

LOCALLY-LED MEDIATION MANUAL

الوساطة بقيادة محلية



FINDING COMMON GROUND

- Dialogue
- Options
- Agreement?

HOME

Horn of Africa & Middle-East Institute

معهد القرن الأفريقي والشرق الأوسط

Integrated. Resilient. Prosperous

متكامل. مرن. مزدهر

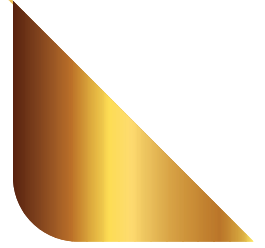
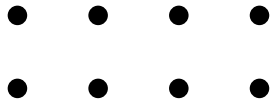


Acacia Dialogue Center

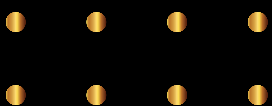
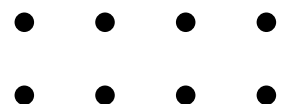
The Acacia tree represents a place of dialogue, wisdom, and unity.



مجلس مسقط للسياسات
Muscat Policy Council



LOCALLY-LED MEDIATION MANUAL



ACKNOWLEDGEMENTS

This manual reflects a cross-regional collaboration grounded in institutional partnership and technical expertise.

We extend our sincere appreciation to the Horn of Africa & Middle East Institute (HOME Institute), the Acacia Dialogue Center, and the Muscat Policy Council for their coordinated leadership and commitment throughout this process. HOME Institute and Acacia Dialogue Center facilitated the engagement of mediation practitioners and experts across the Horn of Africa, ensuring that the manual is grounded in field-based practice and community realities. The Muscat Policy Council team contributed to the consultation process and literature review for the Middle East component, sharing regional analysis and contextual depth rooted in Omani mediation traditions.

Together, these efforts have produced a practical and context-sensitive resource that bridges lived experience and research, and that supports sustainable, locally-led mediation efforts.

Our special thanks go to HOME Institute Director Ms. Nimo Jirdeh and MPC Director Yusuf Al Bulushi for their leadership and coordination in enabling the programme team to complete this manual. We also extend our gratitude to the mediation practitioners and community representatives whose insights, reflections, and experiences shaped this work. This manual carries their voices. Our utmost gratitude goes to the Embassy of Switzerland in Oman led by Ambassador Thomas Oertle for their financial support to facilitate the writing of this manual. It is through their support that this good work has been realized.

CONTRIBUTORS

Lead Writers and Facilitators:

Nimo Jirdeh
Peter Durito

Research Support Team:

Marcus Tan de Bibiana, Ali Ibrahim, Johan Svensson, Fridah Kirimi, Quds Badr Al-Ambusaidi, Mohammed Said Al-Wahaibi, Shatha Ali Al-Abri & Sarah Abdl-Hadi

Table of Content

	Page(s)
Acknowledgement.....	i
Contributors.....	i
Introduction	1-2
Main Principles of Mediation	3
What is Locally Led Mediation	3
Enablers & Obstacles To Local Mediation Efforts	4
Dos & Dont's Of Local Mediation.....	5
Locally-Led Mediation Process.....	6
Phase 1: Preparation & Community Entry.....	6-8
Phase 2: Designing the Process.....	9-11
Phase 3: Mediation Sessions.....	12-15
Phase 4: Formalizing & Implementing the Agreement.....	16-18
Phase 5: Follow-up, Monitoring & Learning.....	19-21
Summary of Key Activities in Mediation.....	22
Diagram on Mediation Process.....	23
Methodology.....	24
Annex 1: Mediation Script (Horn of Africa)	25-30
Annex 2: Oman Mediation Script.....	31
Case 1: The Sabla of Wadi Al-Hilal.....	32-37
Case 2: The Sabla of Al-Nahda Valley.....	38-40
Annex 3: Literature Review.....	41
Mediation in the Horn of Africa	42
Community Mediation Practices across the HOA.....	43-45
Mediation and Conflict Resolution in Middle East.....	45
Common Community Mediation Practices across the Middle East.....	46-47
Conceptual Foundations of Mediation in the Middle East	48
Traditional Mediation and the Modern State.....	49
Community Mediation Practices across the Middle East.....	50-55
Comparative Analysis of Traditional Mediation across the GCC	55-56
Comparative Matrix of Traditional Mediation Mechanisms (HOA & Middle East)	56-57
References.....	58-62



INTRODUCTION

INTRODUCTION

Background

The Horn of Africa and the Gulf regions remain interconnected by social, economic, cultural and historic ties. While the communities and states in the two regions are interdependent through trade, investment, migration and security cooperation, they continue to face myriad of interconnected challenges including resource-based conflicts, displacements, cross-border conflict, political instability and climate related shocks. Despite the formal mediation efforts at the national and international levels remaining important, this manual portends that sustainable peace is more effective when local actors are involved in culturally grounded conflict prevention mechanisms, dialogue and reconciliation. The justification for this is that these actors are believed to possess the trust and contextual understanding and have the potential to build formidable social cohesion in the society.

Purpose of the Manual

The purpose of this manual is to strengthen the capacity of local mediators and community-based peace actors to prevent, manage, and resolve conflicts through participatory and locally owned approaches. The manual further provides necessary tools and techniques for facilitating dialogue and collaborative problem-solving approaches in the conflict settings of HOA and the Gulf.

Target Group

This manual is primarily designed for Track 3 and community-level mediation actors across both the Gulf and the Horn of Africa. These include traditional elders, religious leaders, women's mediation groups, youth peace networks, local administrators, and civil society organizations who are directly engaged in dispute resolution, reconciliation processes, and restorative justice practices within their communities. This group is prioritized because they are often the first responders to conflict and hold localized legitimacy that formal institutions may lack. In addition, the project also targets emerging mediators and community peace builders who require strengthened capacities, structured tools, and documentation of traditional mechanisms to effectively navigate evolving conflict dynamics. By focusing on these actors, the manual aims to enhance context-grounded, culturally resonant, and sustainable mediation approaches that reflect the social realities of local communities in both regions

Definitions

When direct negotiations between conflicting parties are not enough to resolve the conflict or if communication channels are blocked, a third party can sometimes provide additional support to help resolve the conflict. In this case, the third party is known as a mediator. Mediation is an alternative method of settling disputes that uses the good offices of a mediator—an unbiased, third party to the conflict to support the conflict resolution process and to assist the conflicting parties to find mutually beneficial and viable settlements

Based on the given definition, the role of the mediator can be further defined in the following way:

- A mediator does not have a personal interest in the outcome of the conflict, nor do they act as a representative of the conflict parties. Mediators should be impartial and they should never themselves promote a particular outcome;
- A mediator does not make a decision. They only assist the parties in establishing common ground and mutually beneficial conditions for peace;
- A mediator is not a peacekeeper who separates parties during violent episodes of conflict. Mediators act in conditions of relative peace, either before or after any escalation to violence, but never during the phase of open hostilities.



MAIN PRINCIPLES OF MEDIATION

- A mediator works with all parties to the conflict and studies the situation from all sides. They should engage with everyone and not be indifferent to any of the parties' interests;
- All parties have to agree to participate in the mediated conflict resolution process voluntarily and accept the mediator's role in managing the conflict resolution process;
- A mediator strives to help all parties in dispute equally;
- The primary aim of mediation is to find mutually beneficial solutions which satisfy the interests of all conflicting parties and not to establish the objective truth in a conflict;
- A mediator conducts and controls the mediation process, however, they do not manage the content of discussions;
- The responsibility for generating alternative solutions to the conflict should lie with the conflict parties themselves, so that it is easier for them to accept the negotiated settlement and feel a sense of ownership over all decisions reached.



WHAT IS A LOCALLY-LED MEDIATION?

A locally-led mediation process refers to a peace building or conflict resolution approach in which local actors such as community leaders, elders, religious leaders, women's groups, youth representatives, or traditional institutions take the lead in designing, facilitating, and implementing mediation efforts to address disputes or conflicts within their communities. Locally-led mediation is a community-based, participatory conflict resolution process that prioritizes local ownership and leadership over external intervention. It is grounded in the idea that sustainable peace is more likely realized when solutions emerge from within the affected society rather than being imposed from outside.

ENABLERS & OBSTACLES TO LOCAL MEDIATION EFFORTS

1. How Communities Can Identify Enablers and Obstacles

a. Participatory Mapping

- Encourage community members to map local actors, resources, and tensions.
- Ask questions like:
 - Who are trusted leaders or mediators?
 - Where do conflicts usually emerge?
 - What existing spaces support dialogue (churches, schools, youth groups)?

b. Community Dialogues & Listening Sessions

- Hold small, inclusive discussions to surface perceptions.
- Obstacles often appear as recurring concerns (e.g., mistrust, fear, exclusion).
- Enablers show up as strengths (e.g., respected elders, shared norms, existing peace committees).

c. Stakeholder Analysis

- Identify who supports mediation, who resists it, and why.
- This helps distinguish:
 - Structural obstacles (e.g., lack of funding, weak institutions)
 - Social obstacles (e.g., bias, power imbalances)

d. Simple Assessment Tools

- Use checklists or scoring systems (e.g., "rate trust levels from 1–5").
- This makes identification more systematic and repeatable.

2. Turning Enablers into Action

Once identified, communities should be guided on how to leverage enablers effectively:

·Strengthen existing trust networks

Train respected community members as mediators.

·Use culturally relevant practices

Integrate traditional conflict resolution methods where appropriate.

·Build on existing institutions

Partner with schools, religious groups, or local councils already engaged in dialogue.

·Amplify community ownership

Ensure mediation is not seen as external but locally driven.

3. Addressing and Reducing Obstacles

·Mistrust or bias

Use neutral facilitators and ensure representation of all groups.

·Power imbalances

Create safe spaces where marginalized voices can speak freely (e.g., separate pre-dialogue sessions).

·Lack of skills or knowledge

Provide basic mediation training and continuous mentoring.

·Resource constraints

Start with low-cost approaches (community volunteers, shared spaces).

·Resistance from key actors

Engage them early, understand their concerns, and show benefits of mediation.

4. Build in Reflection and Adaptation

Encourage communities to continuously reassess:

- What is helping mediation succeed right now?
- What new barriers have emerged?
- What strategies need adjusting?
- You can suggest simple tools like:
 - Regular feedback meetings
 - Community scorecards
 - Reflection journals for mediators

DOS & DON'TS OF LOCAL MEDIATION

Dos and Don'ts of Local Mediation:

- Do ensure inclusive participation by actively involving women, youth, minorities, and other marginalized groups.
- Do use neutral facilitators, create safe spaces, and hold separate consultations when needed to balance power dynamics.
- Don't allow dominant groups to control the process or overlook hidden inequalities, as this can undermine trust and outcomes.

Steps to Address Dos and Don'ts in Local Mediation:

1. **Map stakeholders early** – Identify all relevant groups, especially those often excluded (women, youth, minorities).
2. **Assess power dynamics** – Understand who holds influence and who may be marginalized.
3. **Design inclusive processes** – Ensure balanced representation and consider separate consultations where needed.
4. **Use neutral facilitation** – Engage mediators who are trusted and not aligned with any single group.
5. **Create safe spaces** – Allow participants to speak freely without fear of backlash.
6. **Monitor participation** – Check continuously if any voices are being overshadowed and adjust accordingly.

Positionality:

Mediators should reflect on how their identity, relationships, and biases influence their role. Being transparent about these factors helps build trust and reduces blind spots. Mediators should be selected based on community trust, perceived neutrality, and respect, while carefully considering how their position may affect fairness in the mediation process.

Steps to Address Positionality:

1. **Self-reflection by mediators** – Identify personal biases, relationships, and assumptions.
2. **Acknowledge position openly** – Be transparent about one's role and connections to the community.
3. **Seek feedback** – Encourage participants to share concerns about fairness or bias.
4. **Balance perspectives** – Ensure no one is unintentionally favored in the process.
5. **Select mediators carefully** – Choose individuals based on trust, neutrality, and community respect.
6. **Adapt as needed** – If bias or imbalance appears, adjust roles or bring in additional facilitators.





LOCALLY-LED MEDIATION PROCESS

Here's a practical, step-by-step guide for a locally-led community mediation process that you can adapt to different contexts (village, neighborhood, clan, etc.).

PHASE 1: PREPARATION & COMMUNITY ENTRY

Step 1: Identify & Understand the Conflict

- Talk informally with different community members (elders, women, youth, traders, local authorities).
- Ask:
 - What is the conflict about?
 - Who is involved or affected?
 - How long has it been going on?
 - What has already been tried to solve it?
- Consider the underlying issues (e.g., land, water, identity, politics, power, historical grievances).

Output: A simple conflict profile (what, who, where, when, why, how).



Step 2: Identify and Engage Key Stakeholders

Make a basic **stakeholder map**:

- Primary parties (directly involved).
 - Secondary parties (indirectly affected).
 - Influencers (religious leaders, elders, teachers, chiefs, youth leaders, women leaders).
- Visit each group to:
 - Explain the idea of a locally-led mediation.
 - Check their willingness to talk.
 - Listen to their fears and expectations.

Output: A list of stakeholders, their main interests and needs + a sense of who is willing to participate.

Step 3: Form or Strengthen a Local Mediation Committee

- With community input, select mediators who:
 - Are respected and trusted.
 - Are perceived as fair (or at least balanced across parties).
 - Include women and youth, not only elders.
- Agree on roles:
 - Lead mediator / chair.
 - Note-taker / recorder.
 - Liaison persons to each group.
 - Security / logistics focal person.

Output: A community mediation committee with clear roles and broad legitimacy.



Step 4: Build Capacity (if Needed)

- Organize short, practical sessions for mediators on:
 - Active listening and non-violent communication.
 - Confidentiality and impartiality.
 - Basic mediation steps (convening, opening, exploration, negotiation, closure).
- Use role-plays of local conflict scenarios.

Output: A mediation team with a shared understanding of how they will work.



PHASE 2: DESIGNING THE PROCESS

Step 1: Agree on Principles and Ground Rules

With the mediation committee and main parties:

- Confirm basic principles:
 - Voluntary participation.
 - Respect and non-violence.
 - Confidentiality (as appropriate).
 - Local ownership of outcomes.
- Co-create **ground rules**, such as:
 - One person speaks at a time.
 - No insults or threats.
 - Mobile phones on silent.
 - Everyone gets a chance to speak.

Output: A written or verbal agreement on principles and ground rules, known by all.



Step 2: Decide on Format & Logistics

- Format options:
 - Separate meetings with each party (shuttle mediation).
 - Joint meeting with both/all parties.
 - Larger community dialogue after progress.
- Agree on:
 - **Venue** (neutral, accessible, culturally appropriate).
 - **Timing** (avoid market days, prayer times, farming peaks).
 - Who will attend (representatives? whole groups? quota for women/youth?).

Output: A mediation plan (who, where, when, how many sessions expected).

Integrating Trauma Healing in Mediation Process:

Given that most of mediation processes emanate from past conflicts or atrocities on individuals or communities, it is important to critically address unresolved trauma before the actual mediation. When individuals or communities are hurting from past injustices, it is difficult for them to engage in dialogue, make decisions, and respond to compromise. When pain, fear, and loss are not acknowledged, parties may participate in mediation defensively, with mistrust and emotional reactivity undermining agreements reached at the table. Trauma healing creates safe spaces for people to be heard, restores dignity, and helps regulate emotions, making constructive dialogue possible. By addressing the psychological and social wounds trauma healing strengthens trust, reduces the risk of renewed conflict, and increases the likelihood that mediation outcomes are accepted, sustained, and owned by the community.

Steps to consider in trauma sensitive mediation

- **Create Safe Spaces for Storytelling** (organize sessions for participants, facilitators etc) to allow participants express pain, loss, and experiences without fear. These safe spaces will result to community members feel heard; initiate emotional release and build trust.
- **Acknowledge Harm and Shared Suffering** by recognizing harm suffered by all sides using **culturally appropriate practices**. This will result to collective acknowledgment of trauma and reduced emotional hostility.
- **Strengthen Individual and Collective Coping mechanisms** (breathing exercise, stress control, peer support) that integrates local healing practices. This will result to improved emotional regulation and resilience at individual and group levels.
- **Engage and rebuild trust through joint practical activities** (ex Community clean-ups, Shared meals or rituals, Joint youth or women initiatives) to gradually rebuild trust through positive shared experiences.
- **Link Participants to Ongoing Peace Structures** (community, women and youth networks, religious or traditional support) for long term healing that leads to sustainable local ownership of peace and healing processes.



PHASE 3: MEDIATION SESSIONS

Step 1: Convening (Cope, J, 2016)

1. Mediator to get the parties to the table
2. Mediator negotiate with the parties on neutral meeting place
3. Mediator to get buy-in from the parties on mediation to happen

Output: Both the conflicting parties demonstrate the willingness to be mediated.



Step 2: Opening the Session

For each joint mediation session:

1. **Welcome & introduction**
 - Mediator explains their role (neutral, facilitator, not judge).
2. **Revisit ground rules**
 - Ask parties to confirm or add any rule.
3. **State purpose**
 - "We are here to understand the problem and look for a solution that you all can live with."

Tip: Start with a short opening prayer or cultural ritual if appropriate—it often builds trust.

Step 3: Storytelling & Issue Exploration

- Give each side time to tell their story **without interruption**.
 - Mediator listens actively, summarizes, and checks understanding.
- Identify:
 - **Issues** (e.g., boundary, access to water, representation).
 - **Feelings** (hurt, fear, anger, humiliation).
 - **Needs/Interests** (security, respect, livelihood, justice).
- Write issues on paper/board where everyone can see.

Output: A shared list of issues and a clearer understanding of what's really at stake.



Step 4: Clarifying and Reframing

- Ask clarifying questions:
 - "When you say they 'took your land,' what exactly happened?"
- Reframe accusations into neutral language:
 - From: "They are thieves."
 - To: "You feel your property was taken without your consent."
- Separate **people from the problem**:
 - Focus on actions and solutions, not personal attacks.

Output: Reduced tension and more constructive language in the room.

Step 5: Generating Options

- Ask both sides to suggest solutions:
 - Start with brainstorming: "Let's list all possible options, even if they seem difficult."
- Encourage creativity:
 - Shared use arrangements.
 - Rotational rights.
 - Compensation or restitution.
 - Apologies, symbolic acts, rituals of reconciliation.
- Ensure quieter voices (women, youth, marginalized clans or families) get space to speak.

Output: A broad menu of options acceptable to at least some of the parties.



Step 6: Negotiation & Building Agreement

- Discuss pros and cons of each option.
- Combine or adjust options to improve fairness:
 - "What if we combine A and B: you keep the land, but there is agreed access to water for the other group?"
 - Provide other suggestions if there is a stalemate.
- Check:
 - Is the agreement **realistic**?
 - Is it **fair enough** that all can live with it?
 - Are security and dignity protected for each side?

Output: A draft agreement with clear points everyone verbally accepts.



PHASE 4: FORMALIZING & IMPLEMENTING THE AGREEMENT

Step 1: Documenting the Agreement

- Write the agreement in clear, simple language.
Include:
 - Who is involved.
 - What has been agreed (boundaries, access, roles, compensation, timelines).
 - How disputes about this agreement will be resolved.
- Allow parties to:
 - Read or have it read aloud.
 - Correct or clarify any point.
- Use signatures, thumbprints, or traditional marks as appropriate.
- If appropriate, include witnesses (elders, local authorities, religious leaders, women and youth reps).

Output: A written peace/mediation agreement that parties recognize as theirs.



Step 2: Community Validation (Optional but Powerful)

- Organize a community meeting or ceremony where:
 - The agreement is read publicly.
 - Parties show commitment (handshake, joint statement, shared meal, planting a tree, etc.).
- This:
 - Builds wider buy-in.
 - Increases social pressure to respect the agreement.

Output: Public recognition of the agreement and shared responsibility to uphold it.



Step 3: Implementation Planning

- Together, create a **simple implementation plan** that answers:
 - Who does what?
 - By when?
 - With what resources?
- Example:
 - "By the end of next month, both groups will jointly mark the agreed boundary with 10 posts."
 - "From next week, water access will be rotational: Group A 3 days, Group B 3 days, 1 day shared."

Output: A **timeline and task list** that makes the agreement operational.



PHASE 5: FOLLOW-UP, MONITORING & LEARNING

Step 1: Follow-up Mechanism

- Establish a small **follow-up committee** (can be same mediators plus some party representatives).
- Agree on:
 - Regular check-ins (e.g., every 2 weeks, then monthly).
 - How complaints will be reported.
 - Early warning signs (rumors, hate speech, small incidents).

Output: A local structure for monitoring and early problem-solving.



Step 2: Monitor, Adjust, and Strengthen Relations

- During follow-up:
 - Check if commitments are being kept.
 - Address small violations quickly before they grow.
 - Adjust parts of the agreement if all parties consent.
- Encourage **relationship-building activities**:
 - Joint community work (clean-ups, markets, water points).
 - Youth sports events.
 - Cultural or religious events attended by both sides.

Output: Not just an agreement on paper, but **improving relationships** and practical cooperation.



Step 3: Capture Lessons Learned

With mediators and some community reps:

- Ask:
 - What worked well in this mediation?
 - What was difficult?
 - What would we do differently next time?
- Write down simple notes:
 - Effective strategies.
 - Mistakes and how to avoid them.
 - Suggestions for training or support.

Output: A local learning record that strengthens future mediations.



QUICK CHECKLIST (SUMMARY)

1. Understand the conflict and stakeholders.
2. Form a legitimate, inclusive local mediation committee.
3. Agree on principles, ground rules, and process design.
4. Hold sessions: opening - sharing stories - clarifying - generating options - negotiating.
5. Produce and formalize a clear, fair agreement.
6. Plan implementation with concrete steps and time lines.
7. Set up follow-up and adapt as needed.
8. Document lessons for future mediations.

SUMMARY OF KEY ACTIVITIES IN MEDIATION

1. Preparation

- Agreeing to use mediation
- Choosing a mediator
- Preparation for the meetings
(technical as well as meeting parties)

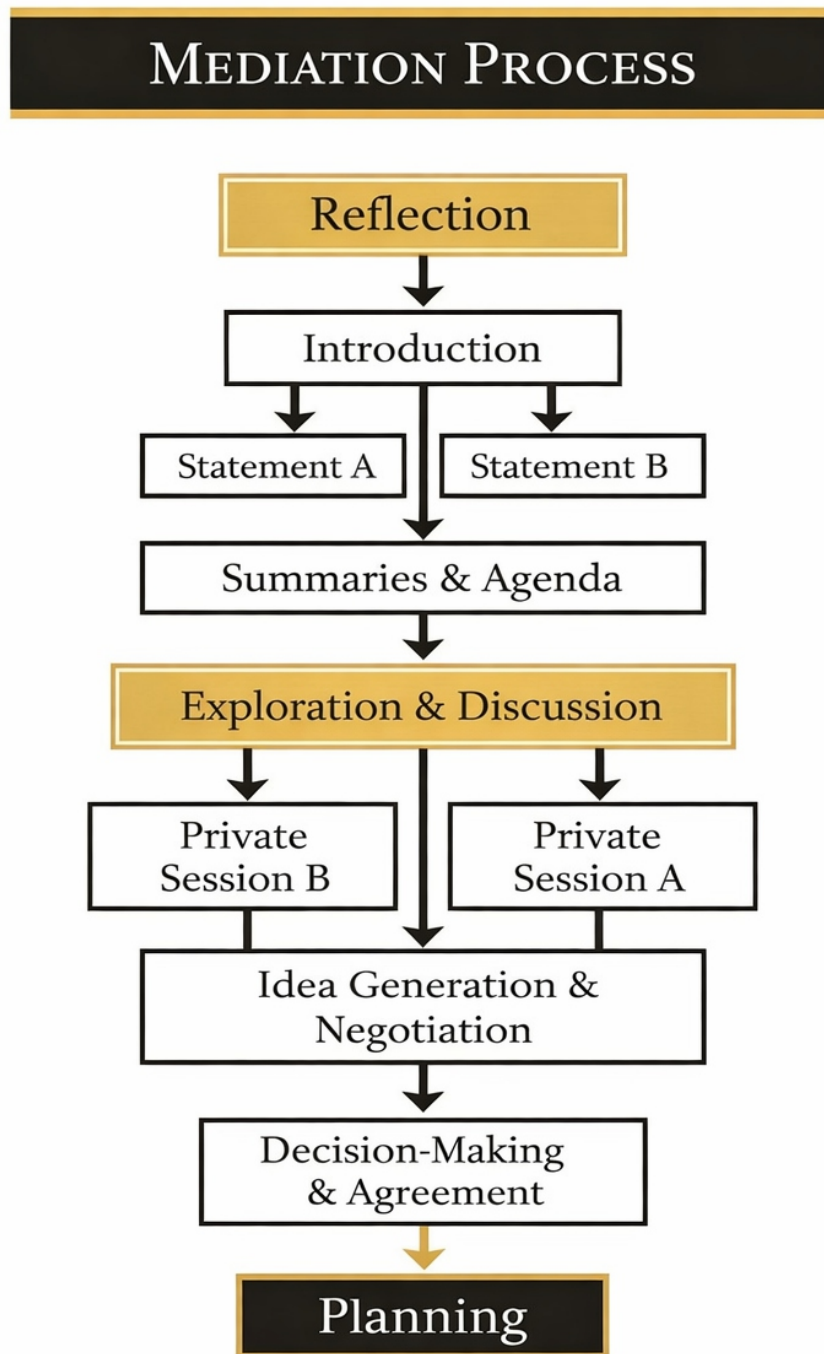
2. Mediation

- Introduction
- Putting forward the positions
- Formulating the agenda
- Assessing and choosing solutions
- Reaching and formalizing the settlement

3. Follow-up

- Conducting follow-up meetings to check implementation of the settlement
- Evaluating the success of the mediation process

The below diagram is a snapshot of a Mediation Process:



References

Cope, J (2016) "Basic Mediation," Duncum Center of Conflict Resolution, TX, USA.

International Alert and Foundation for Tolerance International (2013) "Mediator's Handbook, Kyrgyz Republic, Bishkek

Methodology

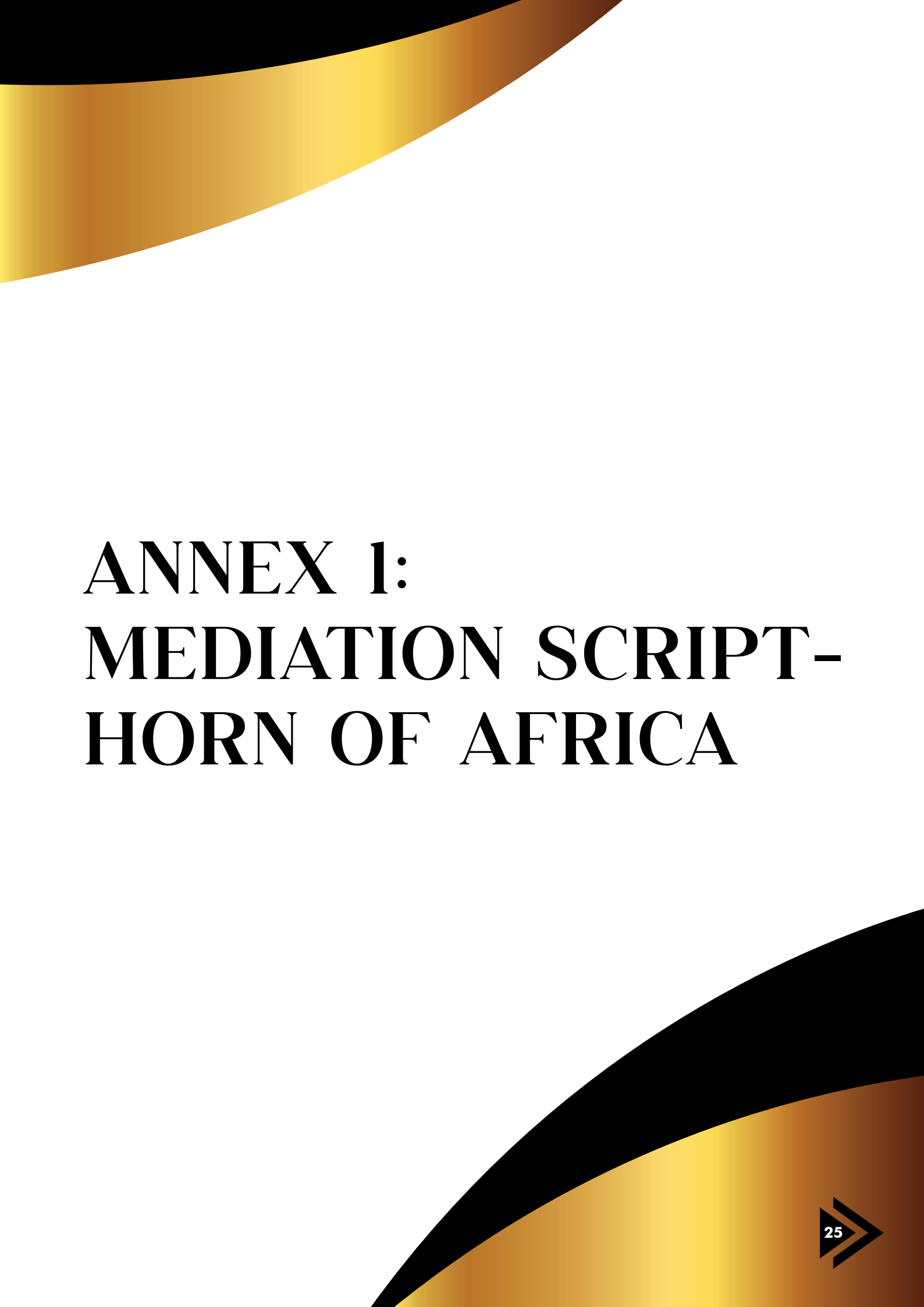
The study adopted descriptive research design relying heavily on a qualitative approach drawing both primary and secondary data sources. Primary data was collected through in person and virtual interviews with a range of actors from mediation practices.

Secondary data was conducted through the desk review, examining existing literature including publications, policy briefs, reports, journals and other electronic sources to establish baseline understanding of indigenous mediation systems in both regions of Horn of Africa and the Gulf Countries.

The field based qualitative research such as semi-structured key informant interviews and focus group discussions were the main data collection tools. Researchers conducted the KII with peace actors, traditional mediators, academia, and expert mediators who actively participate in conflict resolution programs in their contexts. Additionally, case study documentations that analyzes mediation instances in the region was used to provide instructive examples for the manual.

Given the outlook for regional relevance, a comparative analysis was conducted between the HOA and GCC countries to highlight the practices that help shape a context specific manual.

Finally, stakeholder workshop validation meetings was conducted that allowed practitioners and experts provide feedback, corrections, with the intent to endorse the manual.



ANNEX 1: MEDIATION SCRIPT- HORN OF AFRICA

ACACIA TREE – THE TREE OF RECONCILIATION



This script, "The Tree of Reconciliation," portrays a community-based conflict resolution process in a rural Somali village, drawing on the traditional Somali Xeer system. It is a single-scene, five-character play that highlights the importance of elders, community dialogue, and justice in healing inter-clan disputes.

Characters:

Hassan: A wise and respected elder, acting as the mediator.

Aisha: A woman representing the perspective of women and the community's emotional and social needs.

Yusuf: A young man, full of grievance and impatience.

Abdi: An elder from the opposing clan, representing his community's side of the story.

The Witness: A neutral villager who saw the incident unfold.

Scene

The scene takes place under a large acacia tree, a traditional setting for dispute resolution (guddi hoos). The ground is dry earth. A few simple stools are placed in a semi-circle. (The scene opens with HASSAN, AISHA, YUSUF, and ABDI seated. The atmosphere is tense but orderly. The WITNESS stands to the side.)

Hassan

(Gravely)

We gather here under this blessed tree, as our fathers and their fathers have done for generations. Not to seek a victor, but to seek the truth. Not to punish, but to heal. The conflict between your clans has been a dark cloud over our village. The stolen livestock, the angry words, the fear—they poison our well and divide our families. We will not let this poison spread.

Yusuf

(Interrupts, angrily)

Healing is for those who are wounded, not for those who have been wronged! My family's last herd was taken. The thief is known. Let justice be served swiftly.

Hassan

(Raises a hand calmly)

Patience, Yusuf. Your pain is seen. Your grievance is heard. But justice is not a swift river; it is a deep, slow well. We must draw from it carefully, so as not to stir up mud. Abdi, what say you of your clan?

Abdi

(Sighs heavily)

Hassan, we are tired of this back-and-forth. Yes, a young hothead from our side took the camels. He was foolish. But his rashness is the result of years of disrespect and mistrust. Is it not true that your people graze on our land?

Aisha

(Speaks up, her voice clear and measured)

And is it not also true that we share this land? The rains come and go, and the grass grows for all of us. But if we must draw lines on the earth, where do the women and children go? We are the ones who pay the highest price. We are the ones who must find a new way. (Yusuf turns to Aisha, startled by her interruption. Abdi remains silent, contemplating her words.)

Hassan

Aisha speaks a deep truth. The conflict has no gender, but the suffering does. Yusuf, let the witness speak. The truth does not belong to one clan, but to the whole community.

The Witness

(Steps forward tentatively)

I saw what happened. I was at the well when the argument began. Yusuf's cousin, he shouted insults. And then Abdi's nephew... he just laughed. And then... the camels were gone. They were taken in anger, not for need. It was a moment of foolish pride, not of hunger.

Yusuf

Pride? A moment of pride stole our livelihood? What good is pride to us now?

Hassan

This is why we are here. To separate the deed from the reason. The deed—stealing the camels—is wrong. But the reason—foolish pride and old resentments—is the real sickness. A sickness of the heart. To punish the deed without treating the sickness is to put a new bandage on an old wound.

Abdi

(Looks at Yusuf, then at Aisha)

The boy was wrong. My clan will pay the diya (blood compensation) for the camels. We will make it right. But let us also address this sickness of the heart. Let us talk about our shared grazing lands, about our children marrying, about our collective future.

(The tension begins to ease. Yusuf still looks skeptical, but less angry.)

Hassan

This is the way. The diya for the camels. The young man who stole them must apologize to Yusuf's family publicly. And then, we must all sit and talk. Not just the elders, but the women, the youth, the business people. Everyone has a part to play in rebuilding this trust.

Aisha

And let us write it down. Our promises under this tree must be recorded so that our children and grandchildren can read them. Xeer is strong, but a written agreement can be stronger.

Hassan

So it shall be. A written agreement for all to see. Yusuf, are you content with this path?

Yusuf

(Slowly nods)

I... am still angry. But I hear the wisdom. Compensation for the camels. And a conversation to end this foolishness. Let us try.

(Yusuf and Abdi rise and cautiously shake hands. The others look on, a sense of relief spreading through the group. The focus shifts from the immediate problem to the long-term solution. The camera pulls back, showing the entire community under the acacia tree, ready to talk.)

Hassan

(To the audience)

Peace is not the absence of conflict. It is the ability to handle conflict by peaceful means. And in Africa, we have our own way. The way of the elders, the way of the community, the way of the acacia tree.

Script Analysis Against Formal Mediation Steps

The script, "**The Tree of Reconciliation**," follows the spirit and function of the standard mediation steps, particularly considering it is framed within the context of the traditional Somali **Xeer** system.

Here is a breakdown of how the script addresses each of the nine Mediation steps:

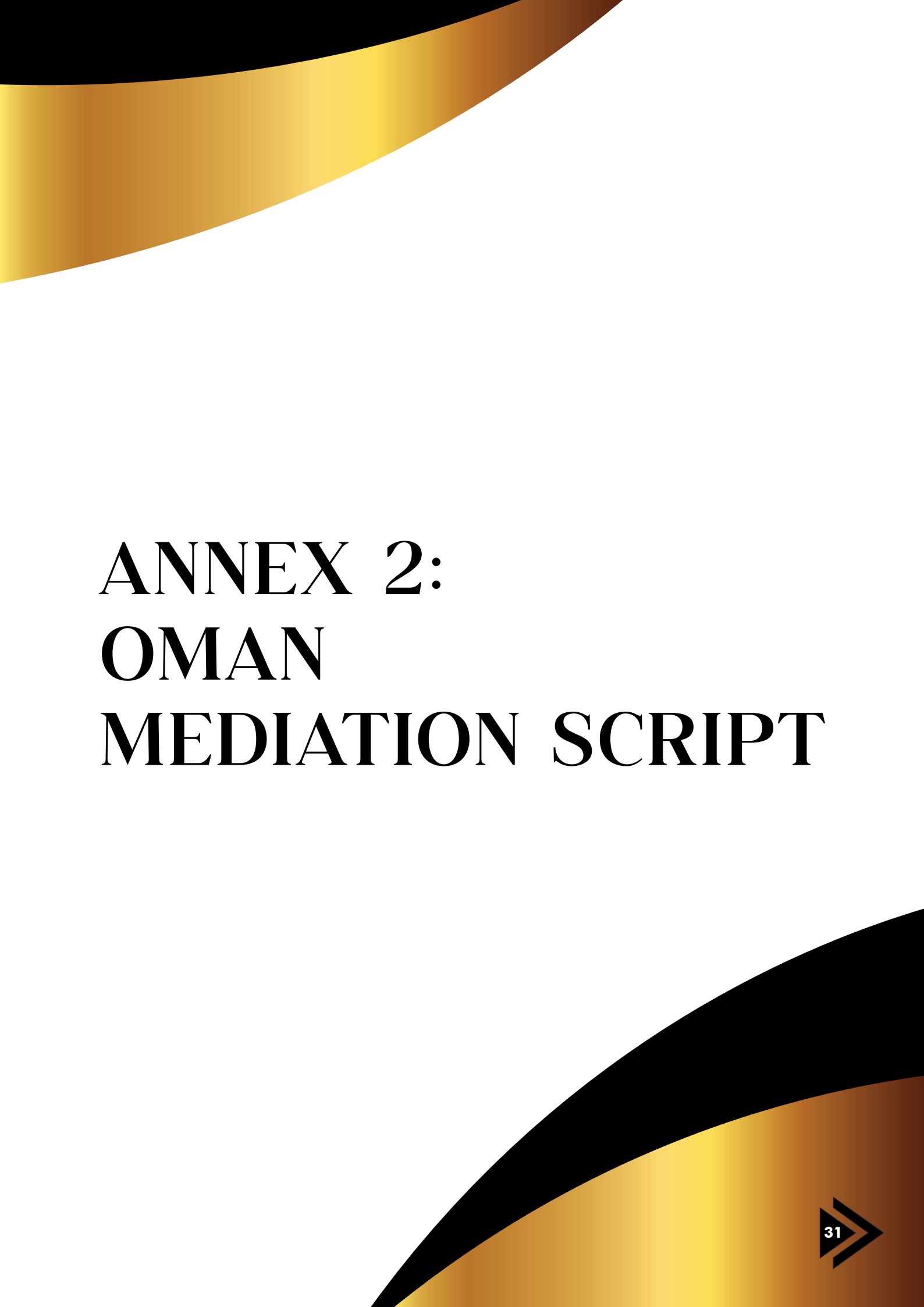
Mediation Step	Addressed in Script?	Script Evidence and Commentary
1. Mediator's Opening Statement	✓ Yes	Hassan's initial lines: "We gather here under this blessed tree... Not to seek a victor, but to seek the truth. Not to punish, but to heal." This sets the ground rules (truth/healing over victory/punishment) and the purpose (ending the conflict).
2. Parties' Opening Statements	✓ Yes (Integrated)	This is done immediately and interactively. Yusuf delivers a statement of grievance ("My family's last herd was taken... Let justice be served swiftly."). Abdi gives the opposing view ("He was foolish. But his rashness is the result of years of disrespect and mistrust.").
3. Agenda Setting	✓ Yes (Implicit)	Hassan initially sets the agenda by focusing on the deed (stolen camels) versus the reason (old resentments/sickness). The agenda is later formalized: 1) Diya (compensation) for the camels and 2) Addressing the "sickness of the heart" (shared grazing, inter-clan relations).
4. Exploration	✓ Yes (Central)	This is the core of the scene. The mediator (Hassan), the witness, and the community voice (Aisha) all contribute to exploring the issue. The Witness provides objective facts, and Aisha broadens the scope to the community impact, driving deeper exploration of the <i>root cause</i> beyond the single incident.
5. Option Generation	✓ Yes	Abdi is the first to propose the primary options: "My clan will pay the diya (blood compensation). But let us also address this sickness of the heart." Hassan then expands this to include a public apology and a community conversation (long-term solutions).

Mediation Step	Addressed in Script?	Script Evidence and Commentary
6. Private Sessions	Private sessions become optional if the situation is tense	There are no private sessions (caucuses/groups) shown. This is common in a public, community-focused process like Xeer, where transparency and communal agreement often take precedence over private negotiation strategies. Nonetheless, elders might sometimes opt to have private sessions with the two parties if the situation is tense.
7. Negotiation	✅ Yes (Direct)	The negotiation happens publicly . Abdi offers the Diya , Yusuf is initially skeptical but agrees after the addition of the apology and the conversation about the future. The give-and-take is direct and public.
8. Documentation	✅ Yes	Aisha explicitly proposes this step: "And let us write it down. Our promises under this tree must be recorded..." Hassan agrees, affirming the necessity of documenting the agreement ("A written agreement for all to see.").
9. Closing	✅ Yes	Yusuf and Abdi seal the agreement by cautiously shaking hands, and the scene ends with Hassan's final statement on the nature of peace, which serves as a powerful and reflective conclusion.

Conclusion

The script largely follows the mediation process, hitting the critical milestones of opening, exploring the issues, generating and negotiating options, and agreeing to documentation and a closing.

The main difference is the public and integrated nature of the process (typical of communal justice systems like Xeer), which merges steps like opening statements, exploration, and negotiation, and omits the private session step entirely. It is a highly effective, culturally relevant portrayal of conflict resolution.



ANNEX 2: OMAN MEDIATION SCRIPT

CASE 1: THE SABLA OF WADI AL-HILAL



This script, *“The Sabla of Wadi Al-Hilal,”* portrays a traditional Omani conflict resolution process carried out inside the *sabla*, the communal meeting hall where elders, tribesmen, and community members gather to resolve disputes through dialogue, consensus, and customary knowledge passed down through generations.

It is a single-scene, multi-character play demonstrating how Omani communities historically handled land and resource disputes with dignity, patience, and respect.

Characters:

- Sheikh Mubarak: The senior elder of the village, widely respected for his fairness and knowledge of tribal customs.
- Umayya: A middle-aged woman known for preserving the oral history of the village and its lands.
- Rashid: The first disputing neighbor; emotional and quick to defend his rights.
- Nasser: The second disputing neighbor; calm but firm about his land boundaries.
- Salim the Mapper: A villager who keeps old maps and documents handed down from previous generations.
- Younger Villagers: Observers, representing the community's future and learning.

Scene

The scene takes place inside the traditional sabla of Wadi Al-Hilal. Palm-branch mats cover the floor; incense drifts softly in the air. Brass trays of dates and a dallah of Omani coffee rest near the elders. Men of various ages sit respectfully along the walls.

(Rashid, Nasser, and their families enter the sabla. The atmosphere is tense yet disciplined. Sheikh Mubarak and senior villagers rise to receive them.)

Sheikh Mubarak

(With calm authority)

Welcome, my sons. Today, you enter this sabla as neighbors, and with God's help, you will leave it as brothers once again.

Land is precious to all of us a blessing that God has entrusted to our hands. But the ties of kinship and community are more precious still.

Sit, drink coffee, and let us seek clarity before judgement.

(The men sit. Coffee is poured slowly, in the traditional right-to-left order.)

Rashid

(Speaking with emotion)

Sheikh, the boundary stone between my farm and Nasser's was moved. My father placed that stone decades ago, and now I find it a few meters across. My crops will be affected. I cannot accept this.

Nasser

(Calm, but resolute)

By God, I did not touch the boundary stone. The land shifts with the rains each winter. The falaj overflowed this year and washed away part of the soil. The stone may have moved naturally.

Umayya

(Stepping forward with grace)

My sons... before your fathers, and even before their fathers, these lands were known by stories, not only by stones.

I remember my grandmother saying: *"The border is where the two families meet with good intentions."*

Let us hear the whole story from both sides.

Sheikh Mubarak

(Encouragingly)

Good. Each of you will speak without interruption. Then we will hear from those who witnessed, and from those who preserve our history.

(Each man presents his perspective. The elders listen patiently, nodding but not interrupting.)

Sheikh Mubarak

Now bring Salim, the keeper of our old maps. The past often holds answers the present cannot see.

Salim the Mapper

(Enters carrying a rolled palm-leaf map and a leather pouch of documents)

Sheikh, these maps were drawn by our grandfathers when the falaj was first dug.

(He opens a fragile, hand-drawn map.)

Here Rashid's land is to the east, Nasser's to the west.

But look: the line marking the border follows the curve of the falaj wall, not a fixed stone.

Rashid

(Confused)

But the stone was always there...

Salim the Mapper

Yes, but the stone was placed according to the falaj path. After the heavy rains this year, the falaj wall shifted.

When the wall moved, the stone followed the new line of water.

Nasser

(Softly)

Then neither of us is at fault.

Umayya

This is why our ancestors said: *"The falaj teaches fairness."*

Its path changes with nature, and so must our understanding.

Sheikh Mubarak

(With finality and wisdom)

Then we must return the border to what it has always been Not a stone, but a relationship.

This is my proposal:

1. **The old falaj line**, confirmed by Salim's maps, will be the true boundary.
2. **A permanent marker** will be set by all the elders clearly and openly.
3. A **fence of palm fronds** will be built together by both families, symbolizing cooperation.
4. And tonight... you will share a meal in this sabla, for reconciliation is not complete until hearts eat together.

Rashid

(Breathing deeply)

If this is justice, then I accept it. My neighbor is worth more than a few meters of dirt.

Nasser

(Placing a hand on Rashid's shoulder)

And I accept it too. May God bless our land and our brotherhood.

(The two men stand, shake hands, then embrace. The elders murmur blessings. Coffee is refilled; the atmosphere is transformed.)

Sheikh Mubarak

(To the audience)

This sabla has witnessed our joys, our sorrows, and our disagreements.

But each time, it returns us to each other.

This is the Omani way moderation, patience, shared history, and the wisdom of the community.

Script Analysis Against Formal Mediation Steps

The script, "The Sabla of Wadi Al-Hilal," follows the essence and practical flow of standard mediation steps, especially as it reflects the authentic Omani model of community-based dispute resolution conducted inside the sabla. In Oman, the sabla serves not only as a social gathering space but also as a respected forum for settling conflicts through dialogue, consensus, and the wisdom of elders.

Here is a breakdown of how the script addresses each of the nine Mediation steps:

Mediation Step	Addressed in Script?	Script Evidence and Commentary
1. Mediator's Opening Statement	✓ Addressed	Sheikh Mubarak: <i>"Welcome, my sons... today we gather to restore harmony between two neighbors whose brotherhood came before the land."</i> This sets the tone for peaceful dialogue, emphasizes community unity, and clarifies the purpose of the mediation—core features of sabla practice.
2. Parties' Opening Statements	✓ Addressed	Rashid: <i>"The boundary stone moved into my land! This harms my farm, and I cannot accept it."</i> Nasser: <i>"I swear I did not touch the stone. The floods changed the falaj's path, and the soil may have shifted with it."</i> Both parties express their concerns openly and respectfully, consistent with Omani norms.
3. Agenda Setting	✓ Addressed implicitly	Sheikh Mubarak: <i>"Each of you will speak in turn... let us now listen to Salim the Mapper."</i> This creates the order of discussion: 1. Each party speaks 2. Witnesses and experts speak 3. Historical evidence is reviewed 4. Solutions are discussed

Mediation Step	Addressed in Script?	Script Evidence and Commentary
4. Exploration	✓ Strongly addressed	Umayya: “Before your fathers and grandfathers, boundaries were known by good intentions, not stones alone.” Salim the Mapper: “These are our ancestors’ maps... showing that the boundary follows the falaj, not the stone.” This exploration reveals root causes nature, history, and local custom.
5.Option Generation	✓ Addressed	Solutions emerge collaboratively: • Returning to the original falaj line • Setting clear boundary markers • Building a shared palm-frond fence These reflect Omani customs of practical, symbolic, and cooperative problem-solving.
6.Private Sessions	X Not Included (Intentionally)	Sabla mediation typically avoids private side meetings because transparency and communal witnessing are core values. Everything is said openly in front of the community, which strengthens trust and prevents suspicion.
7. Negotiation	✓ Addressed	Negotiation appears when parties consider and accept the proposed solution. Rashid: “If this is justice, then I accept it.” Nasser: “And I accept it as well. May God bless our brotherhood.” This reflects genuine agreement after weighing the proposed options.

Mediation Step	Addressed in Script?	Script Evidence and Commentary
8.Documentation	✓Addressed (Sabla Style)	Documentation occurs through collective witnessing and physical boundary marking. Sheikh Mubarak: <i>“We shall adopt the old falaj line... and set new markers clearly before everyone.”</i> In Omani tradition, a publicly observed boundary is equivalent to a formal written agreement.
9. Closing	✓ Addressed	The script includes symbolic and communal rituals that complete the reconciliation. <i>“The two men stand, shake hands, and embrace... coffee is poured again, and calm fills the sabla.”</i> Sheikh Mubarak: <i>“This mediation concludes with a shared meal, affirming renewed harmony.”</i> These actions cement the resolution emotionally and socially.

Outcome

This script provides a culturally authentic, Omani-rooted depiction of Sabla mediation—featuring real customs, real symbols, and real methods used in villages across Oman to resolve disputes peacefully.

CASE 2: THE SABLA OF AL-NAHDA VALLEY – A STORY OF FORGIVENESS & DIYYA



Sence

In the quiet valley of Al-Nahda, the community gathers inside the **traditional Omani sabla**. Woven mats line the floor, incense of frankincense rises gently, and cups of Omani coffee are passed around as elders and villagers settle into their places. The atmosphere is heavy — today, the community seeks to heal from the tragedy of an accidental death.

At the center sits **Sheikh Hilal**, respected elder and mediator. To one side sits **Salim**, pale with remorse, accompanied by his father. Opposite them sits **Mahmoud**, the grieving son of the late Rashid, with his uncle and relatives beside him. The entire sabla watches in respectful silence.

Characters

- **Sheikh Hilal:** Wise elder and mediator.
- **Salim:** Young man burdened by guilt for the accidental death.
- **Mahmoud:** Grieving son seeking closure and justice.
- **Salim's Father:** Supportive parent advocating reconciliation.
- **Mahmoud's Uncle:** Voice of wisdom helping guide forgiveness.
- **Villagers:** Community witnesses, representing societal harmony.
- **Uncle Rashid:** The deceased; symbol of loss and remembrance.

Sheikh Hilal:

"My brothers, we gather today to mend what has been broken. A life has been lost, and a heart carries guilt. Let us speak with honesty."

Salim:

"I... I hardly know how to stand before you. Uncle Rashid was a man we all loved in this valley. What happened was an accident, but the pain I feel is real.

Mahmoud... I am truly sorry."

Mahmoud:

"My father's loss has crushed us. Every day since the accident, my family has lived in sorrow.

Salim, tell me—do you accept full responsibility for what happened?"

Salim:

"Yes. With all my heart, I do. I will never forget that day.

I ask for your forgiveness."

Salim's Father:

"We have come here with sincerity and humility. Our Omani traditions guide us toward reconciliation.

Let us discuss the path of diyya—a path of respect, accountability, and peace."

Mahmoud:

"Some tell me to demand punishment. Others remind me it was an accident.

Sheikh Hilal, what is the right thing to do?"

Sheikh Hilal:

"In Oman, our strength is in our unity.

Al-diyya is not merely compensation—it is a symbol.

It acknowledges the harm, supports the grieving family, and prevents hatred from growing between us."

Mahmoud:

"And if we accept the diyya... will it bring closure? Will it honor my father?"

Sheikh Hilal:

"It will honor him by restoring harmony.

Revenge brings no peace.

But reconciliation brings healing."

Salim:

"Mahmoud, if you accept the diyya, I promise you before this village and before God I will honor your father's memory and support your family in any way needed."

Mahmoud's Uncle:

"We have watched Salim since he was a boy. His remorse is clear.

The accident was tragic, but his heart is sincere."

Mahmoud:

"My father always said forgiveness is a strength.

He would not want hatred to divide this valley."

Salim:

"Your forgiveness would lift a weight that has crushed me since that day."

Mahmoud:

"Then listen, Salim...

I accept the diyya.

And I forgive you."

Villagers (*soft murmurs of relief*):

"Alhamdulillah... praise be to God."

Salim:

"Thank you, Mahmoud. I will never forget this mercy."

Mahmoud:

"We honor my father by keeping peace, not by feeding anger."

Sheikh Hilal:

"Today, you have chosen wisdom.

Let this moment be a lesson for our children—

that unity is worth more than revenge,

and the tradition of diyya keeps our hearts clean and our valley strong."

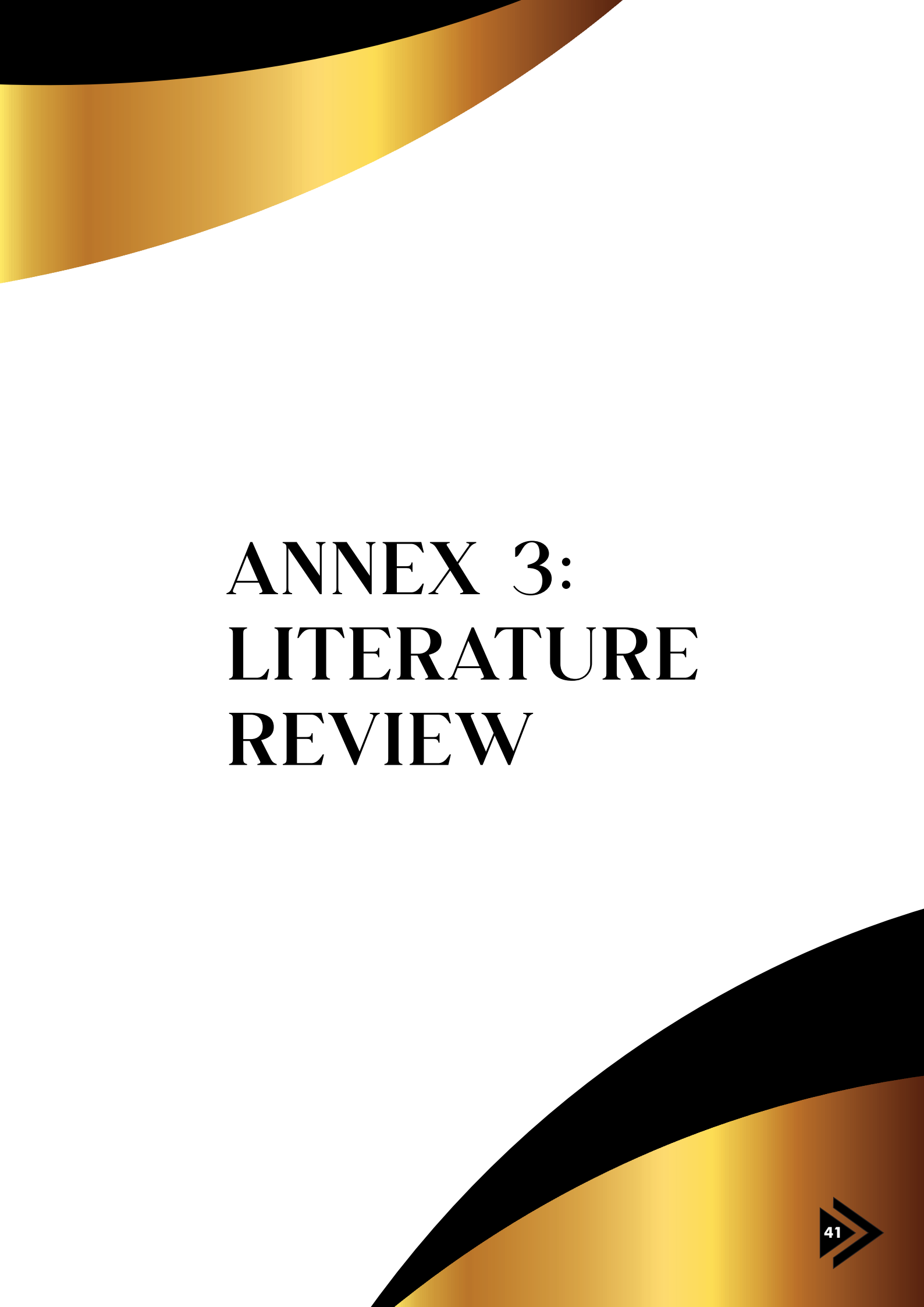
Closing Scene

The men rise and shake hands. The elders call for coffee to be poured once more.

The tension fades as murmurs of prayer and relief fill the sabla.

Through forgiveness, the valley breathes again—and the tradition of diyya fulfills its purpose:

healing, justice, and social harmony.



ANNEX 3: LITERATURE REVIEW

MEDIATION IN THE HORN OF AFRICA

Background

Mediation in the African context is defined as the art of intervening among the conflicting parties to establish a common ground for social justice in order to restore harmonious relations among the parties in conflict (National Open University of Nigeria , 2010).

Proponents such as Joe Cope (2016) further defines mediation as a private process in which an impartial person, a mediator, facilitates dialogue between two or more parties who are in conflict with the aim of reaching a voluntary, mutually acceptable agreement.

Even though mediation as a practice date back many centuries, the dynamics of dispute resolution in the African context have largely incorporated the traditional and customary mechanism in resolving conflict. In fact, these processes are often documented as the most effective way of conflict resolution frequently producing more sustainable relations between warring communities than formal judicial settlements.

State led policies in Kenya and Eritrea have entrenched provisions that support mediation practices within their judicial systems allowing for alternative dispute resolutions at local, family and community levels. This has enabled land and family disputes to be addressed more effectively at the community level. These provisions are supported in Kenya's Constitution 2010 which articulates citizens' right to alternative dispute resolution

(Constitution of Kenya, 2010 Art, 159 (2)).

While the move to entrench local mediation practices in the constitution remains crucial, many societies in the Horn of Africa have demonstrated a strong tradition of customary dispute resolution systems that contribute significantly toward a sustainable peace and reconciliation.



The following are some examples of traditional mediation practices in the context of the Horn of Africa.

COMMUNITY MEDIATION PRACTICES ACROSS THE HORN OF AFRICA

GUURTI & XEER IN SOMALILAND, SOMALIA & DJIBOUTI

In Somaliland, the customary system of Guurti where traditional elders convene to resolve a various types of conflict including marriages and other social issues has remained a guarantor of peace accords (IPST, 2023). In the context of Somalia, a customary code of conduct known as Xeer (translated as “agreement”) has shown successes in resolving conflict that emanate from competition over water and land resources as well as disputes among members of different clans (IDLO, 2020). While strengthening sustainable traditional foundation of dispute resolution, the customary system of Xeer is reported to exclude women from mediation proceedings (Brenton,P & Manar Z, 2023), an element that requires gender mainstreaming. In Djibouti, the Gudi system is similar to a customary law Xeer practiced in Somalia. This Gudi system provides authority to the council of elders to use oral customary laws and enforce through oaths to resolve disputes by focusing on compensation and reconciliation (UNESCO, 2024)

GADAA, JARSUMMA, SHIMGILINA, SIIQO, AJAAW IN ETHIOPIA

The Oromo Gadaa & Jarsumma system in Ethiopia and part of Northern Kenya has proved effective in mediating power sharing, grazing rights, mobility corridors and ceasefires. Largely practiced among the Oromo communities, relatives, neighbors or kinsmen request a Jarsaa (elder mediator) to reconcile the parties in conflict (Tizazu Obsa Likasa, 2023). Likasa further posits that the Jaarsummaa process rely on the customary law of communities involved, and significantly depend on their own knowledge of events, circumstances, relationships and values to resolve cases which is different from the formal judicial way of solving conflict (Tizazu Obsa Likasa, 2023). Similarly, in Amhara region of Ethiopia, an indigenous practice of conflict resolution called Shingilinna (elders mediation) is both acknowledged by the government and the local people as a means of resolving disputes at the level of Kebele (village, neighborhood and family) particularly rural land disputes (Grassroots Journals, 2023). A lack of government incentives, however, poses challenges to sustaining this practice, especially during peak agricultural seasons when elders are occupied with farming duties (Grassroots Journals, 2023).

On the same vein, the Mada customary method widely practiced in Afar region of Ethiopia by Ajjaw (clan elders) has successfully governed compensations, grazing and mobility. Interestingly, the Siqqo in Sidama region of Ethiopia have mainstreamed women in carrying out negotiation processes in resolving domestic conflicts further integrating women's voice into broader elder structures. Women carry Siqqo (stick) as a sign of resolving conflict in which no one is allowed to cross their route for any disruption (Netsebrak T, CARD, 2022).

JUDIYYA, AJAWEED, GUAN/ GUMA IN SUDAN & SOUTH SUDAN

The Judiyya is a locally led and trusted form of community mediation. In Sudan it is led by third party-mediators, known as Ajaweed (respected elders) who have moral authority, grounded in Islamic principles of reconciliation (sulh) and customary laws (urf), to facilitate dialogue by focused on compensation, reconciliation and forgiveness (UNDP, Bridging Divides, 2023; RVI, Local Peace Processes in Sudan, 2018). Unlike formal administrative structures, the Judiyya is not a political hierarchy but a moral and procedural practice. In recent times, locations in East Darfur used native administration leaders and tribal chiefs to facilitate dialogue among youth, civil society, and commanders, helping prevent major fighting for about 7 months (UNDP, Bridging Divides: Local Peace Initiatives in Sudan, 2023).

Even during institutional collapse, Judiyya mechanisms continue to operate as a trusted source of moral legitimacy. Their endurance reflects deep social respect for the Ajaweed, whose authority stems from reputation and fairness rather than formal power. Women's participation, while often indirect, occurs through influence, social pressure, and consensus building within the broader decision-making circle (RVI, 2018; UNDP, 2023).

The communities of Dinka and Nuer of South Sudan have a practice of Guan/Guma (compensation-based reconciliation where they conduct cleansing rituals, encourage integration and foster the restoration of harmony after the violence).

INDIGENOUS CONFLICT RESOLUTION IN KENYA

In Northern Kenya, the traditional elders popularly known as the gatekeepers normally convene in instances of conflict and codify compensation schedules, ceasefire commitments and crossborder grazing agreement practices that have, in recent decades, resulted in a number of landmark agreements. Notably, among the most recognized milestones of these customary mediation practices are the Modogashe Accord, Orwa Accord, and Banissa Declarations. In July 2021, Pokot and Turkana elders, employing traditional mediation methods in the Kapedo–Lomelo corridor-led talks that resulted in the signing of the Orwa Accord, putting an end to decades of cyclical conflict and deadly violence (Jared L, 2023). In 2022, clan-led dialogue between the Garre and Degodia communities produced 'Nine-Point' Banissa Declaration in North Eastern Kenya, which has remained unbroken since its signing (Jared L, 2023).

In Kenya, Somalia and Ethiopia border, the peace committees that comprise of women groups and youth implement dispute resolution mechanisms and mediate disputes over contested grazing lands, fishing areas and water resources (European Union, 2020). Drawing from Paul Lederach's concept of artistic metaphor in peacebuilding, the use of art remains a medium for communication and healing. Through visual arts and digital media as storytelling tools, communities gain safe space for dialogue and conflict resolution.

In Garissa Northern Kenya, youthful women such as Umulkheir use art as an advocacy tool, helping their communities visualize and critically understand the patriarchal systems around them (Daily Nation, 2024)

BALTO IN ERITREA

In conclusion, in Eritrea, the customary law called Balto got the backing of the government when it enacted to establish a community court in 2023 to have greater participation of community in the judicial process (Andemariam Senai, 2025). These local assemblies and customary courts have been pivotal in resolving different forms of disputes including neighborhood and land disputes while interfacing the formal legal frameworks with the customary systems (Andemariam Senai, 2025).

MEDIATION AND CONFLICT RESOLUTION IN THE MIDDLE EAST

Background

Mediation and conflict resolution in the Middle East are embedded within a complex interplay of tribal authority, Islamic legal principles, and state-building processes. Historically, mechanisms of dispute resolution in the region predate modern legal institutions and continue to shape contemporary social and political life. Mediation is generally understood as a voluntary and noncoercive process in which a neutral or mutually accepted intermediary assists disputing parties in reaching an agreement. In the Middle Eastern context, however, mediation extends beyond procedure: it is a culturally grounded practice that reflects communal norms, kinship structures, and religious values.

Islamic teachings provide a foundational ethical and legal framework for reconciliation processes. The Qur'an encourages the pursuit of amicable settlements, emphasizing that resolving disputes through mutual agreement is preferable. For example, in the context of marital disputes, it states that "settlement is best" (Qur'an 4:128), highlighting the value of reconciliation and compromise. The Prophet Muhammad's role as a mediator among tribes in Medina further institutionalized negotiation, arbitration, and the restoration of social harmony as key communal responsibilities. Consequently, Islamic jurisprudence has historically incorporated mediation and arbitration as essential mechanisms for resolving conflicts and preventing cycles of retaliation.

Tribal structures further reinforce the importance of non-adversarial conflict resolution. In numerous Middle Eastern societies, especially in rural and semi-rural areas, tribes have historically functioned as semi-autonomous systems of governance, administering justice through customary law ('urf) and collective responsibility frameworks. Even with the rise of modern state institutions, these traditional mechanisms have not disappeared. Instead, they interact with formal legal systems in hybrid forms that vary between countries and contexts. This literature review examines the conceptual foundations of mediation in the Middle East, explores how traditional practices coexist with and adapt to state legal frameworks, and analyzes specific national case studies. The review highlights both the cultural legitimacy and social advantages of community-based mediation, while also addressing the limitations these systems may pose in ensuring fairness, inclusivity, and long-term conflict transformation.

COMMON COMMUNITY MEDIATION PRACTICES ACROSS THE MIDDLE EAST

SABLA (OMAN)

Oman's social and governance traditions are strongly influenced by Ibadi Islam, a branch distinct from Sunni and Shia schools that emphasizes moderation, consultation (shura), and communal consensus (ijma a) (Wilkinson 1987). The Sabla serves as a central communal forum for dialogue, mediation, and decision-making, where community members gather to resolve disputes and discuss local affairs through open consultation and mutual respect.

Rooted in Ibadi ethics of fairness and collective responsibility, the Sabla blends custom and civic practice by balancing community authority with state recognition. Trust and reputation often guide outcomes more than legal authority. The state informally recognizes the Sabla's role, with government officials, local authorities and police often coordinating with elders to maintain order and uphold agreements reached through these forums (Dauletova et al. 2024). These values are echoed in falaj water committees, which oversee irrigation networks and manage access through negotiated schedules and shared maintenance (Simonen, 2021). Each falaj is managed by a local committee led by a wakil (manager) and an arif (timekeeper), who oversee the fair allocation of water among users. Disputes often arise over irrigation turns, maintenance, or water access and are resolved through inclusive governance through consultation rather than coercion. The falaj committees translate moral and religious principles into daily inclusive governance and mediation for equitable resource sharing (Dauletova et al. 2024).

Together, the Sabla and related institutions illustrate how Ibadi-inspired mediation fosters social cohesion and equitable problem-solving. They demonstrate how consultation and moral authority remain central to conflict resolution in Oman's rural and urban settings alike (Worrall 2021, Dauletova et al. 2024).

SULH (WIDER MIDDLE EAST)

Across the broader Middle East, Sulh represents a community-based, restorative approach to justice and its outcomes. It prioritizes forgiveness, restitution, and reconciliation over punishment, aiming to restore social equilibrium rather than impose legal sanction. Mediation is led by respected elders or ajaweed, whose reputations for neutrality and wisdom command trust. Through apology rituals, compensation agreements (diyya), and community witnessing, Sulh reaffirms moral order and social solidarity (Al-Ramahi 2008, Stewart 1987, Esmaeili 2009).

Practice varies by place but follows the same restorative logic. In Yemen, a local ritual known as banadeq assawab ("guns of reason") reflects this ethos: The offender symbolically offers his weapon to the wronged party as an admission of fault and a request for mediation, which the other side accepts as a gesture of reconciliation (Al-Dawsari 2012). These exchanges are witnessed by community members and supported by social guarantees rather than formal enforcement. In the Levant and Iraq, Sulh similarly relies on public acknowledgment of wrongdoing, apology, and negotiated compensation, led by ajaweed who ensure outcomes reflect social consent and moral legitimacy. Across the region, the persistence of Sulh shows how restorative justice remains embedded in moral and communal life, providing legitimacy and repair alongside formal legal systems (Al-Ramahi 2008; Stewart 1987).

MAJLIS (GULF STATES)

The Majlis, ("place of sitting") functions as a semi-public forum for discussion, consultation, and mediation. The term refers to a gathering where dialogue and decision-making take place, shaped by values of respect, hospitality, and consensus (Borhany 2021). In Gulf and wider Middle Eastern settings, the Majlis serves as an accessible and trusted venue where elders, tribal leaders, or respected business figures host disputing parties to exchange views and reach reconciliation.

Its authority derives from social relations and community trust rather than law. Agreements are often sealed through verbal commitments, handshakes, or shared meals, reflecting moral accountability and community trust (Al-Ramahi 2008). In some Gulf contexts, Majlis outcomes are recognized by local authorities or integrated into municipal dispute-resolution mechanisms, linking traditional moral legitimacy with formal governance.

Closely related is *wasta*, a form of social intermediation based on reputation, kinship ties, and trust. Within the Majlis, the *waseet* (intermediary) plays the bridging role, ensuring fairness and relational balance. Together, Majlis and *wasta* sustain mediation practices across the Gulf (Al-Ramahi 2008).

SHURA (GULF AND ARAB STATES)

Shura (consultation or mutual counsel), is one the foundational principles of Islamic social and political life. It is based on Qur'anic injunctions to consult in communal affairs (Qur'an 3:159;42:38). In practice, Shura requires that decisions affecting the community be made through dialogue and collective reasoning, balancing authority with moral responsibility.. In early Islamic governance, it was a communal duty linking justice with consensus. Today, Shura informs both civic and Islamic mediation. In Saudi Arabia, the Majlis al-Shura serves as an advisory council within the constitutional framework (2022). In religious and local settings, shura underpins deliberation before reconciliation (*islah*), ensuring inclusivity and legitimacy. This consultative approach is often viewed as preventive peacebuilding, encouraging listening, compromise, and shared responsibility. The same consultative ethic has been interpreted as a framework for inclusion and gender balance in post-conflict contexts, where women's perspectives are recognized as essential to deliberation and reconciliation (Abadi, 2022).

CONCEPTUAL FOUNDATIONS OF MEDIATION IN THE MIDDLE EAST

1. Sulh

Sulh refers to a negotiated settlement that prioritizes social harmony, forgiveness, and the repair of relationships. Rather than determining winners and losers, sulh seeks to restore balance within the community. It is widely regarded in Islamic jurisprudence as preferable to adversarial legal proceedings, particularly in cases involving interpersonal disputes.

2. Tahkim

Tahkim involves appointing an agreed-upon arbiter (hakam) to issue a binding judgment. While more authoritative than sulh, it remains grounded in communal trust. The arbiter's legitimacy stems not only from procedural role, but from moral, religious, or tribal authority.

3. Diyya and Aqilah

Diyya refers to compensation paid to the injured party or their kin in cases of bodily harm or death. The responsibility of payment may be shared among members of the offender's lineage group (aqilah), reflecting the communal nature of accountability in tribal societies. These mechanisms historically prevented blood feuds by providing structured alternatives to revenge.

4. 'Urf

Customary law continues to guide mediation practices throughout the Middle East. It shapes expectations, procedures, and acceptable resolutions. Importantly, 'urf adapts to sociopolitical change, allowing mediation systems to evolve without losing cultural legitimacy.

5. Wajaha

Wajaha involves mediation conducted by respected community figures—such as tribal elders, religious scholars, or prominent social leaders—whose influence stems from reputation, integrity, and social standing. Their role is especially critical in emotionally charged disputes where moral persuasion is needed to facilitate reconciliation.

Traditional Mediation and the Modern State

In the Middle East, traditional mediation techniques still function alongside formal state institutions, frequently in tandem with them. Customary procedures have adapted to the changing political environment rather than being replaced, leading to hybrid systems that combine state law, Islamic legal principles, and tribal authority (Al-Dawsari, 2012; Kamali, 2008). Tribes have traditionally served as the main suppliers of justice and security in many rural and semi-rural areas, especially in areas with few or no official institutions. These mediation techniques maintained their community-based validity while being integrated into national legal frameworks as contemporary nations grew.

Local reconciliation councils and tribal arbitration sessions function as acknowledged extensions of conflict resolution in nations like Oman, Saudi Arabia, and Yemen, especially for family issues, property disputes, and interpersonal problems. To preserve social stability, state authorities may support, certify, or even speak with tribe mediators directly (Al-Khalili, 2020). These hybrid systems make it possible to settle conflicts quickly and in a manner consistent with societal norms and community ideals.

Nevertheless, uniform integration is not implied by this coexistence. Different national contexts have different levels of recognition for traditional activities. State procedures may predominate in certain situations, such as urban areas with robust formal legal systems. Customary mediation continues to be the major and favored means of resolving disputes in rural or tribal regions. Continuous discussions about authority, legitimacy, and community identity are reflected in the equilibrium between these systems.



COMMUNITY MEDIATION PRACTICES ACROSS THE MIDDLE EAST

1. Iraq

Throughout Iraq's history, Bedouin and civilized values have continuously interacted and shaped Iraqi society. Iraq's geography bordering vast deserts and housing ancient civilizations like Babylon and Assyria created a blend of tribal traditions and state-based order.

Bedouin values emphasize tribal loyalty, honor, and autonomy. The tribe is seen as the highest authority, often above the state. This mentality values revenge and self-governance, which historically led to conflict with state institutions. In contrast, civilized values prioritize the authority of the state, law, and stability. Over time, these values have become more dominant, though tribal influence remains strong (Al-Rubai,2021).

During the Ottoman era, weak administration and the collapse of the irrigation system caused drought and disputes among tribes over water and land. Historian William Willcocks noted that while better irrigation could have reduced conflicts, only strong legal systems could ensure lasting peace.

In modern Iraq, referring to Dr. Ali Al-Wardi in his book "Social glimpses from modern history of Iraq", tribes still play a powerful role in politics and security (Al-Wardi,2007). Some tribes hold more power than state institutions and use practices such as the "tribal warning shot" to intimidate rivals. The state often struggles to enforce its authority, and professionals like doctors can be threatened by tribal retaliation. Religious figures, especially the Sayyid (a descendant of Fatima al-Zahraa), play an important mediating role in resolving disputes, often through traditional means like diya (blood money).

Tribal councils also remain influential, where elders collectively issue binding judgments, often sealed with an oath on the Qur'an. These systems demonstrate the deep-rooted presence of tribal traditions within Iraqi society.

In conclusion, while tribes are an integral and respected part of Iraq's social fabric, their failure to adhere to state law and religious principles can threaten national security and stability. Strengthening legal and governmental institutions is essential to balance tradition with modern state authority.

2. Yemen

Yemen's social and political landscape is strongly shaped by tribal structures, which continue to function alongside (and sometimes in place of) formal state institutions. Due to the historically weak central state and Yemen's challenging mountainous geography, tribes often operate as semi-autonomous authorities that manage security, governance, and conflict resolution at the local level (Dresch, 1989; Al-Dawsari, 2012). Tribal support is therefore essential for political stability, and successive governments have relied on maintaining alliances with tribal leaders to ensure legitimacy and order, particularly in rural regions where state presence is limited (Phillips, 2015).

Tribal customary law (*'urf qabali*) remains the primary mechanism for resolving disputes related to land, inheritance, blood feuds, and inter-family conflicts. These disputes are often settled through **tribal arbitration** (*hukm*) or **reconciliation** (*sulh*), typically overseen by respected tribal sheikhs whose authority is derived from community trust and lineage (Gerholm, 1977; Salmoni et al., 2010). Decisions are enforced through strong social pressure and the threat of reputational loss, which ensures compliance without formal legal enforcement.

Another important mechanism is **wajaha mediation**, where religious leaders, elders, or socially prominent figures intervene to prevent escalation and restore social cohesion. These mediators often pledge personal or collective guarantees (*kafalah*) to demonstrate sincerity and secure agreement between parties (Al-Dawsari, 2012).

Community councils (*majalis* or *shura councils*) also play a role in facilitating dialogue and collective decision-making. These councils allow all affected parties to present their claims, promoting participatory conflict resolution and reinforcing local legitimacy (Weir, 2007).

Tribal mediation has proven effective during the ongoing conflict. For example, tribal intermediaries have successfully negotiated localized ceasefires and facilitated prisoner exchanges between the Houthis and government forces, helping prevent further violence where formal diplomacy stalled (International Crisis Group, 2019).

However, reliance on tribal mechanisms has limitations. These systems may reinforce social hierarchies, disadvantage women and marginalized groups, and lack enforceable long-term peace safeguards. In some cases, customary resolutions can contradict state law and human rights principles (Phillips, 2013). Thus, while tribal mediation remains culturally legitimate and efficient, it cannot fully replace comprehensive state-building or sustained peace processes.

3. Saudi Arabia

Regional diversity shapes how these mechanisms are mobilized across Saudi Arabia. In the **Central/Najd** region, mediation commonly occurs through **majlis** gatherings led by tribal sheikhs or prominent community figures. Negotiations proceed according to Urf and culminate in **sulh packages** that combine apology rituals, diyya payments, and guarantees from respected cosigners. These settlements often balance moral reconciliation with practical enforceability (Al-Ramahi, 2008; Esmaeili, 2009).

In contrast, the **Western/Hijaz** region—particularly Mecca and Jeddah—features more urban and commercial disputes managed by merchants and religious notables. Confidentiality and discretion are prioritized, and mediation emphasizes social dignity and mutual forgiveness, often supported by written undertakings to preserve the parties' reputations.

The **Eastern Province** displays a more collective and religiously grounded model of reconciliation. Local leaders emphasize **Islah** (peacemaking) and community guarantees, especially in cases involving sectarian or intra-communal tensions. Diyya negotiations are carefully paced to preserve honor and avoid coercion, while cooperative associations replicate the traditional Aqilah model (Pascoe, 2016; IIFA, 2005; International Crisis Group, 2005).

In the **Southwest** (Asir, Jizan, Najran), dense tribal networks make reconciliation highly ritualized. Mediation involves truce declarations, public forgiveness ceremonies, and the use of symbolic gestures such as oaths or sanctuary periods. These mechanisms demonstrate the deep social embedding of reconciliation and the power of communal enforcement (Stewart, 1987). Similarly, the **Northern** and border regions rely on cross-lineage mediation, where reputational guarantees and inter-sheikh alliances sustain compliance even in the absence of formal legal coercion (Esmaeili, 2009).

Strengths and Limitations

Community mediation models in Saudi Arabia are valued for their accessibility, speed, and cultural resonance. They minimize litigation costs, prevent escalation of conflict, and promote the reintegration of offenders through moral and ritual closure. Because these processes align with Islamic ethical frameworks, they enjoy broad social legitimacy and high compliance rates (Al-Ramahi, 2008).

However, critical scholarship highlights the risks inherent in informal justice. Power asymmetries related to gender, class, or lineage may affect bargaining outcomes, and the reliance on social pressure can undermine procedural fairness. Moreover, **wasata** (brokerage) practices, while often facilitating peace, can slide into favoritism or elite capture (Elsaher, 2024; Albihany & Aljarodi, 2024). Vulnerable groups such as migrants or minors may lack the protections afforded by formal procedures, especially in cases involving diyya or bodily harm (Pascoe, 2016). Therefore, scholars advocate for hybrid mechanisms that preserve community legitimacy while ensuring equity through legal oversight.

Community-based reconciliation in Saudi Arabia demonstrates a resilient and adaptive form of non-state justice. Mechanisms such as sulh, tahkim, diyya, and urf continue to mediate social order by emphasizing restoration and forgiveness over adversarial resolution. Yet, their effectiveness varies regionally, depending on the strength of communal authority and the degree of integration with formal institutions. However, the most effective settlements are hybrid models that include community-led yet judicially recognized elements, balancing legitimacy and enforceability.

4. Oman

1) Worrall, J. (2021). "Switzerland of Arabia": Omani Foreign Policy and Mediation Efforts in the Middle East:

Oman's foreign policy in the 21st century is frequently characterised as being uniquely peaceful with Omanis depicted as 'friends to all and enemies to none'. Mediation has not always been part of Oman's foreign policy especially at the reign of the late Sultan Qaboos, where hard power preceded soft power at the beginning (Worrall, 2021). Mediation as a culture is derived from the Ibadi branch of Islam, we can see that clearly in the Omani society having Sablah (council), Shura (Consultation) derived from Quran "and consult them in matters. Then, when you have taken a decision, put your trust in Allah."

(Surah Aal-Imran, 3:159), ijma'a (consensus), in addition to the practice of morality and avoidance of interpersonal conflict. This all has played a crucial part in shaping Oman's foreign policy. (Worrall, 2021).

2) Simonen, K. (2021), Ancient Water Agreements, Tribal Law and Ibadism Simonen contends that tradition in Oman had a significant role in shaping governance norms based on shura, the community and religious scholar (ulama) and tribal structures played active role in shura. Moreover, Simonen covered the irrigation systems in Oman that is called "The Falaj" which is a locally managed institution of resource allocation in al Hajar mountains. This system relies on equitable distribution of water sources, communal responsibility, and customary conflict settlement via local officials (wakil, arif), this is considered to be an example of sustainable and inclusive governance.

3) Dauletova, V., Al Rawas, S., Al Rawas, E., Al Balushi, A., Al Mamari, S., & Al Busaidi, A. S. (2024). This is how they do it: A conflict management model in Oman. *Conflict Resolution Quarterly*, 41(4), 507–524. <https://doi.org/10.1002/crq.21422>

Oman in this research paper present a unique structure of conflict resolution by combining indigenous mediation practices with modern structure. The Oman's conflict management framework reveals a hybrid model that is drifted from Islamic values, tribal traditions, and stateled legal reform.

Tribal mediation in Oman has deep historical roots and was originally developed to ensure justice, peace, and social order in areas that lacked formal legal systems. It is based on the principle of collective responsibility, where the tribe as a whole shares both protection and accountability for individual actions (Al-Dawsari, 2018). Key values include honour, protection of the weak, and community solidarity (Simonen, 2021).

Tribal Mediation in the Sultanate of Oman has deep historical roots and was mainly developed to ensure justice and peace to maintain social order in areas that lack formal legal systems. Based on the principle of collective responsibility, tribes as a whole share protection and accountability for individual actions. This system combines both Islamic values with local social norms, for instance tradition water-sharing laws, where it's emphasized fairness and cooperation. Moreover, the traditional models presented laid the foundational base for Oman's broader conflict resolution culture, including mediation and arbitration.

Tribal mediation are still till this day active, mainly in rural areas like Dhofar. Sheikhs (tribe leader) play a significant role, their mediation can be seen in three different contexts: within their own tribe, between different tribes, and between tribal members and governmental institutions. This mediation is trusted due to the historical and family relations. Tribal mediation is still actively used today, especially in rural areas like Dhofar. Sheikhs (tribal leaders) play a central role, mediating disputes in three main contexts: within their own tribe, between different tribes, and between tribal members and government entities. Their mediation is trusted because of their deep personal knowledge of family histories and relationships.

In conclusion, Oman's tribal mediation is respected and is still a functional system in Oman. It's not considered to be only a conflict resolution mechanism but also a tool to preserve traditional values and keeping social order. The activation of such tribal mediation till this day, reflects Oman's approach to blending tradition with modern governance.

Strengths and Limitations of Community-Based Mediation

Strengths:

- Culturally legitimate and socially accepted (Al-Zumai, 2019)
- Preserves community cohesion and reduces cycles of retaliation (Weir, 2007)
- Efficient and cost-effective compared to formal litigation

Limitations:

- May reinforce gender and social hierarchies (Cunningham, 2014)
- Mediator influence can compromise fairness (Al-Dawsari, 2012)
- Emphasis on harmony over individual justice can limit transformative outcomes

Conclusion

Mediation in the Middle East reflects a rich interplay of Islamic law, tribal authority, & state governance. Traditional mechanisms like *sulh*, *tahkim*, and *wajaha* coexist with formal legal systems, forming hybrid models adapted to specific socio-political contexts. While culturally grounded mediation ensures social cohesion and efficient dispute resolution, it may present limitations in inclusivity and equitable justice. Understanding these dynamics is essential for policymakers, practitioners, and researchers seeking to strengthen conflict resolution in the region.

Comparative Analysis of Traditional Mediation Across the GCC

Comparative Matrix of Traditional Mediation Mechanisms in the GCC

Country	Traditional Mediating Authority / Actor	Cultural Basis of Legitimacy	Typical Issues Resolved	Procedures / Methods Used	Outcome Enforcement Mechanisms
Oman	Sheikh / Tribal Elders (Shura customs)	Historical tribal leadership; Religious moral authority rooted in Ibadi values	Land disputes, family disagreements, commercial disagreements in rural areas	Communal dialogue (Sabla gatherings), consensus-building, moral persuasion	Social pressure, reputation, collective community endorsement
Saudi Arabia	Tribal Sheikhs & Notables (Wujahaa) alongside Islamic scholars	Tribal honor codes; strong role of Islam and Sharia in public authority	Blood feuds, inter-tribal conflicts, business disputes	Sulh (reconciliation), settlement agreements, diya (compensation)	State endorsement through local governance; tribal obligation to maintain peace
United Arab Emirates	Tribal Elders + Majlis System	Prestige and historical authority of ruling families and tribal leaders	Local commercial disputes, social/family issues	Open-door Majlis discussions; mediation through respected intermediaries	Enforcement through state institutions + social reputation of ruling families
Qatar	Influential Families; Ruling Family Majlis	Cultural respect for elite family leadership and patronage networks	Business conflicts, tribal tensions, political grievances	Informal negotiation in private Majlis settings, mediation through personal relationships	Enforcement via hierarchical social networks and state-backed arbitration

Kuwait	Diwaniya Leaders and Merchant Elite	Longstanding culture of public debate; historical role of merchant families	Political disputes, community disagreements, parliamentary tensions	Dialogue-based negotiation, patronage mediation, elite bargaining	Enforcement via social consensus and political accommodation within parliamentary system
Bahrain	Community Leaders (Sunni and Shi'a clerics) + Ruling Families	Religious legitimacy and historical governance structures	Family disputes, community tensions, sectarian-related disagreements	Religious-based reconciliation (Islah), community mediation, elite negotiation	Enforcement via religious authority and state-brokered agreements

Comparative Matrix of Traditional Mediation Mechanisms

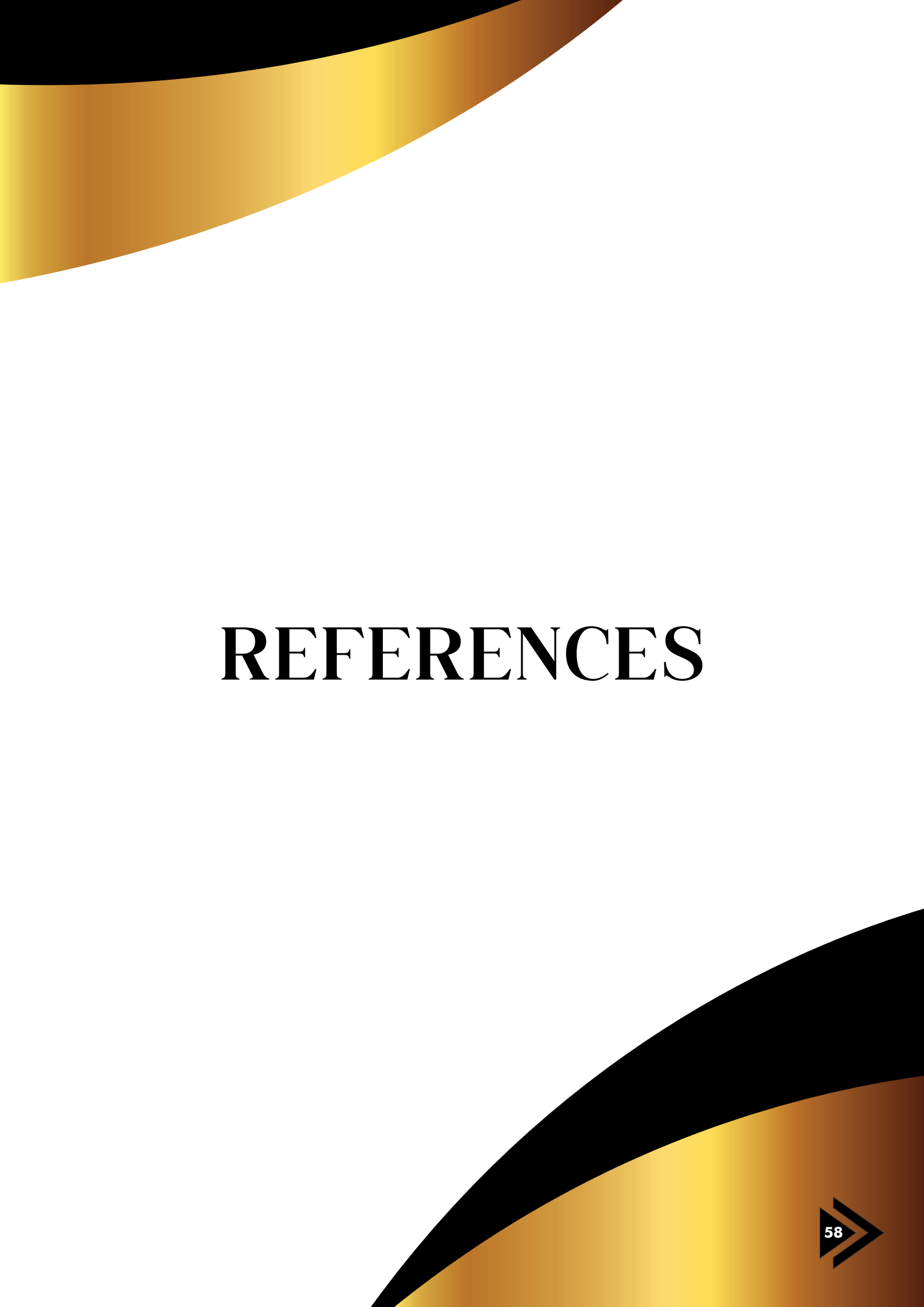
(Horn of Africa & Middle East/Gulf countries)

Mechanism	Geographic Context	Typical Use Cases	Key Actors	Mediation Process/ Steps	Compliance Tools	Gender & Youth Entry Points	Risks / Limitations
Xeer / Nabadoon	Somalia, Somaliland	Clan disputes, land, marriage, homicide	Elders (<i>Nabadoon</i>), diya-paying groups	Council convened → Negotiation → Agreement → Restitution (<i>diya</i>)	Compensation (livestock, money), clan guarantors, oaths	Women influence indirectly; youth enforce outcomes	Excludes women formally, elite capture risks
Guurti (Council of Elders)	Somaliland	National reconciliation, governance disputes	Elders, religious leaders, traditional leaders	Dialogue → Consensus decision → Accord → Monitoring	Clan guarantors, formal role in state structures	Growing women/ youth consultation	Risk of gerontocracy, politicization
Gadaa / Jarsumma	Ethiopia (Oromo, Borana)	Resource disputes, mobility, political transitions	Age-set leaders, Gadaa councils, elders	Rotational governance → Dialogue → Restitution → Rituals	Sacred oaths, grazing calendars, sanctions	Youth integrated via age-sets, mentorship	May be rigid, political interference possible
Shimgilinna	Ethiopia (Amhara)	Family, inheritance, land disputes	Respected elders (<i>Shimagile</i>)	Shuttle diplomacy → Settlement	Confidentiality, community witness	Women influence indirectly	Male-dominated, secrecy may exclude voices
Mada'a	Ethiopia (Afar)	Land, pastoral mobility, homicide	Clan elders (<i>Ajjaw</i>)	Customary code applied → Negotiated restitution	Fixed compensation schedules, livestock payment	Youth enforce, women excluded	Risk of retaliation if compensation rejected
Sinke	Ethiopia (Sidama)	Domestic disputes, women's protection	Women councils, community leaders	Convene women → Negotiate with elders → Collective decision	Symbolic <i>Sinke</i> staff, community shame	Women central; youth girls mentored	Narrowly focused on "women's issues"

Judiyya	Sudan	Tribal & land conflicts, blood feuds	Ajaweed (elders), sheikhs	Mediation sessions → Agreement → Restitution	Written accord, compensation, religious oaths	Women lobby via family networks; youth as guarantors	May reinforce patriarchal norms
Dinka Guan / Nuer Guma	South Sudan	Cattle raiding, homicide	Chiefs, elders, spiritual leaders	Dialogue → Compensation (cattle) → Cleansing rituals	Livestock restitution, rituals, guarantors	Women in reconciliatory roles, youth in exchanges	Cycles of revenge if rituals fail
Modogashe Declarations	Northern Kenya	Cross-border grazing, clan clashes	Elders, chiefs, CSOs, local governments	Peace dialogues → Accord signing → Compensation codes	Fixed compensation rates, ceasefire clauses	Women peace groups; youth patrols	Weak state backing risks collapse
Orwa Accord	Kenya (Turkana–Pokot, 2021)	Longstanding violent clashes	Elders, chiefs, women/ youth mediators	Open clan dialogue → Trust-building → Accord signing	Accord monitored by chief + 2 elders	Women & youth central in implementation	Dependent on sustained follow-up
Banissa Declaration	Kenya (Garre–Degodia, 2022)	Clan conflict in North Eastern Kenya	Clan elders, religious leaders, local authorities	Clan talks → Nine-point declaration → Monitoring	Written accords, community oversight	Women/youth advisory roles	Needs ongoing commitment for sustainability
Sabla	Oman (Gulf)	Family, land, community disputes	Local councils, elders, mosque leaders	Open forum → Consensus decision	Religious oaths, community guarantors	Youth mentored by elders; women emerging	Elite dominance, urban adaptation challenge
Sulh	Arab World (Jordan, Palestine, Yemen, Gulf)	Family feuds, blood disputes, land conflicts	<i>Jaha</i> (delegation of elders/ sheikhs)	Negotiations → Agreement → <i>Musalaha</i> (reconciliation)	Blood money (<i>diyya</i>), oath on Qur'an, communal feasts	Limited women participation; youth observe	Risk of reinforcing patriarchal exclusion
Wasata	Gulf & Levant	Business, political, inter-family disputes	Intermediaries (<i>Wasit</i>), trusted elites	Shuttle diplomacy → Consensus agreement	Mediator's honor, ruler guarantees	Youth shadow mediators; women rare	Relies on mediator neutrality
Musalaha / Hudna	Palestine, Jordan, Yemen	Clan clashes, political feuds	Elders, religious leaders, local authorities	Agreement → Ritual reconciliation (<i>musalaha</i>) or temporary truce (<i>hudna</i>)	Symbolic handshakes, coffee rituals, written truce	Women sometimes host rituals; youth as witnesses	Truces may collapse without follow-up
Majlis	Gulf States (UAE, Qatar, Saudi Arabia)	Community, trade, neighborhood disputes	Rulers, sheikhs, tribal leaders	Open council → Dialogue → Resolution	Leader's authority, honor system	Youth & women increasingly present in urban majlis	Informal, reliant on convener's authority
Diya (Blood Money)	Gulf, Yemen, Arab world	Homicide, bodily harm	Elders, families, mediators	Negotiation → Agreement on <i>diyya</i> → Payment	Blood money compensation (cash/livestock)	Women influence indirectly; youth help enforce	Excludes poor families, inequality risk
Shura (Consultation)	Gulf & Arab world	Governance, policy, communal decisions	Religious & political leaders, community	Collective deliberation → Consensus outcome	Qur'anic legitimacy, leadership sanction	Women/youth slowly gaining space	Elite-dominated, slow-moving

Color coding Mediation processes that are similar:





REFERENCES

Andemariam, S (June, 2015). Ensuring access to justice through community courts in Eritrea. Restorative Justice Exchange.

Asmare Alemneh, (2025). Shimglina Customary Conflict Resolution Mechanism for Rural Land Disputes in Ethiopia: The Practice and Challenges, Grassroots Journal, Ethiopia

Brenton, P & Manar Z, (Dec 15, 2023) Reforming Somali Customary Justice: Pathways to Adapting Xeer Procedures and Practices, Sababi Institute

Carolyn Gatimu, (2014) Traditional Structures in Peace and Security Consolidation: The Case of the House of Elders (Guurti) in 'Somaliland International Peace Support Training Centre Nairobi, Kenya.

Cope, J (2016) "Basic Mediation," Duncum Center of Conflict Resolution, TX, USA.

Constitution of Kenya (Article 159 (2)) Alternative Dispute Resolution, Nairobi, Kenya

Nasebrak T, (2022) "Yakka, the Sidama Women Customary Institution and its untold power. Center for Advancement of Rights and Democracy, Ethiopia.

European Union, Collaboration in Cross-Border Areas of the Horn of Africa: Unleashing the potential of borderlands. Kenya.

International Development Law Organization, (2020). Accessing Justice: Somalia's alternative dispute resolution centers, ISBN: 9788896155363.

UNESCO, (2021) Xeer Ciise: Oral customary laws of Somali-Issa communities in Ethiopia, Djibouti and Somalia, Ethiopian Heritage Authority.

National Open University of Nigeria (2010) African Traditional Methods of Conflict Resolution. <https://nou.edu.ng/coursewarecontent/PCR%20831.pdf>

Jared L. Ordway, (May 2023) The Mediation Experiences of NCIC and Interpeace in Mandera County and the North Rift Region, Interpeace, Nairobi.

Daily Nation (Feb 15, 2024), Two girls using art to repaint Garissa narrative on women, <https://nation.africa/kenya/news/gender/two-girls-using-art-to-repaint-garissa-narrative-on-women-4525096>

Abadi, N. (2022). Seeking an Islamic framework towards peacebuilding and women's inclusion.[Policy paper].

Al-Dawsari, N. (2012). Tribal governance and stability in Yemen. Carnegie Endowment for International Peace.

Al-Ramahi, A. (2008). Sulh: A traditional mechanism of dispute resolution in the Middle East. SOAS Law Journal, 1(2), 1–13.

Borhany, S. (2021). The contribution of Shi'i Majlis and its influence: An interdisciplinary study. Islamic Studies Review, 60(3), 245–266.

Dauletova, V., Al Rawas, S., Al Rawas, E., Al Balushi, A., Al Mamari, S., & Al Busaidi, A. S. (2024). This is how they do it: A conflict management model in Oman. *Conflict Resolution Quarterly*, 41(4), 507–524. <https://doi.org/10.1002/crq.21422>

Esmaeili, H. (2009). On alternative dispute resolution in Islamic law. *Arab Law Quarterly*, 23(3), 235–254.

Folke Bernadotte Academy (FBA) & London School of Economics (LSE). (2024). Guide to peacemaking using Islamic principles. Stockholm: Folke Bernadotte Academy.

Rift Valley Institute (RVI). (2018). Local peace processes in Sudan: Lessons for national peacebuilding. Nairobi, Kenya.

Simonen, K. (2021). Ancient water agreements, tribal law and Ibadism: Sources of inspiration for the Middle East Desalination Research Centre – and beyond. Cham, Switzerland: Springer International Publishing.

Stewart, F. H. (1987). Customary dispute settlement and sulh in Arab communities. *Arab Law Quarterly*, 2(1), 10–26.

UN Development Programme (UNDP). (2025). Bridging divides: Local peace initiatives in Sudan. Khartoum: UNDP Sudan.

Wilkinson, J. C. (1987). The Imamate tradition of Oman. Cambridge University Press.

Wilkinson, J. C. (2010). Ibadism: Origins and early development in Oman. Oxford University Press.

Worrall, J. (2021). "Switzerland of Arabia": Omani foreign policy and mediation efforts in the Middle East. *The International Spectator*, 56(4), 134–150. <https://doi.org/10.1080/03932729.2021.1996004>

Albihany, N. A., & Aljarodi, A. M. (2024). The role of personal connections (wasta) on early-stage entrepreneurial orientations: Empirical evidence from Saudi Arabia. *Humanities & Social Sciences Communications*, 11, Article 36. <https://doi.org/10.1057/s41599-023-02486-0>

Al-Dawsari, N. (2012). The justice system in Yemen: Challenges and opportunities for reform. United States Institute of Peace.

Al-Khalili, H. (2020). Legal pluralism and dispute resolution in Oman. *Journal of Arabian Legal Studies*, 12(3), 45–62.

Al-Ramahi, A. (2008). Sulh: A crucial part of Islamic arbitration. LSE Law, Society and Economy Working Papers, No. 12/2008. London School of Economics and Political Science.

Al-Rubaie, S. G., & Omran, O. J. (2025). The structure of constitutional and legal institutions and their impact on political leadership and peacebuilding in Iraq. *Journal of Ecohumanism*, 4(1), 3369–. <https://doi.org/10.62754/joe.v4i1.6172>

- Al-Wardi, A. (2007). *Dirasah fi Tabi'at al-Mujtama' al-Iraqi* [Study in Iraqi society]. Al-Aani.
- Al-Wardi, A. (2007). *Social glimpses from the modern history of Iraq*. Baghdad.
- Al-Zumai, F. (2019). Tribal mediation and customary law in the Arabian Peninsula. *Middle Eastern Journal of Social Anthropology*, 7(2), 88–105.
- Constitution of the United Arab Emirates. (2001). Provisions on reconciliation and family dispute committees.
- Dauletova, V., Al Rawas, S., Al Rawas, E., Al Balushi, A., Al Mamari, S., & Al Busaidi, A. S. (2024). This is how they do it: A conflict management model in Oman. *Conflict Resolution Quarterly*, 41(4), 507–524. <https://doi.org/10.1002/crq.21422>
- Dresch, P. (1989). *Tribes, government, and history in Yemen*. Oxford University Press.
- Elsaheer, I. A. (2024). Wasta in Arab societies: Optimizing or worsening quality of life? The role of religiosity. *Societies*, 14(7), 101. <https://doi.org/10.3390/soc14070101>
- Esmaeili, H. (2009). On a slow boat towards the rule of law: The nature of law in the Saudi Arabian legal system. *Arizona Journal of International and Comparative Law*, 26(1), 1–47.
- Gerholm, T. (1977). *Market, mosque and mafraj: Social inequality in a Yemeni town*. Hurst.
- International Crisis Group. (2005, September 19). *The Shiite question in Saudi Arabia* (Middle East Report No. 45). Brussels/Amman: International Crisis Group.
- International Crisis Group. (2019). *Rethinking peace in Yemen* (Middle East Report No. 216).
- International Islamic Fiqh Academy. (2005, April 14). *Aqilah and its contemporary applications in the payment of diya* (Resolution No. 145 [3/16]).
- Kamali, M. H. (2008). *Shari'ah law: An introduction*. Oneworld Publications.
- Pascoe, D. (2016). Is diya a form of clemency? *Boston University International Law Journal*, 34(1), 149–180.
- Phillips, S. (2013). *Yemen's democracy experiment in regional perspective*. Palgrave Macmillan.
- Phillips, S. (2015). *The politics of Yemen's security*. Carnegie Middle East Center.
- Qur'an 4:128.
- Roberts, D. (2012). *Qatar's foreign policy and mediation strategy*. Chatham House Middle East Briefing.

Salmoni, B., Loidolt, B., & Wells, M. (2010). Regime and periphery in northern Yemen. RAND Corporation.

Simonen, K. (2021). Ancient water agreements, tribal law and Ibadism.

Stewart, F. H. (1987). Tribal law in the Arab world: A review of the literature. *International Journal of Middle East Studies*, 19(4), 473–490. <https://doi.org/10.1017/S002074380005652X>

Ulrichsen, K. C. (2014). *Qatar and the Arab Spring*. Oxford University Press.

Weir, S. (2007). *A tribal order: Politics and law in the mountains of Yemen*. University of Texas Press.

Worrall, J. (2021). "Switzerland of Arabia": Omani foreign policy and mediation efforts in the Middle East.

