

Analysis of Ostracization or Muukuu Muruu as Boycotting and Green Card Grabbing System in Seera Amba: Arsi Oromo in Focus

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ABSTRACT: Nemo M. and Gada W. (2024) *This research aims to analyze Ostracization (Muukuu Muruu) as boycotting and Green Card Grabbing System in Seera Ambaa. To conduct this study, the researcher prefers to use a qualitative method as it is appropriate for the analysis, presentation, and interpretation of empirical data. To collect this data from Arsi Oromo elite elders and the head of the council, the researcher prefers purposive and snowballing sampling to select the research sample. To collect data from the informants' interviews, participant observation, and focus group discussion were selected. Last but not least, to analyze and interpret the ethically collected data he selected the qualitative method. From the analysis and interpretation made, the major findings of this research are: Arsi Oromo Customary law plays a paramount role in controlling and regulating the relationship of the community by enforcing its code of conduct. This is very important for having a secure and peaceful family. Ostracization and a green card-grabbing system is the last and permanent form of punishment which is irreversible by any means once decided by community elders. So, they are very important in controlling and monitoring the action and behavior of a member of society to act or behave against the predetermined laws. The major recommendations are: Arsi Oromo customary law (seera ambaa) plays a significant role in protecting human rights and justice, it is vital if it functioning properly, the role of Arsi Oromo Customary law (seera ambaa) in regulating and controlling socio-economic affairs is paramount. So, it is very important if it is included in the legal documents at regional and national levels, Arsi Oromo Customary Law or Seera Ambaa plays a paramount role in avoiding double jeopardy. So, it is vital to promote it by District Culture and Tourism Office, it is vital to amend AOCL to address the issue of females in democratic and nonpartisanship as affirmative action by Qaalluu up on the request of Arsi Abbaa Gadaa and Siinqee institutions.*

KEY WORDS: Seera Ambaa, Customary law, muukuu muruu, ostracization, boycotting, green card

INTRODUCTION

The Oromo are the largest ethno-nation in the Horn of Africa. In Ethiopia, they constitute 40% of the country's total population and occupy the largest regional state of the federal state. The Oromo lives largely in the Regional State of Oromia, the largest and the most populous of the nine regional states formed following the downfall of the military junta in May 1991. A substantial number of Oromo clans are living in northern Kenya. The regional State of Oromia is located between 3- and 15 degrees north latitudes, and 33- and 40-degree east latitudes. Salviac (2005 [1901]:21-22), the Oromo nation is a nation that lives a tranquil life and has its own culture, history, philosophy, system of governance, etc. Moreover, (Ibid (2005 [1901]: 349), the charming Oromo land would be plowed by the iron and the fire flooded with blood and the orgy of pillage.

Oromo system of governance i.e., Gadaa is a male age-based egalitarian system that organized the Oromo people in an all-encompassing democratic republic even before the few European pilgrims arrived from England on the shores of North America and only later built a democracy. Bulatovich (2000: 68) Gadaa is a tranquil way of life, which could have become the ideal for philosophers and writers of the eighteenth century if they had known it, was completely changed. Their peaceful way of life has broken; freedom has been lost, and the independent, freedom-loving [Oromos] find themselves under the severe authority of the Abyssinian conquerors.

One thing that makes the Oromo the most glorious people in the African continent is their possession of the Gadaa system, the egalitarian cultural, political, economic, and military organization that the Oromo have largely lost partially as a result of their adaptation of the monarchial system of governance since the beginning of the 19th century and notably due to their fall under the conquest of Menelik II at the turn of the 20th century. The Oromo Gadaa system is the most sophisticated sociocultural organization ever known in traditional Africa (Legesse 1973). Legesse (2000: 195) stated that the Gadaa-based "Oromo democracy is one of those remarkable creations of the human mind that evolved into a full-fledged system of governance because of five centuries of evolution and deliberate, rational, legislative transformation. The Gadaa system was a complex institutional organization that embraced the Oromo peoples' political, social, economic, and religious life entirety. The Oromo had and still have many indigenous ways of teaching-learning, peacemaking, religious systems, and worldviews.

The lands of the Oromo people were conquered and occupied by the Abyssinians for more than a century because of their secret policy to dismantle the Gadaa system can be the source of Oromo strength for centuries in general and Arsi Oromo customary law in particular. First and foremost, the policy was implemented by imposing court law on Oromo in general and Arsi in particular not to use its customary law to manage conflict that arises among the people. As a result, in the course of the above repression, Oromo indigenous knowledge is public and common knowledge which

guides and regulates the activities of members of society; some elements of this indigenous knowledge can develop into rules or laws depending on the interest of the community is getting vanished or on the brink of losing. Customary law emerges from what people do, or more accurately from what people believe they ought to do, rather than from what a class of legal specialists considers they should do or believes. It controls the overall chores of the members of the community. Moreover, a judgment under customary law is typically enforceable because of the affective threat of total ostracism by society (Bennett, 1995:7). Oromo lore in general and in particular is diminishing because of colonial structures, deliberate imposition of the dominant culture, legal state court system, etc. As a result, some of them are completely lost, some others are subjected to content and form change and others are on the brink of losing. Among the one on the eve of vanishment *Muukuu muruu or ostracization as an analogy of boycotting and green card grabbing system in Seera Amba* is among Arsi Oromo social folk customs.

Statement of the Problem

The Oromo in general and the Arsi Oromo, in particular, have been expressing different types of social, political, and economic matters via word of mouth, action, and both from time immemorial. Arsi Oromo's folklore in general and *Muukuu muruu or ostracization as an analogy of boycotting and green card grabbing system in Seera Amba* in particular suppressed for more than a century. So, it has undergone considerable changes due to internal dynamics and external influences such as the deliberate imposition of dominant culture and state laws in Ethiopia. Consequently, some of its form and content completely disappeared; some others were losing their originality and the rest are on the brink of dynamism. In other words, it is said that the minds of old men and women of Oromo elders were/are the big library for the contemporary generation. Jalata (2010:1) each time an old man [or woman] dies a library is lost. This may result in the loss of valuable cultural heritages that can't be replaced by any means.

Those factors stipulated above, the dynamic nature of folklore and others threaten the Arsi Oromo Customary Law which is Knowns as Seera Ambaa in general and *Muukuu muruu or ostracization as an analogy of boycotting and green card grabbing system in Seera Amba in particular*. Since it is passed down from generation to generation in the form of social folk custom, it is one genre of folklore (Dorson, 1982).

This does not mean that, till then, there was no research conducted on Oromo folklore in general and Arsi Oromo in particular. Totally or partially, they tried to touch that all types of cases from simple civil matters to complex criminal cases are subject to the jurisdiction of the Jaarsaa Biyyaa or Jarsa Araaraa (literally 'elders of reconciliation'). These include homicide, loans, cattle raiding, land, property or inheritance, personal injury, defamation, theft, accidental or willful destruction of property, adultery, and killing of an animal. Those researchers that conducted their research on related topics were: Awel Ebraim (2005), Ayalew (2001), Dejene and Abdurahman (2005), Demissie (2005), Dejene (2002) and Girma (1980 Mamo (2006) and Umer (2012). So, this study

attempts to fill the existing gap and play its part in improving the scarcity of research works that existed in the area.

Basic Questions of the Research

1. What are the procedures that the ostracization (muukuu muruu) system should be followed?
2. What types of issues led to the ostracization (muukuu muruu) decision undergone in seera ambaa?
3. What are the merits and demerits of ostracization (muukuu muruu) in seera ambaa?
4. Is muukuu muruu applicable in a contemporary situation in selected woredas?
5. How can ostracization (muukuu muruu) be enforced in seera ambaa?

Objectives of the Research

General Objectives of the Research

The general objective of this research is to analyze *Ostracization (Muukuu muruu) as an analogy of boycotting and the green card grabbing system in Seera Amba.*

Specific Objectives of the Research

- Ø To identify the procedures that muukuu muruu system should be followed
- Ø To elucidate issues that led to muukuu muruu decision undergone in seera ambaa
- Ø To state merits and demerits of muukuu muruu in seera ambaa
- Ø To elucidate whether muukuu muruu is applicable in selected woredas in a contemporary situation or not,
- Ø To identify the way muukuu muruu is enforced in seera ambaa.

Significance of the Research

The study of Arsi Oromo customary law in general and Ostracization (*Muukuu muruu*) as an analogy of boycotting and green card grabbing system in Seera Amba, in particular, could be important from the following perspectives:

The study will be an additional contribution to the few works that have already been done on Customary laws and practices in the districts. It serves as useful input for those individuals interested to carry out in-depth studies on similar topics.

It provides information to the legislators to consider indigenous knowledge and values in law-making, for better planning and implementation of the policy at a local and national level.

It may contribute to the understanding of the characteristics of these indigenous institutions of conflict resolution and the differences between such institutions in different social contexts.

Scope of the Research

Arsi is the single largest clan among the Oromo nation that occupies the Arsi and Bale lands and some parts of the Rift Valley. Like other Oromos, Arsi has much folklore that is passed down from generation to generation by word of mouth and action. Arsi Oromo dominantly lives in Bale, East and West Arsi, and East Shewa zones. To make it more representative, from each zone, two woredas will be selected purposively.

So, from Bale Zone Madda Walabu and Dawe Sarar; from West Arsi Zone Kokosa and Arsi Negelle; from East Arsi, Ziway Dugda, and Munessa woredas, and East Shewa zone, Heban Degaga, and Adami Tullu Jidda Kombolcha woredas will be selected. These Zones in general and woredas in particular have many cultural heritages that are passed down from their ancestors. Each of them can be taken as a cultural corridor of their zone. Since, it is very difficult and even impossible to deal with all of them in such type of research, for time being, among them the researcher emphasized on Ostracization (*Muukuu Muruu*) analogy of boycotting and green card grabbing System in Seera Amba.

Limitations of the Research

Despite the intensive efforts made to fill every gap, the study has got its limitations. In the first place, because of COVID-19, it was difficult to thoroughly make FDG and interviews in selected districts. As a result, the researchers faced time constraints during both data collection and analysis was the major limitation that is worth mentioning. One month of fieldwork is inadequate for the qualitative collection of data on a such sensitive issue. To capacitate these limitations, the researchers collected additional data from both Arsis (i.e. East and west Arsi Zones). For analytical purposes, too, it was not easy for me to identify and also to have easy access to relevant materials on such newly developing concepts and issues. The lack of relevant works on Arsi Oromo was also worth mentioning in this regard. I believe that the existence of previous relevant works would have been useful, had they existed.

REVIEW OF LITERATURE

Theories of Customary Law

Custom is a practice or a way of doing things that have been handed down from one generation to the next. Customs is a part of the culture shared by members of a social group. Many customs begin because people like to know what to expect in a social situation. Like all cultural traits, customs are a form of learned behavior and they differ among different peoples. For example, eating is a biological requirement for all people but table manners and customs of food preparation vary from group to group. Customs last long partly because people often find it easier to conform than to face the disapproval of their social group. Such approval may range from mild ridicule to

severe punishments. Commonly, many customs produce only mild customs produced only mild reactions when broken.

Definition of Customs

There have been many attempts to define custom and with-it customary law over the years. A general definition can be found in Osborn's Concise Law Dictionary. By John Burke (: 108:

Custom is a rule of conduct obligatory to those within its scope, established by long usage. A valid custom has the force of law. Custom to society is what law is to the State. A valid custom must be of immemorial antiquity, certain, reasonable, obligatory, and not repugnant to statute law, though it may derogate from the common law.

The general philosophical basis of the concept 'Custom' is that it refers to a set of established patterns of interactive behavior among humans, which can be objectively verified in a particular social setting because these behaviors are adopted in everyday routines (Ørebech 2005). 'Law' refers to principles, rules, rights, and obligations that govern social interactions and processes.

Definition of Customary Law

It is broadly accepted that the term 'customary law' as it applies to Africa in general and Ethiopia in particular refers to the body of traditions, mores, social conventions, and rules that through long usage and widespread acceptance direct and govern traditional African society. Customary 'law' therefore is as much social convention as it is legal protocol.

Oromo peoples in general and Arsi Oromo in particular developed their customary law which emanated from Heera Gadaa the Gadaa system. This Customary 'laws' include customary worldviews, principles or values, rules and codes of conduct, and established practices. They are enforced by community institutions and can have sanctions attached. They are derived from natural resource use – some practices and beliefs acquire the force of law. They are locally recognized, orally held, adaptable, and evolving. Customary laws tend not to be recognized in formal courts, particularly if they conflict with formal law because they are orally held and considered inferior. To improve recognition, customary legal structures/systems need to be strengthened, respected, and better understood. In addition, elements of customary law may need to be written down - the challenge is to capture the essence of oral customary laws whilst ensuring they can still evolve freely (Swiderska, 2005-9).

On his part, Hon Justice Narebor (1993) gave definition of customary law to be... a rule of conduct which is customarily recognized, adhered to, and applied by the inhabitants of a particular community in their relationship with one another within or outside the particular community and

which has obtained the force of law, in that non-compliance with the rule or custom in question attracts adjudication and possible sanction.

Some scholars try to define customary law from different perspectives based on the number of populations it governs and their exposure. Bennett (1991:1) states as “Customary law is the law of small-scale communities. The people living in these communities take it for granted because it is part of their everyday experience”. But this definition doesn’t work for large size communities that have much highly developed traditional knowledge that is passed down from generation to generation orally. So, customary law is not necessarily the law that governs every behavior of the members of a given community that range from small to large-scale society.

It is a form of local knowledge formed spontaneously in the course of a long history through experience with human behaviors and interactions among people and between man and nature. It is passed on from generation to generation through teachings and practice and it instructs and regulates human relations with each other and the natural environment. “Customary rules are recognized and accepted by the whole community and applied in daily practice to create unity and balance in each community’s society. It is spiritual and profound (deeply and touching beliefs” (Erni, 2012:19).

A given customary law is to be recognized as their way of life, it should be in line with other laws of the land. Westermarck (1977) on his part states, “customary law to obtain the approval of the society the union must be formed and recognized by the unwritten customs, i.e., customary laws and taboos in traditional societies, or by established laws, as in more civilized ones. Unless it is in line with statute law in most cases, it will be without effect.

Customary law is more than mere law. Rather, it is the package of traditional knowledge that prevailed in the daily life of the members of the society or community in one way or the other. “It refers to the laws, practices, and customs of indigenous and local communities which are an intrinsic and central part of the way of life of these communities. Customary laws are embedded in the culture and values of a community or society; they govern acceptable standards of behavior and are actively enforced by members of the community (Benson, 1990:5).

Moreover, it is the set of standards established by elites of a given society to make the life of their people free from social chaos. “Customary law can be regarded as a set of norms which the actors in a social situation abstract from practice and which they invest with binding authority” Hamnett (1995:25), Customary law is a form of local knowledge formed spontaneously in the course of a long history through experience with human behaviors and interactions among people and between man and nature. It is passed on from generation to generation through teachings and practice and it instructs and regulates human relations with each other and the natural environment. Customary rules are recognized and accepted by the whole community and applied in daily practice to create

unity and balance in each community's society. Customary laws are spiritual and profound (deep and touching beliefs). Customary law is 'grounded in the operations of the mind that lead people to conceptualize legal rule as normative propositions that are binding and mandatory since they are supported by sanctions' (Ørebech 2005: p17).

People take for granted that there 'must be' law. Pivotal to customary law is that people subject to it recognize the benefits and necessity of the law to survive and maintain social order. Hence, they recognize, accept, and adhere to its provisions; therefore, it requires relatively less force and coercion to enforce customary law (Erni, 2012).

Customary law is formed from oral and written laws. Most of the time, since the written law has problems with accuracy, it is criticized. The reasons are as follows:

- ☞ The principles of customary law that are not written may falsify the right one.
- ☞ Principles and issues of customary law do not hold all types of laws
- ☞ It says there is only one system of customary law (Benson,1990)

From the above-stated premises, one can easily understand that there are customary practices that become part of customary law in the course of life that is confusing with the customs of the communities.

Criteria for Customary Law

In attempting to explain how customary law originates there are few better explanations than that given by RWM Dias (1964):

When a large section of the populace is in the habit of doing a thing over a very long period, it may become necessary for the courts to take notice of it. The reaction of the people themselves may manifest itself in mere unthinking adherence to a practice that they follow simply because it is done, or again it may show itself in a conviction that a practice should continue to be observed because they approve of it as a model of behavior. The more people follow a practice the greater pressure against non-conformity. But it is not the development of practice as such, but the growth of a conviction that it ought to be followed that makes it a model for behavior.'

Reasonableness

It has been argued that the only criterion required for a particular custom to acquire the binding force of law is for it to pass a test of reasonableness. This is a controversial argument because 'reasonableness' is a highly subjective concept. Over time the courts of Sudan have defined the 'reasonableness' of a custom as its conformity with 'justice, equity, and good conscience.' The objection to this definition is that this allows only the judges to decide whether a custom is 'reasonable'. They in turn must make judgments about the concepts or values of a society in the

light of their own community's values. The most obvious extrapolation of this position is the judgment of Sudanese customary law by international legal organizations, particularly about human rights.

Everything has its criteria for performance. These criteria have similarities and differences based on their characteristics. The customary law of a given society, to be accepted as a law, it should have its criteria. But these criteria may vary from one custom to another. Generally, there are three criteria of customary law. These are:

From the points listed above, one can understand that the source of customary law, (i.e., custom) values, beliefs, and taboos that are generally accepted by members of the society wholeheartedly to control and regulate the relationship between human beings and the surrounding environment in the course their daily life. Ørebech (2005:24) states this concept, "Currently, the recognition of the value of the such common property right systems increased after research demonstrated that customary law in different settings has prevented the overuse of the common resources and that customary law creates a delicate balance between animals, humans and nature". These criteria directly support the data gathered and analyzed on Arsi Oromo Customary Law.

Importance of Customary Law

Customary law, like any other law, is not static and is always changing to reflect how people are living today. Customary law has a great impact in the area of personal law regarding matters such as marriage, inheritance, and traditional authority, and because it developed in an era dominated by patriarchy. Some of the norms conflicts with human rights norms guaranteeing equality between men and women.

Ethos of Customary Law

Differences between Customary and Statutory Law

There are some aspects of Arsi Oromo customary law, which are at great variance to Western-based systems of justice, particularly to the English Common law system, which forms the basis of contemporary Ethiopian statutory law. It is these fundamental differences that have the potential to produce conflict between customary and statutory law and therefore need to be clearly understood.

Criminal and Civil Law in Customary Law

One of the most obvious aspects of Sudanese customary law is the absence of distinction between criminal and civil law. Western law tends to view these bodies of law as isolated and discrete prescribing entirely different bodies of procedural law to govern their case management. Customary laws on the other hand tend to combine their treatment of civil and criminal laws. The rationale for this approach has been described as being a strong desire to restore social equilibrium through payment of damages. (For example, under Arsi Customary Law homicide law this would

be achieved through the payment called blood price or Gumaa, of 100 kateebuu (male calves) for male and 50 heifers for female– per deceased person to the family of that person). This combination of civil and criminal procedure does not however disallow a victim’s family from exercising their right to pursue civil damages or a full-scale prosecutorial action under statutory law.

Reconciliation and Punishment:

The combination of civil and criminal law under a single code is a demonstration that customary law differs from Western law in a very specific manner. The primary aim of customary law is conciliation and dispute resolution in civil law and criminal law, reconciliation between the wronged and wrongdoer. In contrast, Western law leans towards the attribution of blame [guilt] and punishment; the overall purpose is retribution and deterrence. While Western Courts aim to obtain an acceptable version of the truth through the adversarial presentation of argument, the ‘truth’ under customary law may often be of secondary concern.

In customary law courts, the main objective will almost always be to achieve satisfaction for as many parties as possible. The underlying aim proved through millennia of experience, is to ensure a sense of justice and resolution amongst the disputing parties and through this means, to restore or maintain social stability and social healing. This is to say that, it has the power to resolve disputes sustainably once and for all. From this one can understand that, in Arsi Oromo Customary law, there is no double jeopardy.

The Status of Customary Law in African Documents

Africa is the home of many indigenous people that are diversified by ethnicity, language, history, religion, social status, etc. who govern the overall lives of its people for a long period by their indigenous law. That law is known as customary law. So, customary law is, after all, part of African identity. (Kuruk, 2002: 10), “From the time of immemorial, Customary Law was the principal system of law in African Communities”. But it is getting diminished and changed as a result of the imposition of colonial rules and laws. “Customary law has always been treated as a stepchild in the South African legal order and this has disadvantaged the many people who substantively live by autochthonous law for certain or all purposes” (Rautenbach, 2008). According to Mukoro (2004), customary law while speaking about the Evidence Act of Nigeria Section 2, sub-section 1 of 1990 said that, “it is the rule in a particular area that has attained the force of law due to prolong usage”. Moreover, both Elias (1977) and Badaiki (1997) see customary law as “a body of customs, accepted by members of a community as binding upon them”. In addition to the above statement, the latter said that, “Customary law is rooted in the history, tradition, and culture of the people that sometimes it is interchangeably used with custom”. From this what one can conclude is that custom and customary laws are the two sides of one coin, even though, the former is the source of the latter. Before Europe scrambled out of Africa, Africans have a law that they oversee the peace and order of their society. This law determines not only the behavior of the people but also, the

relationship they should have with the natural environment and even the creator. After the scramble, to achieve their goals, in one way or the other, they were begun to incorporate African customary law into their constitutions. This process 'Black's Law' in South Africa is a good example. Katrina (2011:7) "African Constitutions also have by far the greatest recognition of customary family law". The highest level of recognition of customary law is found in Africa Constitutions, both in terms of the number of countries with relevant provisions and the breadth of aspects of customary Law covered. Of 52 African Constitutions, 33 referred to customary law in some form. There is a high level of recognition of traditional and customary institutions as well as a broad recognition of customary law in the courts and related land. Muna, (2011), states that; Many African constitutions contain provisions guaranteeing equality, and human dignity, and prohibiting discrimination based on gender. However, the same constitutions recognize the application of customary law and they do this without resolving the conflict between customary law norms and human rights provisions. The definition above bears a close resemblance to that given by Allen (1939) while analyzing the Gold Coast Colony Native Administration Ordinance 1927. Said he, Native customary law means a rule or a body of rules regulating rights and imposing correlative duties, being a rule or a body of rules, which obtains and is fortified by established native usage and which is appropriate and applicable to any particular cause, action, suit, matter, disputes, and includes also any native customary law recorded as such. When the two definitions given above are seriously considered, it will be detected that customary law consists of customs accepted by people in a community as binding among themselves.

The Status of Customary Law in National Documents

Customary law is getting recognition in different documents at various levels. For instance, it extends from Global to national (Ethiopia) documents. FDRE constitution is the supreme law of the land that determines and governs the overall behavior of 90 million Ethiopian nations, nationalities, and peoples. It states customary laws under different articles in the constitution. For example, FDRE Constitution 1995 Art. 34(4), (5) "*Ethiopia recognizes customary marriages and allows customary law to be applied in the adjudication of disputes relating to personal and family law*". From this article, one can easily understand that customary law plays a vital role in governing disputes that are relating to personal and family law for its long-lasting effect. This in turn implies that customary law has a strong binding force in this area than statute law. In addition to the above article, FDRE Constitution Art.9 (1) states that "*Any laws, rules regulations, and customary practices that are inconsistent with this Constitution shall be invalid*". The binary opposite of this article fully works for customary laws in Ethiopia. This is to say that, any customary laws that are in line with the provisions of the constitution are legally recognized and protected by law. If they are contrary to the constitution, they are without effect. This means the constitution enforces equality, growth, and the enrichment of cultures and traditions that are compatible with fundamental rights human dignity, democratic norms and ideals, and the provisions of the constitution.

Meaning and Types of Folklore

Folklore is fascinating to study because peoples are fascinating creatures. It is a diversified complex subject because it reflects the whole intricate mosaic of the rest of human culture. It is a part of the culture but it seems elusive, flowing along separately from the mainstream of the major intellectual attainments of humanity. Moreover, folklore is a way of understanding people and the wide-ranging creative ways we express who we are and what we value and believe to evaluate the past and adjust one's life accordingly in the future. It is not something simple that define by a simple understanding of the simple mind.

Folklore is many things, and it's almost impossible to define succinctly. Yes, folklore is folk songs and legends. It's also quilts, Boy Scout badges, high school marching band initiations, jokes, chain letters, nicknames, holiday food . . . and many other things you might or might not expect. Folklore exists in cities, suburbs, and rural villages, in families, work groups, and dormitories (Martha, 1963:1).

Folklore is existing in many kinds of informal communication, whether verbal (oral and written texts), customary (behaviors, rituals), or material (physical objects). It involves values, traditions, and ways of thinking and behaving. It's about art. It's about people and the way people learn, act, think, understand the creator and creation, etc. It helps us learn who we are and how to make meaning of the world around us. Generally, it is an anthem of a given society by which they identify themselves with others.

Folklore is informally learned, unofficial knowledge about the world, ourselves, our communities, our beliefs, our cultures, and our traditions, that is expressed creatively through words, music, customs, actions, behaviors, and materials. It is also the interactive, dynamic process of creating, communicating, and performing as we share that knowledge with other people (Ibid p.8).

Moreover, it is not the outcome of an overnight incident or the creation of a single member. Rather, it has a cumulative and synergetic effect on the entire community. Botkin (1938) folklore editor for the WPA Federal Writers' Project in Martha (1963:10) on his part defined folklore as,

Folklore is a body of traditional belief, custom, and expression, handed down largely by word of mouth and circulating chiefly outside of commercial and academic means of communication and instruction. Every group bound together by common interests and purposes, whether educated or uneducated, rural or urban possesses a body of traditions that may be called its folklore. Into these traditions enter many elements, individual, popular, and even "literary," but all are absorbed and assimilated through repetition and variation into a pattern that has value and continuity for the group as a whole.

Folklore is not a discipline that one can analyze and synthesize easily because of its old age and complexity. So, in order to closely examine this crude field of study, it is vital to classify it based on various parameters for better understanding. Toelken (1996:183) states, “without a generic terminology, we would have little hope of understanding each other”. Many scholars categorize folklore in different ways based on its fussy features and the way it exhibits. Martha (1963: 12) says that “folklore can be categorized in many ways, based on its particular characteristics and how it is expressed. Three broad categories often used to describe folklore are verbal, material and customary”. As one can easily see from the above statement, she merged social folk customs and performed folk art together. But, these two genres are very bulk to merge and try to treat as one. They are too distinct to call them by the name that they don’t like to be called! Dorson (1972) divided folklore into four broad genres. Out of these genres, this research is largely focused on oral narratives and social folk customs: It is the genre folklore that includes social practices, rituals, festivals, carnivals, holidays, thanksgiving ceremonies, recreation, games, religious celebrations, etc. Based on the points stipulated above, Arsi Oromo customary law in general and Ostracization (*Muukuu muruu*) as an analogy of boycotting and green card grabbing system in Seera Amba is one of the fascinating folklores that the society created, develop, and passed down to its ancestors from the time of immemorial.

RESEARCH METHODOLOGY

Qualitative Method

The qualitative method seeks to understand a given research problem or topic from the perspectives of the local population it involves. It is especially effective in obtaining culturally specific information about the values, opinions, behaviors, and social contexts of particular populations. It is very important to provide complex textual descriptions of how people experience a given research issue.

Moreover, it provides information about the “human” side of an issue – that is, it is often contradictory behaviors, beliefs, opinions, emotions, and relationships of individuals. Qualitative methods are also effective in identifying intangible factors, such as social norms, socioeconomic status, gender roles, ethnicity, and religion, whose role is in the research. When used along with quantitative methods, qualitative research can help us to interpret and better understand the complex reality of a given situation and the implications of quantitative data. It is a form of systematic empirical inquiry into meaning (Shank, 2002:5).

Population of the Research

The populations of this study will be Arsi Oromo community elite elders, *Abbaa Gadaa*, *Hookkaa*, and *Bokkuu* that are acquainted with Arsi Oromo customary law in general and *Ostracization* (*Muukuu muruu*) in particular those that have long-time experience in promulgate, enforce and making decisions on wrongdoers according to the law that entitled in Seera Ambaa.

Sources of the Data

Primary data are those items that have had a direct physical relationship with the events being reconstructed. This category would include not only the written and oral testimony provided by actual participants or witnesses of an event, but also the participant themselves. Cohn (1994) documents considered primary sources include manuscripts, characters, laws, archives of official minutes or records, files letters, Recordings, and research reports. All these are, intentionally or unintentionally, capable of transmitting a firsthand account of an event and are therefore considered a source of primary data.

Sample and Sampling Techniques

While quantitative methods typically depend upon probability samples that will permit confident generalization from the sample to a larger population, qualitative inquiry typically focuses in depth on relatively small samples selected purposefully. In conducting this research, the researcher used two types of sampling methods: Purposive and Snowballing sampling. Since the knowledge of Arsi Oromo customary law in general and ostracization (muukuu muruu) in particular is an art, any ordinary person may not have known how to promulgate, enforce the law and make a decision according to the law. As a result, the researcher preferred to select purposively the community elite to get adequate information for the research. In purposive sampling, researchers handpick the case to be included in the sample on the bases of their judgment of their typicality. In this way, they build a sample that is satisfactory to their specific needs. Generally, one person does not know everything that the researcher may ask.

After he told the information that he knows, for further information, he may refer to somebody else that can give more additional data the supplement the research. In this case, snowballing techniques should be employed. Snowball sampling uses a small pool of initial informants to nominate, through their social networks, other participants who meet the eligibility criteria and could potentially contribute to a specific study. The term “snowball sampling” reflects an analogy to a snowball increasing in size as it rolls downhill (Morgan, 2008).

Data Collecting Instruments

The researchers will use three types of data collection instruments: Interview, participant observation, and focus group discussion. In the process of data collection, interview laid a decisive role. Moriarty (2011:8), interviews remain the most common data collection method in qualitative research and are a familiar and flexible way of asking people about their opinions and experiences. To carry out the tasks of an interview, the researcher interviewed elite elders by using open-ended, close-ended, and many other structured and unstructured questions were used. To revitalize the research result, one source of information may not save. So, it is vital to use other data-collecting tools. Pope and Mays, (2006), Observational methods go some way towards addressing the issue that what people say is not necessarily what they do. In this process, the researcher takes part in the assembly and supports or refuses ideas based on Arsi Oromo Customary law or Seera ambaa

specifically ostracization (muukuu muruu). By so doing, he managed to collect his data to supplement other instruments. Moreover, it is possible to get more fertile data when informants answer your questions alone than in a group. Focus groups rely on the spontaneity and synergies created when a different member of the group question and respond to each other so that data are generated by interactions within the group (Kit zinger 1995; Finch and Lewis 2003).

Data Analysis

The data collected by different types of tools should be, transcribed, classified, organized, and interpreted respectively. To meet the objective of the research, it is vital to employ a qualitative method of data analysis since; the data were collected by the qualitative method.

Ethical Consideration

To achieve the intended goals, of the research, the researcher was compelled to select his key informants. i.e., Two facilitators of the assembly or Chaffee and one Decision maker (Qora mataafi miilaafi Murticha Yaa'aa) respectively. Then via those key informants, he could approach every member of the congregation to collect the data. Fortunately, the researcher had been working in the district for more than three years; he knows several elders and their culture too. While collecting the data, from the beginning

DISCUSSIONS AND RESULTS

The procedures of Ostracization (muukuu muruu) in Seera Ambaa

According to Oromo customary law in general and Arsi Oromo in particular, there are a series of procedures that should be followed to enforce rules, regulations, and laws to regulate and monitor the well-being of society. This is so because these laws emanated from Heera Gadaa which is more democratic in looking after the rights and dignity of all creatures under the moon. Moreover, the Oromo in general, and Arsi in particular abhors urgency in every aspect of their life. They believe that urgency leads you to make a wrong or unfair decision that directly quarrels you with Abbaa Dhugaa, Waaqaa, the creator of the sky, earth and what is between them. That is why Arsi said, "guuttattu malee guuttee hinmurin!" in the process of making a decision. In other words, in the process of ruling on criminal or civil cases according to Arsi Oromo Customary law or Seera Ambaa, they handle it with great care and reservation at least for two reasons.

The first one is arbitrators handle the case with care not to be deceived by the way a guilty person presents his case and a victim fails to do so. That is why Oromo maxim goes, "himata wallaalii hayyicha abaarii; bitata wallaalii gabayaa abaarii." Arsi says, "Qora mataa, qora miilaafi hayyichi waan abbaan himate irratti qorarii murtii kennu" which is the arbitrator and his two facilitators investigate and made a decision based on a victim presenting his case and a guilty defended a case. This is so because the three individuals are non-partisan to both parties in conflict.

The second is when an arbitrator made a decision, there are two important points worth mentioning in Seera Ambaa. The first one is Murtichaa or the arbitrator tells the exact punishment as compensation for an injury caused by a guilty person. But finally, he may order less than half of what he rules in his decision. This is so because; disputants are Ambaa or members of the same kinship. According to

Arsi Oromo, “ambi jedhanis; godhanis hila qaba!” which is one should be highly reserved in words or actions. In general, the primary focus of Seera Ambaa is not to punish a guilty person. Rather it pays due attention to teach the one that breaks rules, regulations, and laws. This is to say, there are several steps to be followed to give plenty of chances to a person who committed a crime. For instance, Arsi improved the laws of thief five times and the laws of homicide three times. This is indicating that the effort of the laws to make a guilty one become a productive member of society rather than urging them to take serious action that may hamper the psycho-physical status of a person. This emanates from Oromo philosophy in general and Arsi Oromo in particular that there is no wrongdoer or criminal by their nature. A person commits a crime knowingly or unknowingly that Arsi says “darbata moo darbama?” Human folk does these two in the courses struggling to win his bread. The measurement taken to teach an offender to learn from his mistakes is progressive by its very nature. This is to say, it is ascending or grows from simple to serious one which ends up with boycotting and a green card-grabbing system. But, after such series treatment, if a person fails to learn from his previous mistakes, once and for all there is the last step enshrined in Seera Ambaa which is called muukuu itti muruu, muukessuu or ostracization in Seera Ambaa. According to Arsi Oromo customary law, ostracization or muukuu itti muruu or muukessuu which means limiting a person that time and again violates the societal status quo by cold shoulders against laws and Heeraa despite successive corrective measures prescribed by the society. In the first place, it starts with excluding or ignoring by general consent an offender from the society or a group, friendship, conversation, privileges, etc. temporarily by eliminating weaker or non-conforming members. It is often part of a persistent and progressive campaign to diminish the value and presence of an individual in the workplace or day-to-day activities. For instance, society excludes an offender not to take part in social activities such as taking part in wedding ceremonies, funeral ceremonies, public assemblies, and so on. Once he or she is ostracized nobody helps him/her in case his/her house burns, his immediate family dies, robbed by a thief. Here, an important and noteworthy point is that still ostracization is a little bit tough step taken by society to correct an offender. It is the sort of limiting his/her basic rights as a member of society as a corrective remedy. The case of Cawwaa, Wattilee, and Tumtuu are among the case in Arsi Oromo. If an offender regrets his wrong deeds against laws and appeals to community elders, he/she again becomes a member of society after s/he fulfills what is predetermined by laws. If he keeps on his stand and fails to regret it, community elders take the last and tougher measurement that permanently banishes him/her from his native country because he/she lost his/her green card. Arsi Oromo call the green card Amboomaa, the string that tied Oromo in general and Arsi in particular. That is why Arsi says “ol galo ambaa; gad galo diina!” which means one who stands by my side

is ambaa or friend or citizen; while the one who stands with the enemy is an enemy. According to Seera Ambaa, the person who lost his green card or amboomaa immediately lost everything he/she possesses including his/her nation. Here an important point worth mentioning is Oromo in general and Arsi, in particular, doesn't claim Oromo and Oromummaa only by Jus Sanguinis.

If someone's amboomaa or green card is grabbed in such a way we have discussed above, from that day onward, he can't claim Arsoomaa and Amboomaa anymore. Because of his/her undesirable attitude, the string that tied up everything vertically or horizontally is broken. From that spot of time, he/she can't claim his/her mother, father, brother, sister, and so on as his/her immediate family. So, the community elders assembled and tie his hands back and load a stone on his shoulder, and ordered someone to extradite him/her out of their territory. The living and best example of such a case are one who was once Arsi or balchaa but today become Waataa. Once he/she lost his/her green card after a series of treatments for correction, it is irreversible under any circumstance.

As the researchers tried to stipulate above, like Sikko and Mandoo, nothing is known about the third moiety of Arsi which is called Dooranoo. As certain great elders say, he is the elder of both Sikkoo and Mandoo. Once upon a time, he committed the abominated act in society. Some elders said that that act is incest. The others on their part said that that act is not incest; it is like abandoning an appointment such as marriage. The known and living moiety of Dorano is known as Wata. Today they live East Shewa Zone around Lake Ziway, in West Arsi Zone Negelle Arsi District, and Arsi Zone Zway Dugda District and the neighboring districts of these areas. Based on their function, waataa is divided into two categories. Those are, Waata Biyyoolee (who is responsible to performs the purification of Soil) and Wata Karaaraa (who is responsible for cattle praising). In Oromo in general and Arsi Oromo in particular, killing amba or folk is highly condemned. If someone kills somebody intentionally, there is no ground for paying Guma or blood price in the past. The slayer must be killed. The place or the soil on which the blood of a victim split is taken as spoiled soil. That is why the purification process takes place by Waata Biyyoolee. The relationship between Sikko Mandoo and Dorano seems a paradox in many ways. For instance, Dorano or waataa is considered heathen and untouchable among these two moieties of Arsi (Sikko and Mandoo). Even today, even though they live nearby, they never marry each other; they don't share social matters except in rare cases. But, they highly respect and honor Wata, especially in two situations. And they say, "Waatni dhufee waaqatu dhufaa!" which means, Wata comes, are you looking for Waaqa (God)! Since, they believe that if Waata praise and disturb their cattle, they breed very well. So, when Wata appears at their home carrying his ceremonial stick called Botooyaa, they give him milk in great respect. Then, he drinks it after he sprays a mouthful of milk, especially on cows and oxen in a kraal three times.

In general, as a result of ostracization for whatever the case, Waataa, the son of Doranoo, the elder son of Arsi is no more Arsi today. Though they are Arsi by Jus Sanguinis, they can't abide by Seera Ambaa and can't claim Aroomaa or Arsihood.

Types of issues led to Ostracization (muukuu muruu) Seera Ambaa

First of all, it is vital to glimpse Arsi Oromo customary law before directly jumping into their progressive and final measurement we are going to discuss in the subsequent sections. Arsi Oromo generally categorized their customary law under eleven genres. All of them consist of both civil and criminal. But some informants decrease this division to eight. Whether they are eight or eleven, they are sharing the same elements in both main branches of law. The first and vanguard are the AOCL of Homicide. According to Oromo in general and Arsi Oromo in particular, human beings are respected regardless of their race, religion, history, culture, social background, etc. So, they highly condemn killing and mistreating innocent people under any circumstances. Arsi never kills or engages in to forced labor a person who they capture during the war. Rather, they treat him in the manner of a human. This all are emanating from the safuu they have for mankind. Let alone human beings, Arsi Oromo have safuu or respect for trees and cloth. They perform libation before cutting a tree for building a house.

The second is AOCL of Gubaa or burning. This law encompasses burning one's body parts and their properties. Burn the human body especially reproductive organs a high abomination. Such a type of crime is more than killing a person. The retribution for such acts is more than 100 kateebuu alike homicides. The Seriousness of the punishment emanates from two points. The first one is the heinous crime against humanity. The second is the age of the man and woman that his/her body burned. If s/he is young, the punishment is very serious. If s/he is old, the punishment is relatively light.

The third is Arsi Oromo Customary Law of Gadaa ceremonies. They show the rites of passage from one stage to the other. They mark the identified period with their duties and responsibilities. They are a liminal period that all male Arsi Oromo pass via an inevitable stage of development. They mark the beginning, the middle, and the last stage in the Gadaa system. For instance, Buttaa indicates the commencement of shouldering the responsibility of leadership. Jaarraa marks the middle age review of their performances in the course of life. Baraartii is the exit ceremony from all types of social affairs and rights and responsibilities of the member of the Arsi Oromo.

The fourth is the marriage ceremony which is the most respected form of integration with other Arsi clans. It is the way of forming relatives out of one's lineage. There are more than eleven types of marriage practiced by Arsi Oromo in contemporary times. But, among these all, only two of them have a legal base in AOCL in the Gadaa system. There are some types of theories behind all types of marriages to legalize the practice that was not supported by law in Gadaa governance.

The fifth one is, AOCL of Arreedaa Gama Guduruu or Stallion. Arsi Oromo has great respect for a stallion for many reasons. Among these, the most important is the bravery he does stallion during the war with his master and the role he plays in society under different circumstances. For instance, marriage ceremonies and serving as a means of transportation and communication for the dissemination of information. So, he considered a human being or buqqee, literally the head of a person in AOCL.

The sixth one is AOCL of Bull or Kormaa. Bull or Kormaa also has great respect among Oromo in general and Arsi Oromo in particular. He is not private property; rather, he belongs to Abbaa, Ambaa, which means master, folk, and alien. So, he is sacred among all groups of societies without any kind of distinction. Any type of damage caused by Bull has not been followed by punishment. There are not only Stallion and Bulls that are sacred among Arsi. For instance, the milking cow has great respect among Oromo in general and Arsi Oromo in particular like a Bull. This law is true for a pregnant cow and ram. This law is progressive by its very nature from the time it was established for the first time in Midhaagduu Kurkuruu, Gaara Jilbiibii, Odaaa Madda Walaabuu, Oodaa Roobaa, Hora Booqaa and Geessee respectively.

According to Seera Ambaa, many things caused ostracization and green card grabbing of someone. Among these, the first noteworthy things are sacred or woyyuu which are highly respected and honored by all members of Arsi Oromo even today. There are seven major sacred or Woyyuu in Seera Ambaa. These are Waaqaa or God, Earth, father, mother, father-in-law, mother-in-law, and Qaalicha. This doesn't mean that there are the only sacred things in Oromo culture in general and Arsi Oromo in particular. Many other materials and entities are considered sacred. According to Arsi Oromo customary law or Seera ambaa, the crime that one commits against sacred or others would not have treated in the same way. Always the latter is very severe. A person, who does or speaks something unethical to sacred women in his clan, will be punished based on predetermined law.

According to Arsi Oromo customary law, a person who sleeps or lies down with women who are sacred to him is committing a heinous crime which is called incest. In the past, the person who committed incest was expelled from the community by trying his hands back; loading a big stone on his back. This action is very serious than ostracization because, a person who is ostracized by the community, has the right to live among them without having any social relationships and support during hardships. This law is called 'Seera Baasaa' which means the law of expulsion. Bennett (1995:12) stated the same idea that supports this law very well.

But, after a long period, the community gradually lost many braves, elites, and people with world-class minds under this law. So, the community elites were compelled to revise the law. Then, this law was revised to the law called seera yaasaa, which means climbing up the house. According to Oromo people in general and Arsi Oromo in particular, incest is a highly abominated act. A person

who committed such an act is out of Arsiihood or amboomaa. So, to restore his/her pride in the community, there should be a sort of ceremony held at the house of women who committed incest. That is, both of them climb up the house naked in front of crowds. This is to humiliate them publicly and to teach others not to commit such an act in the future.

The incested man and woman climb up her house together. Then, he was at her behind and touch her vagina with the tail of black sheep slaughtered for this ceremony. After three laps on the roof of that house, they get down. Then, immediately, the two sheep are slaughtered to purify them from the heinous sin they have committed. After that, there is an oath-taking ceremony called fujaa. This ceremony protects everyone not to talk about and mock about this issue in the future. Hirmii means marrying a sacred woman. To purify such sin, both of them should tie up naked on the way to market on the market day. Then, all passengers spite them and throw grass three times at them before passing. After that, he pays two cows as a punishment for the final purification process.

According to Arsi Oromo Customary Law, a person who kills four people doesn't run to bokkuu to seek asylum or refugee. They are father, mother, father-in-law & mother-in-law. This is because they are among the seven sacred as stipulated above. The punishment for a person who committed such an act is burying him alive down his neck and hitting him with stones continuously till he dies. According to Seera ambaa, out of one's clan, mother-in-law and father-in-law are highly respected. A person who insults/act them pays, jahan bunaa & mandiidaan. Jahan bunaa means six pots of drinking that are made up of pure honey and 'mandiida' means a big bull. If the insult/act is so serious, the punishment can be more than this based on the east and west laws. It can extend from five to seven cows.

According to Arsi Oromo Customary Law, Gadaa or law between father and Son's. This is to say, the law states the rights and responsibilities of the father and the law in the Gadaa system. It doesn't state about grandfather or mother, aunt, uncle, etc. If a son has sex with his mother or sacred woman and if a father has sex with his daughter or other sacred, this act is incest. But, if a son has sex with his grandmother, it is not incest; rather it is malee or something that shouldn't happen. If a son has sex with his grandmother, he is going to beget his father or mother. So, in reality, this can't happen.

For instance, if someone is knowingly absent from his clan's assembly for three successive days "otoo halangee hinergatin" which means without asking permission or bringing any concrete evidence to shanachaa, he will be ostracized. But, if he continues in his stand until the time allocated for him to change his mind over, then the community elders compelled to declare the process of green card grabbing.

Another point that subjects you to ostracization and green card grabbing is a lie. Among Oromo in general and Arsi in particular, a liar is highly despised among members of the community. For instance, when Diniq Odaa Roobaa had been serving as the political center for Oromo and Arsi, liars sat alone under the sycamore tree which is called Odaa Qaawwaa day fall which is a sort of ostracization. In general, ostracization and green card-grabbing systems can take place when a member of society works against Seera Ambaa in words and works. This is to say if someone who belongs to the society openly insults or deliberately violates Seera Ambaa time and again, he may face a penalty that extends from ostracization to green card grabbing. The latter is a sort of social embargo by its very nature which is the permanent alienation of individuals or groups that deviates from predetermined social prescriptions.

Merits and Demerits of Ostracization in Seera Ambaa

Oromo peoples in general and Arsi Oromo in particular developed their customary law that emanated from Heera Gada. This Customary 'laws' include customary worldviews, principles or values, rules and codes of conduct, and established practices. They are enforced by community institutions and can have sanctions attached. They are derived from natural resource use – some practices and beliefs acquire the force of law. They are locally recognized, orally held, adaptable, and evolving. Customary laws tend not to be recognized in formal courts, particularly if they conflict with formal law because they are orally held and considered inferior. To improve recognition, customary legal structures/systems need to be strengthened, respected, and better understood. In addition, elements of customary law may need to be written down - the challenge is to capture the essence of oral customary laws whilst ensuring they can still evolve freely.

Customary law or Seera Ambaa established by full consent of the members of Oromo groups that live in different parts of Oromia regions. Arsi Oromo customary law (seera ambaa) plays a significant role in protecting human rights and justice if it functions properly. Moreover, it plays a paramount role in regulating and controlling socioeconomic affairs. Seera Ambaa last long partly because people often find it easier to conform than to face the disapproval of their social group. Such approval may range from mild ridicule to severe punishments such as ostracization and green card grabbing or denying Arsoomaa and Amboomaa. Seera Ambaa consists of customs that are accepted as legal requirements or obligatory rules of conduct; practices and beliefs that are so vital and intrinsic parts of social and economic systems that they are treated as if they were laws. According to my informants, both ostracization and green card-grabbing system are very important in keeping the well-being of the community.

The major merit of customary law is that, since its source is society, it is easily understood and enforced by traditional institutions. This is to say that, it doesn't get strange for that society as it the part and parcel of their day-to-day chores. So, it is highly accepted and respected by members of a given society as it is not complicated and interwoven.

☞ Customary laws are flexible and easy to amend it to suit the situation at hand.

- ☞ People's cultures and traditions are given recognition.
- ☞ It gives assurance to the unlettered and illiterate as he sees his culture being used to adjudicate cases.
- ☞ Customary laws keep our traditional rulers and knowledgeable people in cultural matters very busy. This gives them recognition and a role to play in society.
- ☞ Compared with the legal court system, customary law is easily applicable within a short time and with minimum cost.
- ☞ It is easy to control institutions that are established to maintain justice.
- ☞ When a decision is made on different issues, it takes into account the interest of the community, the victim, and the guilty.

The major demerits of customary law are, it is limited to a given geographical area and ethnicity. So, most of the time it exists by one overlap with the other. But this idea is not true for Arsi Oromo as it covers very vast areas, for instance from East Shewa, West Arsi, Arsi, and Bale Zones. But they occupy defined places in these vast areas that have the almost same customary law. That is why, he says, it doesn't work for Oromo and Arsi as well.

- ☞ Within a society that lives in the same area or that lives together, there should be different customary laws. In this situation, it is difficult to decide which one should develop and be widespread.
- ☞ All customary law is not new for its people; it is impossible to say that it is always clearly known and accepted by all members of society equally.
- ☞ Even though they have a system of checks and balances to keep the natural resources of their surrounding environment, still some laws are not advisable to exist and exercise.
- ☞ Since customary law is the law established by the member of the society, even though, most of the time it is enforced by the same person and seems good, it is exposed to partisanship.
- ☞ Since customary law is passed down from generation to generation by word of mouth, since it has no written evidence, it is difficult for an entity that wants to give a decision accordingly.

The status of the Ostracization and Green Card Grabbing System in Contemporary Situation

As we have discussed above, the punishment that extends from mild ostracization to green card grabbing had been played a vital role in controlling and monitoring the overall actions and behaviors of Arsi community. But, after Oromo in general and Arsi, in particular, fell under Abyssinian colonial subjugation, its position was gradually diminished with Heera Gadaa as a result of successive systematic cultural repression to assimilate the people to create a homogenous Ethiopian society and to destroy the Oromo and the other conquered peoples' identities.

But, after the downfall of the military junta in 1991, the constitution of the land granted rights of nations, nationalities, and peoples of the country under article 39 to determine themselves. From

that day onward, there are some changes in rediscovering and re-excavating Heera Gadaa, which is the arsenal of Oromo collective identity. Consequently, there are some changes in publicizing those traditions, customs, and values, still, they need tiresome endeavor to fully discover their provisions. Though the constitution is full of golden words that fill you with a democratic aroma, still it becomes paper and shelf value. According to our informants, it is possible to ostracize offenders at various levels such as simple, mild, and serious to correct his/her member. But, in the contemporary situation, it is impossible to grab his green card or Amboomaa/Arsoomaa as it is crime if the victim of the such case brings an affair to the 'legal' court to sue.

SUMMARY, CONCLUSION, AND RECOMMENDATIONS

In this chapter, the summary, conclusion made based on the summary, and the recommendations forwarded to alleviate the problems are presented respectively.

Summary and Conclusion

Oromo nation in general and Arsi Oromo, in particular, have established a system of governance to control and regulate the overall behavior of their members, the relationship they should have between their neighboring clans, natural environment, and creator. This incredible system that has been serving the nation for a long time is called Heera Gadaa. Waaqa as a Supreme Being is believed to be a creator of all nature. He is the creator of all things in the universe, including everything having a life and without life. Waaqaa is the only one who can do or undo things on earth. The believers (waaqeffataa) consider him to be omnipotent, omniscient, and omnipresent. Waaqaa is not alpha and omega for He has no beginning or end, (i.e., He is not limited in space and time. Waaqaa is believed to be a supreme instance of love, wisdom, and peace). His plan and will for human beings are always good. Waaqaa has got different names among different nations and peoples; his identity and character cannot be wholly comprehended by a human mind, but He is all in all a Supreme Being of righteousness. That is why waaqeffataa call and adores him as a divine Supreme Being with hundred names, unsearchable and clean.

Arsi Oromo generally categorized their customary law under eleven genres. All of them consist of both civil and criminal. But, some of the informants decrease this division to eight. Whether they are eight or eleven, they are sharing the same elements in both main branches of law. All of them are focused on teaching rather than penalizing offenders to become a productive member of the community. This is to say, several steps should be followed to take a final, permanent, and irreversible decision if he is not in a position to regret and learn from his mistakes. This doesn't mean that it is not always obligatory to follow these steps in taking corrective measures. For instance, in some crimes such as the killing of one's mother and father, first-degree murder, and treason, no need of following those steps to take a final decision. This is to say that, if such serious cases happened, community elders take final measures at once without following a series of steps as the criminal is beyond repair and advice.

Based on the summary and conclusion we have made above; they came up with the following findings. These were:

- 🌳 Arsi Oromo Customary law plays a paramount role in controlling and regulating the relationship of the community by enforcing its code of conduct.
- 🌳 In Arsi Oromo Customary Law, law and punishment procedures were enshrined in black-and-white form.
- 🌳 Arsi Customary law gives a due place for women in principles and practice.
- 🌳 Arsi Oromo customary law (seera ambaa) has a gap in recognizing disabilities of any type.
- 🌳 Arsi Oromo Customary law is democratic by its very nature, etc.
- 🌳 AOCL plays a great role in supporting inter and intra-clan relationships, continuity, and socialization.
- 🌳 AOCL avoids double jeopardy that may victimize a person who is released free by a customary court for accuse against him by somebody.
- 🌳 Divorce is not possible or very rare among Arsi Oromo in the past. This is very important for having a secure and peaceful family.
- 🌳 Arsi does not only donate property but also a human being to continue one's race as prescribed by law under Heera Gadaa.
- 🌳 AOCL set laws for everything. It is progressive by its very nature. Moreover, it tilts to treating a guilty to learn from his/her mistake rather than taking corrective and coercive action.

Recommendations

Based on the major findings of this research, the following recommendations were drawn.

- 🌳 Arsi Oromo customary law (seera ambaa) play a significant role in protecting human rights and justice, it is vital if it functions properly.
- 🌳 The role of Arsi Oromo Customary law (seera ambaa) in regulating and controlling socioeconomic affairs is paramount. So, it is very important if it is included in the legal documents at the regional and national levels.
- 🌳 Arsi Oromo Customary Law or Seera Ambaa plays a paramount role in avoiding double jeopardy. So, it is vital to promote it by District Culture and Tourism Office.
- 🌳 Since Arsi Oromo Customary law or seera ambaa is economical by its very nature, it is very important to utilize it in the legal court system.
- 🌳 It is vital to amend AOCL to address the issue of females in democratic and non-partisanship as affirmative action by Qaalluu on the request of Arsi Abbaa Gadaa and Siinqee institutions.
- 🌳 There are certain gaps in AOCL in addressing the issue of a coward, mentally retarded, and person with any type of disabilities.
- 🌳 The tongue plays a paramount role in day-to-day communication. But it has no law which protect his right in AOCL. So, this should be reconsidered by Abbaa Bokkuu.

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