

Theoretical and Empirical Explanations on the Continued Relevance of Local Conflict Resolution Institutions Among the Afar Community of Ethiopia

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Abstract

Various scholars, to make sense of either the decline or viability of local institutions of conflict resolution, have put various explanations forward. In this article, I shall discuss the relevance and limits of existing analytical frameworks and explore new explanatory possibilities. Most studies view local institution's vitality in reference to the relative weakness of state institutions. By the same token, their continuity is considered to be transient, implying that as soon as the state becomes strong it incorporates local institutions with which the viability of the latter is doomed to diminish. Henceforth, This article has explored the issue of the vitality of local institutions of conflict resolutions among the Afar from two perspectives. The first one is internal explanation for the continued relevance of local institutions. The second is external explanations with a special reference to state institutions and their mode of incorporation into the Afar cultural world.

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1. Brief Description of the Study Area

The Afar people are one of the Cushitic-speaking Islamic pastoral people of Ethiopia and the Horn of Africa. They call themselves *Cafara Umata*, i.e, the Afar people, and they call their language the *Cafar-af*, the Afar language (Getachew K. 2001). Outsiders have used many different terms, like Danakil, Adal and Teltal to refer to the Afar, even though the Afar resented all of them (Savard, 1965). Currently, derived from the ethnic based regional territories established since 1991, the Afar region is organized as one of the nine autonomous regional states. The Afar National Regional State (ANRS) is located in the Great East African Rift Valley in the northeastern part of the country. It shares international boundaries with Djibouti and Eritrea, as well as regional boundaries with Oromiya, Amhara, Tigray and Somali Regions. The Afar region comprises five Zones and 32 Districts (*Woredas*) and 339 *Kebeles*. The size of the Region is ca. 278,000. kms (Getachew, 2001). According to the 2007 National Population and Housing Census, the population of the region was estimated to be 1,411,092 (CSA).

The *Samu Robi Gal'lo Woreda*, which is the target area for this study, is found in Zone Five of Afar Regional State. It is one of the newly established *Woredas* of the region since 1991, with the new federal state structure of Ethiopia and the formation of Afar Regional State. From the total 33 *Woreda* of the region, *Samu Robi Gala'lo Woreda* is further divided into 12 *Kebeles*. It borders with Timugana Jile *Woreda* of Oromiya, with the Amhara Region (North *Shewa*) to the northwest, Hadele'ela *Woreda* to the north, Dulecha *Woreda* in the south, Bire Modaitu and Amibara *Woreda* in the east, Qewet *Woreda* of the North Shewa - Amhara region to the west and Tarma Ber *Woreda* to the southwest.

The administrative center of the *Woreda* is called *Kumame* located 425 km from Samara, the capital of the Afar Regional State, 380 kms from the capital of the zone five, Dalifagi, 290 km from Addis Ababa and 65 km from Shewa Robit that is the center of Qewet *Woreda* of the Amhara Region. The Afar Regional Government has built new buildings for office purposes and there are cluster of houses around the buildings. According to the 2007, population and housing censuses report of the CSA; the population of the *Woreda* is 32,014, which shows a decline of population size by half compared to the previous census. From this total population only 935 people are living in *Kumame*, and the remaining 31,079 are living in rural areas. The dominant economic activity of the communities of *Samu Robi Gala'lo Woreda* is mobility-based livestock production.

2. Internal and External explanations for the Continued Relevance of Local Institutions among the Afar Community

2.1. 'Beside the state': Internal explanations for the vitality of local institutions

The dominant framework that has been used in the study of local institutions in general and institutions of conflict resolution in particular is state-centric. By this I mean the vitality or weakness of local institutions is explained in reference to state institutions with an inverse relation. Different scholars like Nhema (2004) argues that as a result of the change in the socio-economic and political setting across the globe, the institutions among the Turkana pastoralists has no longer effectively handle local level disputes. In a similar vein, Kelemework

(2006, X) argues that ‘urbanization and wage labor migration had weakened kinship obligations and clan solidarity among the Afar which bear their own influence on local dispute settlement.’ Recent studies, however, have challenged this transient approach. Using the concept of heterarchy, Klute and Alice (2008:1) argue for the need to engage with different forms of power ‘beside the state’, i.e.

the notion of heterarchy (as opposed to the hierarchical representation of the state as standing above and disciplining other power groups within the society) seems to be more appropriate to describe the current plurality of competing power foci together with the mutable and unstable intertwining of state and non-state actors that emerges from the case studies from Kenya, Somali, Congo and Ghana.

In view of that, the expression ‘beside the state’ can depict the heterarchical relation between state institutions and other private or local institutions. First and for most, it highlights forms of political organizations and leadership that develop alongside the state, and sooner or later end up by either sustaining its apparatus and policies or appropriating its sovereignty by processes of informal privatization. At the same time, the term ‘beside’ points to a need to discuss under which circumstances and for how long such processes of power building create viable alternatives to the dominant power and organization of the state (Ibid).

I found the concept of heterarchy useful to make sense of the vitality of local institutions of conflict resolution among the Afar of the study area. I argue that the vitality of local institutions among the Samu Robi Gala’lo Afar is not only because of weakness of state institutions (lower level of state formation) but also because of their internal strength. Like in any other society, institutions among the Afar serve the purpose of problem solving. The dominant thrust of the various institutions among the Afar is ensuring survival.

For the same reason, I argue that local institutions that are functional among the Afar communities are viable primarily because they have an adaptive role to play that help them survive in a harsh environment. The driving force of the various institutions is enhancing communal solidarity and social cohesion. In line with this, I hereby provide three examples in different domains of social life that illustrate the adaptive role of local institutions among the Afar: *Fi’ima* and *Waydel* (institutions of conflict resolution); *Dagu* (a traditional institution of information sharing), and *Absuma* (cross-cousin marriage). All these institutions explicitly aim at fostering social cohesion as part of the Afar’s project of survival. In all cases, social cohesion serves as ‘capital’ that they expend in the process of adaptation.

As we learn from various literatures that deal on conflict resolution institutions, in most parts of Ethiopia the local institutions of conflict resolution do not have institutions that effectively execute sanctions given by the local leaders (Tarekegn and Hana, 2008, Kelemework, 2006). Conversely, it is very different for the Afar among whom there is strong institution of social control, the *Fi’ima*. According to Getachew (1997b:8), the term *Finaal/Fi’ima* literally mean “of equals” or “of the same stage of circumcision” and the duties they are expected to enforce sanctions passed by clan authorities, clan elders and their leaders, *finaat-a-abba/Fi’ima aba*. The *Fi’imas* who are headed by the *Fi’ima aba* are considered as community police (Ibid) and besides harnessing their clan’s solidarity they have a responsibility of protecting their clan from any external attack that might come from other clan or ethnic groups. Therefore, through performing such responsibilities effectively, the *Fi’ima* institution plays an important role in fostering social cohesion.

The *Absuma* (cross-cousin) marriage practice among the Afar has also played an important role to foster social cohesion in a harsh environment. The Afar of the Samu Robi Gala’lo rigorously practice *Absuma*, which is an inward marriage system that only encourages a man to marry a daughter of his father’s sister. Otherwise, if any member of a clan refuse to marry his *Absum*, his clan leaders would decide a clan punishment on him through considering that such anti *Absuma* belief could endanger their clan solidarity. Therefore, the Afar have conceived that their clan is a guarantee for their life, economic and social existence. As a result of this, the Samu Robi Gala’lo Afar have been practicing the *Absuma* marriage and even most of the time unlike most part of Afar, it leads to homicide when another clan member takes someone’s *Absuma*.

The manner in which the Afar handle homicide also throws light how far they take social cohesion seriously. Among the Afar, homicide cases that occur either at intra/inter clan levels are handled through the local institutions of conflict resolution. Whenever homicide occurs within or across clans, the local conflict resolution institutions would focus on identifying the offender and then give justice based on the *Mada’a* (customary law). Immediately after the occurrence of homicide, the local institutions of conflict resolution intervene and control the situation before further revenge would occur. However, if someone in a clan was found dead by anonymous individual, the deceased’s clan leaders would decide for the delay of formal funeral ceremony until the exact culprit would be identified and until final justice is served. Hence, the clan leaders of the deceased rest the corpse in a temporary grave that is marked by stone piles that resembles a cemetery. The Afar refer to it as *Waydal*- symbolizing that the homicide case of an individual buried there waiting for justice.

The Afar institution of information sharing (*Dagu*) also plays an important adaptive role. *Dagu*, literally in Afar means news, is a sophisticated system for exchanging information. Many pastoralist societies value information but nowhere than in Afar, it has been institutionalized through elaborate ritual acts. The role of *Dagu*

is very vital for the mobile pastoralist Afar to pass and acquire news like conflict, homicide, new alliances, weddings, missing cattle and about the area where water and pasture are available. The Afar respect the rules of the *Dagu* custom and it is believed that exchanging news is the responsibility of every Afar. Whenever they meet someone on the road who has travelled reasonably far, they are required to stop and engage in a news exchange session (Gulilat, 2006).

The aforementioned examples and the discussion that follow in the subsequent section suggest internal explanation of the vitality of local institutions in reference to their role in fostering social cohesion and its adaptive role. Thus, I argue that the viability of local institutions in general and institutions of conflict resolution in particular is mainly related to their continued relevance in helping the Afar adapt and survive in a harsh environment.

2.2. External reasons for the vitality of local institutions – Lower level of state formation among the Afar

As it is already pointed out, many scholars have sought to explain the weakness or strength of local institutions in reference to the state. In the previous section, I have argued for internal reasons for the vitality of institutions of conflict resolution among the Afar. But this does not mean that the Afar are insulated from the institutional encroachment by the state. In the following section, I will show the relevance of a state-centric explanation and the specific manifestation of this among the Afar in general and in the study area in particular. As it is learned from empirical data the way the Afar have experienced the Ethiopian state is characterized by regional variations. The study area, the Samu Robi Gala'lo, falls under the least state-affected parts of Afar region. If the decline of local institutions among the Afar of greater state penetration is explained in reference to externally imposed process of social change (Getachew, 2001a, Yasin, 2008, Ayala, 1986), the reverse is true among the Afar of the study area. Lower level of state presence has not only meant local institutions have continued to be relevant but also when the state does arrive among the Afar of the study area it has been localized with a more skewed power relation in favor of the local institutions. This is further strengthened by Ethiopia's new political context, the post-1991 ethnic federalism-based decentralization.

Prior to their incorporation into the Ethiopian empire at the end of the 19th century the Afar were administered by various Sultanates, the strongest of which was the Awsa Sultanate. The incorporation of the Afar into the Ethiopian state is a long process and effective rule by the central Ethiopian government started only after 1944, when Haile Selassie spearheaded his second phase of centralization and bureaucratization in the post-liberation period. Fifteen years later, large-scale irrigation schemes were set up in Amibara, Tendaho, and the nearby urban area of Melka Sede (Getachew, 2001, Maknun, 1993, in Markakis, Yasin, 2008).

During the Derg period, the pastoralist livelihood was considered as backward and none productive. Subsequent to the 1975 Derg's proclamation for the nationalization of land, Alimirah expressed his resistance to the regime apart from organize armed rebel movement, through propagated ideas and agitated the Afar against the new land reform. However, when the Sultan left Asayita for Djibouti, it marked the end of the Sultan's traditional authority for about a decade and half, and he was restored to his leadership position by the EPRDF (Yasin, 2008). In 1974, the military government officially proclaimed for the abolition of local institutions and the beginning of Cultural Revolution that supposedly lead to cultural assimilation.

However, with the coming to power of the EPRDF and the establishment of the ethnic based federal structure in 1991, the Afar of the study area have obtained a chance of self-administration for the first time in their political history and a new *Woreda* of the Samu Robi Gala'lo was established. Despite the fact that the new *Woreda* structure was founded in 1992, yet this change remained invisible for the pastoralists who inhabited the pastoral area with their herds. This is because after the formation of the Samu Robi Gala'lo *Woreda*, its de facto structure remained in Shewa Robit (a town located in neighboring Amhara *Woreda* of Qawat) from 1992-2000. This is due to the absence developed administrative center that would be selected as the center of the *Woreda*. Even after its late arrival, the state structure has not developed trust among the community of the *Woreda* under study. It is for this reason that state in the study area is still at its very formative stage and this state of affair has greatly shaped the mode of interaction between local and state institutions. .

A. Localizing external Institutions

The discussion in the aforementioned section demonstrates that the Afar and their institutions have been under the influence of state and its governance. This section further discusses how external institutions are localized by the Afar; specifically the way the state and Islamic institutions were negotiated and incorporated within the Afar institutional matrix. Since the Afar customary law predates the arrival of Islam and the state run institutions, the role of the latter in serving as agents of social/cultural change is limited. In fact, both institutions are modified and provide social services according to the terms set by the Afar. More importantly, state's visibility among the Afar of the study area is very recent and dates back some merely eleven years old. Even today, the Samu Robi Gala'lo Afar who are appointed as administrators, act as agents of the state but they work in accordance to Afar law. As such, their conduct in handling conflict and other cases demonstrates the vitality of the local institutions. These local elites are the product of their traditional culture that highly influenced them to act in accordance to

the local custom rather than in accordance with the state structure. As it is mentioned above, for instance, if a clan leader identify one of the Woreda administrative officials as a wrong doer, his state position would not protect him from being punished by the traditional tribunals of the clan.

Similarly, the vitality of local governance is expressed the way Afar managed to negotiate cultural practices vis a vis Islamic institution, particularly the Sharia law. Afar are commonly referred to as exclusively Muslims. Notwithstanding the antiquity of Islam among the Afar some of their local practices are said to be in contradiction with official Islamic law. Kassim (1982) wrote that Afar social organizations have numbers of characteristics which stand out as ‘un-Islamic’. But, presently, we can find regional variations between those Afar who still give a preponderant position for local customs through localizing the Sharia law and those Afar who gradually gave up ‘anti-Islamic’ traditions and adopt the ‘proper’ Islamic law.

B. Changing nature of conflicts and the rise of hybrid institutions

One of the reasons for the weakness of local institutions is the changing nature of conflicts and the rise of new forms of conflicts which were unknown to local Afar and their conflict resolution institutions that local institutions became incapable of handling this new conflict generated either in new domains of social life or by new actors. These include the new state governance, introduction of and allocation of new resources and the *Kebele* or *Woreda* appeals, the issue of leadership, the new political context for inter-ethnic conflict etc (Mellese, 2008, in Tarekegn and Hannah). It is known that conflicts are common among the pastoralists, but they have managed to resolve these conflicts effectively through local institutions. However, in the changing nature of conflicts, the local institutions become ineffective and mostly they rely on external institution to resolve these conflicts such as the local government run judiciaries. Most conflict researchers have pointed out that the nature of local conflicts have changed in post 1991 Ethiopia following the implementation of new federal structure. This is particularly true for conflicts related to the establishment of new administrative boundaries and the associated ownership claims over natural resources and on the issue of attaché state power and other public resources. Therefore, subsequent to the new federal state structure the making and remaking of administrative structures at local level have caused internal competition on conflicts and led to tensions among the members of the society who used to live together in peace (Getachew, 2001, Hagmann, 2003, Sarah, 2003.). The issues involved included state power position and its access, control of land, employment and limited resources.

Likewise, similar characteristics of nature of new conflict are observable among the Afar of the Samu Robi Gala’lo at inter clan level in post 1991 era. This can be attributed to power decentralization from the federal to the local levels. Accordingly, in 1991 the Afar of the study area established their respective *Woreda* of the Samu Robi Gala’lo that constituted 12 *Kebeles*. Both *Woreda* and *Kebele* administrative structures ushered new dynamics, which were unknown previously. And, as a result, different nature of competition have emerged between the two major clan groups of the *Woreda*, the *Aytur* and the *Gidiboso*. During the transitional period, from 1991-1995, the Aydahiso sub-clan dominated most of the *Woreda* administrative positions it marginalized the two majority clans mentioned above.

C. Incipient Co-option

Subsequent to the toppling of the Derg in 1991, the EPRDF came to power and established an ethnic based federal structure. It has sought to directly engagement local communities through their own leaders. However, the EPRDF understood that this strategy of direct engagement would not work for the pastoralist societies, especially for the Afar and Somalis. Due to the geo-political sensitivity in Afar and Somali regional states, the government followed security-driven policy where flexibility for effectiveness matters than uniformity or ideological integrity. In her seminar work on Ethnicity and Power in Ethiopia, Sarah (2003), referred to an interview (1994) with the President of the Transitional Government to shed light on how working through local institutions particularly among the pastoralists was justified as follows, ‘You can’t go beyond clan realities to the issues of land, language, culture, participation, power, and to mobilizing the peasants, because they are nomads, so here you either have a clan leader or you don’t. And in these instances we knew that the type of coalition that we needed to build was a coalition [with local leaders]. They are not EPRDF, but they are positively inclined towards EPRDF (Interview with Meles Zenawi.....)’

Through pursuing its’ coalition strategy in Afar, the EPRDF selected its temporary ally, Sultan Alimirah and his families hoping that by renewing his former traditional and religious prerogatives, the Sultan would organize the clan leaders and convince them to collaborate with the EPRDF Government. Hence, Alimirah summoned all Afar clan leaders for the conference held in Bati. At this conference, the clan leaders reached a consensus to establish the federal state structure from regional to *Woreda* levels. This occurred subsequent to the coming to power of the clan leaders into government administrative positions, although it lasted for short period. From the outset, the EPRDF knew that its coalition with the clan leaders would not last for long, and after the transitional period, it substituted them by the young local elites who were socially and politically marginalized social groups in previous times. However, this shifting of power was one of the strategies of the EPRDF to co-opt the local institutions through bringing young and dependent local elites who advocate for government’s policy to administrative positions.

3. Conclusions

This article has explored the issue of the vitality of local institutions of conflict resolutions among the Afar from two perspectives. The first one is internal explanation for the continued relevance of local institutions. The second is external explanations with a special reference to state institutions and their mode of incorporation into the Afar cultural world.

Internal factors that explain the vitality of local institutions have not gained the attention they deserve particularly in the field of conflict resolution. This article goes beyond the existing state-centric approach in the study of local institutions. The state-centric approach often explains the vitality of local institutions predominantly in reference to the strength or weakness of state institutions. This mode of explanation makes the local institutions derivative; as if their very existence and webs of meaning imbued to them depends on what goes within the realm of the state. While criticizing this state-centric approach, recent studies have offered alternative conceptual framework. The concept of heterarchy is a case in point. In an edited volume entitled 'Beside the State', Klute et al (2008, 10) introduced the concept of heterarchy as a counterpart to hierarchy.

Institutions are designed by people primarily to help them solve problems though they are symbolized and ritualized to make them meaningful. The vitality of the institutions the Afar have built and their continued relevance emanates from their adaptive role in fostering social cohesions in an arduous environment. The adaptive role of local institutions is evident for instance in the *Fi'ima* (sanction executing institutions), *Bilu* (an institution that handles homicide), *Meglo* and *Waydal*, and *Absuma* (cross-cousin marriage).

Examining internal explanations for the continued relevance of local institutions does not mean that the Afar are insulated from the institutional encroachment by the state. This article shows the relevance of a state-centric explanation and the specific manifestation of this among the Afar in general and in the study area in particular. As it is learned from empirical data the way the Afar have experienced the Ethiopian state is characterized by regional variations. The study area, the Samu Robi Gala'lo, falls under the least state-affected parts of Afar region.

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