes the clan leader, leader of the *Gambel* sub-clan, the *Galafi Kebele* administrator, and ordinary members who have benefited from their relationship with the Big Man. People in this group express mainly a positive view about the development of *Dobi* and the Big Man's role in it. The second group includes members of the clan who claim that they did not benefit enough from *Dobi*, but are not very vocal in their support nor opposition to the Big Man. I call this group the 'wait-and see-ers'. The third group constitutes mainly of members of the four sub-clans of the *Wandaba* clan-*Gambel*, *Asduri*, Hamiltu, and Dala'alta sub clans, who claim that they lost control over their territory. In the text below, I will present the conflict between the third group and the Big Man. Members of the third group are vocal in their narratives of exclusion from access to *Dobi* and the fact that the Big Man dispossessed them of their power over *Dobi*. This group demands regaining its power to decide on *Dobi*. For this group, the claim is more than getting larger plots of salt mining land from the Big Man. Its claim is less material than political. They claim full (political) control over *Dobi* and related resources.

During the second field visit, I spent several months observing and interviewing members of these four sub-clans. From the point of view of members of the third group, such as my key informant, Yassin, since 2004, access to the use of and mobility across the *Dobi* plain for the local *Afar* and their livestock has been restricted. Since salt is produced by digging out the underground saline water and treating on the surface, it did not only destroy the pasture available on the surface, but also limited free mobility of people and livestock. From the point of view of investors on *Dobi*, however, their

worry is that allowing uncontrolled mobility of people and livestock across *Dobi* salt land may lead to destruction of the salt and properties on the site.

Given that mobility is the heart of pastoralism, limits to mobility of livestock across *Dobi*'s plain, associated with the change in land tenure from communal clan ownership to individual property (the Big Man's) led to conflict between the members of the *Wandaba* clan and the Big Man. My key informant, Yassin, states that since 2004, dispute has erupted seventeen times. In the following texts, I will present five incidents which I could fully reconstruct.

According to my key informant, Yassin, the first incident took place in September 2005 when the Big Man first started salt mining on the *Wandaba* clan territory (*Gambel* sub-clan territory). Yassin, member of the *Gambel* sub-clan, remembers:

> As Mohammed began his salt mining on the territory of the *Lubakubo* ke
> *Modaito* clan, to whom he belongs. We did not have a problem with that. In September 2005, however, As Mohammed expanded his mining to our territoryspecifically to the territory of the *Gambel* sub-clan. It led to physical confrontation between our sub-clan and As Mohammed (and his militias). Of course, there are members of our clan who from day one collaborated with him and benefited from ever since (Yassin, 19 August 2018, *Galafi*).

Aisha Ahmed, a female key informant from the *Gambel* sub- clan claims:

> *Dobi* is a territory of four sub-clans of the *Wandaba* clan. Members of these subclans were displaced from *Dobi*. We lost access to *Dobi*. You see, because of the huge salt production from *Dobi*, people from far-away places think that our lives have changed for the better. It is the opposite. The *Wandaba* clan territory is hilly, rocky and receives little rainfall. Our livelihoods have deteriorated. Since 2004, several of my kin from the *Gambel* sub-clan have been displaced from their territory, which led to the dispute with As Mohammed (Aisha, 12 January 2017, *Galafi*).

My key informants say that their elders tried to resolve the conflict through the *Afar maro* court, as they did during the 1985 conflict. Mrs. Momina also remembers:

> My late husband, Hassen Mohammed, and two other elders, paid a visit to Ali Afhaso (leader of the *Wandaba* clan) to take the case to a neutral clan so that Ibrahim Intibara

(the legitimate leader of *Lubakubo ke Modaito* clan) takes action again As Mohammed. Ali Afhaso approached Hamid Guled, leader of the *Hululto* ke *Wadima* clan, who approached Ibrahim Intibara to discuss ways of advising As Mohammed to pull back. My late husband told me that Ibrahim Intibara replied 'As Mohammed acted on his own. His actions are beyond my control' (Momina, 26 March 2017, *Galafi*).

It is important to note two points here. First, the leader of the *Gambel*-sub clan created a cordial relationship with the Big Man and benefited ever since. Secondly, the actions of As Mohammed (a member of the *Lubakubo ke Modaito* clan) to control the territory of the *Gambel* sub-clan were not categorized as inter-clan dispute, and as such the case was not heard at the *maro* court. The resistance of members of the *Wandaba* clan did not discourage the Big Man from his continued investment on *Dobi*. To the contrary, the Big Man aggressively continued his expansion into the *Wandaba* clan territory.

After failing to resolve the conflict through the neotraditional system, members of the *Gambel* sub-clan approached the state legal system. Yassin remembers:

We went to *Eli Dar* town to file our complaint at the office of the *Eli Dar* District Justice Office. We wanted the district administration to order As Mohammed to pull back from our clan territory. To the contrary of what we had expected, the head of the Justice Office threatened us with imprisonment if we continued with our efforts to distract salt production on *Dobi* (Yassin, 19 August 2018, *Galafi*).

The actions of the protesters to 'forum shop' –moving from the TCR to the state, points to how the community uses the state law as a "weapon of the weak" (Scott J. C., 1985) to coerce state officials to "abide by the law" (Benda-Beckmann and Benda-Beckmann, 2006: 196).

The Big Man expanded his salt mining business to the *Gambel* sub-clan's territory in 2005. Between 2005 and 2010, the Big Man rapidly penetrated deep into the *Wandaba* clan territory taking over the territory of three more sub-clans: the *Asduri*, the Dalalta, and the Hamlitu subclans, which further escalated the conflict. Members of the *Wandaba* clan who live around *Dobi* protested again in October 2006 when the Big Man expanded to the territory of the *Asduri* subclan of the *Wandaba*. Hanfare Hassan, the current leader of the *Asduri* sub-clan, states:

My name is Hanfare Hassan. I am the son of Hassen Mohammed (died in 2006), the previous leader of the *Asduri* sub-clan. I continued my father's legacy of resisting against As Mohammed's aggression against our territory. Our resistance and the

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imprisonment of our kin began in 2006. You see, in 2006, our elders went to the *Eli Dar* District Justice Office to voice our problems. They came back without any solution. So, they blocked salt production on *Dobi*. As Mohammed used his position as the deputy district administrator and arrested our elders. My father was amongst the first to be imprisoned on this cause. My mother was imprisoned in 2009. I was imprisoned in December 2017. Since 2005, every time our kin protest [him], we risk imprisonment. We were told that we couldn't remove As Mohammed from *Dobi*. A struggle which began over fourteen years ago, when my father was the sub-clan leader, continues to this day (Hanfare, 20 August 2018, *Galafi*).

My key informant, Yassin remembers about the protest of 2006:

Over hundred people from the *Asduri* sub-clan came out to protest against As Mohammed's control of their territory. Police detained four people (3 men and 1 woman) suspected of mobilizing and leading the protest. This includes Hassen Mohammed and his wife (Aisha Ahmed). We were taken to *Dichoto* and detained for eight days each (Yassin, 11 March 2017, *Galafi*).

The imprisonment of Hassan Mohammed, Aisha Ahmed and two other elders did not end the conflict, neither did it lead to forcing the Big Man to pull away from the *Wandaba* clan territory, nor did it silence the local *Afar* from their struggle against the Big Man. To the contrary, the conflict continued.

In January 2007, another round of skirmish occurred between the Big Man and members of the *Wandaba* clan. As Mohammed expanded his salt mining business to the Dala'alta sub-clan territory, which led to a skirmish in January 2007. Following the conflict, elders from the three sub-clans (*Gambel*, *Asduri* and Dala'alta) travelled to *Asayta* (to the seat of *Aussa Sultanate*) to appeal their case to *sangira* court, that is, the sultan's cessation court. According to the traditional *Afar* justice system, appellants can appeal their case at sangria court, after coming first from *maro* court (inter-clan dispute resolution court) and then to *hera* (*maro* appeal court). However, in this case, since the conflict was not categorized as inter-clan dispute, it was not referred to the *maro* court. My key informant, Hussen Yayyo, remembers:

Three elders (sub-clan leaders), without their clan leader, Mohammed Ali Afhaso, came to meet with Sultan Ali Mirrah. In principle, it is the clan leader who is expected to bring his clan's issues to the Sultan. However, since Mohammed Afhaso was not willing, *Wandaba* elders brought their case directly

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to Sultan Ali Mirrah. The meeting ended without any meaningful resolution (Yayyo, 02 December 2016, *Samara*).

The sultan court did not solve the conflict. The dispute erupted again in December 2008 when As Mohammed expanded his control to the territory of the fourth *Wandaba* sub-clan, the Hamiltu. Although As Mohammed's action was the cause, the immediate trigger for the heightened skirmish was an unfortunate death of a child from the Hamiltu sub-clan. According to Ahadu Mohammed:

> An eight-year-old boy, a son of Abubeker Awol, who was herding goats on the edge of *Dobi* fell in the pits dug for salt mining and died while following a goat that went astray. The family and kin of the victim vandalized the property on the salt mining site, and members of the surrounding sub-clans joined the upheaval. Two people were imprisoned and later released (Ahadu Mohammed, 24 December 2016, *Galafi*).

Ahadu Mohammed further notes:

> Once again, in January 2009, our elders travelled to the *Eli Dar* District to file our complaint at the office of the *Eli Dar* District Justice Office. We were told that we should first complain at the *Kebele* Administration and follow the state structure upwards. However, the *kebele* were unresponsive to our complaints. Having received no solution, we then travelled to *Samara* (capital of the *Afar* National Regional State) to file complaints at the *Afar* Region Justice Bureau, who for their part told us that a complaint should first be lodged at the district level, then pass through the Zone Justice Office before reaching the region. They refused to accept our petition. We even went to the Office of the *Afar* Region Democratic Party (APDP) and Regional President Office. None of them solved our problem (Ahadu Mohammed, 24 December 2016, *Galafi*).

From my personal observations and interviews during my field visits, I understand the challenge that members of the *Wandaba* clan face to resolve their case through the state legal system. The lower state structure, *kebele* and district, which are totally controlled by the Big Man, refuse to accept petitions of the local *Afar*, while the regional justice bureau cannot process a file that has not been referred to it from the lower office. The *Wandaba*'s experience shows the true color and height of injustice.

I personally observed the conflict that erupted in December 2016. This conflict is related to incidents that happened at the regional level. In September 2016, the *Afar* People's Democratic Party (APDP)

elected Haji Seyoum as the new president of the *Afar* Region. Soon after his election, Haji Seyoum removed As Mohammed from the APDP central committee. He also orders As Mohammed to pay all of the unpaid taxes. Furthermore, he made a bold gesture of freezing all the bank accounts and assets of the Big Man until he pays. It was a watershed moment in the relationship between the Big Man and the state: from accommodation to conflict.

The news of the fallout between Haji Seyoum and As Mohammed reached *Dobi* very soon. In December 2016, members of the *Wandaba* clan staged the biggest protest ever on *Dobi*. I was there to observe. On the 24$^{th}$ of December 2016 (Saturday), I was in *Hanaf* (a village, located between *Dobi* and *Galafi*) with a plan to interview an informant. While preparing for the interview, my informant came to inform me that a big protest is brewing and that he was worried for my safety and politely suggested that I leave. I chose to stay. At this point in time, I was already sympathetic to the *Wandaba* cause. I often asked myself, how could any soul choose to look otherwise after learning the plight of this proud people? Soon after my informant departed, a truly mesmerizing protest erupted. Members of the *Wandaba* clan held a very big protest. In my estimate, more than hundred people came out to protest, which brought *Dobi* salt production to a standstill. Furthermore, given that *Dobi* is located on the *Addis Ababa*-Djibouti port road, the emotionally flared protest led to road blockage. It froze truck movement. It was really a big act of defiance by members of the *Wandaba* clan against the Big Man. Towards the evening, on the same day, Police rounded up about thirty-four people and took them to *Dichoto*, where they were imprisoned for a couple of days. Out of the thirty-four, all except five were released. The five are Yassin Ahmed, Ibrahim Mussa, Ahadu Mohammed, Yassin Indris, and Umar Ahmed, four of whom are shown on Fig 11.

Figure 11 Photo of the *Wandaba* elder accused of leading the 2016 protest



Source: own pictures, *Dobi*, August 2018. From left to right, Ibrahim Mussa, researcher (Gemechu Adimassu), Yassin Indris, Umar Ahmed, and Hajji Yassin Ahmed.

The police took the five elders to the *Eli Dar* town where they were formally charged with organizing and leading the protest. The *Eli Dar* First Instance Court gave an appointment for the 11th of January 2017 and decided that until the appointment date, the accused shall remain in the *Awusi Rasu* remand prison, which is located in *Asayta* town, one hundred seventy-eight kilometers away from *Eli Dar* town.

After spending three weeks in *Asayta* prison, the five defendants were brought to the *Eli Dar* District First Instance Court on the 11th of January 2017. Please refer to annex 4 for the charges brought by the *Eli Dar* District prosecutor office. The defendants were charged with breaking the amended Federal Democratic Republic of Ethiopia's (FDRE) penal code article 686/2/ of 2005. The prosecutor statement states:

On 24/12/2016 at 06:00 AM, the five defendants are accomplices in instigating innocent civilian residents of *Galafi Kebele* for the riot and getting the *Dobi Zenbaba Dobi* Salt Producers Association (ZDSPA) workers to go on strike and violating the state of emergency proclamation which was in place in the country at the time, and hence are charged with the penal code for a crime of creating chaos on other people's property (*Eli Dar* District First Instance Court, 2017a).

The Prosecutor listed names of nineteen human evidence as witnesses. The court adjourned with an appointment to continue its session on the next day-on the 12th of January 2017. The five defendants were taken back to *Asayta* detention center only to be brought back the next day. The five defendants were transported on the back of an Isuzu[37] car so that people could see the treatment of anyone who stands against the Big Man. Although it is not uncommon to see *Afar* using Isuzu for transportation purposes, given the social status of the defendants as subclan leaders, it was not something they would have done on their own. It was clear to the families of the defendants that by transporting the defendants in this way, the Big Man wanted to intimidate the accused and show the Big Man's power. The perception of the families of the accused is that the detention, transporting the defendants on the back of an Isuzu on a three hundred fifty-six kilometers daily commute was political more than it was legal. Fig 13 below is a google map that shows the distance between *Eli Dar* town and *Asayta* town.

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[37] The car they were transported with is actually owned by the Big Man himself. The model is called N-Series Reward Light Duty truck designed to transport goods.

Figure 12 A google map of the road distance between *Eli Dar* town and *Asayta* town
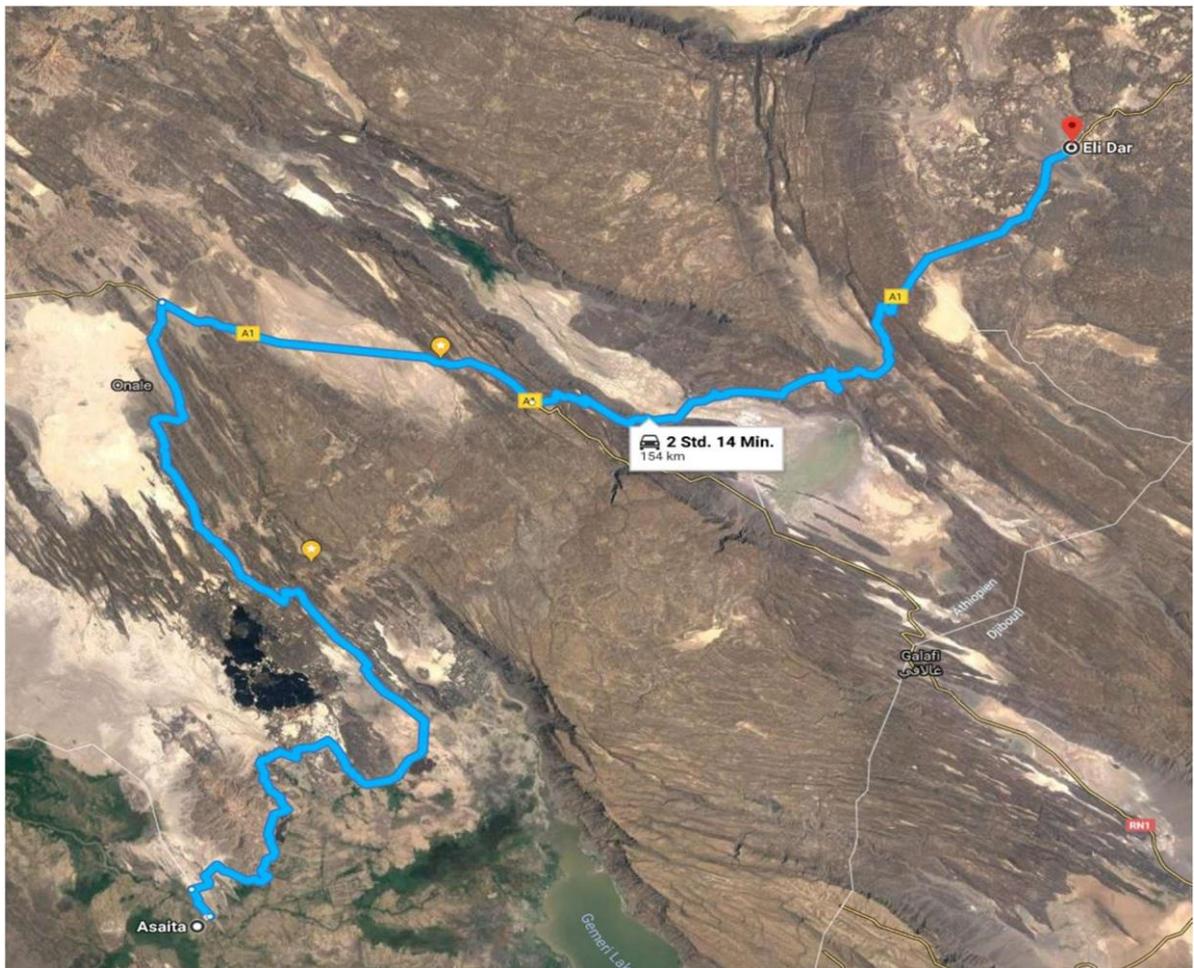


On the 12<sup>th</sup> of January 2017, hundreds of people came to listen to the court proceeding in *Eli Dar* Court. It was a very tense day. I heard from the ordinary *Afar* that they assumed the court will decide on this day and were anxious to hear the decision of the court. I knew this because I spent the previous nights in the home of the head of the *Eli Dar* District Finance Office and during the night the discussion was entirely about this court case. I knew many people from the *Wandaba* clan spent the night in the town.

The Court began its session, and all defendants received the plaintiff's plaint, and the plaint is read in front of each of them. Each of them said 'no' to the plea of guilty. After the defendants all denied committing the crimes they were accused of, the prosecutor asked for hearing of (human) witnesses. Accordingly, with the court permission, fourteen (out of the nineteen) witnesses of the plaintiff were brought in, sworn and gave their witnesses. After listening to the witnesses' accounts and cross-examinations, the court gave a verdict (as shown in annex 4):

> We have confirmed that the defendants have used force to stop *Dobi* salt production and, I hereby state that defendants should defend their plaints. The defendants have

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registered their defense, and the court is appointed for 13/1/2017 to hear the defendants' defense (*Eli Dar* District First Instance Court, 2017b).

Once again, after the Court hearing ended, the defendants were taken back to *Asayta* on the back of an Isuzu car only to be brought back on the next day. On the 13th of January, the court sat to hear the defense witnesses. It went down like this. First, the defendants stated their claims, then the witnesses swore to tell the truth, followed by their accounts of the events, which was followed by cross examinations. Accordingly, the ten defense witnesses were present and the defendants registered what the defense witnesses are going to explain. The defendant's claim was as follows:

> The 1st defendant claimed he was in *Asayta* on the day of the protest and did not participate in the protest. He claims the police caught him from his home after returning to *Galafi* in the night at around 07:00(01:00AM local time). The 2nd defendant also claimed he was not involved in the protest. The 3rd defendant said the police caught him while he was minding his business in *Hanaf* and that he did not participate in the protest. The 4th defendant also claimed he did not part-take in the protest and the police caught him from his home. The 5th defendant claimed the police apprehended him while he was coming home from a Maghreb prayer[38] in *Galafi* (*Eli Dar* District First Instance Court, 2017a).

The defense witness corroborated the claims of the accused. After listening to the witnesses, the Court gave an appointment for the 16th of January 2017 to render its decision (Court, 2017c). The court was adjourned, and once again the five defendants were taken back to the *Asayta* detention, and once again the five defendants were transported on the back of an Isuzu truck.

I spent the three days between the 13th and the 16th of January 2017 in the *Eli Dar* town, partly to wait for the next court date (the appointment date, the 16th of January to hear the decision of the *Eli Dar* First Instance Court on the charges against the five defendants) and partly to talk to the *Eli Dar* District Finance Office to enquire if and how much tax did investors in *Dobi* salt pay. I will have to declare that I was unsuccessful, and this was not the first time I failed at this task. The head of the *Eli Dar* District Finance Office, with whom I stayed for four nights, told me that they do not have a record, and he advised me to talk to the *Afar* Region Bureau of Revenue. I could not find any data from the regional office either.

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[38] This is the pre-evening prayer

On the morning of the 16<sup>th</sup> of January 2017, the defendants were brought from *Asayta* and at about 11:30 AM, the court session began. Given the sensitivity of the detention of these defendants, many members of the *Wandaba* clan came to hear to the decision of the court. *Eli Dar* town stood on her toe. It was like a war was going to break out. Elders were meeting trying to convince the judges. I was told by relative of the defendants that the Big Man was swearing that the defendants will be sentenced to serve in prison. I can still remember the very tense environment. I honestly feared for my safety and called some of my contacts in the *Afar* Region's capital to check up on me.

Soon after the court session began, the decision was read out (please refer to annex 4):

> On application written on 03-05-2009 EC (11-01-2017) the District Prosecutor accused the defendants of trespassing the provisions of the 1997 amended FDRE P/C Article 686/2/ on 15-04-2009 EC (24-12-2016) instigating innocent residents of *Galafi Kebele* in special place called *Hanaf*, calling the youth for a riot, making a strike at the *Zenbaba Dobi* Salt Producers Association salt laborers, and are charged with conspiring for a riot. After the defendants have received the application of the prosecutor and the plaint is read and they said 'no 'to the plea of guilty. It is confirmed by the prosecutors witness that the defendant has committed the crime that they are charged with, and a verdict is rendered to defend the charges. Ten defense witnesses were presented and heard. It is confirmed by the prosecutors witness that the defendants, in collaboration with many people have stopped the salt mining on *Dobi* and instigated a riot, and they committed this crime in collaboration with residents of the area--with more than 100 men of the area. The 1<sup>st</sup> and 4<sup>th</sup> defendants were involved in intimidating daily laborers to stop salt mining. We have also examined the testimonies of the defense witness and claims of the defendants. We have decided that since the defendants have committed intimidation against laborers by collaborating with others to stop their work and since it is confirmed by the prosecutors' evidence according to the FDRE Penal Code Article 686/2/, I say the defendants are guilty (*Eli Dar* District First Instance Court, 2017b).

The Court passed penalty, which reads:

> The 1<sup>st</sup> defendant has a prior record of beating a driver and was imprisoned by this Court. He is also leader of this crime group. Therefore, to be calculated starting from the time he was caught on 15-04-2009 EC (24-12-2016), he shall be penalized by a 5-year rigorous term in prison. The actions of the 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th,</sup> and 5<sup>th</sup> defendants were also to grab other people's wealth and were engaged in organizing the surrounding people

to engage in illegal activities of not simply protesting but also attacking daily laborers, and each has a lead role in the crime. Therefore, to be calculated starting from the time they were put in custody 1504-2009 EC (24-12-2016), each should be penalized by a 3-year term in prison. We also order that the defendants have the right to appeal (*Eli Dar* District First Instance Court, 2017b).

All the five defendants requested appeal against the Court's decision to which the Court granted the defendants nineteen (19) pages copy of the ruling. During the three weeks long hearing, the defendants travelled five times between *Eli Dar* town and *Asayta*. *Asayta –Eli Dar* is three hundred fifty-six kilometers back and forth. During all these times, the defendants were put on Isuzu. According to one of the defendants, Yassin, the decision to transport the defendants on the back of a truck was to harass and embarrass them in the eyes of the populace and as such to use it as a deterrence to others who might think of standing up to the Big Man. Since the road from *Eli Dar* to *Asayta* passes through *Dobi*, every time the defendants reached that point there was a regular confrontation between the local populace and police force, which at times led to beatings and battering. The hustle surrounding transportation issue ended after the appellants' submitted petition to *Awusi Rasu* High Court, which is located in the same town as the detention center.

On the afternoon of the 16th of January 2017, the legal representatives of the five appellants submitted a petition to the *Awusi Rasu* Zone High Court. The appellants submitted their appeal petition citing Penal Procedural Code 181 seeking revocation of the First Instance Court on grounds that it has basic violation in terms of the legal substantive aspect of the disputed theme. With their appeal petition, they submitted nineteen pages copy of the First Instance Court. The appellant's appeal that they are not guilty of any wrongdoing in violation of the 'State of Emergency' legislated by the 'Command post 'and that there's no tangible evidence to justify their infractions on provisions of the state of emergency enactment introduced by the government (*Wandaba* elders appeal letter, 2017).

The appellants stated that ''the guilty verdict that the First Instance Court passed has not confirmed that they were at the 'crime' place at the time the crime was said to have been committed, that they have instigated the riot or have stopped the work. Furthermore, since it is known that according to *Afar* traditional norms communities resolve their disputes by gathering with elders, even if they have been in assembly the reason for assembling is not confirmed by the prosecutor's witnesses to be a criminal activity'' (*Wandaba* elders appeal letter, 2017). With these arguments, the appellants demanded the Court's decision to be revoked on the grounds that it had been ruled based on erroneous

grounds (*Wandaba* elders appeal letter, 2017). The *Awusi Rasu* High Court ordered *Awusi Rasu* Prosecutor Office to respond on the 26th of February 2017.

On the 26th of February 2017, the High Court sat to listen to the responses of the *Awusi Rasu* Zone Prosecutor. I was in *Asayta* during this hearing but not in the courtroom. The Chief Prosecutor provided the following response to reject the appellants' petition. It reads:

> The First Instance Court judgment clearly shows that each appellant has committed the crime as confirmed by the thirteen legal witnesses who have testified that on 15-04-2009 EC the appellants have committed a crime of congregation to conspire, halt *Dobi* salt production and mobilize others for similar criminal activities (first time more than 100 people and second time about 20 people) all of which is a crime forbidden under the state of emergency proclamation (*Awusi Rasu* Justice Department, 2017) .

I was told by my key informant Hussen Yayyo that the court hearing lasted three hours between 0900AM and 1200AM. After listening to the responses of the prosecutor, the High Court gave an appointment for the 13th of March to make the final decision on this case (*Awusi Rasu* High Court, 2017).  On the 13th of March 2017, nearly three months after the five appellants were imprisoned, the High Court summoned all the thirteen witnesses. They were subjected to rigorous cross-examination. The testimonies of the witnesses concerning the three crimes the appellants were accused of (congregation to conspire, halting *Dobi* salt production and mobilizing other people for similar illegal activity) fell like a house built on sand. The Chief Prosecutor failed to proof, beyond a doubt that the five appellants committed what they were accused of. To the delight of many *Wandaba* clan members, the *Awusi Rasu* High Court passed a judgment that all the five appellants are free from the crimes they were accused of doing, which overturned the decision of the First Instance Court. The High Court decided to free all the five appellants from prison.

The decision of the High Court sent shockwaves across the *Afar* Region because for the first time since 2004, members of the local clans around *Dobi* won a court case against the Big Man. *Wandaba* clan members celebrated the court decision in *Asayta*, more so in their own turf, in *Galafi*. I remember, I was sitting next to the eldest son of Hajji Yassin, and I saw him being overwhelmed with joy.  The decision of the High Court could be seen in two ways: legally and politically. Legally, the decision of the High Court, though a welcomed one, did not solve the decade old conflict over *Dobi*. It merely freed the accused from the allegations brought to them by the *Eli Dar* District Chief Prosecutor, who unsurprisingly reports to the Big Man, who as the vice administrator of the district is also the head of

the district's security and justice department. As power-play, however, the decision of the High Court, may be taken as a big win for the members of the *Wandaba* clan because it amounts to a big challenge to the power of the Big Man, and which corroborates the hypothesis of this thesis.

On the 13th of April, nearly one month after the *Wandaba* elders were freed from *Asayta* prison, elders from the four *Wandaba* sub-clans gathered in the *Galafi* town to discuss, and once again to try to find a solution through the government structure. Given the recent decision of the High Court, the hope in the air was that the Eli District Administration might heed to their plight. Accordingly, leaders of the four *Wandaba* sub-clans joined hands to try to make the *Galafi Kebele* administrator listen to their request. Their assumption was, according to my key informant Yassin, if they could get the *Kebele* Administrator on their side, it would be easier to push the Big Man from their territory.

On the 14th of April, a letter signed by more than ten sub-clan elders was brought to the *Eli Dar* District Administration Office to request circular to be sent to the *Galafi Kebele* administrator to respond to their demands. Their demands include a meeting between the clan elders and the *kebele* administrator, and to eventually discuss the resolution of the ongoing conflict over *Dobi* (*Wandaba* Clan elders, 14 April 2017). Please refer to annex 5. After all, as an elected administrator, he is legally obliged to be held accountable to his constituencies- the *Wandaba* clan. The elders are simply requesting the district administration to stand by their side for the fulfillment of their right.

The letter states:

> The chairperson of *Galafi Kebele*, Ali Aden when we, the above listed clan leaders, summoned for the purpose of discussion to solve the matters concerning *Dobi*, refused to appear and consult with us. He replied that we can file complaint against him anywhere and anytime and that we cannot change what he is doing or how he is doing things around here. Further, he chased away our elders who tried to summon him for discussion labeling all of us as 'anti-development'. He officially claims that he is the one who gave *Dobi* to As Mohammed and that he is the one who called on the police force during our recent imprisonment. We hereby respectfully require explanation as to why he is allowed to abuse our rights like this. We also request that he should meet with us to discuss about *Dobi* (*Wandaba* Clan elders' letter to *Eli Dar* District Administration, 14 April 2017)

Their letter fell on deaf ears. The dispute over *Dobi* remained unresolved. The Big Man's local eyes and ears, such as Ali Aden, performed their role of protecting the interest of the Big Man. Once again,

the struggle continued. The *Wandaba* elders opted for a different route. Having failed to get any positive response from the *Eli Dar* District Administration, the *Wandaba* elders knocked on the doors of the district's council of representatives. On the 18th of April 2017 (please refer to annex 6), three elders from the *Wandaba* clan brought a petition to the *Eli Dar* District Council. The petition letter reads:

> It is to be remembered that Aden Ali who is the chairperson of the *Galafi Kebele* detained 34 *Wandaba* clan elders, including five people who were sentenced to 3 to 5 years in prison until the *Awusi Rasu* High Court freed them upon appeal. Up on our release from *Asayta* prison, our agreement was that *Dobi* salt issue would be resolved according to our *Mada'a*. Accordingly, the *Wandaba* clan overall leader, Mohammed Ali Afhaso and other 13 clan elders, summoned Aden Ali for negotiation and reconciliations. He refused to accept the negotiation and claimed that we can file a complaint against him, if we so wish. We hereby respectfully request you to take measure against him. He continues to ignore our request to have a meeting with him, which in our view is ignoring the responsibility that the state and the public entrusted up on him (*Wandaba* clan elders' letter to *Eli Dar* District Administration Council, 18-04-2017)

There is no evidence to show that the *Eli Dar* District Council has approached Aden Ali to advise or instruct him to heed to the request to the elders. Having failed to secure a resolution through the state's legal system, members of the *Wandaba* went back to the traditional dispute resolution (TDR). On the 16th of May of 2017, almost two months after the *Wandaba* clan elders were released from prison, a new attempt was launched to resolve the conflict through traditional conflict resolution system, the *maro* institution. Since this dispute involves As Mohammed (from the *Lubakubo ke Modaito* clan) and members of the *Wandaba* clan, initially it was seen as inter-clan dispute and procedures for resolving inter-clan conflict was invoked. Accordingly, As Mohammed invited neutral clan leaders, Ibrahim Humed (*Hululto* ke *Wadima*) and Umar Yayyo (*Modaito* ke *Mahandita*) and the *Wandaba* elders requested Habib Ali Mirrah and Mohammed Yayyo (sons of sultans of *Adahiso* Sultanate). The four-clan leaders from neutral clans met in *Samara*, the capital of the *Afar* Region on the 16th of May 2017. However, neither the leader of the *Lubakubo ke Modaito* clan (Ibrahim Intibara) nor the leader of the *Wandaba* clan (Mohammed Ali Afhaso) came to the meeting, as neither considered the conflict to be an inter-clan. This meant that the conflict could not be categorized as inter-clan conflict and as such could not be dealt by the *maro* court.

According to Yassin:

> At this meeting, we were asked who was responsible for our imprisonment to which we accused As Mohammed, and we stated the reason to be our claims over *Dobi*. On this issue, As Mohammed replied that he did not order their imprisonment. Then, the elders asked if we could provide witness who can attest to our claim that As Mohammed was directly responsible for our imprisonment to which we said, 'our people are afraid of him and therefore will not dare to come out to be a witness against him'. However, we know that As Mohammed broke *Afar Mada'a* not simply because he controlled our territory but also because he is behind our displacement and arrest. The council of elders told us that they could not treat this issue as inter-clan dispute. We were sent home without a solution. (Yassin, 19 August 2018, *Galafi*).

To this date, the conflict between members of the *Wandaba* clan and the Big Man over *Dobi* has not been considered as an inter-clan conflict, and as such has not been resolved through the traditional (*maro* court) legal system. Furthermore, the state legal system did not resolve the conflict: it continues to this date.

The post-2004 conflict between the Big Man and members of the *Wandaba* clan is a power struggle over control of *Dobi*. The case discussed in this sub-section shows that the Big Man maintained his para-sovereign rule over *Dobi*. He did so in a classic Big Men fashion: distributing resources to the local *Afar* clan leaders in return for their legitimacy and use of force where needed. The introduction of money and material interest in a traditional communal society impacted the norms of inter-clan and inter-clan relations. Furthermore, the Big Man-made use of his network in the state to create bottlenecks to the disputant clans to resolve their case through the state legal system. This will be picked up and discussed in the analysis section below.

### 7.3.     Conflict between the Big Man and members of the *Lubakubo ke Modaito* clan

The *Lubakubo ke Modaito* can be differentiated into two: the *Lubakubo* and the *Aydahis Bara* clans. In Chapter Six, I have shown that *Dobi* is located on the territory of the *Lubakubo* while the *Aydahis Bara*, to whom the Big Man belongs, is mainly found around *Dichoto*, that is, about eighteen kilometers from *Dobi*. The emergence of the Big Man over *Dobi* brought to the fore complaints over

the differentiation within the *Lubakubo* ke Modaitio clan which privileges the *Aydahis Bara* clan (Mohammed, 26 December 2016, *Dobi*).

It is possible to categorize members of the *Lubakubo* into three based on their views on *Dobi*. The first group constitutes some clan elders, leaders and members who have benefited from the commercialization of *Dobi* under the grip of As Mohammed. This group generally speaks positively about the post-2004 development. The second group includes some clan leaders and members, who, while acknowledging the positive side of the commercialization of *Dobi* salt, complain that they have not benefited enough, not as much as the *Aydahis Bara*, they say. Their claims include the size of the salt plots they received from the Big Man was very small or are still waiting to get a plot. From my observations, several influential *Lubakubo* clan leaders fall in this category. Those whose claims are getting back their territory constitute the third category. For this group, the claim is about regaining full control over what it says is a territory it lost very long time ago. For this group, a struggle to take back *Dobi* is not new: it has been ongoing for long time. It is a continuation of a long confrontation between the *Lubakubo* clan and the *Aydahis Bara*.

Based on interview with *Afar* elders, I attempted to reconstruct this case. The first incident my key informants narrated occurred during the reign of Sultan Kaddafo, in the last quarter of the 18th C, according to my estimate. According to my key informant, Hussen Yayyo, the conflict was between the *Lubakubo* and the invading *Modaito* clan federation. Hussen Yayyo notes:

> *Modaito* clan federation led by Kaddafo attacked the local clan around *Dobi* (the *Lubakubo* clan), in which the latter clan was defeated. The *Modaito*'s superimposed *Aydahis Bara* on the *Lubakubo* clan, which formed the *Lubakubo ke Modaito* clan (Yayyo, 02 December 2016, *Samara*).

The conflict did not result in the displacement of the *Lubakubo* clan from their land. Instead, through the super-imposition, the *Aydahis Bara* became the political rulers while the territory continued to be equally accessed by all. My key informant, a senior expert at the *Afar* Region Culture and Tourism Bureau, Alganni says, "To institutionalize this new resolution, the *Modaito* also imposed their own traditional law, the *Mada'a* on the *Lubakubo*" (Alganni, 23 November 2016, *Galafi*). However, it did not end the *Lubakubo* clan's struggle.

The conflict between the *Lubakubo* clan and the *Modaito* clans resurfaced again during the first quarter of the 19th Century. It was an escalation of the first conflict, between the *Aydahis Bara* (*Modaito*) and

the *Lubakubo* (non-*Modaito*). According to my key informant, Hussen Yayyo "before the 19th C, land in itself had no intrinsic value for the pastoral *Afar* around *Dobi* and contains resources of value – grass and water-but the space itself was not necessarily owned and was very often merely moved over in migratory passage. It was Sultan Aydahis who introduced clanisation of territories -territories came to be associated with specific clans, and as such the concept of communal clan ownership of land became real, which continues to date" (Yayyo, 02 December 2016, *Samara*). According to As Mohammed Alganni, an *Afar* elder and expert in the *Afar* Region Culture and Tourism Bureau:

> The *Modaito*-non *Modaito* divide which overlaps with *Asahyammara Adohyammara* divide was prevalent at the time, including in the *Dobi* area. This dispute took place during the reign of Sultan Aydahis, the grandson of Sultan Kaddafo, during the first quarter of 19th C. Once again, the *Modaito* clan federation defeated the *Lubakubo*" (Alganni, 23 November 2016, *Galafi*).

My key informant, Hussen Yayyo notes "Aydahis was aware that the super-imposition of the *Modaito* clan and their laws on the *Lubakubo* clan did not bring peace to the land." So, he came up with an ingenious strategy to resolve the conflict: introduction of *fihima*, in which both the *Lubakubo* and the *Aydahis Bara* were equally represented (Yayyo, 02 December 2016, *Samara*).

The Derg regime removed the social differentiation between the *Asahyammara-Adohyammara* -that privileged leadership positions for the *Aydahis Bara*. However, it was resuscitated in 1991, reigniting the conflict once again, as discussed below. With the reinstallement of the *Aussa Sultanate* in 1991 and the resuscitation of the differentiation between the '*AsahyammaraAdohyammara*, the *Lubakubo*'s claims of first arrivers over *Dobi* emerged. This is a new way of local differentiation within the *Lubakubo ke Modaito* clan. A differentiation between the naharka *yimeeti* (*af.*), which means 'first arrivers', and farake *yimeeti* '(*af.*), which means 'late arrivers', a narrative raised by some of the *Lubakubo* sub-clan and *Asdara* sub-clan as a way of (re) claiming control over *Dobi*. Whereas the *Lubakubo* claim 'autochthony' over *Dobi*, the *Aydahis Bara* claim communal ownership of *Dobi* by referring to the *Afkihe Mahad Mada'a*. My own observation from the three rounds of fieldwork is that the *Aydahis Bara* clan lives around *Dichoto*, while the *Lubakubo* live around *Dobi*. Elders of the *Lubakubo ke Modaito* drew a social map that confirms that in fact it is the *Lubakubo*, which live around *Dobi*, which corroborates my observations.

The *Afar* differentiates between indigenous, which they call sugeet or gubul suget mara (*af.*) and 'new-arrivers', which they call *yimeeti* (*af.*). Furthermore, the *Afar* further categorise the *yimeeti* into the naharka *yimeeti* (*af.*), which means those who came first, and the farake *yimeeti* (*af.*), which means those who came later. According to my key informant, Hussen Yassin, members of the *Lubakubo* clan, while acknowledging that they are the *yimeeti* (newcomers) on *Dobi*, however, claim that they are the naharka *yimeeti*, the 'first arrivers' (Hussen Yassin), a sort of autochthony over *Dobi*. My key informant, Ali Mohammed, states "centuries ago, before the arrival of the *Modaito*, all the land from *Dichoto* to Djibouti was the territory of the *Lubakubo* clan" (Mohammed, 01 November 2016, *Dobi*). For him, the *Lubakubo* are the 'first settlers' on *Dobi* and the *Aydahis Bara* clan are 'late comers' (Mohammed, 01 November 2016, *Dobi*). My key informant, Ibrahim Intibara, the leader of the *Lubakubo ke Modaito* clan, while he acknowledges the oral tradition in which the *Aydahis Bara* are 'late arrivers' to *Dobi*, he, however, rejects the implications of these discourses to contemporary land governance over *Dobi* (Intibara, 13 November 2015, *Dichoto*). He further notes, "Since the formation of the *Lubakubo ke Modaito*, *Dobi* belongs to all members of the clan because the *Afkihe* ke *Mahad Mada'a* recognizes *Dobi* as a communal territory of the *Lubakubo ke Modaito* clan" (Intibara, 2015). Furthermore, Ibrahim Intibara states:

> According to our *Mada'a*, the *Afar* land is divided among clans. In fact, we believe that *Afar* land is divided equally among clans. The *Lubakubo ke Modaito* territory is found in today's *Eli Dar* District. We are in three out of the eighteen *kebele*s found in the district. According to our *Mada'a*, *Dobi* is part of the territory of the *Lubakubo ke Modaito* clan (Intibara, 13 November 2015, *Dichoto*).

These are contradictory discourses. Members of the *Lubakubo* clan underline their claim by reciting a tradition about their status as 'first arrivers', the *Aydahis Bara* clan places their claim on the rights to land acknowledged by the *Afkihe Mahad mada'a*. These different and conflicting narratives have been used in the claims and counterclaims over *Dobi* over the past twenty-five years. This controversy, which subsided during the Derg regime (1974-1991), resurfaced after the (re) installment of the *Aussa sultanate* in 1991.

The *Asahyammara-Adohyammara* social stratification was banned by the Derg regime (19741991). Many people consider the 1975 land reform by the Derg as a radical measure that has abolished tenant-landlord relationships in the Ethiopian highland peasantry (according to the proclamation No. 31/

1975). In *Afar*, according to my key informant, Hussen Yayyo, the implication of the proclamation is that:

> In the context of *Afar* Region, we contextualized the proclamation and those keeping cattle of the *Modaito* lords became the owners. We also abolished any status differentiation between *Modaito* and Non-*Modaito* (Yayyo, 02 December 2016, *Samara*).

With the regime change in 1991, Ali Mirah declared 'there is no more land to the tiller in *Afar*' (Yassin, 2018). Sultan Ali Mirah disbanded all peasant associations (PAs) established by the Derg. By this simple declaration, Sultan Ali Mirah "re-created" system that existed before 1974 and led to the reintroduction of *Modaito*-Non-*Modaito* differentiation in pastoral areas and absentia landlords in farming areas such as in the Afambo District" (Yayyo, 02 December 2016, *Samara*). While Sultan Ali Mirah was declaring this new land policy using his position as a traditional ruler, his son, Habib Ali Mirah, who was president of the ANRS at the time, seconded his father's decision to take land from the PAs and put it back in the hands of the clans (Afhaso, 29 January 2017, *Galafi*)

For the *Lubakubo*, this is a regress, not a progress. It is this 'going back to the *Modaito* rule' that reinforced the narratives of naharka *yimeeti* and farake *yimeeti* as a way of claiming access to and control over *Dobi*. In the post 2004 period, the power to decide on access to *Dobi* has moved from an *Aydahis Bara* clan leader to an individual, who is also a member of the *Aydahis Bara*.

I arrived in *Dobi* for the first field visit in December 2015, during an unfortunate of timesduring a severe drought. A *Lubakubo* clan elder, Hussen Yassin with whom I became friends afterwards, hosted me. The drought and the restriction to access *Dobi*, triggered the 2015 incidence of conflict between the Big Man and members of the *Lubakubo*. The triggers for the conflict between members of the *Lubakubo* and the Big Man was limits to mobility of livestock and people across *Dobi*'s plain. My key informant, Ali Mohammed notes:

> Our people suffered from drought, which induced starvation. Our livestock are prohibited from accessing pasture on the hill ranges. We cannot access the trees. We cannot take salt, to which we are entitled according to *Afar* norms and law. People who tried to challenge As Mohammed have been imprisoned. (Mohammed, 01 November 2016, *Dobi*).

Soon after my arrival (three weeks), Hussen decided to relocate his extended family to search for water and pasture for his livestock (camels and goats) in the territory of the *Askak* Mali subclan. The Big Man's grip over *Dobi* entails that even during these harsh times, their livestock were not allowed to graze on the palm trees on the edges of the *Dobi* salt land. For businesspeople engaged in salt mining, allowing grazing will damage salt mining operations. Although as nomadic pastoralists their mobility is not unexpected, this relocation was a force majeure imposed up on them by drought. During my stay with his family, I came to learn that Hussen's family had already lost three livestock to the drought. I fared him well. I did not follow him because of my interest to stay near the edges of the *Dobi* salt mining site.

After the departure of Hussen, another *Lubakubo* clan elder, Kedir, became my new host. In Kedir's hut, elders gather regularly for Khat[39]. I learned that Kedir and his kin discuss an intent to complain to the *Afar* Region's Justice Bureau about their continued marginalization from *Dobi* (Kedir, 21 September 2016, *Dobi*). Drought brought to the surface their deep-seated grievances about their marginalization from *Dobi*. On Friday, the 1st of January 2016, three men from the *Lubakubo* clan (Ali Mohammed, Hussen Yassin, and Kedir) whom I have met in *Dobi* came to *Samara*, the capital of the *Afar* Regional State. After Friday Mosque prayers, these three men came to plea to the head of the *Afar* Region's Bureau of Justice. I followed them unobtrusively: I sat at a roadside coffee shop, in front of the bureau these gentlemen visited.

To my and other onlookers' dismay, the three men were taken from the premises of the Bureau of the Justice and taken to *Samara* town police custody, which is located behind the justice bureau, less than a kilometer away. It was a very sad and heart-breaking moment to watch partly because Ali Mohammed was literally dragged out of the compound. I was saddened because the long journey of these three gentlemen, who travelled 114 kilometers from *Dobi* to *Samara* to appeal to the office, was in vain. I will have to admit here that the action of the *Afar* Region against the three *Lubakubo* elders renewed my resolve to continue my research on *Dobi* despite the challenges I was facing at the time. I left *Afar* Region on the 2nd of January to attend to my wedding[40], which took place on the 10th of

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[39] Khat is (Catha edulis) is a flowering plant native to the Horn of Africa and the Arabian Peninsula. Khat contains the alkaloid cathinone, a stimulant, which is said to cause excitement. Among communities from the areas where the plant is native, khat chewing has a history as a social custom.

[40] I spent a lot of time in the field in the Afar Region while my wife was single handedly doing the preparations for the weeding. I will have to admit several of our guests who attended the wedding reception (lunch) did not receive their paper invitation letters. My mentor, Prof. Dr. Dereje was one of them. I credit this hiccup to my longer stay in Afar to follow the Lubakubo clan case.

January 2016. When I came back to the *Afar* Region for the second field visit in August 2016, I approached the Justice Bureau to enquire about their response to the mistreatment of the *Lubakubo* elders. Deputy Head of the Justice Bureau told me he has no recollection of the event nor of any complaints brought to them by the members of the *Lubakubo* clan.

I arrived in *Dobi* in September of 2016 for the second field visit. I approached the three *Lubakubo* clan elders who were detained in January 2016. My key informant, Hussen told me that they spent a night at the police detention and released without charges the next day. He says that the mistreatment of people who stand up to As Mohammed is common. After they came back to *Dobi*, my informant Hussen notes:

> *Dobi kebele* administrator, right hand man of As Mohammed, approached me and advised not to meddle on issues of *Dobi*. He advised me, in a brotherly way, that *Dobi* is too big for ordinary *Afar* such as myself (Hussen, 19 September 2016, *Dobi*).

Since then, I have not seen or heard of an open resistance by the *Lubakubo* clan against the Big Man. It was a big win for the Big Man. But there were similar incidents which took place before I arrived there. For instance, in October 2004, soon after As Mohammed begun his salt mining operation, a big skirmish occurred between the clan *fihima* loyal to the Big Man and members of the *Lubakubo* sub-clan. Ali Mohammed said the same happened in December 2008.

It is also important to note here that both the state and the traditional conflict resolution system (*mablo* mediation court) did not work for the two sub clans. As discussed above, Ibrahim Intibara, the leader of the *Lubakubo ke Modaito* clan, refused to recognize the issue as intraclan conflict, rather claiming that it was minor dispute between individuals.

According to Ali Mohammed:

> Our madaha justice system was a dead-end from the outset, because to resolve the conflict with As Mohammed, we had to either present our case to Ibrahim Intibara, the legitimate clan leader, who is As Mohammed's uncle and a beneficiary from *Dobi*, or to As Mohammed himself, a clan representative appointed by the *Afar* Region Government (Kedir, 21 September 2016, *Dobi*).

The post-2004 conflict between the Big Man and members of the *Lubakubo* clan is a power struggle over control of *Dobi*. The Big Man maintained his para-sovereign rule over *Dobi*. He did this by

employing the classic features of Big Men that is distributing resources to the local *Afar* and deploying loyal clan militia to further his interest. Furthermore, the Big Man uses his network in the state to create challenges for the disputant clans. Analysis of the two cases will be presented below.

### 7.4. Analysis of the two conflict cases

There are two questions which will be analyzed here. The first is why the traditional legal system failed to resolve the conflict and the second is why the local *Afar* clan reached out to the state legal system, which is – or at least was - uncommon in the area. We will start with the first question: why the TCR failed to resolve the conflict. It may be argued that the nature of the post-2004 conflict is new to the TCR. Before 2004, inter-clan land conflicts involved the whole of the disputant clans. In the post-2004 period, conflict over *Dobi* was neither classified as inter-clan nor intra-clan. What we saw was that the conflict was between members of the *Wandaba* clan and the Big Man and between the members of the *Lubakubo* clan and the Big Man. It was classified neither as inter-clan nor intra-clan. Furthermore, compared to the pre2004, during which time territorial disputes involved the whole members of the disputant clans, in the post-2004 period, only members of a clan who had an interest protested against the Big Man. The local *Afar* approached the traditional conflict resolution platform, but it was in vain. One of the consequences of this evolution then is that clan-structures begin to erode making place to individual, interest-based relations.

The current incapacity of the TCR-system to resolve conflicts among the *Afar* stays in stark contrast to Saltman's study among the Kipsigis of Southwestern Kenya where, in the past, cattle herders were forced to live in reserves due to the circumstances created by the onset of British colonial rule (Saltman, 2002: 159). Saltman argues that even though the Kipsigis did not have legal precedents that could offer solutions to the disputes that inevitably derive from the concept of private ownership of land, the neotraditional law has generated changes in adapting to these changing socioeconomic conditions and indeed became able to resolve conflicts (Saltman, 2002).

A second conclusion is that the *Afar* traditional conflict resolution system seems to have been aggressively manipulated by the Big Man. My key informants say that conflict over *Dobi* incited the Big Man to employ a divide and rule tactic; he also lobbied leaders of the two clans. In the previous

chapter, we have discussed how the Big Man's power rests partly on redistribution of resources to his kin and members of his network who then are urged to protect his interests. This may explain why clan leaders failed to take up the conflict.

The question remains why in the *Afar* context, the traditional legal system failed to resolve the post-2004 conflict, which has been ongoing for more than a decade. One possible explanation could be sought through Bohannan's thesis. Bohannan[41] introduced the concept of 'spheres of exchange' in analyzing the Tiv in Nigeria, a seminal work in economic anthropology. Bohannan identifies three types of ranked exchange objects, each restricted to its own separate exchange sphere; ideally, objects do not flow between spheres (Bohannan and Bohannan, 1968: 16). The first sphere is the subsistence sphere; it includes food such as yams, grains, vegetables, etc. The second sphere is the sphere of prestige. It includes items of wealth, such as brass rods, cattle, white cloth, or slaves. A third and most prestigious sphere is the sphere of rights over people, such as the right to marry a female relative. Each sphere is a different universe of objects, and a different set of moral values and different behaviors are to be found in each sphere (Bohannan and Bohannan, 1968: 227). As a result, it is considered immoral to use prestigious objects to purchase goods from a lower sphere. Bohannan and Bohannan point out that the introduction of money broke down the barriers between the spheres by creating a pathway for exchange that is not accounted for in the existing restrictions.

The introduction of money into communal societies may break the exchange barriers; thus, making it possible to be able to do what was previously unacceptable. This may explain why the *Afar* neotraditional legal system failed on conflicts over *Dobi*. The Big Man's financial handouts for the clan leaders of both local clans and their members may have led them to abandon their local norms of prioritizing the plight of their kin over individual material interests. Let us look at this example. Before 2004, displacing a member of a clan from his/her territory was seen as a crime *doroqqu*, crime. The 1985 conflict between the *Lubakubo ke Modaito* clan and the *Wandaba* clan is a case in point. In the post 2004 period, although the Big Man displaced several families for the extraction of salt, it was not considered a crime by neither of the two clan leaders. The two clan leaders benefit from *Dobi* salt mining business. This shows changes in legal perceptions –of what is right and what wrong, presenting a challenge to the exercise of traditional justice system.

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[41] For additional reference on this issue, please refer to Bohannan, Paul (1959). "The Impact of money on an African subsistence economy". The Journal of Economic History 19 (4): 491-503

The second question is why the disputants brought their case to the state. In the previous sections, I have shown that the state court rarely deals with land disputes that occur between *Afar*. The state court deals with land conflicts involving migrant workers, people of different ethnic origin and their relations with the *Afar*, which according to the *Afar* Region Justice Bureau amounts to about 4% of all cases that have come to formal courts (*Afar* National Regional State Bureau of Culture and Tourism, 2015). Based on the information from my key informants, before 2004, there were no land related disputes on *Dobi* that were brought to the state. The recent actions of the *Afar* protesters to bring their case to the state- in contrast to what was the case in the past - may point to how the community uses the state law as a "weapon of the weak" (Scott, 1985) to coerce state officials to "abide by the law" (Benda-Beckmann and Benda-Beckmann, 2006). Despite presenting their case to the state, it was not resolved, though, which begs the question why.

This may be explained by Hellman's proposition of "state capture". State capture refers to the way private actors manipulate the government to influence state policies and actions in their favor (Hellman and Kaufmann, 2000). The phenomenon of state capture was identified in post-socialist states as a problematic relationship between politics and business in the context of transition (Hellman and Kaufmann, 2000). Hellman used the term 'state capture' to describe corruption in post-socialist states in East European and Central Asian countries moving from planned to market economy. The examples of 'state capture' in these countries are too well known to be cited here in extensor.

The two cases discussed in this chapter have shown that the *Afar* Region's government structure at the local level did not welcome the plea and petitions of the local *Afar*. At the local level, the Big Man (who is also Vice Administrator of the *Eli Dar* District) refuses accepting the plight of members of the *Wandaba* clan. At the regional level, the state apparatus did not deal with disputes over *Dobi* because the case was not referred to them from the local government, which is the hierarchical level below it. It is understandable, that the plaintiffs perceive this as a vicious cycle of injustice.

The Big Man and his network captured the state with the aim of extracting as much as they can from society, while maintaining their power base. This study has shown how the state structure has failed to accept and resolve disputes over *Dobi*, thereby confirming the state capture hypothesis. My findings also speak to Evans-Pritchard's proposition of the 'embedded state' (Evans-Pritchard, 1985).

# Chapter Eight: Conclusion

## 8. Conclusion

### 8.1.    Big Men and networks

In the post-1991 period, *Dobi* experienced two very different forms of power that decide access to land: neotraditional authorities (1991-2004) and Big Men (post-2004). At the clan level, the neotraditional authorities which prevailed over *Dobi* between 1991 and 2004 are the triads: *makabon*, *malla* and *fihima*. Out of the three, the *makabon* is a very important institution. The triads in general and the *makabon*, in particular, are rooted in kinship (patrilineal descent system), confirming the classical segmentary theory (Evans-Pritchard, 1973). All issues pertaining to the decision to access land within a clan are handled by the *makabon*, the clan leader. Between 1991 and 2004, descent and affinities are central to the exercise of power and definitions of legitimacy. Clan has been the basis of neotraditional socio-political organization and legitimate authority. It forms the basis for judging who should have power over a given territory and whose power is legitimate.

In the post-2004 period, a new form of power emerged over *Dobi*, in the shape of Big Men. Big Men took away the power of the neotraditional leaders (and even the state) concerning the power to grant access to *Dobi*. This new form of power has unique features, which makes it qualitatively different from the neotraditional forms of power. For instance, *Dobi*'s Big Man is at the same time a state official, a businessman and a clan leader. This contradicts the 'statist' assumption that states representatives and neotraditional authorities are in an opposite relation to one another.  This has also been observed in the person of Governor Serufuli of North Kivu discussed by Jourdan (2008).

A key feature of the new form of power is that Big Men are woven in social networks, and this differs from the kinship based social group associated with the *Afar* neotraditional authority. In the neotraditional *Afar* social organization, clan leaders emerge from and serve at the pleasure of a closely-knit kin sharing common patrilineal descent, which is rooted in kinship. By contrast, members of the social network woven around Big Men are heterogeneous, including government officials, military personnel, police force, clan leaders etc. This speaks to Utas's proposition that the Big Men in Africa may be seen as nodes in the social networks woven around them (Utas, 2012).

The profile of the actor groups who benefitted from *Dobi* is heterogeneous: it is constituted of actor groups from different religious, ethnic, and social backgrounds. It includes institutions such as *Samara* University, local *Afar* from around *Dobi*, and *Afar* from a distant clan, and people from other ethnic

groups and religions. In fact, the *Afar* make up only about a third in the number of people who have salt mining business in *Dobi*, and the rest is constituted by non*Afar* Ethiopians. It confirms Mitchell's theoretical differentiation between the boundedness of a social group and the unboundedness of social networks (Mitchell, 1973: 18).

## 8.2.    Big Men and Para-sovereignty

There is another very fascinating feature about Big Men. *Dobi*'s experience shows that Big Men may take over some of the state's and non-state actor's functions. Since 2004, *Dobi*'s Big Man took on the power not only to grant access to *Dobi* but also to collect taxes from investors and provide protection for property on *Dobi*.  It may be argued that the Ethiopian state has the mandate to do all these three functions, and yes, it has the official authority. In practice, however, Big Men displaced not only the state but also the neotraditional authority from shouldering their functions.

*Dobi*'s case may be seen as an outlier from the experiences of how people acquire access to land in the *Afar* Region. For the sake of comparison, let's look at the experience of the *Afdera* Salt Lake. According to the *Afar* National Regional State Bureau of Mining and Energy, the Bureau gave 1670 licenses to investors in *Afdera*.  Investors who are actively working in salt mining on *Afdera* Lake pay royalty to the state, as shown in 2016 during which time three million eight hundred thousand USD was paid to the *Afar* Region Bureau of Mining and Energy. It was all paid directly to the state. By contrast, on *Dobi*, tax was collected by the Big Man, and it was channeled to the Big Man's pocket.

Big Men's functions of granting permit for salt mining on *Dobi*, collecting taxes from investors and providing protection speak to Klute's proposition of 'para-sovereignty' (Klute and Trotha, 2001). Klute and Trotha introduced the conception "para-sovereignty" to explain the particular situation of a chieftaincy in Mali. They describe a situation whereby the local traditional authority appropriate powers and functions of the central Malian state. Another study uses the approach to focus on the takeover of central functions of the state by development organizations (Neubert 1997). This thesis concludes that this conception may be used to understand how Big Men appropriate some of the functions of the Ethiopian state.

## 8.3. Big Men and power

Big Men acquire power mainly through the recognition given to them by the members of the society and, even by the state. *Dobi*'s Big Man has amassed social recognitions in the form of awards, displays of billboards, leaflets, t-shirts, documentary videos and songs. The question that comes to mind is how a new form of power that took on state functions and denies tax payment is awarded gold medals as model investor, which he received on two occasions from the Ethiopian state.

Big Men acquire recognition through several ways. The first is the perceptions that Big Men are inventive, which speaks to one of the crucial sources of power identified by Sofsky and Paris (1991). For instance, *Dobi*'s Big Man is credited for inventing a way to begin large scale salt mining in *Dobi*. The second way to acquire power is through the immense wealth that Big Men generate from exploitation of local natural resources. For instance, *Dobi*'s Big Man is estimated to get about USD twenty-eight million dollars per year from *Dobi* alone. It is a lot of money for a resource poor region such as *Afar*.

*Dobi*'s experience recalls Serufuli of North Kivu. Jourdan argues that Governor Serufuli resorted to a strategy of "extraversion" through the exploitation of local natural resources, which plays an important role in confirming local power structures (Jourdan, 2008: 76). The case of *Dobi* shows that Big Men could acquire power through resource extraction. First, the appropriation of material resources from salt mining plays an important role, which offers the basis for building up and accumulating power. This is emboldened by the access to state's budget through his position as district administrator and his membership in the central committee of the ruling political party of the region.

Third, Big Men construct and maintain their power through the classical Big Men fashion described by Sahlins, which is his ability to redistribute resource and assist people in times of need. The Big man's abilities to distribute resources in return for recognition and legitimacy speaks to Sahlins's classical definition of the Polynesian Big Men. For instance, on *Dobi*, the Big Man is known for the distribution of resources to members of his social network and his kin, which speaks to Kelly's argument about how power may be acquired through reciprocal patrimonial distribution of resources (Kelly, 2012).

Finally, Big Men rely on influential backers to construct and stay in power. *Dobi*'s Big Man established an alliance with influential military and politicians at the national level, who are part of his network. Big men may even forge such alliances beyond their country's boundaries, as the

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experience of Governor Serufuli demonstrates, whose power was based on a solid alliance with Kigali, the Rwandese capital, which gave him economic and military support (Jourdan, 2008: 76).

Big Men rely on the power of coercion when they need to. *Dobi*'s Big Man uses local state police force and clan 'militia' to provide protection for persons and property on *Dobi*. As a vice administrator of the *Eli Dar* District, As Mohammed has a formal state authority in charge of security and justice portfolio of the district. He uses his position to deploy members of the district police force to play his bidding. On top of that, the Big Man also relies on the *fihima*, whom he turned to his personal militia. During my extended fieldwork, I have observed that the *Lubakubo ke Modaito* clan's *fihima*, whom he also arms, protect *Dobi*.

### 8.4. Big Men and basic legitimacy

Why are Big Men respected or obeyed? This is a question of legitimacy. We started this thesis with the hypothesis that Big Men construct and maintain their internal and external recognition through their everyday practices. This thesis drew inspiration from Klute's approach to legitimacy which incorporates different forms of legitimacy into the concept of 'basic legitimacy', which refers to a particular form of recognition based on everyday practices-the tangible demonstration that those in power are capable of doing something (Klute, 2013).

During the 2015 drought, *Dobi*'s Big Man provided emergency assistances to the *Afar* in my study area who were even protesting his control over *Dobi*. Big men are credited for attempting to construct legitimacy through their abilities to provide assistances for people in need. This is one of the classical definitions of Sahlins's Big Men. *Dobi*'s Big Man took this practice one step forward.

As discussed in Chapter Five, *Dobi*'s Big Man filled-in the institutional vacuum created by the weakening of the neotraditional authorities (*Aussa Sultanate* on the one hand and of the depleted capacities of clan leaders) to respond to '*lahu*'. As Mohammed rose as an economic power, which gave him the opportunity to provide emergency assistance. The Big Man is using his new social responsibility meticulously to garner legitimacy and build his public image, a textbook definition of Sahlins's Big Man (Sahlins, 1963). This is why Martin's concept of Big Shot, which disrespects reciprocity, is not applicable to the study of the *Afar*'s Big Man.

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In this thesis, I encountered the dual faces of Big Men. The Big Man in *Dobi* is a Robin Hood in disguise. He collects taxes from salt producers on *Dobi* but evades tax payment to the state. He spills some of his wealth to his clan members, which drew from the traditional *Afar* moral space. This recalls Peter Ekeh's work "Colonialism and the two Publics in Africa: A theoretical Statement" (Ekeh, 1975). Ekeh argues that colonialism in Africa created two publics. The two publics Ekeh identifies are the primordial public realm and the civic public realm. These two public realms are governed by different moral codes.

In the primordial public realm, primordial groupings, ties, and sentiments influence and determine the individual's public behavior. It is the moral realm. On the contrary, the civic public realm is historically associated with the colonial administration. It is based on civil structures: the military, the civil service, the police, etc. Its main characteristic is that it has no moral linkages with the private realm. The main theme of Ekeh's article is that most African elites are citizens of the two publics in the same society. On the one hand, they belong to a civic public from which they gain materially but to which they give only grudgingly. On the other hand, they belong to a primordial public from which they derive little or no material benefits but to which they are expected to give generously and do give materially. Their relationship to the primordial public is moral, while the one to the civic public is amoral. Ekeh's argument is that African elites use civic public to gain financially so that they please their communities. As such, it is legitimate to be corrupt for one to strengthen the primordial public. According to him civic public is starved of morality (Ekeh, 1975).

The actions of the Big Man in evading tax payment from the 'civic public space' while distributing financial and material assistances to the primordial space- to his kinsmen during times of need is 'moral'. I argue that the fact that the Big Man distributes money to members of his network who are not necessarily members of his clan, points to the existence of a third
'space', which differs from Ekeh's two public spaces discussed above. The third space, which is rooted in reciprocal beneficial relation between As Mohammed and the people in his network, seems to be amoral, that is it is not driven by the right and wrongs, but by interests.

## 8.5. Big Men's relationship with the state

One of the most fascinating things about the study of the new form of power over *Dobi* is its relationship with the state. I started this thesis with two contradictory propositions: the first is a statist assumption that non-state forms of rule are situated hierarchically below the state and seated in contradiction to the state. The second, which draws heavily from Klute's proposition that non-state

actors may be seen to be seated ''besides the state'' (Bellagamba and Klute, 2008), and that the nature of relation between the two may be cooperation or violent confrontation. After reviewing other studies, I began my analysis with the latter.

It is possible to categorize the study of the relationship between *Dobi*'s Big Man and the state into two time periods: 2004 to 2016 and post 2016 period. I conclude that between 2004 and 2016, there was an accommodative relationship between the two. Evidence is available to back this argument. Since 2004, two important proclamations were introduced by the government that could have affected the Big Man's grip over *Dobi*. The *Afar* Region signed into law the Rural Land Use and Administration Proclamation in 2009. This proclamation calls unequivocally for taking rural lands from non-state authorities. The other proclamation was the Mining Operations Proclamation No. 678 in 2010. However, neither of the two laws had any effect in changing the Big Man's monopoly control over *Dobi*. It seemed as if the Big Man was immune to the state rules. The period between 2004 and 2016 can be described as accommodative relationship.

The cozy relationship between the Big Man and the *Afar* Regional State faced hiccup in September 2016, when a crucial member of the Big Man's network was removed from his position as President of the *Afar* National Regional State. The Big Man lost his long-time ally. The new president removed the Big Man from his membership in the central committee of the ruling *Afar* Peoples Democratic Party. He then ordered the Big Man to pay all of the unpaid taxes. Furthermore, he made a bold gesture of freezing all the bank accounts and assets of the Big Man until he paid the taxes. It was a watershed moment in the relationship between the Big Man and the state-a shift from accommodation to conflict. This shows that the relation between Big Men and the state is dynamic in that it sways between accommodation and antagonism, hence corroborating Klute's concept of situating new forms of power "besides the state', according to which the new forms of power may be seen to exist besides the state rather than under the state (Bellagamba and Klute, 2008). The conclusion of this thesis corroborates Jourdan's argument concerning Governor Serufuli-- that he is a power beside the state, which according to contingent interests, can oppose the state as well as try to be co-opted into its structures (Jourdan, 2008: 75). In similar vein, Klute argues that the historical relationship between the *Tuareg* communities and the Malian government has been characterized by on-going process of collaboration and conflict (Bellagamba and Klute, 2008: 10).

## 8.6. Big Men and access to land

This thesis dedicated a chapter (Chapter Six) to the discussion of how actor groups acquire access to land in the post 2004 period. The analysis in Chapter Six was categorized into two time periods: 1991 to 2004 and post-2004. Between 1991 and 2004, access to land was acquired by virtue of having rights to land, local belonging, and marriage relations. In the post-2004 period, actor groups acquired access to *Dobi* through belonging in the Big Man's social network and begging (which I prefer to call 'ritualized begging'). In the post-2004 period, land rights (both the state and neotraditional land rights) did not necessarily imply that the actors holding them are able to derive material benefits from the natural resources to which those rights apply. People may hold property rights to resources without having the capacity to derive any material benefit from them.

The concept of territoriality is not applicable to the discussion of the post-2004 period because since the rise of the Big Man, *Dobi* which was a clan territory, which fell under the control of an individual. It is possible to argue that both the clans and the state have been dispossessed not just of the land (or territory as the clans prefer to call it), but also of their rights. This dispossession can be seen as land grabbing.

Access is an appropriate concept to discuss how actor groups acquire access to land in ways that go beyond simple claims of land rights. Access is about the ability of actor groups to benefit from land through multiple ways. In the post-2004, access to *Dobi* was acquired through connections with the Big Man and begging. Begging involves extended period of pleading with the Big Man and emasculation by the Big Man (which includes belittling them in public. This is what I called ritualized begging. Upon acquiring plot, these individuals join the social network woven around the Big Man and enjoy reciprocal distribution of resource by virtue of belonging in this network. This recalls the discussion of belonging. Whereas between 1991 and 2004, actor groups enjoy access to land by virtue of belonging in a kinship (which is bounded), since 2004 access to land was enjoyed through belonging in the Big Man's social network (unbounded). This shows the two dimensions of belonging. Based on the discussion presented under Chapter Six, this concludes that out of the three conceptual approaches to the study of access to land in pastoral societies in post-socialist states in Africa (that is property, territoriality, and access), access is more appropriate for context such as *Dobi*.

## 8.7. Big Men and conflicts over control of access to land

*Dobi* has experienced a protracted conflict since it fell under the control of the Big Man in 2004. This thesis began with a proposition that the conflict over *Dobi* is mainly about the struggles for power to decide access to *Dobi*. I drew an inspiration from Clausewitz's proposition, according to which war is a continuation of power struggle through other means (Clausewitz, 1989). This thesis perceives the post-2004 conflicts between the Big Man and the local *Afar* as the Big Man's attempt to maintain his para-sovereign rule over *Dobi* on the one hand, and the local *Afar* clans aim to take-back the power to decide over *Dobi*. It is possible to classify the discussion of land conflicts into two time periods: 1991 to 2004 and the post-2004.

Before 2004 conflicts over land were mainly inter-clan and involved the whole members of the disputant clans. In the post-2004 period, the conflict over *Dobi*, which is between the Big Man and members of the two clans, has not been classified either as inter-clan land conflict or intraclan. What is also interesting about the post 2004 conflict is that the *Afar* neotraditional conflict resolution system failed to resolve the conflict which is raging since 2004.

This differs from Saltman's study among the Kipsigis of Southwestern Kenya where even though the Kipsigis did not have legal precedents that could offer solutions to the disputes that inevitably derive from the concept of private ownership of land, their neotraditional law has generated changes in adapting to these changing socioeconomic conditions (Saltman, 2002).

The question remains why in the *Afar* context, the traditional legal system failed to resolve the post-2004 conflict, which has been ongoing for more than a decade. One possible explanation could be sought through Bohannan's thesis. Bohannan introduced the concept of 'spheres of exchange' in analyzing the Tiv in Nigeria, a seminal work in economic anthropology. Bohannan identifies three types of ranked exchange objects, each restricted to its own separate exchange sphere; ideally, objects do not flow between spheres (Bohannan and Bohannan, 1968: 16). The subsistence sphere included food such as yams, grains, vegetables, etc. The second sphere of wealth includes prestigious goods such as brass rods, cattle, white cloth, and slaves. A third and most prestigious sphere is about rights in people, for example to marry a female relative. Each sphere is a different universe of objects, and a different set of moral values and different behavior are to be found in each sphere (Bohannan and Bohannan, 1968: 227). As a result, it is considered immoral to use prestigious objects to purchase

goods from a lower sphere. Bohannan points out that the introduction of money broke down the barriers between spheres by creating a pathway for exchange that is not accounted for in the existing restrictions.

The introduction of money into communal societies may break the exchange barriers; thus, making it possible to be able to do what was previously unacceptable. This may explain why the *Afar* neotraditional legal system failed on *Dobi*. The Big Man's financial handouts for the clan leaders of both local clans and their members may have led them to abandon their local norms of prioritizing the plight of their kin over material interests. Let us look at this example. Before 2004, displacing a member of a clan from his/her territory was seen as a crime *doroqqu*. The 1985 conflict between the *Lubakubo ke Modaito* clan and the *Wandaba* clan is a case in point. In the post 2004 period, although the Big Man displaced several families for the extraction of salt, it was not considered a crime by neither of the two clan leaders. The two clan leaders benefit from *Dobi* salt mining business. This shows changes in legal perceptions –of what is right and what wrong, presenting a challenge to the exercise of traditional justice system.

The second question is why the disputants brought their case to the state. In the previous sections, I have shown that the state court rarely deals with land disputes that occurs between *Afar*. The state court deals with land conflicts involving migrant workers, people of different ethnic origin and their relations with the *Afar*, which according to the *Afar* Region Justice Bureau amounts to about 4% of all cases that have come to formal courts (*Afar* National Regional State Bureau of Culture and Tourism, 2015). Based on the information from my key informants, before 2004, there were no land related disputes on *Dobi* that were brought to the state. The actions of the protesters to bring their case to the state may point to how the community uses the state law as a "weapon of the weak" (Scott, 1985) to coerce state officials to "abide by the law" (Benda-Beckmann and Benda-Beckmann, 2006). Despite presenting their case to the state, it was not resolved, which begs the question why.

This may be explained by Hellman's proposition of "state capture". State capture refers to the way private actors manipulate the government to influence state policies and actions in their favor (Hellman and Kaufmann, 2000). The phenomenon of state capture was identified in post-socialist states as a problematic relationship between politics and business in the context of transition (Hellman and Kaufmann, 2000). Hellman used the term 'state capture' to describe corruption in post-socialist states in East European and Central Asian countries moving from planned to market economy. The Big Man and his network captured the state with the aim of extracting as much as they can from

society. This also speaks to Pritchard's proposition of 'embedded state' (Evans-Pritchard, 1985). This study has shown how the state structure has failed to accept and resolve dispute over *Dobi* while also confirming the state capture hypothesis.

## 8.8.    Contributions to the debate in political anthropology

It is possible to identify three lines of research concerning how political anthropology is dealing with the transformation of statehood in Africa (Klute and Hüsken, 2010). The first perspective focuses on African chieftainship and segmentary models of tribal organization (Skalink, 2008). The second perspective dwells on local case studies (Bierschenk, 1999 cited in Klute and Hüsken, 2010)). The third perspective focuses on the emergence of local, non-state forms of power and their interlacement with the state. This study falls in the third perspective. The rise of Big Men in 2004 signals the rise of a new form of non-state power, in an already plural political setting populated by neotraditional forms of power (such as clan and sultanate) which are rooted in kinship (descent theory) and the state.

This thesis focuses on the rise of Big Men in a post-socialist state. Studies conducted in the post-socialist states in Africa have identified different forms of power but rarely Big Men.  Luca Ciabarri's study in Somaliland focuses on clan leaders and returnees from diaspora as the two key figures of power that grabbed his attention in a plural power foci context, which includes the state, political parties, and aid agencies (Ciabarri, 2008: 55). Hüsken's study among the *Aulad* Ali *Bedouin* community in the borderland of Egypt and Libya identified neo-tribal associations and their leaders that represent the key forms of power (Hüsken, 2009)

I will not claim that the study of the rise of Big Men is new. Morten Boas discusses the rise of Ibrahim Ag Bahanga in *Kidal*, Mali (Boas, 2012: 121).  In similar vein, Luca Jourdan discusses Governor Eugene Serufuli from the Eastern Congo in the borderland of the DRC and Rwanda (2008), as a typical Big Man (2008).  However, I will argue that this thesis contributes to the field by bringing empirically supported arguments about Big Men in the post-socialist state of Ethiopia.

The Big Man is big metaphorically speaking and as such casts shadow that reach wide and far places. It may be interesting to investigate the impact of this shadow on borderland social relations and ethnic territoriality. For instance, in recent months, *Dobi*'s Big Man is playing a key role in assisting the *Afar*

security force in the territorial conflict between the *Afar* and Issa *Somali*. This may be an area for further research.

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## Annexes

Annex 1: Profile of my key informants[42]

| No | Name | Details |
|----|------|---------|
| | *Afar* (*Wandaba* clan) | |
| 1 | Mohammed Ali Afahaso | Age over 70; resides in *Galafi*; clan leader |
| 2 | Mohammed Ibrahim | Age 32; resides in *Galafi*; *fihima* abba of *Lubakubo ke Modaito* clan |
| 3 | Haji Yassin Ahmed | Age 70 years, resides in *Galafi* |
| 4 | Momina Ahmed | Age estimated at 50; resides in *Galafi* |
| 5 | Aisha Ahmed | Age estimated at 50; resides in *Galafi* |
| 6 | Umar Ida | Age estimated to be over fifty; resides in *Galafi*; *Gambel* subclan leader |
| 7 | Umar Ahmed | Age estimated to be over fifty; resides in *Galafi*; *Asduri* subclan leder |
| 8 | Ahadu Ahmed | Age estimated at over sixty; resides in *Galafi*; Hamiltu subclan leader |
| 9 | Ibrahim Mussa | Age estimated to be over fifty; resides in *Galafi*; Dala'ata subclan leader |
| | *Afar* (*Lubakubo ke Modaito* clan) | |
| 10 | Ibrahim Intibara | Age over 60; resides in *Dichoto*; clan leader |
| 11 | As Mohammed Humed Yayyo | Age estimated at mid-fifties; resides in *Dichoto*; member of the *Aydahis Bara* |
| 12 | Ali Mohammed | Age estimated at fifty-five; member of the *Lubakubo* sub-clan |
| 13 | Kedir | Age estimated to be about 40; resides in *Dobi*, |
| 14 | Hussen Yassin | Member of the *Asdara* sub-clan of the *Lubakubo* clan |
| 15 | Dawud Mohammed | Age estimated at above 50; resides in *Dobi*; *fihima* abba of *Lubakubo ke Modaito* clan |
| 16 | Hussen Yassin | Member of the *Asdara* sub-clan of the *Lubakubo* clan |
| | *Afar* (neutral clan) | |
| 17 | Hamid Gule | Age estimated over seventy; *Hululto* ke *Wadima* clan leader |
| 18 | Umar Yayyo | Age estimated at sixty *Modaito* ke *Mahandita* clan leader. |
| 19 | Hussen Yayyo | Age 87; resides in Afmabo, member of *Aussa Sultanate* |
| | Non-*Afar* | |
| 20 | Mehari Akale | Age 33: resides in *Dichoto* |
| | State (Federal) | |

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[42] All key informant names, except for the two clan leaders and the Big Man, who are obvious, have been anonymized for ethical considerations and security reasons.

| 21 | Sisay Nega, | Senior expert at the Ministry of Mines, Petroleum and Natural Gas, *Addis Ababa* |
|----|-------------|----------------------------------------------------------------------------------|
| 22 | Zegeye Adera | Expert at Ministry of Pastoral and Federal Affairs, *Addis Ababa* |
|    | State (*Afar* Region) | |
| 23 | Aliye Suleiman, | Head of *Afar* Region Mining and Energy Bureau, *Samara* |
| 24 | Nuredin Abdela | *Eli Dar* District First Instance Court judge, *Eli Dar* |
| 25 | Tadesse Birru | *Afar* Region Rural Land Use and Administration Office RLA Head, *Samara* |
| 26 | Gebru Tekola | Senior expert at *Afar* Region Bureau of Mines and Energy, *Samara* |
| 27 | As Mohammad Alganni | ANRS Culture and Tourism Bureau |
| 28 | Dr. Neway Hamid | *Samara* University official, Ex-Vice President |

Annex 2 List of the post-socialist African States

| No | Country | Full name | From | Until | Ruling party | Constitutional statements |
|---|---|---|---|---|---|---|
| | Marxist-Leninist | | | | | |
| 1 | Angola | People's Republic of Angola | 11 November 1975 | 27 August 1992 | Popular Movement for the Liberation of Angola | The MPLA, their legitimate representative constituted from a broad front including all patriotic forces engaged in the anti-imperialist struggle, is responsible for the political, economic, and social leadership of the nation |
| 2 | Benin | People's Republic of Benin | 30 November 1975 | 1 March 1990 | People's Revolutionary Party of Benin | Legally a socialist state |

| 3 | Congo-Brazzaville | People's Republic of the Congo | 3 January 1970 | 15 March 1992 | Congolese Labor Party | Presidential oath: "I swear allegiance to the Congolese people, to the Revolution and to the Congolese Labor Party. I shall undertake, while guided by Marxist-Leninist principles, [...] to devote all my strength to the triumph of the proletarian ideals |
|---|---|---|---|---|---|---|

| 4 | Ethiopia | Provisional Military Government of Socialist Ethiopia | 28 June 1974 | 22 February 1987 | Commission for Organizing the Party of the Working People of Ethiopia | Country declared Marxist–Leninist in 1974, the Worker's Party of Ethiopia becoming "the formulator of the country's development process and the leading force of the state and in society" in 1987 |
|---|---|---|---|---|---|---|
| | | People's Democratic Republic of Ethiopia | 22 February 1987 | 27 May 1991 | Worker's Party of Ethiopia | |

| | | | | | | |
|---|---|---|---|---|---|---|
| 5 | Mozambique | People's Republic of Mozambique | 25 June 1975 | 1 December 1990 | FRELIMO | Section 1, Article 2: "Power belongs to the workers and peasants united and led by FRELIMO and organs of people's power |
| 6 | *Somali*a | *Somali* Democratic Republic | 21 October 1969 | 26 January 1991 | *Somali* Revolutionary Socialist Party | Section 1, Article 1: "The *Somali* Democratic Republic is a socialist state led by the working class and is an integral part of the Arab and African entities |

| | Non-Marxist Socialist States | | | | | |
|---|---|---|---|---|---|---|
| 7 | Algeria | People's Democratic Republic of Algeria | 8 September 1969 | 23 February 1989 | | Preamble: "The democratic and popular Algerian Republic will direct its activities toward the construction of the country in accordance with the principles of socialism |

| 8 | Cape Verde | Republic of Cape Verde | 5 July 1975 | 22 September 1992 | | Chapter 1, Article 1: Cape Verde is a sovereign, democratic, laic, unitary, anti-colonialist and anti-imperialist state |
|---|---|---|---|---|---|---|
| 9 | Egypt | United Arab Republic of Egypt | 22 February 1958 | 26 March 2007 | | Preamble: "The Arab Republic of Egypt is a democratic, socialist state based on the alliance of the working forces of the people |
| 10 | Libya | Socialist People's Libyan Arab Jamahiriya | 1 September 1969 | 23 October 2011 | | Section 1, Article 6: "The aim of the state is the realization of socialism through the application of |
| | | | | | | social justice which forbids any form of exploitation |
| 11 | Madagascar | Democratic Republic of Madagascar | 30 December 1975 | 12 September 1992 | | Malagasy constitutional referendum, 1975 |

| 12 | Seychelles | Republic of Seychelles | 5 June 1977 | 12 September 1992 | | Preamble: "Seychelles is declared to be a sovereign socialist republic |
| 13 | Sudan | Democratic Republic of the Sudan | 25 May 1969 | 10 October 1985 | | Preamble: "In the belief of our pursuit of freedom, socialism and democracy to achieve the society of sufficiency, justice and equality |
| 14 | Tanzania | United Republic of Tanzania | 26 April 1964 | | | Section 1, Article 3: "The United Republic is a democratic, secular and socialist state which adheres to multi-party democracy |

Source: Pitcher and Askew, 2006.

Annex 3. List of pastoral societies in Africa

| | Name | Countries in Africa |
| --- | --- | --- |
| 1 | *Afar* | Djibouti, Eritrea, and Ethiopia |
| 2 | *Bedouin* | Algeria, Egypt, |
| 3 | Beja | Eritrea and Sudan |
| 4 | Berbers (incl. *Tuareg*, Sahrawi's | Algeria, Burkina Faso, Egypt, Libya, Mali, Mauritania, Morocco, Niger, Tunisia |

| 5 | *Oromo* (incl. *Borana*, Gabra, *Karrayyu* etc) | Ethiopia, Kenya |
|---|---|---|
| 6 | Rendile | Northern Eastern province of Kenya |
| 7 | Saho | Eritrea and Ethiopia |
| 8 | *Somali*s | Djibouti, Ethiopia, Kenya and *Somali*a, |
| 9 | Tigre | Eritrea and the Sudan |
| 10 | Nuer | Ethiopia, South Sudan |
| 11 | Fula | Nigeria, Guinea, Senegal, Mali, Cameroon, Niger, Burkina Faso, Mauritania, Benin, Mali, and more |
| 12 | Toubou | Niger and Chad |
| 13 | Karamojong | Uganda |
| 14 | *Maasai* | Kenya and Tanzania |
| 15 | Pokot | Kenya and Uganda |
| 16 | Samburu | North central Kenya |
| 17 | Turkana | Kenya |

Source: (Bolling, Schnegg and Wotzka, 2013)
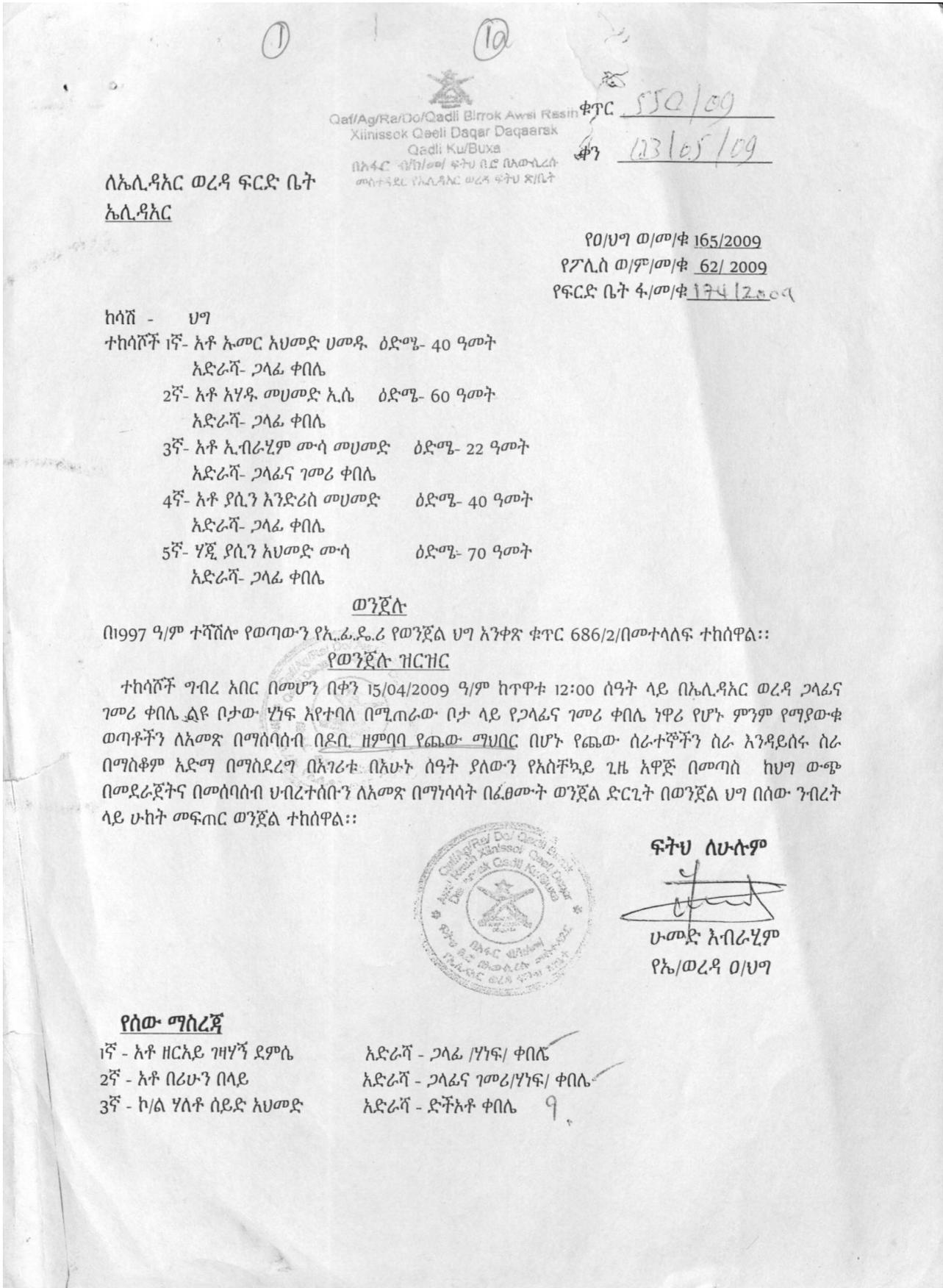
Qaf/Ag/Ra/Oo/Qadli Birrok Awsi Resin
Xiinissok Qaeli Daqar Daqaarak
Qadli Ku/Buxa
በአፋር ብ/ክ/መ/ ፍትህ ቢሮ በአውሲረሱ
መስተዳደር የኤሊዳአር ወረዳ ፍትህ ጽ/ቤት

ቁጥር ___550/09___

ቀን ___23/05/09___

ለኤሊዳአር ወረዳ ፍርድ ቤት

ኤሊዳአር

የወ/ህግ ወ/መ/ቁ 165/2009
የፖሊስ ወ/ም/መ/ቁ 62/ 2009
የፍርድ ቤት ፋ/መ/ቁ 174/2009

ከሳሽ -    ህግ

ተከሳሾች 1ኛ- አቶ ዑመር አህመድ ሀመዱ    ዕድሜ- 40 ዓመት
አድራሻ- ጋላፊ ቀበሌ

2ኛ- አቶ አሀዱ መሀመድ ኢሴ    ዕድሜ- 60 ዓመት
አድራሻ- ጋላፊ ቀበሌ

3ኛ- አቶ ኢብራሂም ሙሳ መሀመድ    ዕድሜ- 22 ዓመት
አድራሻ- ጋላፈና ገመሪ ቀበሌ

4ኛ- አቶ ያሲን እንድሪስ መሀመድ    ዕድሜ- 40 ዓመት
አድራሻ- ጋላፈ ቀበሌ

5ኛ- ሃጂ ያሲን አህመድ ሙሳ    ዕድሜ- 70 ዓመት
አድራሻ- ጋላፈ ቀበሌ

ወንጀሉ

በ1997 ዓ/ም ተሻሽሎ የወጣውን የኢ.ፌ.ዴ.ሪ የወንጀል ህግ አንቀጽ ቁጥር 686/2/በመተላለፍ ተከሰዋል፡፡

የወንጀሉ ዝርዝር

ተከሳሾች ግብረ አበር በመሆን በቀን 15/04/2009 ዓ/ም ከጥዋቱ 12:00 ሰዓት ላይ በኤሊዳአር ወረዳ ጋላፈና ገመሪ ቀበሌ ልዩ ቦታው ሃነፍ አየተባለ በሚጠራው ቦታ ላይ የጋላፈና ገመሪ ቀበሌ ነዋሪ የሆኑ ምንም የማያውቁ ወጣቶችን ለአመጽ በማሰባሰብ በደቡ ዘምባባ የጨው ማህበር በሆነ የጨው ሰራተኞችን ስራ እንዳይሰሩ ስራ በማስቆም አደጋ በማስደረግ በገጠሩ በአሁኑ ሰዓት ያለውን የአስተኳይ ጊዜ አዋጅ በመጣስ ከህግ ውጭ በመደራጀትና በመሰባሰብ ህብረተሰቡን ለአመጽ በማነሳሳት በፈፀሙት ወንጀል ድርጊት በወንጀል ህግ በሰው ንብረት ላይ ሁከት መፍጠር ወንጀል ተከሰዋል፡፡

ፍትህ ለሁሉም

ሁመድ እብራሂም
የኤ/ወረዳ ዐ/ህግ

የሰው ማስረጃ

1ኛ - አቶ ዘርኣይ ገዛህኝ ደምሴ    አድራሻ - ጋላፈ /ሃነፍ/ ቀበሌ

2ኛ - አቶ በሪሁን በላይ    አድራሻ - ጋላፈና ገመሪ/ሃነፍ/ ቀበሌ

3ኛ - ኮ/ል ሃለቶ ሰይድ አህመድ    አድራሻ - ድቻት ቀበሌ    9

4ኛ ኮረ አ.�...የወሲ የመዱ     አድራሻ ድችአቶ ቀበሌ.

5ኛ ... ... የመድ አብዱ ሁመድ     አድራሻ ድችአቶ ተበሊ.

6ኛ ም/ግ... ን ሴኮ ከግል መሀመድ     አድራሻ ድችአቶ ተበሊ.

7ኛ አቶ መሀመድ አሊ. መሀመድ /ሃ.ፉ/     አድራሻ - ድችአቶ ተበሊ.

8ኛ አቶ አይዳሂስ መሀመድ አብደላ/     አድራሻ - ድችአቶ ቀበሊ፡

9ኛ አቶ መሀመድ ኢ.ብራሂም መሀመድ     አድራሻ - ጋላፈና ገመሪ ቀበሊ. X

10ኛ- አቶ አለቃ ወልዱ ገ/ስላሴ     አድራሻ - ድችአቶ ቀበሊ X

11ኛ- አቶ አሊ. ስዩም አረፋይኔ     አድራሻ - ሃነፍ/ጋፈ/ ቀበሊ

12ኛ- አቶ አብዱ አሊ. መሀመድ     አድራሻ - ድችአቶ ቀበሊ

13ኛ- አቶ አብዱ ሁሴን ሀሰን     አድራሻ - ድችአቶ ቀበሊ

14ኛ- አቶ ኢ.ብራ ፀጋየ ገ/መድህን     አድራሻ - ሃነፍ/ጋፈ/ ቀበሊ X

15ኛ- አቶ ሁሴን አህመድ መሀመድ     አድራሻ - ጋላፈና ገመሪ ቀበሊ

16ኛ- አቶ አሊ. አደን አሊ.     አድራሻ - ጋላፈና ገመሪ ቀበሊ X

17ኛ- አቶ ሰይድ ዳውድ አየለ     አድራሻ - ድችአቶ ቀበሊ

18ኛ- አቶ መሀመድ ሰይድ በረሳ     አድራሻ - ጋላፈ ቀበሊ

19ኛ- አቶ አብዱ.ቃድር መሀመድ አሊ.     አድራሻ - ዶቢና በራዲዘ ቀበሊ

ማሳሰቢያ፡- ተከሳሾች በአውሲ ረሱ ማረሚያ ቤት በጊዜ ቀጠሮ በእስር ላይ ይገኛሉ፡፡

ደኅ- መዝገብ ጉዳ

አአኽ- 0/ረባ ሀገሪ እስፋዋም

ተከሳሾች - 1ኛ- እፈ ጎመር እሪወይ
2ኛ- እፈ እሁሴ መሀወይ
3ኛ- እፈ እስፋዋም ውሀ
4ኛ- እፈ ይኺን እንፋሊሀ
5ኛ- ሀሴ ይኺን እሪወይ

መዝገቡ ተዘግቶ ለፍትሀ ቀርጓ።

ዐ/ረባ ዳኛ ይመዘገቤ ሀገ።

1ኛ- ተከኽ ከገመ ጎመር እሪወይ ሀዘኩ
እኵመ - 40
ኣበ- እርበፈ እኘር
እኹኽ- ጋሀ

ተከኽ የ0ረባ ማመጸፍ ሊሊት እኀ ዳቴ ሊኅለኅ ተገሪ
እንደሊሀ ተከሮ እገሪት ሀሀለት አምሠ እለቀ9መም በል
2ኛ- ተከኽ
ከገመ- ሀይ መሀወ ሀኸ
እኵመ - 60
ኣበ- ይለ
እኹኽ- ጋሀ

ተከኽ የ0ረባ ማመጸፍ ሊሊት እኀ ዳቴ ሊኅለኅ
ተኅለት እንደሊሀ ተከሮ እገሪት ሀሀለት አምሠ እለቀ
መም ልሀ።

3ኛ- ተከኽ
ከገመ- እስፋዋም ውሀ መሀወ
እኵመ - 22
ኣበ- ይለ
እኹኽ- ጋሀ

ተከኽ የ0ረባ ማመጸፍ ሊሊት እኀ ዳቴ ሊኅለኅ ተኀ
ለቴ እንደሊሀ ተከሮ እገሪት ሀሀለት አምሠ እለቀ9መ
ም ልሀ።

Qaf/Ag/Ra/Dol Awsi Rasu Xiinissoh Qeeli
Daqar Daqaarak Ciimi Bux

፭ኛ የዐ/ዞለ ምክትል ም/አዛዥን ሌተ ኮማንደር እድ
ሜ - ፫፭ ማዕ - ፐሊስ ኢንስፔክተር - ደጀኔ

ማታ ከምሽቱ 2 ሰዓት ላይ ህገ ከሀ ቆጣሪ ተዘ
ተደወለልን ለብቻ ህገ ከተማ ሙሉ ለት ወደ ቤቱ ወንጀለ
ኛ ተቆጣጠረው አብሮን እዳቢያ ነበር 5ቱንም ተከሳሾ
በቤቱ ላይ አገኘን እነዚህን ተከሳሾች ሃብሩ ጽናዕ ጋር የነሩ
ሰዎች እነዚን ታፈላጊ ነፍሁ ከንብ ንዴቄዎችን እንደ ነው እንደ
ቀርም ነበረ ተናል ወንጀለኛም ከሆነ እኛም ወንጀለኛ ነን
ነበረ ኢነሰ ይዘን ወሰድናቸው ለሰዎች ከሀ ቆጣሪ ወደ
ሙሉ ለት እንዲያ ሊዴ ተበለው ነበር

ወለቀለኛ ንድፍ ለተከሳሾ-5ኛ ተከሳሽ የመጠበቻን
ሰዓት አተወቀም? 21 ሰዎች ወዲያውናቸው ነበር የነቹ
ው ተከሳሾችን ነው የተናገሩት መንገድ ላይ ከነጠማቸው እና
ከሀ ማስቆጣቸውን እየወቀም ምተሁናቸውን እንደነው ይጠ
ቃ ሀዘብ ገና እየቆመም ነበረ ከነመጣቸው ለአማቸው
ጠላትን ከሙቅ ወደ ቤ ነው ይወጠናቸው

6ኛ የዐ/ዞለ ምክትል - መሀመድ ኢ.ሊ. እድሜ - 35
ማዕ - ሙሉ ኢንስፔክተር ኢንስፔክ - ደጀኔ

ትርር ሰዓ ለተደጋጋሚ ከሀ ለማስቆም ይጠበቅ
ለመመሪያ እንደሚሉን ለተው ደሊስ ይዘን ወደቻ ከሀ ኢለ
ቁጥር 3,000 ከንብ ሙሉ ተቀምጧል። ይህ ቆጣሪ
አጠፋለሁ ነበረ። ጠዋት እነተደረገ ወደቻ ከወደድናቸው
ከዚያ ከሀ ፩ ምሪን ነበር ለደገ ትርር ሰዓ ወጠ ኢላ
ቆመን ነበረ ሁሌ ይዞን ክፍል ነበር ለሟቹ የመጠው
ትርር ሰዓ ነው የሟቹው ነበረ።

7ኛ - የዐ/ዞለ ምክትል ኢንስፔክተር መሀመድ
እድሜ - 38 ማዕ - ሙሉ ኢንስፔክተር ኢንስፔ· ሁሴ

እኔ ሙሉ እየመጣሁ ነበር ምተፈለጋተ ከሰዎች ደወለ
ከሀ እንቀጥቀጠ እሌኝ ከመዴ ፓሊስ ይዟቸው ወጠ ለሙሉ
የወሰዱነው መንገድ እኬቆመን ያሉን ከሀ እናስቆማችሁን
ነበረ ለተደጋጋሚ ተከሳሾ ሁሉም ነበሩ ያስቆሙት
እናስ ናቸው።

፰. የorረባ ቋንቋር እል ኢጵም ጉዮ08-34
ኢም- ምቶኢንተ ኢቦ8- ሀረፈ ኢኮ ጉየ07ን ገnር ኢቆ
ም ኢ3 የገmር ሰፈ ፪ ፵ም ኢኮ ኢቆ07ን ኢንገቆ ምሎ
የምኢnፘ ኢቆ ፵ም ሰ2ል

ቋኔ- ኢገፈ ኢ ጉዮ08-30 ኢ8- ምም
ኢ8 ኢ08- ፪ፈ2ፈ

ተኢ7ፘ ኢኮ ሰተ ፵8ተም ኢ8 ኢቆም ሰም
ኢ+3 ተኢ7ፘ ሀፈም ገ8ፈ ም፵ሰ ኢ 100 ሰ8 ፵7ም
ምኢቆ2ፘ ፵88 -

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ፘ፵8ፈ ገnር ኢኢፈም7

ምኢቆ2ፘ ፵88 ሰተኢ7ፘ - የሰም

10ኔ- ቋኢ8ር ሀ8ን ኢ8ፈም ጉዮ08-80
ኢ8- ቋnም ፵8 ፀኢሰ ኢ08- ሰኢሰ

የምም ፵ኢ8ተ ፪ም ኢ ገም ፵ም ሀ8ፈ ፅ8 ፪ኢ3
ገnር ሰsም ፅ8 ፵8 ኢ8 ፅ8 ም ኢተሰ8ር ምኢ88
ም ኢ8 ኢኢቆምም ገnር ፅ8ፈ8ተ ሰም

ምኢቆ2ፘ ፵88 ሰተኢ8ፘ

11ኔ- የorረባ ቋኢ8ር - ኢ፪3 ኢሰ ጉዮ08-40
ኢ8- ሰፈምም8ር ኢ08- ፅኢሰ

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ኢ3ኢቆ2 ፅ8 ሀ8ፈ ኢሰ8ም ኢሰ፵ፘ ፵ር ኢ ኢኢተኢሰ4 ፵ር
ኢ8ም8ፅተም ኢፘኢ8 ም፵ኢ8ሰ ፪ኢ3 ገnር ኢኢ8ተ ሰ8ሰ
ሀ8ፈ ፅኢሰ ኢኢቆም ፪ፈ4ሰ8 ኢፅኔ ፵7ም ፪ፈኢ8ፈ ኢፅኔ
፵7ም ተኢ7ፘ ፪ም ኢኢ8ፈ ፪ፈ8ፈተ ፪ፈ33 ኢ8ም
፪ፈ8ፈተ ሰኢ8ተ ተኢ8ሰ፵ፅ ኢ8ፘም፵ሰፅ ።

12ኔ የorረባ ቋኢ8ር ምሎም8ፘ ኢኢ8 ጉዮ08-40
ኢ8 ኢ8-7ፘገ ኢኢኮፘ -ሀ8ፈ

የኢፅፘ3 የምም ምሰ87 ፪ኢ3 የኢ3ገቆ ፪ፈ ኢምም
ኢኢ3 ፪3ፈ ም3፵ም የ፵ፈ2ፈ ኢፅፘ3 ኢ8ሰ8ም ፅም

ምኢቆ2ፘ ፵88 ሰተኢ8ፘ - የሰም

13ኔ ቋኢ8ር- ኢኢ8ቆ፵ር ምሎም8ፘ ኢሰ ጉዮ08

፬] እሬ-ዶሊ ለፈዞንር እሁባሽ-ዶሊ

በፎት እንዴ ስጋ፣ ፣ያብ ሀሪ ስሪ.ዶበ ፣ዓብ3
እንዴስብ ዳደተዓ በም ለስዐ ፣ብስስዐ ዣነር ስሰብ
ዚሴ ስሰ3 እ3ነዴፓዐ እሬ ዳዶፋዋራ ሀቅ ስ፤
ም3 ዓዐ እሰ እስ፣ እዐበስዓ እሬ ፣ስሽ
ስስፋዓፓዐ3 ዳዋፓሁ

በ/ዯሰ ዋስዬር ስዕ

ስሬ3

ለ፣ስሽ ዶሊ ሶሰ እሬ ስሬ ስዓስዶዐ ዬ፣
ስስስ፣ ዶዕ3ዴ ፪ርጋ.ስሰዐፓዐ ዬበዯሰ
ዋስዬርዳ እ፤ ሪዓስ ዬስስ ስዬዱ፦

፣ስሽ ዐዯስዱ እ3 ስስዐ ስዐዐ
ስዴ ዐ፭/፭/ዐ፱ ፣ዋዴ

ቅ3 05/05/09
ዴ፩- ዐዐዐ ዓር

ስስሽ- ዐ/ዯሰ ሀዐዐ እ3ዐዯዐ
፣ስሽፓ- ፩፩ - ዓዐር ስዚዐዐ
                ፪፩ - ስ፤ ዐዐዐ
                ፫፩ - እ3ዐዯዐ ዐስ
                ፬፩ - ዴስ3 እ3ስስ
                ፭፩ - ሀዴ ዴስ3 ስዓዐ

ዐዓ፣ ዬ፣ዴዐ ዐዓስ3ዴ ዋስዬር ስዐስዓፉ ፤ዐ
ዋስዬርዴ ፋስዯስ፦ ስዐዐ3 ዋስዬርዴ ዬዐዴስስ፣ፓዐ3
፣ስሽ ስስዐዐስስ፦

፩፩ - ፣ስሽ እዴ ዬስስ ዓርዐ ዐዯ፣ ስዓ፣ዴዐ
ዬዐ3

፪፩ - ፣ስሽ ስዐ3ስ ዐስዴ ስዓዓስዐዐ

፫፩ - ፣ስሽ ዳደተዓ ዐስ ሀዚ ዓዐ ዬ፣ስዚ፣
ስዓዓስዐዐ

፬፩ - ፣ስሽ እዴ ዓዐ ዬ፣ስዚ፣

፭፩ - ፣ስሽ ዻስ ዐዐስ ሀዴ3 ስዐ ስስዐ ዓዐ
ዬ፣ስዚ፣ ስሬዐ፦

እንት ጋሪሳ ካርሳን እፆን ኈምር የመጣፉን ከጊት ሰዐገሁ
ኝንዴ እገሰጥም ሰዩ

6ኛ- ወስድስር ሰሀሰሰዐ ሀሰዐዩ እፆሸ-32 ከሆ
የሰጦ እፆርሻ - ሀረፉ የመጣሀን ስዋስዩስርገ

ኈምር ሸን እስፈሁፉም ሸንድንፉ ዐይ ዐፉት
ሀረፉ ስዐፉርሻ ኈምር ዐይ ጋሪሰ እፉርፉ ፉስዩ ሰስርስን
ሰዐገሁ ሀረፉ ዴ

ሰሰዐስፉ ፉዴ ሰዐሪስ ኈምር ሰስፉን ሰዐገሁ
ኝንዴ እስፈሁም

7ኛ- ወስድስር - እስፉፉም እዴፉሀ እፆዐ-30
ስሆ-ፉስ ፉስሰ እፆርሻ - ሀረፉ የመጣሀን ስዋስዩስርገ
ፉዐ

ሸን ጋሪሰ ሸስዩ 10 ከዐገ ሀረፉ ስዐፉርሻ ሰዐሪስ
ዴ እፆሁሁ ስሸን ሰስፉስ ሰዐሪስ ዴ ሀረፉ ፉስዩ ስስ
ሸርሳን ስስሰዐ የፉስፉ ፉዐ

8ኛ- ሀሰዐ እስን እፆዐ-20 ከሆ-ስሰዐ
እፆርሻ - ሀረፉ የመጣሀን ወስድስርገ

ዴፉን ስጋፉሰ ዐይ ሀረፉ ሰዐ ሀሰ ዴፉን ሰዐሪስ
ጋፉሰ ከዐፉ ዐይስን ከፉሀ የፉቅፉን እፉፉጦ ኈስፉ

ሰሰዐስፉ ፉዴ ስፉስሳ ሰዐዐ - እንፉር ዐፉ ካርስን
እኽ ሀረፉ ካርስሁ ስዐዐ እፉስን ሰስ ዴፉን ፉፉ47 ስስ
ፉፉዐ ፉዐ

9ኛ- ወስድስር - ሀእን ሰሀሰሰዐ እፆዐ 29 ከሆ-ስዐ
ፉዐስን ስሆ እፆርሻ - እዴፉእን የመጣሀን ስዋስዩስርገ

እዴ ኈምር እዴፉፉ ስ15/04/09 ፉምር ሸስ
እስር ሰስዴ እከፉገ ስስ ፉስዴ ዐይ ጋፉሰ ከ10 ከዐገ
ስስ ዐፉፉ ፉስ

ሰሰዐስፉ ፉዴ ስዐዐ - ኝእዴፉእ ዐፉፉ ዐስፉ
እፆዐስስ ፉዐፉሁ ዐይ ስስዩ ስስ ከስዐፉ የስዐ
ፉስ ፉር የስዐ

10ኛ- ወስድስር ሰሀሰሰዐ እዴፉሀ እፆዐ-26
ስሆ-ስሰዐ እፆርሻ-ጋፉሰ የመጣሀን ስዋስዩስርገ

201

የተፃፈ ዳኛ ጋለ መዓበቲ ከተማ ፍርድቤት
ዋና ከ/ር እዴ

ትዕዛዝ

መዝገብ ሰ/ም/ወ/ቁ ዳኮስብ ለ09/05/09

ቀን 08/05/09
ዳኛ- መ/መዓ ጎር

ከሳሽ- 0/ፀጋ ሀሰገ እስከዓ/ም
ተከሳሾች =- 1ኛ- ጎመር እርበ00ዼ
2ኛ- እህያ መሀ000ዼ
3ኛ- እስከዓ/ም መሀ
4ኛ- ደኮን እንድሬሳ
5ኛ- ሀሌ ደኮን እርበ00ዼ

መዝገብ ሰ/ር/ም/ቆ የጣሪተለ0ን መሀ እንጃም
መሀ

0/ፀጋ ለ00/መ/ተ-1ኛ/2009 ጎ 3 ቀን 09 ዓም
ለፀ6 09መሀለተ ተከሳሽ ለ1997 ዓ.ም ተ7ሽ5ዴ የ00
መ3 የእ7/00/ከ/ረ/የ00/ዟ/ እንቁ 686/21 የተ27700ን
ለ00ተ116 ለ15/04/09 ዝመፅ 12 ከ07 ደ ሀ26 ተ5ዴ
የ00መ5ዼ ለፅ 18 የ700 ጎ7 70መ ቀ760 29ይ የ07 9ም
ም የ09ሰ0ፅ መ7ኛ3 ለፀ00ፅ ለ09ከስ0 ለ62 ዘ32
7 የ700 09ዘሬ0 የ00መ ዝ0 የ024 አ645ኛ3 አ6 እ7
ደከ4 ለ09ፅ760 ዝ-09 ለ09ከለ09 ፅ8 ለ700 ለ09ዝከ
7 መ3ፅ0 ተ7ከቀ0 ዝ ለ ዝ0 መዝ0ፅ0 =

ተከሳሽ የ0ፀ7ለ09 09መ0ለ7 ደ6ዝ700 ፅ8 ዝ0
ለ6ዝከ0 ተ7ለ0700 ዝ7ከ6ለ7 ተ50መ ዝ9077 ዝ6ዝ7
እጣ7ቀ እለ09037ም ዝ0 ዝዘ800 ꞏ0/ፀ09 ተከሳሽ ለ5
ዼ09 ዝ7ዼ ዝ0 ዝ06ዝ0 የ09ፅ606 09ዝ700ኛ 0ለ0
ቀለ00 ደከ00ፅ3 ለ00 ꞏ13 ዝ0ዝ70ፅ ቀለ00 መ0ዘ6
ꞏ0ለ ꞏ0ለ0 ቀ7ም ለዝ806 ዝ7ለ09ተ00 ꞏ7ዼ =

1ኛ- የ0ዝ09 ꞏ0ዝ706 ዝ6 ተ6ከ6ፅ 0ዝ7ዼ ከ0ዝ 906
ዝ7709ዼ ዝ7ዼ ከዝ ከ7909/ዼ8 መ0ዝ6 ꞏ9 መ6ለ0 መመ

Qafar Agi/Ra'sol Awal Rasih Xinissok Qeeli
Dacar Dagar ... Buxa

እና አሁተኞችን ፲ሁለቱን እንዴ ወሰዱትን መስማቱን እንደሚ እንዲ ይገባል እንደገለፁት ከዚሁ ላይ እንዲቀርብ ተገለፀ እንዲቃወምን

2ኛ- የዐ/ሕግ ምስክር ለሊህን ለሰጡ እንዲሁ ወሰደዩ ጋር ወደው እንደሰጡ ከ1ኛ ምስክር ጋር ለተመሳሳይ ሁኔታ ላይ እንዲያስቀምጣቸው መስክሯል ::

3ኛ የዐ/ሕግ ምስክር ሻ/ለቃ ሃገር ፊዳ ሁሴን እሉ ተከሳሾች ወደ ሀገሩ ለመሄድ ዘዋር ካዘ ሆቴል እንግዳ ሆኑ ላይ እንዲቀመጡ ተገለፀ ገብተው እንደሚያውቁ ተመለሱ ለመጠየቅ መጣ ጀምር ተፈፀመ ተከሳሾች ለመሄድ እንደ ለማየት ላይ ከ20 ለሊት ደብሪ 5ቸን ተከሳሾቹ መኪናን ጎደለጋቸው ሲገባ 3ኛ ተከሳሽ እና ወደዚያ እናንተ ወደቤት ይዞ ገቡ እንደሆነ ገልፆ ተናገረ ::

4ኛ የዐ/ሕግ ምስክር ቀኑ ከጀን ሀሙሴ እንደሚ ሀገሩ ጀመር ተፈፀመ ተከሳሾች ለመሄድ ገዘ ሆቴል ዘዋ ላይ እንደሚያሳዩ የሰጡ ላይ እንዲቀመጡ ገበር ምክርነው ጉለን ላይ ተቻለ ላይ የለንም እሉ ከዚሁ ይዞ ያገ-ወን ተመገር ነው ገለን ገገርያቸው ከእነተዘዋሪ ጋር ለመወሰድ ይዞን ካሉ ለበር እና እንደ ላይ ወደላይ ተመለሱ ለመሄድ ለጀመሩ መጣ ጀመር ተፈፀመ ተከሳሾች ከ20 ለሊት ሀገሩ እንዲ ሁኔታ ወሰን እንደሚያውቁ ተከሳሾቹን እንደፈለጋቸው ሰዎች ሀብታም እንዲቀርብ ገለው ወደ ገበያ ወስደዋቸው ገን ተሰርቶ ሰዎችን እንዲያስቀምጧቸው ለመሄድ ሊገዙ ነበር

5ኛ የዐ/ሕግ ምስክር ም/አለቃ ሰሃዩ ከሰማል ከ3ኛ እና 4ኛ የዐ/ሕግ ምስክር ጋር ለተመሳሳይ ሁኔታ መስክሯል ::

6ኛ የዐ/ሕግ ምስክር ወሀመድ እሉ 1ኛ ተከሳሽ እመር ሙሉ ለተደገመ ላይ ለማስቀመጥ ይወስዳል ለመሄድ ሊሸ 4ኛ ተከሳሽ ይዘው መኪና ላይ እንዲገቡ እንደተደረገ ሰዎች ደሊሉ መኪና እንዲወሰድ ጀምሮ ተፈፀመ ነበር ለሸሪ እመር ሙሉ ሁሉ መኪና ላይ እንዲቀርብ 5ኛ ተከሳሽ ለመለቀቅ ሰሌ ለገዢ መኪና ነው የተያዘው ገልጿል ::

7ኛ- የዐ/ሕግ ምስክር እንድሪስ መሀመድ ለሰጡት

አስፈላጊም ተጠቃሽ ሊሆ የሰውን አካል ላይ የተአሳዋሪ
አዋን ላይነ-ሙዋ መውጋቱ ከተአ ዳተቸን አዋን ለመንገ
ራ አላ እንደዳሙዋ ቻ ዱ ማኅበራና ለ በለቦ9ተሙ
ለ0/ሩለ ማቂ/ራ ለአለ1ገሙ ለተአሶአ7 የአ7/ለ0/
ኧ/ል/ የ0/ህ/ እንቀ 686/21 ኝ4ተኝ ና0ተ ገ5ለ
ሁ።

## የ0/ሩለ9 የዳጦ7 እለተየአ7

ተቃአ7ኝ ለተአሶለ7 ለኝ4ተኝን ለበለቦ9ተሙ
እለክ መ0ኝ4ሙ ገዳለ ለ0ኙቦ4ለ7ሙ ኅጦቱ እንደ
ንለኔ4ኝ።

2ኝ- 1ኝ ተአሶኝ ኅመ0 ኅ4ው09 7ንፉ በ0ው የ009903
መ0ን5 ኧ4ቱ ኝ ለ09ረ0ለ0 ህ7ረ4 ዳለ0 ኧ5 ለሀ4
ፉ/07 ተ4ው ኅበ6 ለ0ዓ ለ0ለ2ዳ ወ7 ለ4ረ4 ኧ3ደ5
ገ1ዳኝ

ተቃአ7ኝ መ7ረ ኅ6 ለ0ዓ ለ4ህ4 2ዓ6 የኧ4ተ4ዳ
ዓ6 ኅ4ለ7 ለ0መ7 ለ4በ09 መ7ኝ0 የዳ09 መ4ጸ0
ገ0ለ ኧ3ለ0ለ7ደኝ ኧ0።

## የተ4አ7 የዳጦ7 እለተየአ7

1ኝ ተአ7 ለ0ለ ህ0 ኝ0ኝ ዳመ5ለ ኧ04 ኧረ0ህ4
ረ0

2ኝ ተአ7 ኧህ4 መ0መመ ለ4ኝ ኧ0ኝ መ ኅ7 ኧ4
የ0ዓ0ደ0ለ0 መ7 ኧ0ኝ

3ኝ ተአ7 ኧ0ለ4ዓ መ0 የ0ዳ05 ለ7 መ0ህ
ኧ0ኝኝ የተመ0ዳ4 ለኝ ኧ0ኝኝ

4ኝ ተአ7 የህ3 ኧ4ለህ ኧ54 ኧ0ኝኝ ኧ0ኝ
የ009ለ3

5ኝ ተአ7 ህ4 የህ3 ኧ4ህ00 ኧ5 ኧ409ለ 4ለ0
ረ00 ኧ07 4ለ ህ4ረ0 የ4ዳ7ህ0ለ7ን ኧ4
መ4መ09 ።

## ቀ097

መ6ቀኝ ዳ4ለ07ን ኧ4ተየአ7 ለ09ረ09ለ4ሀ የ0ዓ6
ለ 4ዘ ኧ0ለ09 የኧ7ለ4ን መ0ዓ0ለ7 የህ7ለ0ለ3 ኧ4ዓ0 ዴ4

25, 35, 45 እና 55

ርዕሰ እችፋው ንትይሳለት ኢ15/04/09 ዓምዑ እ8393
ኔፋው በ3/ይለት/ግለት እኢለት እንዛቀጠ ኔል
ወስዕልቱ።

ጉስ/ጥ
- የይሳበን ወጠት የተወሰዉ ግ
- እለቱን ተጠተጠ እን ይኢይም ስኝ ለ
ግለሪ ለት የኢየር ጉስ ይኔ ጠ እዝኝ ወ
ግጠ ዘኤ ወይ ወስኝ ሳ ወኝ ለ።

የዓይሳበ የኘ ይርዐ እለት

ቁ፫ 08/05/09

ለጎጠሸነሩ ወረዳ ፍ/ቤት ሎት
ጎጠሸሪ

ተከሳሽ:- 1ኛ - ጎጠር እርውበት
2ኛ - እሀራ መሀበት
3ኛ - እስበየም ወኅ
4ኛ - ዬሀን እንዳረስ
5ኛ - ሀፅ ዬሀን እርውበት

በፍ/ሰ/ ፍ/ቤት በቁ፫ 08/05/09 ም-ም ሰፆስ
ወ የወንጀል ፍትሎት ለተከሰው ወኅ ቁር ኣለተከኘን
የደመነኝ ወለተኘን ተወነቆ ይበመኝ እንደሰመኝ እንዲ
ለግሊትኝ እንመሰለኘትለኝ ::

"ካሰፆ ጋር"

እሰብ ገፅ፭:-
1ኛ - ጎጠር እርውበት ኦት
2ኛ- እሀራ መሀበት
3ኛ እስበየም ወኅ ወሸ
4ኛ - ዬሀን እንዳረስ
5ኛ- ሀፅ ዬሀን እርውበት

ቀን..........

በእፋር ብ/ክ/መ

ለአዉሲ ረሱ ክፍተኛ ፍርድ ፍ/ቤት

አይሳኢታ

ይግባኝ ባይ:- 1ኛ/ ኡመር አህመድ      አድረሻ   ጋላፊ

2ተኛ/ አሃዱ መሀመድ      አድረሻ   ጋላፊ

3ተኛ/ኢብራሂም ሙሳ      አድረሻ   ጋላፊ

4ተኛ/ ያሲን እንድሪስ      አድረሻ   ጋላፊ

5ተኛ/ ሃጂ ያሲን አህመድ      አድረሻ   ጋላፊ

መልስ ሰጭ:- የአዉሲ ረሱ ዞን ዓቃቤ ህግ

<center>በወ/መ/ሥ/ሥ/ሕ/ቁ/ 181 መሰረት የቀረበ የይግባኝ አቤቱታ</center>

> ፍርድ ቤቱ ይግባኙን መርምሮ ለመወሰን ሙሉ ስልጣን አለዉ::
> ይግባኙ የቀረበዉ የኤደአር ወረዳ ፍርድ ቤት በቀን 08/05/09 ዓ.ም ባስዋለዉ የወንጀል ችሎት በወ/መ/ቁ 157/09 በቅጣት አወሳሰንና ጥፋተኛ በመሰት  በሰጠዉ ዉሳኔ ላይ ያለበትን መሰረታዊ የህግና የፍሬ ነገር ስህተት ለማሳየ ነዉ::
> ይግባኙ የኤሊደአር ወረዳ ፍርድ ቤት ጥር 05ቀን 2009 ዓ.ም በተጻፈ ሸኝ ደብዳቤ ጋር የመዘገቡና የዉሳኔዉ ግልባጭ 19 ገጽ ፎቶ ኮፒ ተያይዞ ቀርቧል::

<center>1. የስር ፍሬ ነገር አመጣጥ ባጭሩ</center>

ዓቃቤ ህግ በስር ፍርድ ቤት በመሰረተዉ ክስ የአሁን ይግባኝ ባዮች ተሻሽሎ የወጣዉን የኢፌዴሪ ወንጀለኛ መቅጫ ህግ አንቀጽ 686 ንኡስ አንቀጽ 2 መሰረት ጥፋተኛ ተብለዉ ሲቀጡ ይገባል የሚል ሲሆን የአሁን ይግባኝ ባዮችም በክሱ ላይ ተቃዉሞ የሰለን መሆኑን ገልጸን ድርጊቱን ያልፈጸምን መሆናችንን እና የኮማንድ ፖስት አዋጁንም ስለመተላለፋችን በአዋጁ መሰረት ቅድሚያ ማጣራት ባለበት አካል ያልተጣራ መሆኑን በስር ፍርድ ቤት አስመግብናል:: ፍርድ ቤቱም የአቃቤ ህግን ምስክሮች ክስማ በኋላ ይግባኝ ባዮች እንድንክሳከል ትእዛዝ ሰጥቶ የይግባኝ ባዩን ማስረጃዎች ክስማ በኋላ ጉዳዩን በመመርመር የአሁን ይግባኝ ባዩ የመከሳከያ ማስረጃዎች ለማስተባበል በቂ አይደለም የሚል ምክኒያት ይዞ ኮማንድ ፖስቱን አዋጅ በማባቀስ ይግባኝ ባዮች በአቃቤ ህግ በኩል ተጠቅሶ በቀረበብን ድንጋጌ መሰረት ጥፋተኛ አድርጎ ከወሰነ በኋላ 1ኛ ይግባኝ ባይ ሪከርድ ያለበት በመሆን እጅ ከተያዘ ቀን ጀምሮ በሚታሰብ የ 5 አመት ጽኑ እስራት እንዲቃጣ ሲወስን 2ተኛ፤3ተኛ፤4ተኛ እና 5ተኛ ይግባኝ ባዮችን እጃቸዉ ከተያዘበት ቀን ጀምሮ እያንዳንዳቸዉ የሶስት አመት እስራት እንዲቃጡ በሚል ፍርድ ቤቱ በወ/መ/ቁ 157/09 በቀን 08/07/09 ዓ.ም ባስዋለዉ የወንጀል ችሎት የመጫረሻ ዉሳኔ አሳልፏል::

<center>2. ዝርዝር የይግባኝ ቅሬታ ነጥቦች ባጭሩ</center>
<center>2.1 የጥፋት ዉሳኔን በሚመለከት የቀረበ የይግባኝ ቅሬታ</center>

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አቃቤ ህግ እንደክሱ ያስረዱልኛል ብሎ ከቆጠራቸው፤ 13 ምስክሮች የአሁን ይግባኝ ባዮች ተሰብስበዋል፤ ስራ አስቁመዋል እና ለአመጽ አነሳስተዋል በሚሉት ሶስት ነጥቦች ላይ የምስክርነት ቃላቸዋን ሲሰጡ ከነዚህም ውስጥ

2.1.1/ ከ 13 ቱ ዓ/ህግ ምስክሮች ውስጥ 6 ምስክሮች (3ተኛ፤4ተኛ፤5ተኛ፤10ኛ፤11ኛ እና 13ተኛ) የአቃቤ ህግ ምስክሮች የአሁን ይግባኝ ባዮች በአቃቤ ህግ የተከሰስንበትን ወንጀል ፈጽማችኋል በተባልንበት እለት፤ ሰአት፤ቀንና ቦታ ላይ ከሌሎች ሰዎች ጋር ተሰብስበን እንነበርን የሚያሳይ የምስክርነት ቃላቸዋን የሰጡ ሲሆን በዚህ ዙሪያ የሰጡት የምስክርነት ቃልም ፦

3ተኛ የአቃቤ ህግ ምስክር የሰጠዉ የምስክርነት ቃል በሰአቱ በብሰባዉ ላይ ተሳትሬ፣ የነበረዉ 3ተኛ ላይ የተጠቀሰዉ ይግባኝ ባይ ብቻ እንደሆነ መስክሯል፡፡ 4ተኛ የአቃቤ ህግ ምስክር ከአሁን አምስተኛዉ ይግባኝ ባይ ዉጪ ሌሎች ይግባኝ ባዮች ስብሰባዉ ላይ እንደተሳተፉን የሚገልጽ የምስክርነት ቃሉን ሰጥቷል፡፡5ተኛ የአቃቤ ህግ ምስክር ደግሞ የአሁን አምስታችንም ይግባኝ ባዮች በስብሰባዉ ላይ እንደነበርን ሲመስክር በላ በኩል ደግሞ 13ተኛዉ የአቃቤ ህግ ምስክር በሰአቱ በቦታዉ ላይ ስብሰባ እንደነበርን ከመጥቀስ ዉጪ የአሁን ይግባኝ ባዮች ስብሰባዉ ላይ የነበሩን መሆናችንን አላስረዳም፡፡ 10ኛ እና 11ኛ የአቃቤ ህግ ምስክሮች ደግሞ ስብሰባዉ ላይ የነበረዉ፣ የአሁን 4ተኛ ይግባኝ ባይ ብቻ እንደሆነ የምስክርነት ቃሉን ሰጥቷል፡፡

ባጠቃላይ ከ13ቱ የዓ/ህግ ምስክሮች ዉስጥ እፍ ብሎ የጠቀስኳቸዉ 6 ቱ የአቃቤ ህግ ምስክሮች ዓ/ህግ ወንጀሉ ተፈጸም ባለበት እለት፤ሰአት፤ቀንና ቦታ ላይ ስብሰባዉ ላይ ስተተሳትፉ ሰዎች በሚመስከት የምስክርነት ቃላቸዋን የሰጡ ሲሆን እነዚህ ስድነትም የዓ/ቤ ህግ ምስክሮች የሰጡት የምስክርነት ቃል ሙሉ ለሙሉ የማይመሳሰል መሆኑን እፍ ብሎ ባለ፡፡ ፓራግራፍ ላይ የጠቀስክ ሲሆን በላ በኩል ደግሞ የአሁን ይግባኝ ባይ ፈጽማችኋል የተባልንዉን ወንጀል እንዳልፈጸምን የከድ ሲሆን የመከላከያ ምስክሮቻችንም ወንጀሉ ተፈጸም በተባለበት እለት በተለይ 1ኛ ይግባኝ ባይ አይሳኢታ እንደነበር በግልጽ የመሰከሩ ሲሆን ይኼም በሰር ፍርድ ቤት ዓ/ህግ ያላስተባበለዉ ዉነት ነዉ፡፡እንግዲህ የተከበረዉ ይግባኝ ሰሚዉ ፍርድ ቤት የሰር ፍርድ ቤት ገጽ 13 የመጨረሻ ፓራግራፍ ላይ የተቀፉትን ምስክሮች ከሚለዉ ጀምሮ ................ ተከላሽ የተያዘበትን ሁኔታ የዓ/ቤ ህግን ማስረጃ ማፍረስ ቀርቶ ድርጊቱን ስለመፈጸማቸዉ ጥርጣሬ እንኳን የማያሳድር ነዉ፡፡ በማለት በምክንያትነት ያስፈራት ሁተታ ይግባኝ ባይ ወንጀል የፈጸምን መሆናችንን የሚያስረዳ አይደለም ምክንያቱም ይግባኝ ባይ ቡጡጥር ስር መዋላችንን የሚያሳይ እንጂ፣ እዉነት በአቃቤ ህግ የተከሰስንበትን ወንጀል ስለመፈጸማችን ሊያስረዳ የሚችል አንዳም ነገር የለም፡፡ ከዚህ በተጨማሪም ተሰብስበዉ ነበር በማለት ከመሰከሩት የአቃቤ ህግ ምስክሮች መካከል የተወሰነ የአቃቤ ህግ ምስክሮች ስብሰባዉ ላይ የነበሩ ሰዎች ብዛት ከ100 በላይ ናቸዉ፣ ሲሉ ሌሎች ደግሞ 20 ዋም 22 ሰዎች ነፉ በማለት እርስ በእርሱ የሚጋጭ የምስክርነት ቃላቸዋን ሰጥተዋል ይህ በዚህ እንዳለ የተወሰኑ የአቃቤ ህግ ምስክሮች ስብሰባዉ የተደረገዉ፣ ዛሩ ስር ነገር ሲሉ ሌሎች የተወሰኑ የአቃቤ ህግ ምስክሮች ደግሞ ስብሰባዉን ያደረጉት እቤት ዉስጥ ነበር በማለት የምስክርነት ቃላቸዋን ሰጥተዋል፡፡እዉነታዉ ይህ ከሆነ ወንጀሉ ተፈጸሜበ በተባለበት እለት ወንጀሉን ፈጽማችኋል የተባልነዉ ይግባኝ ባዮች ወንጀሉ በተፈጸመበት ቦታ ላይ ስለመኖራችን ባልተረጋገጠበት ሁኔታ ፍርድ ቤቱ በወ/መ/ሥ/ሥ/ሕ/ቁ 141 መሰረት የይግባኝ ባዮችን የመከላከያ ምስክር መስማት ሳያስፈልገዉ በነጻ ሊያሰናብተን ሲገባ የሰር ፍርድ ቤት ወንጀሉን ስለመፈጸማችን ወይም ስላለመፈጸማችን ሊያደርናን የሚችልን ነገር ( ይግባኝ ባዮች ቡጡጥር ስር የዋልንበትን) እንደ ምክንያት በመቁጠር የአሁን ይግባኝ ባዮችን ጥፋተኛ በማለት የኢ.ፈድሪ ወንጀል አንቀጽ 23 ንኡስ አንቀጽ 4 ን ከጥምት ዉስጥ ሳያስገባ የደረሰበት ድምዳሜ መሰረታዊ የሆነ የሀግና የፍሬ ነገር ስህተት የተፈጸመበት በመሆኑ እንዲታረምልኝ፨
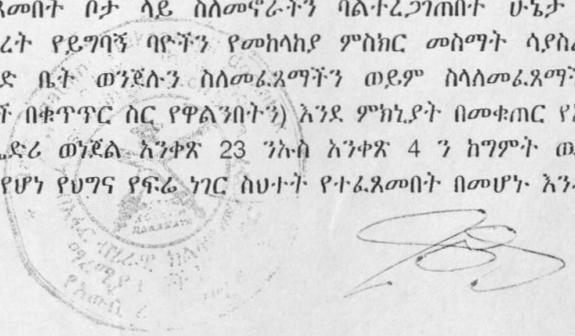
ያስፈራት እንዲሁም 5ተኛ የአቃቤ ህግ ምስክር እንደ 3ተኛ እና 4ተኛ የአቃቤ ህግ ምስክሮች መስክረዋል በማለት ያስፈራት በሃሰት ነዉ። ከዚህ በተጨማሪም በገጽ 11 ላይ 8ተኛ የዓቃቤ ህግ ምስክር እንደ 1ኛ እና 2ተኛ የአቃቤ ህግ ምስክሮች እንዲሁም 12ተኛ እና 13ተኛ የዓቃቤ ህግ ምስክሮች እንደ 11ኛ የአቃቤ ህግ ምስክር መስክረዋል በማለት ያስፈረዉ በሃሰት ነዉ። ይህንንም የተከበረዉ ይግባኝ ሰሚዉ ፍርድ ቤት የአቃቤ ህግ ምስክሮች የሰጡትን የምስክርነት ቃል በማየት የሚያረጋግጠዉ ሀቅ ነዉ። በመሆኑም የስር ፍርድ ቤት እንዚህን የስነስረአት ሃደቶች በአግባቡ ሳይተገብር የደረሰበት ድምዳሜ መሰረታዊ የነ የህግ ስህተት የተፈጸመበት በመሆኑ እንዲታረምልኝ።

ባጠቃላይ የስር ፍርድ ቤት የቀረበለትን መረጃ ሙሉ ለሙሉ በአንድነት ሳያይ የተወሰነትን የምስክሮች ቃል ቅጭብ እያደረገ እንዲሁም ከጉዳዩ ጋር የማይገናኝ ነገሮችን ከግምት ዉስጥ በማስገባት እዉነታን አጥሮ የማዉጣት የተጣለበትን ሃላፊነት ወደ ጎን በመተዉ. የደረሰበት ድምዳሜ መሰረታዊ የሆነ የፍሬ ነገርና የህግ ስህተት የተፈጸመበት በመሆኑ እንዲታረምልኝ።

## 2.2 የቅጣት ዉሳኔን በሚመለከት የቀረበ የይግባኝ ቅሬታ

የስር ፍርድ ቤት የአሁን ይግባኝ ባዮችን ጥፋተኛ በማለት ከወሰነ በኃላ ያሳለፈ፦ት የቅጣት ዉሳኔ በፌደራል ጠቅላይ ፍርድ ቤት በኢፌድሪ ወንጀለኛ መቅጫ ህግ አንቀጽ 88 ንኡስ አንቀጽ 4 በተሰጠዉ ስልጣን መሰረት ያወጣዉን የተሻሻለዉ የወንጀል ቅጣት አወሳሰን መመሪያ ቁጥር 2/2006 እንዲሁም በኢፌድሪ ወንጀለኛ መቅጫ ስለቅጣት ማቅለያና ማክበጃ በሚመለከት የተደነገጉትን ድንጋጌዎችን (ለምሳሌ አንቀጽ 179 እና 182) መሰረት ያላደረገ ነዉ። በተለይ የስር ፍርድ ቤት የአሁን እንደኛ ይግባኝ ባይ ከዚህ በፊት ታስሮ ስለነበር ሪኮርድ ያለበት በመሆኑ ፍርድ ቤቱም የአሁን 1ኛ ይግባኝ ባይ መታሰሩን እና ሪኮርድ በመቁጠር ከሴሎች ይግባኝ ባዮች በተለዩ በማክበድ የወሰነዉ. ዉሳኔ አንድ ተጠርጣሪ በፍርድ ሃደት ላይ እያለ በፍርድ ቤት ጥፋተኛ ተብሎ እስኪወሰንበት ድረስ ንጹህ እንደሆነ ይቆጠራል በማለት የሚደነግገዉን የኢፌድሪ ህግ መንግስት አንቀጽ 20(3) ን የሚቃረን ነዉ። በመሆኑም ቅጣትን ከሚያከብዱ ነገሮች መካከል እንዱ ከዚህ በፊት በፍርድ ቤት ጥፋተኛ ተብሎ የተወሰነ ዉሳኔ ካለ እንጂ ወንጀል ፈጽሟል በሚል ጥርጣሮ እስር ቤት በማግባቱ ብቻ እንዳ ሪኮርድ ተቆጥሮ ቅጣትን ሊያከብድ የሚችልበት ምንም አይነት የህግ ምክኒያት የለም። ስለሆነም የስር ፍርድ ቤት በአሁን ይግባኝ ባዮች ላይ ያስተላለፈዉ. የቅጣት ዉሳኔ ከፍ ብሎ ስለ ቅጣት አወሳሰን የተጠቀሰዉን መመሪያ ከግምት ዉስጥ ሳያስገባ በአሁን ይግባኝ ባዮች ላይ የወሰነዉ የቅጣት ዉሳኔ መሰረታዊ የሆነ የህግ ስህተት የተፈጸመበት በመሆኑ እንዲታረምልኝ።

## 2.3 የምንጠይቀዉ ዳኝነት

የስር ፍርድ ቤት በአሁን ይግባኝ ባዮች ላይ የወሰነዉ. የጥፋተኝነት ዉሳኔ የአሁን ይግባኝ ባዮች ወንጀሉ ተፈጸመ በተባለበት እስት፦ቀን፣ ሰአትና ቦታ ላይ ስለመኖራችን፣አመጽ ስለማነሳሳታችንም ሆነ ስራ ስለማስቆማችን ባልተረጋገጠበት ሁኔታ እንዲሁም በባህላችን የሆነ ችግር ሲያጋጥመን በመስብሰብ ችግራችንን በሽማግሌ የምንፈታ የማህበረሰብ ክፍል መሆናችን እያታወቀ ተሰብስበን እንኳን ቢሆን እንኳን የተሰበሰብንበት ጉዳይ በምን ምክኒያት እንደሆነ ባልተረጋገጠበት ሁኔታ የስር ፍርድ ቤት

2.1.2/ ይግባኝ ባዮች ስራ እንዳይሰራ አስቁማችኋል የሚባለውን በሚመለከት ከ 13ቱ የአቃቤ ህግ ምስክሮች ውስጥ 6ቱ ምስክሮች(1ኛ፤2ተኛ፤6ተኛ፤7ተኛ፤8ተኛ እና 13ተኛ) የምስክርነት ቃላቸውን ሲሰጡ ከነዚህም ውስጥ

2ተኛ እና 8ተኛ የአቃቤ ህግ ምስክሮች የአሁን ይግባኝ ባዮች ስራ እንዳላስቆምናቸው ለአሁን ይግባኝ ባዮች በሚጠቅም መልኩ በግልጽ የምስክርነት ቃላቸውን ሲሰጡ 1ኛ የአቃቤ ህግ ምስክር ደግሞ ስራ እቁሙ አለን የሚል ሲሆን ስራ ያስቆማቸውም የጨዉ አምራች ወኪል የሆነዉ እቶ አብዱ አሊ እንደሆነ የምስክርነት ቃሉን ሰጥቷል።በመሆኑም 1ኛ የአቃቤ ህግ ምስክር ይግባኝ ባዮች ስራ ስለማስቆማን በግልጽ አላሰረዱም። ይህ በዚህ እንዳለ 7ተኛ የዓቃቤ ህግ ምስክር ይግባኝ ባዮች ስለማስቆማችን ሲመሰክሩ 6ተኛ የአቃቤ ህግ ምስክር ደግሞ ስራ ያስቆመዉ አንደኛ ተከሳሽ ብቻ እንደሆነ መስክሯል።በመጨረሻም 13ተኛዉ፣ የአቃቤ ህግ ምስክር ይግባኝ ባዮች ስራ ያስቆመ ስለመሆኑዉ ከተሰብሳቢዎች ሰምቻለሁ በማለት የሰሚ ሰሚ የምስክርነት ቃሉን አስመዝግቧል ። ባጠቃላይ 6ቱ የአቃቤ ህግ ምስክሮች በዚህ ዙሪያ የሰጡት የምስክርነት ቃል የአሁን ይግባኝ ባዮች ስራ ያስቆሙን ስለመሆናቸን እንኳን ሊገልጽ የአቃቤ ህግ ምስክሮች የሰጡት የምስክርነት ቃል እርስ በራሱ የሚጋጭ ነዉ።ሲጀመር ወንጀሉ ተፈጸመ በተባለበት ቦታ ላይ የአሁን ይግባኝ ባዮች በቦታዉ ያልነበርን መሆኑ በዚሁ አቤቱታ በተራ ቁጥር 2.1 ላይ የጠቀስነት ሁኔ ነዉ። እንግዲህ የተከበረዉ ይግባኝ ሰሚዉ ፍርድ ቤት እዉነታዉ ይህ ከሆነ የስር ፍርድ ቤት በወስኑት ዉሳኔ ላይ ከገጽ 15 ጀምሮ ያለዉን ሁተታ በምንኪያትነት በመጥቀስ የደረሱበት ድምዳሜ መሰረታዊ የሆነ የህግና የፍሬ ነገር ስህተት የተፈጸመበት በመሆኑ እንዲታረምልኝ።

2.1.3/ የአሁን ይግባኝ ባዮች ለስመጽ አነሳስተዋል በማለት ከመለስከሩት 13 የአቃቤ ህግ ምስክሮች ዉስጥ ሶስት ምስክሮች ብቻ ሲሆኑ እነሱም 4ተኛ ፤9ኛኝ እና 12ተኛ የአቃቤ ህግ ምስክሮች ናቸዉ። የሰጡትም የምስክርነት ቃል 4ተኛዉ የአቃቤ ህግ ምስክር ከአሁን ይግባኝ ባዮች ዉስጥ ስብስባዉን ሲመራ የነበረዉ የአሁን 1ኛ ይግባኝ ባይ ነበር ከማለት ዉጪ ስብስባዉ ልምን እንደተደረገ ካለመመስከሩም ባሻገር ቀሪዎቹ አራቱ ይግባኝ ባዮች እንኳን ለስመጽ ለማነሳሳት ስብስባዉ ላይ የተሳተፉን ስለመሆናችን አልመስክረም።12ተኛዉ የአቃቤ ህግ ምስክርም የአሁን አንደኛ እና አራተኛ ይግባኝ ባዮች ምንም የማያዉቁ ሰዎችን ስብስበዋል ከማለት ዉጪ የሰበሰቢቸዉ በምን ምክኒያት እንደሆነ አልጠቀሱም ። 9ኛኝ የአቃቤ ህግ ምስክርም ከስሊቱ 7 ስለት ላይ ለስመጽ እያስተባሩ ነበር ቢልም የተወሰነ ይግባኝ ባዮች አስተባባሩ በተባለበት ስለትና ቦታ ላይ ያልነበሩ መሆናቸዉ ይግባኝ ባይ ባቀረብናቸዉ የመከላከያ ምስክሮች የተረጋገጠ ሁኔ ነዉ። ባጠቃላይ የአቃቤ ህግ ምስክሮች በዚህ ዙሪያ ላይ የሰጡት የምስክርነት ቃል ይግባኝ ባዮች ለስመጽ ለማስነሳት ምንም አይነት ያደረግነዉ ሚና የሌለ መሆኑን በግልጽ የሚያሳይ ነዉ።

2.1.4/ የስር ፍርድ ቤት የተወሰኑ የአቃቤ ህግ ህግ ምስክሮች በስጡት የምስክርነት ቃል ላይ የአሁን ይግባኝ ባዮች ያነሳነዉን መስቀለኛ 'ጥያቄም' ሆነ የአቃቤ ህግ ምስክሮች ስጠየቅነዉ. መስቀለኛ 'ጥያቄ የመለሱልንን መልስ በመገዝቡ ላይ ሳያሰፍሩ ያሳሩት የመጨረሻ ድምዳሜ በወ/መ/ሥ/ሥ/ሕጋችን ላይ የተደነገጉትን የስነስረአት ሂደቶች ያልጠበቀነዉ። አልተመዘበልኝም ካልናቸዉ. ዉስጥ የ6ተኛ ፤7ተኛ፤ 8ተኛ፤ 9ኛኝ፤ 10ኛ፤ 11ኛ፤ እና 13ተኛ የአቃቤ ህግ ምስክሮች ላስመዘገቡት የምስክርነት ቃል የአሁን ይግባኝ ባዮች የጠየቅነዉ. የመስቀለኛ ጥያቄዉ ሆነ ለጠየቅነዉ. የመስቀለኛ ጥያቄ የአቃቤ ህግ ምስክሮች የሰጡት መልስ በመገዝቡ ላይ አልሰፈረም ይህንንም እዉነታ የተከበረዉ. ይግባኝ ሰሚዉ ፍርድ ቤት የስር ፍርድ ቤቱን ዉሳኔ በማየት የሚያረጋግጠዉ. እዉነታ ነዉ። ይህ በዚህ እንዳለ የስር ፍርድ ቤት በወስነት ዉሳኔ ገጽ 10 ላይ 3ተኛ እና 4ተኛ የአቃቤ ህግ ምስክሮች እንደዚህ ብለዋል በማለት
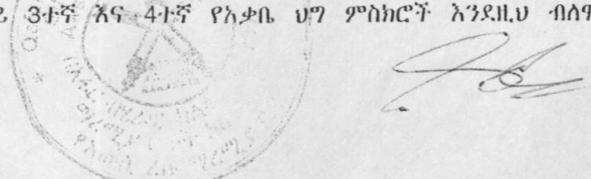
የኮማንድ ፖስት አዋጁን በማጣቀስ አቃቤ ህግ በክሰሰበት የወንጀል ህግ ድንጋጌ መሰረት ጥፋተኛ ናቸሁ በማለት የወሰኑትን ዉሳኔ በመሻር በነጻ እንዲያሰናብተን እንዲወሰንልን፤

የስር ፍርድ ቤት የአሁን ይግባኝ ባዮች ጥፋተኛ ስለመሆናችን ላይመሰክርብን ጥፋተኛ ናቸሁ በማለት ቢወስንም እንኳን በቅጣት አወሳሰን ረገድ የደረሱብት ድምዳሜ በኢ.ፌ.ድ.ሪ ጠቅላይ ፍርድ ቤት የወጣዉን የቅጣት አወሳሰን *መመሪያ መሰረት* ያላደረገ በመሆኑ ሙሉ ለሙሉ እንዲሻርልንና በነጻ እንድንሰናበት እንዲወሰንልን፡፡


ይግባኝ ባይ    1ኛ/ ኡመር አህመድ        ፌርማ--------

2ተኛ/ አሃዱ መህመድ        ፌርማ--------

3ተኛ/ኢብራሂም ሙሳ        ፌርማ--------

4ተኛ/ ያሲን እንድሪስ        ፌርማ--------

5ተኛ/ ሃጂ ያሲን አህመድ    ፌርማ--------

Annex 5: *Wandaba* clan letter to the *Eli Dar* District Administration
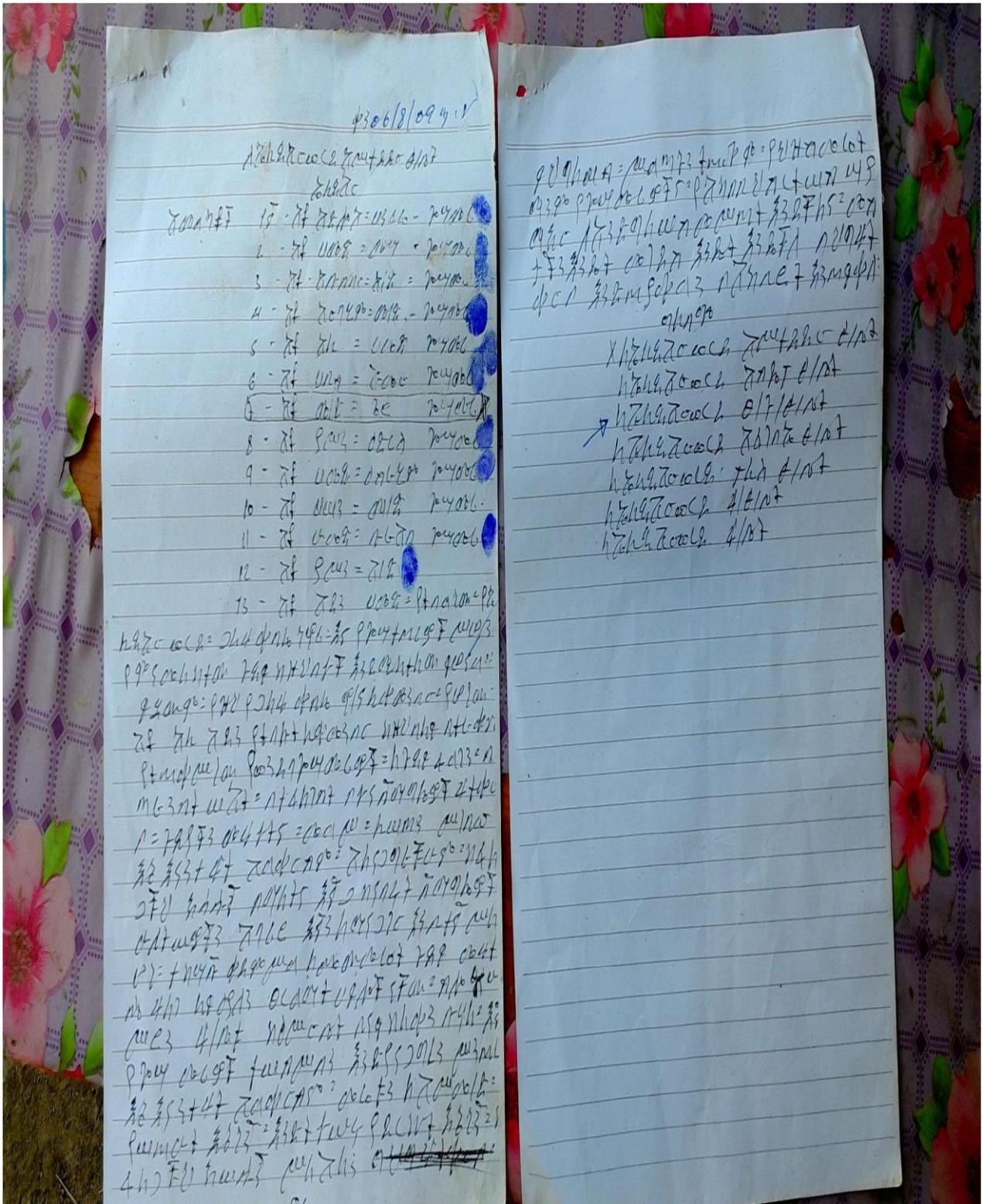


Annex 6: *Wandaba* clan letter to the *Eli Dar* District Council

ለጎሬዳጋር ወረዳ ወ...ትሮ... የ...ለ...

እ...ቋ...ር

እኔ ለ...ን በ...ተ...ለ... የ...ጠ... የ...
01 ቀበሌ ... ... የ...ጠ... ... እን...
... ...።

ተጨ...ም 1ኛ እ... ...
2ኛ. ... ...
3ኛ ... ...

የ... በ... ... ... የ... 01 ቀበሌ ...
... ... ... ... ... ...

...

እ... ... ... ... ... ...
... ... ... ... ...

...

እ... ... ...

1 ... ... ——
2 ... ... ...
3. ... ... ...
4. ... ... ...
5. ... ...