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**Conflict Resolution and Reconciliation as a Component of the
Improvement of Farming Systems Project (IFSP).**

**Report on a consultancy at Dinsoor, Somalia
April 6 – 20, 2005**



Project workers in the field. Photo by Günther Schlee.

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Introduction

Aims

The aim of the mission was to provide advice to the conflict resolution and reconciliation component of IFSP (Jutta Bakonyi). As conflicts are an issue which affects all sectors of the project (water, agronomy, livestock, household, and agroforestry), as much as possible was to be learned about these other sectors as well. Relationships between these sectors and the articulation of the different parts of the project as well as the project as a whole with the social and political environment were in the focus of attention.

Methods

The author participated in negotiations with a delegation of clan elders conducted by the sector-head for conflict resolution and reconciliation of IFSP. The issue was facilitation of reconciliation and compensation agreements in a violent inter-clan conflict. The author and the sector head visited villages, informed themselves about current conflicts and had interviews with selected elders. They accompanied other project workers on their field missions. The author participated in general staff meetings and in training the staff for training seminars with Village Development Committees. Fuller methodological discussions can be found in an earlier report.

Contents

This report does not supersede the earlier one entitled "Conflict analysis in Bakool and Bay, South-western Somalia: report on a two-week consultancy in the framework of the conflict resolution and reconciliation component of the Improvement of Farming Systems Project (IFPS), Bay and Bakool Region, March 3 to 17, 2004". The issues covered there, like PICD and other instruments of planning and research, and many general aspects of the regional political background and of conflict analysis are not taken up here again. Rather, this report is to be read as a complement and continuation of the one from the year before. As more general aspects have been dealt with there, the present report takes the liberty to address a selection of special problems without much delay.

These problems include:

- Documentation, monitoring, assessment
- Security and the operational space of the project
- Property issues in the process of micro-project implementation
- The development of norms

Each of these chapters ends with a section entitled "recommendations".

Documentation, monitoring, assessment

Although the PICD (Participatory Integrated Community Development) is the approach chosen by IFSP, and PICD comprises many forms of data collection in a dialogue with the communities, these data have so far not been preserved in a form which is useful for someone who has not him/herself been present at all stages of the planning process. Conflict analysis, however, needs all data (resource maps, problem perceptions) collected in the PICD process in addition to demographic data and the distribution of clans and ethnic minorities with as much detail as possible. There is enormous space for improvement in the field of documentation, and without a proper documentation of the early stages of the project, it is not possible to monitor its progress and to assess its success on the village level. What does exist is bundles of flip-charts, tied together with strings. The flip-charts comprise catch words in Somali and clumsy diagrams summarizing group discussions of different kinds.

To illustrate what can be gained from a timely evaluation of this sparse documentation, as long as the memory of the actual proceedings is still fresh in the minds of participants, the flip charts about the 'round table talks about conflict resolution' of three villages with Abdullahi Sahal and Jutta Bakonyi: Ceel Lahelay (Bakool), Ceel Garas (Bakool), and Habibayaal (Bay) are evaluated on the following pages. The author has gone through these flip charts with Abdullahi Sahal and Jutta Bakonyi. Abdullahi Sahal was present at all of these round tables, the author at the one of Ceel Lahelay (see the earlier report), Jutta Bakonyi at none of them, because she was recruited only later. The flip charts were a good instrument to assist memory, but without the actual memory they would have been a totally insufficient form of documentation.

Ceel Lahelay (near Huddur)

Ceel Lahelay has been visited by the author on his last visit to the project in March 2004 and observations about the Ceel Lahelay village workshop, held in a school at Huddur, can be found in his earlier report. Abdullahi Sahal explains that Ceel Lahelay, originally just a satellite village, has undergone recent growth. The implementation of IFSP projects has made good progress there.

The decisions reached about *xeer* by Ceel Lahelay representatives a year ago can be summarized as follows:

The reform of bloodwealth payments between different clans of the region (bringing them all to the same higher level to harmonize them and to provide stronger disincentives) is still on the way.

The legal response to crossing a field and leaving the fence open with the consequence of crop damage by invading livestock has been changed from the right to kill the culprit to a fine of a three year old camel.

Manning a road block and extorting money is done at one's own risk. There is no compensation for life and limb if one gets killed or wounded while engaged in this activity.

As to the application of this rule, Abdullahi Sahal cites the analogous case of a Hadama man who, together with others, tried to obstruct an airfield. He got wounded and no compensation was paid.

On the other hand, if a guard from a roadblock kills a traveler, compensation needs to be paid immediately. The Rahanweyn proverb *Weeli lana leh, makiin tabaasa tola leh* - "you will not get away with saying 'I have done it', [because] it is a community matter¹" was cited in this context.

Livestock markets are to be supported at Huddur and Ceel Lahelay. The local community has to establish links with livestock marketing companies. These need to be offered protection. Agreements of safe passage need to be concluded with neighboring clans, and local communities guarantee safety by promising full compensation for animals lost by theft or robbery on their territory.

About adultery it was decided that husbands should abstain from killing other men found in their houses. Instead, a three year old camel should be paid by the adulterer as compensation.

Ceel Garas

There are six subclans of Rahanweyn, one of Hawiye and one of Ogadeen living at Ceel Garas and there is variation in *caada* along clan lines.

The delegates from Ceel Garas want more wells to be dug in their area de defuse water conflicts. Stealing water (i.e. taking ones animals to a well secretly) is considered a noble (*bilis*) crime, and not a shame. Theoretically it is fined with a three-year old of an unnamed species.

There is a problem about fenced pastureland. Some people were given large individual ranches in Siad Barre's time.

'Many roadblocks' (*isbaaro badan*) was identified as a problem. Extracting money at roadblocks was considered equivalent to robbery. Killing without compensation (*dil aan diyo lahayn*) was thought to be the adequate response.

¹ Explained later by Abdurrahman Edle.

A number of environmental and health issues were addressed:

People try to prevent hunting on their clan land. Killing a dikdik (*sagaaro*) or two for domestic consumption is tolerated, but killing more than five (as evidenced by taking whole bundles of small antelope to the market) shall be fined Sh.So 100.000. The same fine is to be paid by anyone found to have killed two gazelle (*eelo*) or two kudu (*dardir*).

Charcoal burning is sanctioned by a fine of Sh.So 500.000.

From April 15, 2004 there is a fine on cutting more than 15 poles for house building. In case of relapse, the culprit is to be imprisoned. There are different rates for different people involved. The businessman who has ordered the poles is to be fined Sh.So 1.000.000, the cutter 100.000, the [owner of] the truck 1.500.000.

A 'Committee for Environmental Protection' (*Guddiga Ilaalinta Xaalafinta Deegaanka*) has been formed during the round table to impose and receive these fines.

A fine of Sh.So. 1.000.000 will be imposed on a woman who applies pharaonic circumcision (*gudniinka fircooniga*) on a girl, Sh. So. 100.000 on the mother of such a girl if she has taken her there.

Habibayaal (Bay)

Abdullahi Sahal was given instructions to train people in conflict resolution. What he did was to conduct round table talks in the same way he had done in Bakool. There was no separate assessment of needs. While in the villages around Huddur the discussion of traditional law and its reform had been identified as important for conflict resolution by the villagers, here it was assumed that the same would be the case. This may have been the case or not. If it was, it would still have been better if the local people had come to that conclusion, rather than the topic being simply posed to them.

Habibayaal and Gurbaan villagers were combined in one workshop. Habibayaal is predominantly Ajuran by clan affiliation, Gurbaan is Gelidle (<Sagaal < Mirifle.< Rahanweyn). Habibayaal customs were assumed to be Ajuran customs, but they were referred to by the name of the village. Although different dialects of Maxatiri and Maymay were spoken, wide-spread bi- and multilingualism enabled people to engage in the discussion without difficulty.

The differences between *shari'a* (Islamic law), *xeer* (contractual law), and *caada* (custom) were discussed. Ample space was given to *caada*. Local customs and beliefs were listed such as those of the Ajuran of Habibayaal concerning the days of the week (*ayaamaha*).

Saturday

The Qur'an needs to be read when a head of livestock has died on this day.

No marriages.

No *bun* (fried coffee beans) ceremony for fear of magic. The otherwise blissful ceremony would be assumed to be guided by negative intentions if carried out on a Saturday.

The day is, however, suitable for *Yaanba reebo*. That is reading the Qur'an and performing prayers against birds in the fields.

No meetings of elders.

No dances.

Sunday

No movements of settlements. If these are inevitable, some ashes and dung from the old settlement site need to be taken along.

Herds of camels or small stock should not move either.

Especially no movements to the south should be undertaken.

No animals taken to the market.

If milk or ghee is taken to the market, some tail hair of the cow needs to be cut and left in the compound (apparently as a kind of compensation for what is taken away). A little piece of charcoal is put into the milk to avert the evil eye.

A good day for weddings, for building a Qur'an school.

One cannot treat men or camel in an intrusive fashion (blood letting).

Livestock cannot be branded or earmarked.

No livestock sold.

Ticks should not be picked from camels. If one picks them nevertheless, the ticks should not be killed by putting them into the fire but into boiling water.

Monday

Suitable for prayers of women (*Abay abay*).

Prayers for livestock.

Tuesday

No movements of settlements. (*Waraabe godkiis kamabaxo* - 'The hyena does not leave its cave'; i.e. not even a hyena would leave its hole on such a day.)

No blood-letting.

Wednesday

The last Wednesday of the moon, a moonless day (*Arbaco mugdi udambeyso*), is especially unpropitious. No slaughter, no branding or marking of animals, no marriage, no movements.

On ordinary Wednesdays the Qur'an teacher can be assisted in weeding his field. This day is also good for examination of those who have completed Qur'anic instructions or for building a Quran school. On Sufi order, the Qadiriyya, hold their *dikir* ceremonies on Wednesdays.

Thursday

Good for branding animals or marking them otherwise. But there are some avoidances concerning smallstock. These should not be sold and no ticks should be collected from them.

The *khamiisey*, the 'Thursday fee' is taken to the Qur'an teacher. The afternoon is free for the pupils (as Friday, the weekly holiday, is approaching.). One should avoid to disclose bad news to anyone on a Thursday.

Friday

Prayers for the ancestors, from one's father back to Adam.

Almonds.

A day of rest (*nasasho*), therefore no movements (*la ma guuro*).

Family visits.

No building or unbuilding ('untying') of huts (*aqal ma la diso/ma la furo*) or making of mats (for thatching *aqal*).

No cutting of poles for houses.

Special food should be prepared.

Fried coffee beans ceremony (*bun waa la dubeya*).

Livestock should be milked completely, without caring what is left for the calves.

Excess milk should be given to the poor, otherwise kids or calves would be taken by the hyaena.

A good day for dances and competitions in reciting the Qur'an.

Other beliefs have been cited, so that someone born on the third of the moon should not marry. Otherwise his/her first three spouses would die. The author has heard the same belief elsewhere among Somali. Brides should be treated roughly and kicked frequently to get them used to obeying their husbands. After two calves of a cow have died successively, the ears of the third one needs to be cut to enable it to survive. With human babies, in such a case, a tuft of hair (*door*) is left when their hair is shaved. The firstborn of an animal should not be given away or sold.

These findings were discussed with Abdullahi Sahal and Jutta Bakonyi and found to be useful as illustrations of what *caada* is all about. The folkloristic touch of these beliefs and practices, and their frequent reference to the private sphere let them, however, appear as the domain of law least relevant to conflict resolution, if compared to *shari'a* and *xeer*. More attention should have been given to these latter two, and the focus on conflicts should have been sharper.

Recommendations

It is essential that village level data are written up properly. As the flip charts about workshops and round tables are a major source of such documentation, they need to be evaluated before participants forget what was meant by the catch-words scribbled onto them.

In Habibayaal/Gurbaan and in those villages of Bay region where round table talks were conducted in a similar way, these round table talks need to be resumed. People should discuss which domains of their social lives should be discussed in relation to conflict resolution. It is not unlikely that problems identified as relevant will include

- *xeer*, in its present form or as something which needs to be amended
- its relationship to *shari'a*
- and the question which of the two are better suited to deal with current conflicts.

But this relevance should be the outcome of the deliberations among the villagers.

In the villages around Huddur, *xeer* was discussed with a focus on practical matters like security, conflict resolution and livestock marketing. Numerous decisions were taken about changes of rules and new village-level policies. After one year, one needs to monitor whether these changes have been implemented and, if yes, what their effects have been.

In Ceel Garas problems of pasture (restrictions by privatization) and water have been identified. These two issues are, of course, interrelated, because the most cost-efficient way to control access to dry season pastures is to control the water point from which these pastures can be used. Who is allowed to dig a well in which

location is also a sensitive issue². As one year has elapsed since these issues have been addressed by the round table, it needs to be assessed how these problems have been dealt with.

Around Dinsoor security issues involving livestock marketing do not seem so prevalent. The area is part of the livestock route to Mogadishu in one direction and Garissa, Kenya, on the other. Via Garissa livestock is taken to the Kenyan urban consumer markets or to be exported via Mombasa. Along this route, every clan has committed itself to guarantee safe passage through its territory. It therefore needs to be explored which security related aspects of *xeer* are of particular relevance around Dinsoor. According to anecdotal evidence, the re-introduction of blood compensation (*diya*) seems to be a topic on the agenda of elders.

There is evidence that the GTZ-IS measures have led to a positive development dynamics in certain places. The population of Ceel Lahelay is said to have increased, and the implementation of GTZ-IS sponsored micro-projects seems to be a factor contributing to the attractiveness of this locality. This needs to be assessed to get a clearer picture of the GTZ-IS impact.

Security and the operational space of the project

Due to its lack of acceptance of the Nairobi-formed new Somali Government in Mogadishu and the security issues this would entail if it was transferred to that city, shortly before the author's visit to Bay the plan to transfer the government to Baidoa (Baydhaabo), the capital of Bay Region was publicized as an alternative to going to Mogadishu. This plan was supported by those leaders of the RRA³ who held positions in the new government⁴ but not by the one of two vice-chairmen of the RRA who had not become a minister⁵. In order to show the new government that they had nowhere to go, he allied himself with Hawiye forces from neighbouring regions and captured Baidoa. As the forces which wanted to make the counter-strike and re-occupy Baidoa gathered in the Huddur region, Huddur could not be visited. The reason was a (probably wise) general policy to stay away from accumulations of militia, not a particularly hostile attitude against Europeans of these particular militias.

² According to Abdullahi Sahal, a recent conflict between Ogadeen (<Darood) and Hadama (>Rahanweyn) was caused by Hadama wanting to dig a well on Ogadeen land. The Ogadeen feared this would establish a claim to the pastures.

Also in the Siad Barre period there was opposition to wells dug by the Government (boreholes). Around such wells pasture is immediately eaten up or trampled. Local people also would not have been in a position to restrict access to a well which is not theirs but the Government's.

³ Rahanweyn Resistance Army

⁴ 'Shatigaduud' (clan: Hirin), and Sheikh Adan Madoobe (Hadama)

⁵ Mohamed Ibrahim Habsade (Leisan)

On the other hand it is difficult to deny that the death of one or two European experts in Bay would have substantiated the point of those who wanted to discredit Baidoa as an interim capital. Their interest was to prove that the Region was insecure. Increased alertness was therefore also appropriate at Dinsoor, which is administratively under Baidoa and located only 60 km from it. Apart from these general considerations, however, no indicators of an increased risk have been identified locally.

The aggravated security situation, the influx of IDPs⁶ from Baidoa among whom other strangers might pass unnoticed and the general level of tension were, however, adduced by the District Commissioner as an argument against Jutta Bakonyi undertaking walks to the market in the company of just two guards or against her having tea outside the compound. The DC had, however, shown his dislike of these activities before. It seems to be based as much on his understanding of female roles and his projections about white women and about what he believes other Somali to think about them, as on security considerations.

Generally, it can be said that it would be easier for many Somali if Europeans were restricted in their movements, unable to learn the language and entirely dependent in their perceptions of the situation on these same interested Somali as intermediaries. That such limitations cannot be combined with the role of the head of the conflict sector of IFSP goes without saying. If the alternative is confining Jutta Bakonyi's movements in town or beefing up security, the response should be beefing up security. She has to communicate in as many "natural" situations as possible. To go to the market or to go to have a tea followed by two armed guards walking beside her and a car with two more guards closely following her might not be very "natural" but it would still be preferable to limiting communication to formal contexts like meetings in the compound or visits to the villages which tend to assume the character of large assemblies.

So much about the general security situation as it develops in response to national and regional events. I now turn to the village level and an incident which might have important implications for the range of operation of the project and its potential to act independently, i.e. without bowing to threats or pressure.

On April 10, donkey carts were to be handed over to groups of women in Gurbaan village. Jutta Bakonyi and the author accompanied the household sector on that mission. A bullet was fired into the sand in front of the first of the two GTZ-IS cars as they approached the roadblock at the entrance of the village. One of our guards jumped off the car and fired a bullet on the ground in front of the man who had shot. The latter was pushed away by one of his companions at the same time. There was some running and commotion at the end of which men from the village gathered some distance off the road and discussed the matter. As a result of these deliberations the chairman of the Village Development Council came to us and said

⁶ Internally Displaced Persons

that we could enter the village. Jutta Bakonyi explained that no one had the right to fire at a GTZ-IS car and I added that as an elder he was responsible for his children, just like I as a father have to know when to punish mine. He regretted what had happened and promised it would not happen again.

On our way back in the afternoon, however, there was again a very agitated young man with a gun at the checkpoint, asking us why we had fired in the morning just as if we had opened the fire. Again there was internal disagreement between the men from the village. The gun was twisted out of the man's hand. As we drove off, there was still some wrestling going on.

In the morning of April 11, 2005, we tried to reach Habibayaal via Gurbaan. Before Gurbaan we were stopped and told to go back. One elder told us that he does not want to see a car with a GTZ-IS flag again until the internal problems among the Gelidle about the distribution of benefits from GTZ-IS are sorted out.

Gurbaan is a Gelidle village and Habibayaal belongs to the Ajuran. Incidents like this one can lead to two effects:

1. Any village closer to Dinsoor can block GTZ-IS access to any village behind it on the same road.
2. Any individual with a relationship good enough with the youngsters who man a roadblock to show up there and make his views heard, is in a position to interrupt the work of the GTZ-IS in the whole area accessed via the roadblock, and to blackmail GTZ-IS until his demands are met.

In order to reduce these effects, we make a point of reaching Habibayaal by another road, although that one is rather roundabout and much longer.

At Habibayaal we meet Ajuran elders under a shade tree, waiting for Gelidle elders to join them for *sabeen*, the exchange of reconciliatory gifts. In incidents at roadblocks, two Ajuran and one Gelidle had been killed. The Gelidle were expected to bring one camel for the "excess" Ajuran killed.

I explained the incident in the morning and that we had had to come in a very long roundabout way. The elders announced that they would complain about this to the Gelidle who were expected to come.

The following day, having spent the night at Dinsoor, having held a staff meeting in the morning and having travelled to Habibayaal again, we learned that the Gelidle elders had indeed come and left again. They had brought two heads of smallstock and one camel. Further discussions were postponed until Friday. The problem resulting from our experience at the roadblock had been brought to their attention.

On the staff meeting in the morning it was decided that all project implementation measures at Gurbaan should be interrupted for the time being. There is no interest on the side of IFSP for the moment to alleviate the frustrations of those behind the roadblock which result from access to them being blocked. Pressure needs to be built up from behind the roadblock against those at the roadblock.

Recommendations

Always insist that to block the movements of GTZ-IS cars is no way to influence allocation of projects or to obtain any advantages. Clarify that GTZ-IS can only plan and implement projects in areas where they are free to move about and talk to everyone. Villages trying to exert pressure via roadblocks disqualify themselves for any form of development intervention. Ongoing activities should be interrupted for a period which is substantial enough to hurt. Any demands fulfilled in response to pressure would invite more pressure and endanger project workers. Blocking roads might just be the start of a development leading to threats to life and limb or to kidnapping, if GTZ-IS shows any susceptibility to blackmail.

Pressure needs to be built up from behind the roadblock. Inform people from villages otherwise unconcerned with the dispute why you can no longer reach them and whose fault it is.

Property issues in the process of micro-project implementation

In the morning of April, 16 a staff meeting was held which addressed issues of property. As "ownership" is used in the development jargon in a much broader sense, at first it was explained what property issues are in contrast to this sense of ownership.

If it is said that the "ownership" of the Somali Peace Process should be with the Somali people, this does not mean that each and every Somali has defined rights in this process, e.g. that he owns a share (say 1/8.000.000) in it, which gives him a specific entitlement. It only means that the nation should identify with the peace process and that who actually participate in the peace process should have the wellbeing of the nation in mind.

In a similar way, when an alarm is raised because camels belonging to one clan have been raided and all the young men of that clan rush to their arms, this is motivated by the cry that "our" camels have been raided. In fact, however, camels are not clan property. Each animal belongs to an individual. When the issue is not defence but sale or inheritance, individual owners are immediately identified.

In the process of developing Community Action Plans, not everyone but a broad cross-section of the communities (with a bias in favour of the more active and enterprising elements) has been involved and in this sense the projects identified belong to the whole community. In the loose sense cited above, this can be termed "community ownership" of the projects. But many of the projects involve also transfer of property in a more specific sense.

Donkey carts have been given out to groups of four women. The donkeys had to be procured locally at the expense of the women, as their contribution, and it is also owned by them collectively. Sorghum mills have been handed over to larger women groups, say 15 or 20. These groups have built the shelter for the mill and have made equal contributions towards this purpose.



*Delivering a sorghum mill to Kurban Village.
Photo by Günther Schlee.*



*Gurbaan women with their new donkey carts.
Photo by Abdullahi Sahal.*

Property normally contains a bundle of rights, the right to use a thing being the first which comes to one's mind. This right is, however, of minor importance because also things which do not belong to anybody can be used by anyone who comes along. More significant is the right to exclude others from the use of a thing. Property further comprises the right to dispose of a thing by destroying it, giving it away, selling it or exchanging it in barter.

Which rights are meant to be transferred to the new owners by the GTZ-IS if they hand over a donkey cart or mill? Are the new owners, say 20 women who may have contributed 400 \$ in lots of 20\$ each towards the construction of the shelter and are then given a machine worth 1.600\$ entitled to sell the machine the next day, to split the money (80\$ each) thus realizing an immediate profit of $80\$ - 20\$ = 60\$$ or 300%? This looks like perfectly rational economic behaviour but is certainly not what the GTZ-IS expects them to do and would also be in contradiction to the Community Action Plans (CAP) and the focus on sustainability expressed in the entire participatory planning process. It would also be in contradiction to the community interest expressed in the wider and vaguer concept of "community ownership" of the project. From this angle, sorghum mills are meant to liberate women from the hard and time-consuming work of crushing grain with a pestle and mortar or in a hand-driven stone mill. Still, these communitarian considerations do not answer the question whether the right to sell is part of the bundle of rights transferred when "property" was handed over.

Are shares in a donkey cart alienable? One of the women might move away, fall out with the others, become physically unfit for engaging in transport or for many other reasons might wish to quit the donkey cart micro-cooperative. Can a woman who no longer wants to be part of the four owners sell her share to the other three? Would the latter have to compensate her for her original contribution to the donkey, for her share in the actual value of the donkey (which might have aged or been exchanged for a better one; in the case of a female it may even have multiplied), or also for her share of the market value of the cart? The cart might have been a gift, but there are no laws against selling gifts. If the three others are not interested in increasing their shares, or independently of that, can she sell her share to an outsider? If yes, to any outsider or only one the three others agree on? After all the owners need to get along with each other.

Long before any change in the composition of the group of owners occurs, they must agree on how to realise the proceeds of their respective shares on a day-to-day basis. Is business carried out together, are costs deducted and profits shared? Or is time shared, each woman using the cart on a given day? What happens to the donkey, if four women compete for its muscle power, each wishing to make maximal use of it? Maybe a weekly plan would do, with certain days reserved for the recreation of the donkey (rd): Monday: woman A, Tuesday: rd, Wednesday: woman B, Thursday: woman C, Friday (Muslim holiday): rd, Saturday: woman D, Sunday: rd. But then C would have a permanent disadvantage, starting with an exhausted donkey in the morning and a hungry one at that, since it had little opportunity to graze on the day before. Changing to an eight day "week" would be an alternative, but then one would have to solve the problem of keeping Friday a day of rest.

The extension workers had so far not gathered information about whether the women have discussed these property related issues and, if yes, how they want to handle them. They have been encouraged at this meeting to collect this sort of information as soon as possible. Harmonious working relations and the sustainability of these micro-projects might depend on such matters being tackled.

As a result of this discussion, the extension officer (Zeitun) two days later explained that in a given village, Habibayaal, the women did not intend to operate the cart themselves but to hire a worker to do so. The money received by him for the transport services to his customers minus his wage and expenses would then be kept by the women for future repairs of the cart. Funds in excess of such deposits would be given as loans to other women to do business. In which form the worker is to be monitored⁷, which woman keeps records and is accountable to the

⁷ Mention was made of "trust" and of the circumstance that the worker might be a "brother". In the case of four women owners it is however unlikely that the worker has the same kinship relation to all four of them. If a "brother" cheats you, you would not sue him and after some commotion might forgive him, because whatever he took from you still remains in the wider family: his children might benefit and they are your nephews etc. If he is a thief, he is still your thief. In the case of four

others, and in which form the group of owners of the donkey cart profit form business loans to other women (interest, share in profits with the associated problem of auditing) has not been discussed yet. About the donkey it was said that that it can work every day and graze at night "in the compound". In the case of four owners, the question, of course, is: in whose compound? The problem discussed as one of time allocation in the preceding paragraph, now becomes one of allocation of space/pasture/fodder.

At an early stage, male elders and the clans they represent have been excluded by the women from having any say in donkey cart related matters. This may have the effect that they refuse to deal with any disputes about donkey carts which are brought to their attention. Women will then have to develop their own jurisdiction: an interesting real-life experiment in the emergence of social structure and institutional development.

On a staff seminar for the preparation of VDC⁸, it was discussed how to facilitate the development of norms dealing with such novel situations like shared property of donkey carts. One idea is a role play. Four participants impersonate the group of women who jointly own a cart. What happens on day one? What happens on day two? Who decides what is to be done with the cart? Household needs might clash with commercial activities. One woman wants to quit the group. The others have to respond. Will they take over the vacant share? Will they recruit a new group member? Or these and many other possible courses of events could be acted out playfully in preparation of real life situations which might emerge later.

From a certain angle and on a happier note, controversial property issues can also be regarded as a positive development indicator. Where property is contested, people are at least interested in the things in question. The agro-forestry officer would probably welcome it if people engaged in claiming property of the trees he hands out. His experience contrasts sharply with this. In fact, far from claiming trees as theirs, they do not know where these trees are. When he comes to inspect his tree-planting projects, the husband asks the wife and the wife passes the question on to the children: "Where are those trees? Have you planted them? Have you watered them?"

There is a high awareness of progressing loss of tree cover and its link to the deficient recharge of underground water. Everyone knows that sustainable resource use is endangered, if existing trees are not preserved and new ones planted. Still this is not done to a sufficient extent. Why?

This is a typical 'common goods' problem. In the absence of strong institutions which enforce norms in the interest of the wider community, individual interests tend to prevail over community interests wherever the two are at variance with

unrelated women owners and a man who may be closely related to one of them this becomes an entirely different issue.

⁸ Village Development Committee

each other. To stop charcoal burning and the export of charcoal⁹ is obviously in everyone's interest, but collectively, not individually. The immediate short term individual interest might be in earning ones dinner (for the charcoal burner) or in making a profit (in the case of the exporter), and it is this kind of interest which tends to prevail¹⁰. To provide the right incentive structures for realizing communal goals, one has to make these communal goals coincide with individual goals. If a catchment area of a watercourse is to be planted with trees, these trees need to have a utility (medicine, gum, timber, and fruits in addition to fuel) and they need to belong to someone who thereby has an individual interest to protect them.

In the case of land, different property regimes often accompany different forms of use. The officer in charge of Natural Resource Management, Walter Odede, assesses the potential of lands on a scale, from agricultural lands (1), mostly black cotton soils, to lands only suitable for pastoralists (0). He is also interested in local knowledge and suspects that there is an indicator tree for lands of agricultural potential (*garas*, *Balanites* spp.). What presently can be observed is a patches of agricultural land dispersed in the rangelands. He wants to map the potentials in order to point out possible future expansions of agriculture.

The change of use from pastoral land to agricultural land, which goes along with individual appropriation, among many other questions raises the one of overall benefit to the system. Are essential components taken out of livestock production or is the loss of natural grazing largely compensated by farm residues fed to the animals? It needs to be examined how livestock production is integrated with agriculture in this agro-pastoral system. Is the straw harvested and stored? According to Walter Odede it is harvested and used by the individual owners of the fields. The remaining stubble then becomes communal grazing. It would be interesting to know how wide-spread this pattern is. According to what Jutta Bakonyi gathered from her conversations with farmers, it seems to be fairly common.

In connection with potential conflicts about land use it would be good to clarify the following questions as well: How is a seasonal pastoral circle of migrations (or, put in a slightly different manner: the pastoral system as such) affected by certain lands (typically the ones with the highest potential) being converted to agriculture? Is this regarded as a loss, even an over-proportional loss in relation to the biomass actually removed from pastoralist use, because it affects stocking density and the use that can be made of other areas? I.e. is it the case of an essential part of a system being removed, so that the system breaks down or can only operate on a

⁹ Somalia is a semi-arid country which depletes its sparse vegetation cover by exporting charcoal to Saudi Arabia, a desert country which depletes its non-renewable fossil water by converting it into horticultural products for export. A semi-desert exporting trees and a desert exporting water are just two of the paradoxes of the region.

¹⁰ The revisions of customary law (*xeer*) discussed in the village round tables tend to comprise fines for charcoal collection. It has not been monitored whether and how these rules have been put into practice.

much lower level of performance? Or is the loss of natural vegetation whole or partly compensated (or even overcompensated) by farm residues fed to the livestock? To clarify in which way livestock production and agriculture compete with each other or integrate with each other, in addition to this systemic perspective (overall productivity) it needs to be clarified to whom benefits accrue. Range resources might be appropriated by anyone, while farm residues might be controlled by individuals who have them consumed by their own animals or exchange rights in such residues for a fee.

The conflict management component must come in here at an early stage. Open, explorative methods (village history, biographical narratives ...with individual interlocutors) are recommended to find out about earlier owners or users and possibly contested land rights. To include sensitive issues in questionnaires or to address them at an early stage in group discussions without knowing what one steps into, might be counter-productive.

Recommendations

Discuss the anticipations of the villagers whether new property arrangements introduced by the project will lead to controversies. Find out whether there are existing rules in *shari'a* or *xeer* which the project officers might not be aware of.

If there is a vacuum of regulation, facilitate the development of new rules. Anticipate future problems by instruments like role play.

Provide the correct incentive structures. Common goods like stable and favourable ecological conditions are best protected if individual interests are attached to their protections. The instrument for attaching interests is the allocation of rights. People will preserve and protect what they can later use for themselves.

The development of norms

According to Jutta Bakonyi and Abdullahi Sahal, in a village workshop the following mental experiment was made: A husband comes back home and finds that his wife that not prepared the expected meal for him. Which of three ways is the appropriate way to react?

A. The husband verbally abuses the wife and hits at her.

B. He silently turns his back on her and goes to a restaurant.

C. He asks his wife for the reasons for her failure to prepare a meal. She now gets a chance to explain that the child is sick, the water cart was late, she did not have a chance to go to the market, etc.

For a European audience the didactic intention is obvious, even too obvious, especially if the problem has been posed by "conflict resolution experts". C is "correct": Talk about your problems and solve them peacefully!

The Somali woman who was most articulate, however, expressed a quite different view. She explained that the conduct of the weakling who adopted a consultative attitude towards his wife (C) was just to be considered tolerable. It was only marginally better than that of the coward who simply ran away from his wife (B). A model husband was the one who behaved like the one in version A. At least that one was a real man.

At this point it is easy to introduce "culture" as an explanation. According to Somali cultural norms, it might be said, to be tough is more important than to be fair and understanding. It might be argued that a development project, in order to make itself understood, has to take such normative differences between cultures into account.

The more interesting perspective is not to regard such norms as givens, but to ask how they have developed. From that, one might also see how norms change or even, how they can be intentionally changed. A right, in this case the right of the husband to call his wife bad names and to punish her physically for the slightest dissatisfaction she causes to him, only exists if numerous others acknowledge it. A norm is a collective phenomenon which depends on being accepted as a norm. Acceptance is conditional on interest. Many people are interested in establishing a norm, otherwise it does not become a norm.

There are obvious reasons why husbands may claim the right to act like in version A. For the husband, that course of action is emotionally satisfying. He does not allow any frustrations to build up but vents his anger immediately. He also saves a lot of intellectual effort by not reasoning with his wife and further avoids the eventuality of the blame being shifted back to him in case the wife says "But you have not given me any money to buy food." In other words, to act in this fashion is rich in rewards for the husband and low in costs and therefore it is perfectly rational of him to claim the right to do so.

But in the situation described it was a woman who argued in favour of the response depicted in version A, not a man. Which interest do Somali women have in transferring the right to beat them and to abuse them to their husbands? They might infer that a man who aggressively asserts his rights against them will also aggressively assert his rights against others. That might lead him to defend his family against any infringement of their interest, or even, by exhibiting a noisy, quarrelsome conduct, a permanent state of on alert and readiness to aggressive action, deter others from meddling with his family or anything which belongs to them without actually having to fight a lot. For the man, hitting his wife is a low cost way to show this aggressiveness (because in most cases the wife would not

hit back) and for the wife the advantage of having a visibly tough husband who deters others from encroaching on her interests and those of her children might outweigh the disadvantage of being hit from time to time. The absence of strong law-enforcing institutions and the general insecurity may be among the macro-level conditions which favour the evolution of such a structure of rewards. Conversely, the re-introduction of regulating institutions and the transition to non-violent forms of conflict resolution at the societal level may create a favourable environment for the reduction of domestic violence. Women will reclaim their right to physical integrity if transferring the right to beat them to their husbands no longer brings them any advantages. It may be argued that due to "socialization", "tradition", and "culture" norms and role models are "deeply engrained" and have a certain inertia. They might take time to change. In the long run, however, norms in which no-one is interested because they have the wrong reward structures will disappear or they will change until they acquire a form which makes them suit the interest of substantial numbers of relevant actors.

Recommendations

Understand the laws of development of norms. Norms are not established or enhanced by moral discourses (including "green" or other common good oriented convictions) or religious preaching (both of which are indicators of the weakness of norms) but by acceptance by substantial numbers of relevant actors. This acceptance, in turn, depends on power (the potential of individuals to establish their rights or to limit the rights of others) and interests (the motivation of actors to claim rights).

Norms, including the norms guiding cooperation (rules), change in response to social and economic incentives. In the preceding section the importance of providing correct incentive structures has already been stressed. Correct incentive structures are those which provide overlap between collective and individual interests.

For short: Do not preach. Provide incentives.