

The former Sufi Centers of Learning and Their Contemporary Courts

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Judaism, Christianity, and Islam have a long history in Ethiopia.^[1] The dominant historical narrative of the Abrahamic traditions in Ethiopia dates back to the Old Testament, specifically to the story of the Queen of Sheba from Axum who purportedly travelled to Israel in the tenth century BCE to meet King Solomon (1 Kings 10:1-13).^[2] Accordingly the queen had a son with Solomon named Menelik who later became the first emperor of Ethiopia. In the fourth century CE, Emperor Ezana was converted to the Christian faith and declared Christianity to be the religion of the land. The church and the state in Ethiopia have had a very close relationship ever since in which the political rights to power were justified through divine origin as represented in the Solomonic myth. Haile-Selassie Teferra^[3] notes the complementarity of the monarchy and the church, saying, “The monarchy used the church to legitimate its rule and the church employed the power and influence of the monarchy to spread Christianity.” Forceful attempts to Christianize the nation by different Ethiopian emperors, especially Emperor Yohannes IV in the second half of the nineteenth century, indicate this close relationship between the church and the state whereby orthodox Christianity has for a long time been privileged to be the official religion of the state. In the revolution of 1974, Ethiopia officially became a secular state.^[4]

The history of Ethiopia’s first encounter with Islam is as old as the religion itself, going back to the life of Prophet Muhammad. The arrival of Islam to Ethiopia is related to the history of the first *hejira* (flight) when Meccan converts to Islam faced intense persecution by the Quaryish. Around the year 615, a group of about seventy Muslims migrated to Abyssinia.^[5] On their arrival they were welcomed by Axumite ruler Ashama bin Al-Abjar, commonly known as Negas or Al-Negashi (d.632 CE), who sheltered these first Muslim refugees.^[6] Historical materials indicate the emergence of the first Muslim communities in

Ethiopia in the early ninth century. From the tenth to the thirteenth century, some Muslim sultanates emerged in southern and eastern parts of the country, such as the Shewa Sultanate, the Sultanates of Adal, Yifat, Dawaro, Hadiya, and Fatagar.^[7]

Donald Levine notes that Ethiopia's religious tradition has three distinguishing features.^[8] First, Ethiopia was one of the earliest dynasties to receive the three great Semitic religions (Judaism, Christianity, and Islam). Therefore, and secondly, these three Semitic religions grew side by side with relatively little conflict. The third distinguishing feature is Ethiopia's long experience with syncretism related to the fact that these three Semitic religions in Ethiopia have had long, successful relationships with traditional beliefs existing in different parts of the country.^[9] The three dominant trends in contemporary academic works on the subject of religion in Ethiopia are: 1) those works dealing with the history of different religious institutions in the country; 2) those works addressing issues of religious syncretism between traditional belief and world religions;^[10] and 3) the post-1991 discourse on religion as a conflict generator.^[11]

Despite the recent politicization (ethnicization) of social boundaries, there has been for a long while a relative calm among the adherents of different faiths in Ethiopia. Medahane describes the volatile relationship between religion and conflict, saying, "Religion will be the new breeding ground for conflict in Ethiopia." Such debates that focus on a growing sense of, but little evidence of, interfaith tensions in different parts of Ethiopia, highly understate the positive role that religious institutions play in the peacebuilding process by blurring ethnic and religious boundaries. In post-1991 Ethiopia, religion and ethnicity are playing a very significant role in drawing boundaries between the different nations living in the country. On occasion, conflicts arise due to the interplay between one or both of these identity variables. But on the whole, the role of religious institutions in peace is a topic that has got little academic attention so far.^[12] This paper draws on this gap with an attempt to contribute to the subject.

The discussion in this article of religious institutions of conflict resolution is based on the ethnographic data collected during field work over the course of a year at the Sufi shrine of Tiru Sina located in north central Ethiopia. This study has two parts: the first gives a brief description of the shrine, highlighting its history, including the multidimensional rituals that exist in the shrine and showing how such rituals play an integrative role in blurring the

ethnic and religious boundaries on the ground; the second part of the paper discusses the direct role of the shrine as a conflict mediator, giving emphasis to the regular weekly court at the shrine and the mobile Court of the Shrine.

The Shrine of Tiru Sina

Ye shekoch madad (“place of the sheikh”) in north central Ethiopia refers to a number of Sufi shrines established between the eighteenth and twentieth centuries. North central Ethiopia, especially the area around Wallo, is well known for the large number of these shrines^[13] and their central place in the history of the spread of Islam in Ethiopia as they played a very important role in serving as the first centers of Islamic learning.^[14]

The shrine of Tiru Sina is one of these *ye shekoch madads*. It was founded by a sheikh named Siraj Mohammed Awel who belonged to the Qadiriya order, the dominant Sufi order around Wallo and Shewa.^[15] Sheikh Siraj Mohammed Awel was born around 1875 at Dana, a place well known in the history of Sufism in Ethiopia.^[16] Sheikh Siraj studied in famous Islamic schools in Wallo and Shewa and established the Islamic learning center of Tiru Sina around 1949^[17] to provide Islamic education for students coming from the countries of the horn of Africa, such as Somalia, Djibouti and Eritrea, as well as for those from different parts of Ethiopia.

Before the establishment of the shrine at Tiru Sina, the area was a hot spot for ethnic conflict and land disputes between the neighboring communities of Oromo and the Amhara. Governors in the area tried to end the conflicts but failed. By this time, Sheikh Siraj had earned a reputation for extraordinary spiritual power in performing miracles and healing. In a purely pragmatic move, the government began using him as a mediator between two conflicting groups. The alliance between the Christian Emperor Haile Silassie and a Muslim sheikh might sound anomalous, given the former's orthodox background and the underlying authenticity discourse. Emperor Haile Silassie adopted a similar strategy of collaborating with Sufi sheikhs and other Sufi Muslim scholars in different parts of the country.

Sheikh Siraj set out on a mission of preaching the values of peace to these two conflicting parties. Eventually he managed to convince both parties to come to peaceful terms. His successful reconciliation helped him to win recognition both from the Emperor and the local community. The grateful Emperor rewarded Sheikh Siraj with gifts of land grants in

different parts of the country. The lands he received in north Shewa and parts of today's Wallo were quite large in size. In addition, the Emperor sponsored Sheikh Siraj's *hajj* (pilgrimage) to Mecca together with five of his students. And the Emperor often invited Sheikh Siraj to the national palace in Addis Ababa for occasions such as the celebration of the 1952 United Nations resolution to federate Eritrea with Ethiopia. This relationship with the Emperor helped Sheikh Siraj strengthen his shrine at Tiru Sina and to accumulate forms of power other than spiritual power. Sheikh Siraj passed away in 1972.

The Role of Rituals in Narrowing Ethnic and Religious Divides

After the death of Sheikh Siraj, the shrine stopped offering Islamic education, primarily due to the socialist regime (*derg*) that came to power in 1974 and imprisoned Mrs. Toyiba, Sheikh Siraj's daughter, and some of the Sheikh's senior *deresas who were* responsible for Islamic education at the center. Most of his students left during the absence of the Ulama, bringing an end to the center as an institution of Islamic learning. However, there are still a number of rituals that take place regularly at the shrine. These rituals are syncretistic in nature, adopting some elements of orthodox Christianity, Islam, and traditional beliefs. These rituals attract people from different ethnic and religious backgrounds and include:

- *Wadaja*: A weekly *wadaja* (group prayer) is held on Mondays. According to historical sources, *wadaja* is related to a traditional Oromo religion.^[18] *Wadaja* is defined by Oromo historian Muhammad Hassan as an Oromo traditional prayer.^[19] J. Spencer Trimingham defines it as, "the family, or communal prayer gathering."^[20] Different *wadajas* exist for people of different ages and sexes. I have attended a number of *wadaja* for women. According my findings, about 75 percent of the participants in *wadaja* at the shrine are Christians. The ethnic profile of participants at the *wadaja* is also quite diverse. There are attendees from the Oromo, Amhara, and Arggoba ethnic groups who come regularly to the shrine. This is one of the rituals, however, that has faced criticism as being a new innovation (*bidaah*) after the death of the Sheikh.
- *Zar hadra*: The *zar hadra* is a session of prayer, chanting, singing, and dancing by a group of possessed individuals seeking to appease a possessing spirit. (Earlier practice focused on exorcising spirits, but the current practice is to appease spirits as is done in the Sudan and

other Sufi shrines in West Africa.) Both Christians and Muslims participate in the ritual. A number of studies conducted on the zar in Ethiopia describe it as a rite that precedes Christianity and Islam in the country and was originally associated with one of the Cushitic ethnic groups—the Agew—living in north western Ethiopia. This is a non-Christian and non-Islamic tradition that has spread to different parts of the country. As in the case of the wadaja, the zar hadra takes place every week on Mondays at the shrine. And, like the wadaja, individuals who participate in this ritual have different religious and ethnic backgrounds. Revivalist movements have declared these rituals as a “non-Islamic practice” and a “new addition.” These Islamic revivalist movements argue that these rituals are contradictory to the orthodox ways of Islam. Many of these rituals, such as the zar hadra, the wadaja, and the annual sacrifices and institution of spirit mediums at these centers, are challenged as additions (*bidaa*) to the orthodox ways of Islam.^[22]

- Pilgrimage: Local residents call the biannual pilgrimages to the shrine interchangeably *Ziyārah*, *mawlid*, and *miradj*. The pilgrimages take place in August and October. Thousands of pilgrims from all over the country and from the diaspora participate. This is also the occasion when exorcism and the zar hadra take place simultaneously. Besides, this is the occasion when the *bala wuqabis* (spirit mediums) from different parts of Ethiopia are initiated at the shrine, and also the period in which visitors to the shrine make sacrifices to ancestral cults, and for Sheikh Siraj, and for various possessing spirits. The annual sacrifices on this occasion, for both ancestral cults and the sheik, clearly show elements of syncretism between the non-Islamic traditional belief system and the Muslim and Christian rituals existing regularly today at the Shrine of Tiru Sina. In the pilgrimage of October 2009, a survey of 150 pilgrims shows that eighty-five were Christians, sixty declared they were Muslims, and the remaining five said they were spirit mediums. The ethnic profiles of these religious groups were equally diversified.

- Healing: A weekly healing session takes place at the shrine. People come with physical and mental health conditions ranging from simple ailments to infertility, spirit possession, and HIV/AIDS. The treatments for healing used at the shrine are of a syncretistic kind, as some of them have been adopted from Orthodox Christianity and others from Muslim and traditional culture. *Tsabal* (holy water) and *emnat* (ashes of the incense burned during the Mass) are used for the purpose of healing in Orthodox churches. Similarly the *tsabal* and *emnat* are used at the shrine to heal or soothe a wide variety of complaints, including serious

physical and mental illnesses. But unlike the ashes used in Orthodox churches, the emnat used at the shrine is soil obtained from the grave of Sheikh Siraj, which local people call “golden soil.”

- **Conflict Resolution:** The shrine of Tiru Sina in north central Ethiopia plays a very significant role in conflict resolution. On Mondays, leaders at the shrine hold a weekly court session in the compound of the shrine. People come to this court with different types of conflicts, such as broken relationships, property disputes, and criminal cases. This court, unlike other customary institutions of conflict resolution, takes place regularly and is a legal substitute for state courts.

Controversy surrounding elements of syncretism of these rituals mentioned above is beyond the scope of this paper, which centers on the role of religious institutions in conflict resolution. But the rituals—religious and cultural—performed at the shrine are important occasions at which people from different ethnic backgrounds and different religious traditions come to the shrine on similar missions. This regular ritual practice brings diverse people together in a way that blurs ethnic and religious boundaries, indirectly contributing to a reduction in tensions that might otherwise arise.

The Shrine’s role in Conflict Resolution

The unique character of Sufi shrines in north central Ethiopia is related to their direct role in conflict resolution. These former Sufi centers of learning have regular courts called *ye shekoch chilot* (Court of the Sheikh). There are two different types of shekoch chilot: a regular weekly court held on the site of the shrine on Mondays and a mobile court taking place whenever the need arises. A description of the stationary weekly court follows in detail, including the types of cases handled at this court, the profile of clients bringing their cases to the court, and the factors involved in choosing this court over a state court.

The Court of the Sheikh

The name *ye shekoch chilot*, “Court of the Sheikh,” applies both to the stationary, weekly court at the sites of Sufi shrines and the mobile Court of the Sheikh. The shrines in the north central part of the country, especially in south and north Wollo, have hundreds of these courts. At most shrines, court takes place regularly, once each week, and on rare occasions

twice in a week, as at Masal, another shrine located in Ansokiya Gamsa District. In particular, Sheikh Siraj's successful ethnic conflict resolution at Tiru Sina earned him a good reputation as a mediator. The local community still remembers him as *ye selam abat* (Father of Peace). When Sheikh Siraj administered the activities at the shrine, people began taking cases to his center at Tiru Sina for reconciliation. This Monday morning court is quite different from other customary institutions of conflict resolution in Ethiopia, taking place on an ad hoc basis.^[23]

Residents of the area who were key informants during the research give different accounts for why the court and other rituals take place on Mondays at the shrine. Some relate it to the birthday of the Prophet Muhammad, which was on a Monday. Others relate it to the death of Sheikh Siraj who is said to have passed away on a Monday. Similarly there are two accounts of how Sheikh Siraj became active and achieved prominence in conflict resolution. Most people associate this history with a religious explanation, relating it to his call by Allah who empowered him in the field of settling disputes. Others note that after numerous successful mediations between ethnic groups, local leaders and officials of the central government encouraged him to broaden his role as mediator, advising him to initiate a weekly court at his center. Eventually the emperor awarded Sheikh Siraj with an official seal used to establish his credibility with disputing parties.

Today three sheikhs at Tiru Sina serve as mediators in disputes. The youngest is the grandson of Sheikh Siraj; the other two are former *deresas* (students) of Sheikh Siraj. Some elements of the court have been adopted from existing traditions, including elements from the Oromo dispute resolution institution called the *Abagahr*,^[24] Islam, Orthodox Christianity, the *wuqabi* spirit possession cult, and the state legal system. Hearings at this shrine, as in the case of most customary institutions in Ethiopia, are held under a large Podocarpus tree.^[25] A blessing is usually pronounced at the beginning of the weekly session, and a prayer for a peaceful week and thanksgiving for the reconciliations reached on the day is offered near the end of the conflict. Oath taking is one of the predominant mechanisms at the Court of the Sheikh. It is done at different points in the process and for different purposes. An Oath is used to identify a wrong-doer, to bind an agreement, and to prove one's innocence. Cursing is the other spiritual sanction used at the Court of the Sheikh. The curse takes place when the disputants fail to agree to the decision of the sheikhs.

The traditional Oromo conflict resolution institution (the *Abagahr*) involves as its reconciliation ritual an act of sending the criminal out of his village for some time with the purpose of avoiding physical contact between the disputants. Furthermore the ritual of reconciliation whereby the disputing parties are made to take an oath, handling a spear to symbolize an end to enmity, is also an important ritual adopted from custom. The use of a spear to symbolize conflict resolution is common in most communities in the country.^[26] The Court of the Sheikh has adopted these elements from the *Abagahr* institution; furthermore, it has adopted some Islamic concepts of justice that have also been incorporated in conflict mediation at the shrine. The view of justice as a right (*haaq*), avoiding injustice (*zulm*), and focusing on forgiveness (*afu*) are Muslim traditions that are also central features of the Court of the Sheikh. The dynamic nature of the Court of the Sheikh can also be seen from elements it adopted from the statutory court. A procedure adopted from the state legal system involves calling offenders to the court using a letter on letterhead of Sheikh Siraj and closed with the thumb signature of his daughter, Mrs. Toyiba. The importance of the Court of the Sheikh to the varieties of people who live in the area is evident from the large number of cases the court handles and the different social profiles of the clients of the court.

Profile of Cases and Clients of the Court of the Sheikh

The Court of the Sheikh handles cases ranging from small scale disputes between individuals to large scale conflicts between ethnic groups. The number of cases handled in this court, when compared to the state court at the district level, is by far larger. To give a concrete example on this point, during the month of October 2009, the Court of the Sheikh dealt with forty-five cases, while the state court in the same period dealt with only twenty-seven cases. The average number of cases handled at the court in one week ranges from ten to twelve, which is an average of forty to forty-eight cases in a month. In an interview, a district court judge has highlighted this numerical gap, saying, “We [in the official state courts] deal only with those cases which are their leftovers.”

The vibrancy of this faith-based court at the shrine can be attributed to the fact that this court operates beyond its legal mandate defined for religious and customary institutions in the Ethiopian constitution. In the 1995 constitution, customary and religious institutions were given a constitutional right to handle personal and family matters on the consent of the

disputants, which is clearly emphasized in Article 34.5 of the Constitution of the Federal Democratic Republic of Ethiopia:

This constitution shall not preclude the adjunction of disputes relating to personal and family laws in accordance with religious or customary laws with the consent of the parties to the dispute.

The Court of the Sheikh, however, operates beyond these personal and family matters and further handles criminal cases, such as homicide and theft, as well as inter-ethnic conflicts that otherwise are defined as exclusive domains of the state court. Even though ethnic conflicts and intergroup conflicts are described as exclusive domains (legal mandates) of the federal court, the Court of the Sheikh is actively involved in such conflicts as well. The following table summarizes the types of cases handled at the Court of the Sheikh in October 2009.

Table 1. Types of cases handled at the Court of the Sheikh, October 2009

Number of Cases>	Type of Cases
8	Theft
6	Damaging crop\property
4	Adultery
10	Sorcery
2	Rape
1	Homicide
1	Divorce
4	Inheritance
4	Defamation
5	Debt
Total 45	

The court at the Shrine of Tiru Sina and its different religious rituals serve a wide geographical area. Situated in the Oromiya zone of Amhara regional state, the Court of the Sheikh and the shrine serve mostly Amharas, who come from different districts in the North Shewa zone. Some clients came from Addis Ababa (300 km), others from as far as Arba Minch (725 km). Even members of the Middle East diaspora make use of the shrine. The Court of the Sheikh reaches across ethnic and regional boundaries to include Christians (both Orthodox and Protestant), Muslims, and people from the Wuqabi cult. The professional backgrounds of the clients of the Court of the Sheikh are similarly quite diverse. Table 2 lists the ethnic, religious, and professional profiles of forty-five clients who brought their cases to the Court of the Sheikh in October 2009.

Table 2. Religious and ethnic profile of the plaintiffs at the Court of the Sheikh, October 2009

Religious Background	Ethnic Background	Professional Profile
Muslims 16	Amhara 27	Farmers 20
Orthodox Christians 23	Oromo 14	Housewives 17
Protestant 3	Arogobba 4	Teachers 2
Traditional 3		Merchants 3
		College student 1
		Diaspora 1
		Priest 1

Note: This profile refers only to the profiles of 45 clients who initiated cases, not defendants.

Push Factors from the State Court and Pull Factors to the Court of the Sheikh

Why do people prefer to take their cases to the faith-based Court of the Sheikh instead of to state courts? The findings of this study in that regard can be generalized under two categories: push factors and pull factors. Push factors focus on the drawbacks of the state

courts that propel clients to find alternative methods of conflict resolution. Pull factors focus on the strengths of the Court of the Sheikh that compel clients to seek its service. This research highlights five major push and pull factors that were identified by subjects and demonstrate the strengths of the faith-based Court of the Sheikh. Accompanying some factors is an ethnographic case.

Pull: Reconciliation versus Penalty. The first pull factor is related to the focus of the Court of the Sheikh on reconciliation, unlike the state court that focuses rather on penalty. The principal aim of the shekoch chilot is to restore social harmony while the basic premise of the state legal system, by contrast, is that criminals must be roundly penalized, which the state legal system believes sends a message to the whole community about the severe consequences of a crime. However, stiff penalties do not address the need of victims or victims' families for compensation or revenge. And, in fact, revenge killings are common in most parts of Ethiopia.^[27] State institutions usually favor the victim, but this alone does not mean the court can satisfy a victim's desire for revenge. The alternative courts at Tiru Sina, operating under a different premise, can. For this reason people tend to take their cases to institutions, such as the Court of the Sheikh, which, in a way, controls the kind of damage that arises from unwritten cultural codes, such as revenge killings. The centrality of reconciliation at the shrine can be seen from the cases people bring to the Court of the Sheikh after first going through the state courts and a sentence at the state prison. Some criminals accused and penalized at a state legal institution also bring their cases to the Court of the Sheikh, looking for reconciliation. In a one-year period, about thirty-five criminals who first passed through the state justice system brought their cases to the Court of the Sheikh for reconciliation. The following case of divorce that came to the Court of the Sheikh shows how the centrality of reconciliation spurs people to opt for the alternative court rather than taking a case to the state system.

Case 1: Disputes between Couples. An old man came with his daughter Yeshi who was seven months pregnant when she was forced out of her home. He accused Ayele, his son-in-law, of chasing her away for being pregnant. Ayele was asked if he accepted the allegation and was further asked to explain why he did it. Ayele explained that the reason was economic and that he wanted to wait to have a child until after buying oxen to improve their living. He claimed that Yeshi got pregnant without his consent. In the end, the sheikhs concluded that what he did to his wife was wrong and that he needed to apologize. Ayele

knelt down in front of Ato Zewde and Yeshi and asked for forgiveness. The sheikhs ordered Ayele to compensate his pregnant wife by treating her and the expected baby nicely. Yeshi was ordered to return to her husband on the same day. Ato Zewde was happy with the agreement they reached and was thankful to the sheikhs.

Since there were two stakeholders who brought this case to the Court of the Sheikh—Yeshi and her father, Ato Zewde—both were asked why they chose the Court of the Sheikh rather than the state institution. Yeshi said her reason for opting for the Court of the Sheikh was economic; she knew that the court of the state required a payment for processing a case and she didn't have money to pay. The second stake holder, Ato Zewde, had different reasons for taking the case to the Court of the Sheikh. He criticized the state's operational logic, especially related to divorce. Dissolution of marriages is executed by the state court with great ease, in contrast to the Court of the Sheikh, which strives for reconciliation. Ato Zewde said:

Nowadays the state court has made marriage appear like child's play. They ask her if she feels mistreated, and if she says yes they will say it is over. Marriage is not a game. They are not concerned much about the future. *Lijchu* [literally “kids,” but in this context referring to all young couples] have also made getting in and out of a relationship very easy. That was why my daughter ran to me. But these ones [referring to the sheikhs] know the importance of making a relationship work.^[28]

From the words of the old man, we can see that revising a family code, such as making divorce easy, is criticized by the community as being one of the new legal changes or “improvements” that are negatively affecting communities because such changes pay little attention to time-honored cultural practices of the culture. To be fair, some of these additions and improvements, such as improving access for women to divorce, are attempts by the government to improve family law and give greater consideration to women, who have been underserved by the law traditionally. But, as in the case of divorce and other privileges for women, there seems to be an urban bias and, consequently, an insensitivity to the social structure and the status of women in rural settings. Ato Zewde highlights the problem of remarrying and the social stigma of a divorced woman in a rural community. Some of the improvements made in the state legal system are centered on the social values of relatively literate woman in urban areas where the social ties and the social cost of issues

like divorce are very minimal, and also where the chances of remarrying are relatively high.

Pull: A Court that is Culturally Embedded. The second pull factor is the way in which the Court of the Sheikh is embedded in the culture. The modern state legal system, unlike most customary and faith-based institutions of conflict resolution in the country, is not embedded in the cultural norms and values of the community.^[29] Dominik Kohlhagen points out that “Although the country knew a great variety of local legal traditions, the new legislation was almost exclusively inspired by western conceptions of law.” The Court of the Sheikh on the other hand is highly embedded culturally. It addresses cases around cultural specificities, such as sorcery and misfortune, which are not covered in state law. At most, the state legal system terms these cases irrational or unfounded, but does not treat them as legitimate bases for dispute resolution. As discussed under Table 1, issues such as sorcery are among the cases often brought to the Court of the Sheikh.

There are cultural beliefs and practices specific to any given culture that are not admissible in legal arguments. Harald Aspen has clearly mentioned this in his discussion of the way in which people bring health-related problems to the bala wuqabi (spirit mediums): “An underlying motive of clients may be the suspicion that there are identifiable supernatural powers that cause the afflictions and that the wuqabi may know the appropriate treatment.”^[30] These culturally specific cases are some of the domains not covered by the state justice institutions. In such circumstances, people prefer to bring their cases to institutions like the Court of the Sheikh that are conscious of the cultural setup.

Case 2: Referral by a Spirit Medium.^[31] Aberash, a woman from the town of Chafa Robit, was accused by Adanech of causing her misfortune by tying the *siqilat* (literally hanging or placing a cloth symbol on a tree to entreat an opponent to come to the court and “bind him/her till the resolution of the conflict.”^[32]) They had disagreed five years earlier over land and the state court decided to give the land to Adanech. Years after the decision had been reached in the state court, however, Aberash came to the Shrine of Tiru Sina and tied the *siqilat*. Adanech’s daughter had died six months earlier and her other daughter had miscarried the previous February. Also, Adanech and her son became seriously ill. She went to a bala wiqabi (spirit medium) to find out what was causing her and her family so many misfortunes. The bala wiqabi told her that her neighbor with whom she fought over land had tied the *siqilat* at Tiru Sina, and it is only when the accuser goes and unties the *siqilat* that

the accused and her family can be safe from further misfortunes.

As Aberash was seriously ill, the sheikhs agreed that her daughter, Ababa, would represent her mother at the Court of the Sheikh. From Ababa's account, Aberash seemed to be conscious of why she had been called to the shakoch chilot. When Ababa was asked about it, she said to the sheikhs that her mother had admitted the reason was *ilih* (a grudge): When asked why she brought the case to Tiru Sina and not to the state court, Adanech said (after confirming with the bala wuqabi):

The state officials do not get this right. They only deal with something observable, but there are so many things in life which are non visible and which only those ones who have karama [the power to perform miracles] can see. They might ask him, the bala wiqabi, have you seen her [Aberash] doing it? They do not understand it at all!

Unlike the cases that question the effectiveness of the state legal system and the trustworthiness of the institution presented under category two above, such problems are society specific.

Push: Doubts about Effectiveness and Trustworthiness of the State Legal System. The third factor is a push factor, mostly related to dissatisfactions with the system. Push factors that propel people to turn from the state legal system include dissatisfaction with the mechanisms used for dealing with different cases, the expense of state courts (which litigants must pay), the long time span to finalize cases, issues of corruption, and an overemphasis on evidence. These factors have made many people lose trust in the state legal system and to question its effectiveness. Critics of the state legal system also point to the possibilities of false allegations and false testimony at the state court.

Case 3: Siblings Fight over Inheritance. Adem accused his brother Hassan of inheriting all the property of their parents, which should have been shared by all the siblings. Adem noted that Hassan lived in Dessie Town where he owned shops and had friends who worked at the state court, causing Adem to suspect that the decision of the court was related to corruption. The property Hassan is accused of "snatching" (*mantak*), as Adem put it, was a house their parents used to own in Hayiq, a small town 30 kilometers outside of Dessie.

When questioned about the allegation, Hassan answered that he had not yet taken the case

to the state court; rather, he had a letter in hand, the will of his father, in which his father decided to give the house to Hassan since he was the child who took care of their father upon his deathbed in Dessie. Hassan confessed to the sheikhs that in order to stop Adem from “nagging” him about the idea of selling the house and sharing the money, he made up a story about the state court awarding the house to him. At this point Hassan was criticized strongly by the sheikhs for misinforming his brother. Besides, the contract he had in hand was said to have only a thumbprint signature and no witnesses except Hassan’s own wife, Momina, and their son Nabil. So the sheikhs suggested he take the same paper to the state court and try to win the case, as his brother is too poor to pay for transportation to Dessie. Adem noted that he was with his father about two weeks before his death and at no point did his father mention such a will.

Hassan was accused by the sheikhs of two things: first, lying to his brother, and, second, being selfish—a rich man trying to “snatch” from his poor brother. Finally, he was asked what he was planning to do with the house and the case. Hassan promised that he would get rid of the fictitious will and start the process of dividing the property equally among heirs.

Adem’s suspicion of the high probability of corruption at a state legal institution is shared by many clients of the shakoch madad. Economic disparity between brothers contributes to such feelings. By bringing their cases to the Court of the Sheikh, which is freer from outside influence, people are challenging high levels of state corruption, which they term “prevalent” in the state court. And, by raising troublesome economic issues, people are addressing both the problem of corruption and the issue of unbearable costs incurred at the state court.

Pull: Procedural Flexibility. The fourth factor, another pull factor, is related to the procedural flexibility of the Court of the Sheikh. At the shrine, clients have the opportunity to negotiate. They are given more time to present their cases and to defend the allegations raised against them. These procedures are common in other customary institutions of conflict resolution as well, such as elders’ councils.^[33] Procedural informality and a high degree of participation of litigants in the decision-making process at the Court of the Sheikh is a major pull factor that draws people to bring their cases. What may seem to the western mind like informality and lack of rigor at the Court of the Sheikh is instead a time-honored and culturally-based system that invites greater participation of the litigants and leaves space for clients to shape the decision-making process to ensure that outcomes of the

decision best fit their interests. Waizero Yeshi from the first case talks about the difference in formality between the shrine and the state court, saying:

There (at the state court), if you sneeze, that will be counted as disrespect. You cannot speak outside your turn. Even when your turn comes, they stop you after a while. They bombard you with questions. It is trouble!!! Confusing a client is all they are up to!

On some occasions, including some of the cases above, clients ask the sheikh to pay attention to them and to listen closely to what they have to say, especially when clients feel the sheikhs are not attentive. This sort of intimacy would not likely take place in a state court.

Another flexibility of the court has to do with access. The role of conflict resolution that Sufi shrines play is not limited to the stationary, weekly court already described. On occasion, Sheikhs operate as a mobile court to hold hearings and reconcile disputes in locations where group conflicts involve large numbers of people. In cases of inter-clan, intra-clan, and ethnic conflicts, the sheikhs are called to mediate between the groups. The site for the mobile Court of the Sheikh is preferably an area close to a large Podocarpus tree or a stream. Confidential family cases are not open to the public and are most often handled through the mobile court, out of the public eye. In these instances, disputing parties, especially the one who brings a complaint, must cover the expense of the mediation. The mobile court costs more money in comparison to the stationary court where people pay only two *birr*, the equivalent of fifteen cents (USD).

Pull: Syncretistic Nature of the Institution. The fifth factor that draws clients to the shrine is the syncretistic nature of the shekoch madad (place of the Sheikh). Clients of the zar hadra and spirit mediums tend to bring their cases to the Court of the Sheikh rather than to state courts because this court is perceived as a worldly manifestation of faith. Cultures that frequent the shrine share the belief that intercession between humans and the divine takes place at the shrine. Orthodox Christians, and Sufi Muslims believe in veneration of the saints. Spirit mediums are also initiated at the shrine. The syncretistic nature of the shrine that appeals to people from different religious backgrounds affects the legal choices of the adherents of the shrine. Of the forty-five plaintiffs mentioned above, about twelve were possessed individuals, while two were spirit mediums.

Conclusion

Religion and religious institutions in many parts of the world are playing a very significant role in conflict resolution. In her article, “Religion and Peacebuilding,” Cynthia Sampson addresses this point, saying, “[G]rowing numbers of religious actors of many sorts—laypersons, individual religious leaders, denominational structures, ad hoc commissions and delegations, and interdenominational and multi-religious bodies have been involved in a range of peace building efforts.”^[34] The ethnographic material presented above highlights the need to address the two dimensional role of the religious institutions in peace--the direct and the indirect. Some of the religious rituals at the shrine play an indirect integrative role, attracting adherents across religious lines as a result, blurring the boundaries that in other instances might be sources of tension. The important role of religious institutions in conflict resolution is deftly illustrated by the ethnographic material from the Court of the Sheikh at the Shrine of Tiru Sina, which operates beyond its legal mandates to accomplish, perhaps more effectively, the goals of civil justice.

1. 1. Jon Abbink, “An Historical-Anthropological Approach to Islam in Ethiopia: Issues of Identity and Politics,” *Journal of African Cultural Studies* 11, no. 2 (1998): 109-124.
2. 2. “In the Bible there is no mention that the Queen of Sheba either married or had any sexual relations with King Solomon; rather, the narrative records that she was impressed with his wealth and wisdom, and they exchanged royal gifts, and then she returned to rule her people in Kush,” (http://Wikipedia/wiki/Beta_Israel).
3. 3. Teferra Haile-Selassie, *The Ethiopian Revolution 1974-1991: From a Monarchical Autocracy to a Military Oligarchy* (London: Kegan Paul International, 1997), 2.
4. 4. Teferra Haile-Selassie, *The Ethiopian Revolution 1974-1991: From a Monarchical Autocracy to a Military Oligarchy* (London: Kegan Paul International, 1997), 2.
5. 5. Haggai Erlich, *Saudi Arabia and Ethiopia: Islam, Christian, and Politics Entwined* (Boulder: Lynne Rienner Publishers Inc., 2006).
6. 6. There are two controversial views about whether the king was converted or died Christian. Those arguing for his conversion mention that after his conversion the king changed his name to Al-Nagashi Ashama (Haggai Erlich, *Saudi Arabia and Ethiopia:*

- Islam, Christian, and Politics Entwined* [Boulder: Lynne Rienner Publishers, 2006].
7. 7. Bahru Zewde, *Short History of Ethiopia and the Horn* (Addis Ababa: AAU, Dept. of History, 1998), 38.
 8. 8. Donald Levine, "Notes on Ethiopia's Distinctive Religious Heritage," *Ethiopian Review*, 5 Sept. 2007, [http:// www.ethiopianreview.com](http://www.ethiopianreview.com).
 9. 9. Hussein Ahmed, *Islam in the Nineteenth-Century Wollo, Ethiopia: Revival, Reform and Reaction* (Leiden: Brill, 2001).
 10. 10. Ulrich Braukämper, *Islamic History and Culture in Southern Ethiopia: Collected Essays* (Hamburg: Lit Verlag, 2002); Serawit Bekele, "Hybridization and Coexistence of Qallu Cabsa Institution with Orthodox Christianity in Debrelibanos Area" (Master's thesis, Institute of Ethiopian Studies, Addis Ababa University, 2009)
 11. 11. Afework Hailu Beyene, "Religious Tolerance in Addis Ababa, 1991-2008" (Master's thesis, Institute of Ethiopian Studies, Addis Ababa University, 2009), and Serawit Bekele, "Hybridization and Coexistence of Qallu Cabsa Institution with Orthodox Christianity in Debrelibanos Area" (Master's thesis, Institute of Ethiopian Studies, Addis Ababa University, 2009).
 12. 12. Muhammad Abu Nimmer, *Nonviolence and Peace Building in Islam* (University of Florida Press, 2003).
 13. 13. Hussein Ahmed, *Islam in Nineteenth-Century Wollo, Ethiopia: Revival, Reform and Reaction* (Leiden: Brill, 2001).
 14. 14. Ahmed Hassan, "Centers of Traditional Muslim Education in North Shewa," Paper presented at the 16th International Ethiopian Studies, Trondheim, 2007.
 15. 15. Hussein Ahmed, *Islam in Nineteenth-Century Wollo, Ethiopia: Revival, Reform and Reaction* (Leiden: Brill, 2001).
 16. 16. Hussein Ahmed, *Islam in Nineteenth-Century Wollo, Ethiopia: Revival, Reform and Reaction* (Leiden: Brill, 2001).
 17. 17. Meron Zeleke, "Teru Sina," in *Encyclopaedia Aethiopica*, edited by Siegbert Uhlig (Wiesbaden: Harrassowitz, 2010).
 18. 18. Meron Zeleke, "Teru Sina," in *Encyclopaedia Aethiopica*, edited by Siegbert Uhlig (Wiesbaden: Harrassowitz, 2010).
 19. 19. Muhammad Hassan, *The Oromo of Ethiopia, A History 1570-1860* (Trenton: Red Sea Press, 1994), 153.
 20. 20. J. Spencer Trimingham, *Islam in Ethiopia* (London: Geoffrey Cumberlege for the

University Press, 1952), 262.

21. 21. Janice Boddy, *Wombs and Alien Spirits: Women, Men, and the Zar Cult in Northern Sudan* (Madison: University of Wisconsin Press, 1989)
22. 22. Tereje Ostebo, "Religious Change and Islam: The Emergence of the Salafi movement in Bale, Ethiopia," in *Proceedings of the 16th International Conference on Ethiopian Studies*, Trondheim, 2009.
23. 23. Alula Pankhurst and Getachew Assefa, eds., *Grassroots Justice in Ethiopia: The Contribution of Customary Dispute Resolution* (Addis Ababa: Centre Francais des Etudes Ethiopiennes, 2008), 52.
24. 24. Meron Zeleke, "The AbbaGahr Institution Change and Continuity of a Traditional Institution of Conflict Resolution among the Wallo Oromo," *Journal of Oromo Studies* 17 (2010).
25. 25. Nicolas Andreas, "From Process to Procedures: Elders, Tradition and Formality in Eastern Shewa" (Ph.D. dissertation, Institute of Ethnology, Free University of Berlin, 2006).
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27. 27. Alula Pankhurst and Assefa Getachew, eds., *Grassroots Justice in Ethiopia: The Contribution of Customary Dispute Resolution* (Addis Ababa: Centre Francais des Etudes Ethiopiennes, 2008), 107.
28. 28. Ato Zewde, interview by Meron Zeleke, Tiru Sina, April 2009.
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33. 33. Nicolas Andreas, "From Process to Procedures: Elders, Tradition and Formality in Eastern Shewa" (Ph.D. dissertation, Institute of Ethnology, Free University of Berlin, 2006).
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