

# TRADITIONAL DISPUTE RESOLUTION

## METHODS OF THE ACHOLI OF NORTHERN UGANDA

### 1) STEP I: LEVELING THE GROUND

It should be noted that before the Mato Oput takes place, much effort is put into mediation between the families of the conflicting parties. This is called leveling the ground. The mediation efforts preceding Mato Oput makes the environment conducive for reconciliation and the conflicting parties become predisposed to pursuing peace. The injured party would now be disposed to accepting apology and offering forgiveness. On the other hand, the party deemed to be the perpetrator of crime would also be more disposed to confess wrong-doing, ask for forgiveness, and pay damages to ensure that justice is served.

### 2) STEP II: SPITTING INTO THE MOUTH OF THE SACRIFICIAL SHEEP

Prior to the families going to village venue for the reconciliation, a brief rite of purification is performed. This involves spitting into the mouth of the reconciliation black sheep. The perpetrator of crime opens the mouth of the sheep he is leading to the arena, spits saliva into it (Lonergan, 2012).

### 3) STEP III: PREPARATION OF THE OPUT

When all is set, the preparation of Oput, the reconciliation drink begins. An elder, who doubles as the master of ceremony, takes the blood of the two slaughtered sheep and pours it into the Oput which is bitter root and a solution of acuga leaves. He mixes all the ingredients to form a single mixture-the drink of reconciliation (Oput) and carefully puts it on the ground.

### 4) STEP IV: CONFESSION OF WRONGS COMMITTED

In step four, confession of the crime committed is necessary. The wrong doer assumes responsibility by actually confessing the crime(s) and then asking for forgiveness from the injured individual, families and clan (Lonergan, 2012).

### 5) STEP V: PARTICIPANTS CONVERGE TO THE OPUT

Next the close relatives of the slain person and those of the assailant come close together and converge around the calabash containing the concoction from opposite directions--a gesture signifying an end to hostilities and beginning of era of peace. They closed in on the calabash containing the cocktail of the reconciliation drink known as Oput.

### 6) STEP VI: MATO OPUT/DRINKING THE OPUT

The defendant and the victim,,s representative kneel down, hands folded behind their backs, then bending forward, drink from the calabash without holding it with their hands. The accuser and the accused lead the drinking process. They each sip three times from the calabash and then give way

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to their close relatives present who also double as witnesses to the process of rite of reconciliation. For example, Ojok and a close relative of the one deceased (Otto) begin to drink the Oput. Ojok begins to drink followed by a relative the victim, perhaps the father.

### 7) STEP VII: MOMENT OF CRISIS

As the reconciliation process commences a moment of crisis might ensue threatening the reconciliation ceremony. For example, if the mother of (late Otto) stands nearby and continues to weep aloud displaying excessive pain and hurt over her loss, the peace process could collapse because this action could incite anger and violence prompting the close relatives of the slain to engage in acts of vengeance. If this happens, the conflict resolution process falls apart. To avert the crisis, some elders are tasked to keep Otto's mothers company not only to express their sympathy and kindness but most importantly to restrain her from excessive behavior. She is also called upon to share in the Oput reconciliation drink.

### 8) STEP VIII: KILLING OF SACRIFICIAL SHEEP

The drinking of reconciliation drinking (Opwut) is not done in isolation. The conflicting parties had not eaten together for a long while. Hence eating a shared meal is necessary. The materials required are 2 sheep, 2 cows, a butcher knife, leaves, pans, wood and lighter and millet flour. When the Mato Oput is complete, Ojok leads a black sheep to a selected sport near the homestead of Otto's mother. At the designated sport, the sheep is laid on its back with its head facing northwards. It is then be stabbed with the sharp knife by one of the elders who doubles as the master of the ceremony (MC). In succession, another elder would lay an additional red/brown sported white sheep on its back with its head pointing in the opposite, that is, southwards. This sheep is presented to elders by the family of Otto, the slain victim. The MC elder then stabs the sheep with a sharp knife. The close relatives of Ojok, the accused, gather in the northward direction of their slain sheep as the close relatives of Otto gather on the side of their own sheep in southward direction. Opposite directions of north and south are important because they represent the magnitude of hostilities which must be overturned in

Order that individuals, families and communities might be reconciled without entertaining any further conflict. Only then can peace begins to rein.

### 9) STEP IX: EATING LIVER OF SACRIFICIAL SHEEP

While the meat of the sacrificial sheep is being cooked, the liver(s) of the two sheep are roasted, cut into pieces and put on the hides of the slaughtered sheep. The roast liver is distributed and then eaten by all present. Ojok takes a piece of liver and feeds it to a close relative of the slain (Otto) who consumes it. Likewise a close relative of Otto takes a piece of a liver and feeds it to Ojok who also consumes it. This action of mutual feeding rekindles the severed relationships and marks permanent cessation of hostilities.

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### 10) STEP X: EXAMINATION, ACCEPTANCE AND BLESSING OF THE INDEMNITY

While awaiting the meat to cook, selected elders examine the indemnity provided by the family of Ojok as indemnity to the family of Otto. The indemnity comprises of 2 big fat goats and 2 fat healthy cows, which in modern times substitute the traditional payment of indemnity with a human being, namely, a girl. When satisfactorily verified, the elders bless the indemnity by smearing each person present on the chest with the content of the entrails of the sheep saying, "Let these cows and goats produce many more and only female off-springs. As humans we all make mistakes. May peace and calm now return among us!"

### 11) STEP XI: EATING THE SACRIFICIAL MEAT

When the meat is cooked, it is consumed by individuals, families and clans involved in the conflict. All participants in the Mato Oput ceremony are ready to celebrate the successful conclusion of the reconciliation process suggesting that resolution of conflict is complete, thereby ushering in a new era of peaceful co-existence. In this way conflict resolution is achieved using culture-based mechanism such as Mato Oput.

### 12) STEP XII: CELEBRATING PEACE

After partaking in the Mato Oput and eating meat together, it is time to celebrate the return of peace in the land. An Elder begins to drum a Bwola royal drum. At the Sound of the Bwola drum, women shout ululations and clan mottos as the elder drum on. On hearing the sound of drums people from all over the neighborhood come and join in the happy dance and merry making. The feasting continues even for two days as more bulls would be slaughtered to feed the revelers who have come to witness the reconciliation of former conflicting individuals and communities (Lonergan, 2012).

## NYONO TONG GWENO

Mato Oput aside, one of the most commonly practiced traditional justice mechanism is Nyono Tong Gweno used in ritual cleansing in Acholi culture. "Nyono" means to step on" and "Tong Gweno" means a chicken egg (Jendia, 2015). Thus, nyono tong Gweno, denotes the "stepping onto an egg" ceremony (Lonergan, 2012; Jendia, 2015). It is used to welcome and cleanse one who has been gone away from home for an extended period of time, regardless of the reason for their absence. Essentially, Nyono Tong Gweno is one of the rites of reconciliation and conflict resolution line with Mato Oput. The returnee must step on and break an egg before re- entering the homestead and village. This ceremony serves dual purpose of cleansing and giving a cultural welcome and integration of people especially those abducted by the Lord's Resistance Army (LRA) who were linked to criminal activities such killings.

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### PERFORMING NYONO TONG GWENO RITE

For example, if the local FM radio station announces that Omony (a pseudo name), an abductee of Joseph Kony's (LRA) for five years has been rescued by the UPDF forces and is kept at Bar Ndege military Barracks in Gulu and that Omony who wishes to return home would soon be handed over to his parents and relations. Upon hearing this great news, Omony's, parents conclude that their numerous prayers for his safety finally have been heard by God. Alum (a pseudonym) Omony's mother thinks very fast of the rite of purification and so immediately reports the safe return of her son to an elder of their village to make arrangements to receive and reunite Omony with the family and community.

Every one of Alum's neighbors who hears about Omony's safe return receives the good news with great joy. The compound is packed to capacity with well-wishers from all the neighborhoods waiting patiently to see and hug Omony who is returning home after five years. One thing is sure, Omony has stayed half a decade away from home and he has grown up with all sorts of human experiences some of which could have made him unclean. He needs to be cleansed before re-entering the homestead as is the practice in Acholi culture. The materials required include an egg, a stick, and a master of ceremony. The ritual of breaking the egg is done at a sacred shrine. In this ceremony, the returnee steps on an egg that has been placed under a stick broken from a pobo plant and a layebi, meaning a forked

stick usually used to open a granary. This process symbolizes the cleansing from wrong doings done or experienced during the long absence from home and indicates a re-union with the family and community (Lonergan, 2012; Jendia and Mbabazi 2015).

Nyono Tong Gweno occurs before the returnee re- enters the homestead. The rationale is that any bad acts the person might have engaged in during their long absence from the community are automatically rescinded and forgiven. Although the philosophy of Nyono Tong Gweno is a relevant form of welcoming and cleansing a returnee, it can also be used in situations when an individual has been away from home even for non-conflict reasons. The commonality of this ceremony with Mato Oput lies in the fact both aim at cleansing and purifying the person socially, psychologically, and spiritually. However, Nyono Tong Gweno is most widely practiced than Mato Oput because the requirements for the ceremony are not only available, but also the required materials are inexpensive needing minimal advance planning. Therefore many families can afford the costs involved and quickly perform the rite. Thus, it is one of the most widely practiced traditional mechanisms of justice and conflict resolution in Acholi culture. Although Nyono Tong Gweno is often performed as the first step to larger and more involving cleansing processes, the ceremony can also be performed independently.

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### SIGNIFICANCE OF NYONO TONG GWENO

The rite of breaking the egg (Nyono Tong Gweno) is significant because it not only attempts to restore a human person psychologically but also brings about social and moral restoration to a person and communities. It gives confidence both to the individual person and the community of a sense of trust. In an Interview conducted October 2006 with a Focus Group, an elder in the group has this to say: „the Acholi as a people believe strongly in communality of life. “I am because we are, and we are because I am,” as African philosophy (Mbiti, 1992)

Practices such as the ones discussed in this study often propels Acholi society forward. Whenever someone leaves the community life and lives outside of it willingly or unwillingly the person is expected to be influenced by foreign ideas and practices that may make him or her unclean, hence the need for ritual cleansing and purification before reintegration into family and community. In this way community life and the common good is safeguarded at all cost.

### LWOKO PI WANG

Lwoko Pi Wang means the washing away of tears. This ritual is closely related to Nyono Tong Gweno. In fact, both can be performed together and thus are frequently

referred to as part and parcel of the same process. However, Nyono Tong Gweno and Lwoko Pi Wang have distinctly different purposes and meanings.

Lwoko Pi Wang is performed in situations where mourning and funeral rites are being performed for a person who has been assumed dead. The family members wash their faces with water symbolizing the washing away of the tears shed as the returnee was presumed dead. Then the returnee is blessed with that same water. An elder pours the water onto the roof of a hut and the returnee passes through it. In some cases, an animal is slaughtered first as a further form of cleansing, and the water from hand washing after consuming the meat is used in the Lwoko Pi Wang ceremony (Lonergan, 2012).

This ceremony clearly marks the physical and spiritual return of the person and most especially indicates that he or she is welcome in totality (Lonergan, 2012). As with Nyono Tong Gweno, the Lwoko Pi Wang ceremony is also used for welcoming and re-integrating persons even for non-conflict derived absentism.

### MOYO KUM

According to Jendia (2015) Moyo Kum is used to refer to a cleansing ceremony. Moyo means to spread something out to dry and Kum means the body. The ceremony cleanses the home of the returnee and the family as a whole. It also blesses the home as the family prepares for a new beginning. Moyo Kum ceremony is performed to cleanse a person who is possessed with evil spirits. In this ceremony, an animal is slaughtered to cleanse an individual's pain and appease the

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spirits. An elder offers blessings and lamentations. The animal is slaughtered, roasted, and eaten by both by all participants and the spirit (s) afflicting the subject of the ceremony. Moyo kum is unique in that it can be performed in a residential area, rather than in a remote location or in the specific area where a killing occurred.

Moyo kum can also be used specifically to address violations of the body in addition to a broad range of bad spirits. This ceremony is performed to cleanse an individuals or a group of people who are suffering from similar spiritual afflictions. This group approach has frequently been adopted for cleansing former abductees as well. The philosophy is that „I am because you and because you are I am“ (Mbiti, 1992). Whether the ceremony is performed for an individual or a group, it is a public ceremony open to the whole community and often may involve counseling and advice from the elders performing the ceremony.

### MOYO PINY

While Moyo Kum cleanses the human body, Moyo piny cleanses the whole area. It is a ritual designed to

eliminate cen from a particular physical location. In this ceremony, an animal is slaughtered to appease the angry bad spirits. The content of the animal"s rumen is used to cleanse the area (Lonergan, 2012; Jendia, 2015).

This ceremony is intended to impact an entire community, rather than an individual. Moyo piny was a widely common practiced as residents moved from internally displaced persons (IDP) camps back to their home areas to cleanse the bad spirits before re- establishing communities and homesteads (Lonergan, 2012). However, at the time of return from the IDP camps many communities and individuals were unable to afford the animals and other supplies necessary to perform the ceremonies. Consequently, many areas initially remain unused as they awaited a moyo piny ritual (Lonergan, 2012).

### LAKERE KAT

As mentioned earlier, there are conflict between people and forces of nature. Lakere Kat refers to chasing of an evil spirit (Jendia, 2015). Like Moyo Kum, Lakere Kat is performed to rid an individual of a bad angry spirit(s). The ceremony is performed outside a residential area, so that the bad spirit(s) stay away from the afflicted individual(s). An animal is slaughtered, roasted, and offered to the cen. The participants in the ceremony also eat a portion of the meat. The attendants then return home without looking back to the ceremony site. When the cleansed person returns from this ceremony, the spirit that disturbed him or her is left behind. Similar to Moyo Kum, Lakere Kat can be performed for an individual or for a group and often involves large public gatherings involving the whole clan and community (Lonerga, 2012).

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### GOMO TONG

Gomo Tong means bending of spears. In Acholi culture, Gomo Tong (the bending of spears) is performed to show that violence between two groups or individuals has ended. If one party initiates violence again, the spear will turn against him or her (Jendia, 2015). This is related to Mato Oput. Thus the two parties involved in a conflict where death has been registered agree to come together and undergo the rituals of reconciliation. It is broader than the Mato Oput because it takes into account even situations where the murderer is not known but the clan is known instead.

### DISCUSSION

Even though the study reveals that Mato Oput is an appropriate mechanism for conflict resolution and peace building there are challenges that hinder wider application of the method.

Lonergan (2012) also viewed challenges to tradition-based mechanism of conflict resolution and peace building. Accordingly, three main challenges seem to hinder wider application of the Mato Oput.

- 1) In the context of the LRA conflict, identification of clear victims and perpetrators as required by cultural procedures for the ceremony is rather difficult. The combatants cannot easily identify the people who harmed them or whom they have harmed.
- 2) Even as many people support the idea of Mato Oput as a fundamental form of justice, few can afford the costly process. The process is laborious and expensive for most village communities.
- 3) The nature and gravity of crimes committed throughout the conflict, many of which constitute war crimes and crimes against humanity are also unprecedented for the use of Mato Oput, and the cultural institution must balance how to apply this ritual to address these crimes without being seen as condoning impunity.
- 4) The act of spitting into the mouth of the sacrificial animal denotes a symbolism. The crime perpetrator who is repentant and remorseful despises his actions before the community in a bid to redeem his tainted self image and reputation.

The purpose of the study was to explore alternative methods to conventional mechanisms of conflict resolution and peace building. From the study the culture based mechanisms identified in Acholi traditional practices are positive and provide alternative methods of conflict resolution suggesting that there are opportunities within culture which enhances the building of sustainable peace. Most importantly the traditional mechanisms could inspire the formation of Agencies like the Truth and Reconciliation to ensure promotion of sustainable peace and administration of social justice and integration.

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However, the culture-based opportunities provide useful alternatives to conflict resolution not only in northern Uganda but the whole country at large. Their country wide application would most likely create a sense of cultural dominance by one social group which in effect could compromise the building of sustainable peace in Uganda.

Further, although scholars like Barber and Badre (1998) saw culture as an abstract and complicated concept to grasp because of the varied perceptions and symbolisms different social groups hold, positivity and practicality in culture especially when it can aid the resolution of human social problems such as disputes/ conflict provides learning experiences to other cultural groups. The study reveals that within culture there are opportunities for positive change. The research now advocates for paradigm shift from culture as tool of oppression and dehumanization of marginalized groups especially women to culture as agent of positive social transformation.

## CONCLUSION

The study concludes that opportunities exist in culture for conflict resolution like purification, cleansing, reintegration, reconciliation, retribution administration of social justice which is fundamentals of conflict resolution and peace building particularly for northern Uganda. The Rituals discussed in this study underscore conflict resolution through forgiveness, healing and restoration of strained social relationships physically, psychologically and spiritually through sharing of common meal and celebration of the return of peace. The research further highlights positive cultural practices for dispensing social justice and promoting the value of harmonious human relations among individuals and communities. From the study it is clear that the traditional rites celebrate the sacredness and sanctity of life and dignity of the human person as being central to conflict resolution and peace building. Most importantly, the rites of Mato Oput, Nyono Tong Gweno, Lwoko pi wang, Lakere Kat, Moyo Piny and Moyo Kum as well as Gomo Tong etc all emphasize holistic restoration through cleansing or purification so that strained and broken inter and intra personal relationships are restored through purification, confession of wrong doings, payment of reparations and joyful celebration which involves former conflicting parties drinking from the same calabash and eating together the same food from the same dish are fixed.

The reintegrated person experiences a sense of identity, community and belonging. The deep-rooted cultural approaches discussed in this study take into account the fact that beyond conflict the individuals remain members of the same communities who have to continue to coexist side by side as neighbors unlike other conventional methods of conflict resolution such as court arbitration that strains human relationships deeper and permanently. There is no doubt that the application of culture-based mechanisms of conflict resolution such Mato Oput provide great opportunity for enhancing peace building by both government and citizens in their quest for sustainable peace in northern Uganda and rest of the country. Therefore, the cultural factor in conflict resolution and mitigation provided alternative approaches to conflict resolution and management.

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### RECOMMENDATIONS

The study makes the following recommendations:

1) Preservation and wider application of traditional mechanisms like Mato Oput, Nyono Tong Gweno, Lwoko pi Wang, Lakere Kat, Moyo Piny and Moyo Kum and Gomo Tong as well as other mechanisms from other Ugandan cultures not specified in this study should be seriously considered by policy makers, government and cultural institution and researchers.

2) The culture-based mechanism of peace building are strongly recommended because collectively they provide alternative methods of conflict resolution that can greatly reinforce and increase chances for conflict resolution

and peace building processes in Uganda and the rest of Africa. Therefore, it is necessary to preserve positive cultural practices which augment conventional mechanism of resolving conflicts and disputes and administration of social justice at all levels.

3) Further research is recommended to gain greater insights into opportunities within culture that can support resolution of social problems among individual and communities in order to make world a better place to live in even for future generations.

4) The establishment of truth, reconciliation and Justice Commission which incorporates rich indigenous knowledge and skills in resolution, mitigation and conflict management to ensure that the country shall not plunge into costly, devastating conflict again.

The recommendations made in this research if implemented provide practical solutions to conflict related challenges in Uganda. It should be recalled that the conflict in northern Uganda did not have an official closure through formal peace agreements and disarmament processes. Although hostilities have ceased since 2006 and nearly all the conflict affected population have evacuated from Internal Displaced Persons" Camps, there is still great desire for accountability and social justices which are fundamental for building sustainable peace especially in northern Uganda. The achievement of sustainable peace would in effect drive economic recovery and development.

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### CONFLICT OF INTERESTS

The authors have not declared any conflict of interests.

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