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Composition and Types of Disputes Which Traditional Institutions Deals With in Peacebuilding and Conflict Transformation; A Case Study of Traditional Institutions in Mashonaland Central Province, Zimbabwe.

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Abstract

This study identifies the composition of traditional institutions in peacebuilding and conflict transformation in Mashonaland Central Province in Zimbabwe. The study employed a mixed method approach combining questionnaires with community members, focus group discussions with traditional chief's council members and in-depth interviews with traditional chiefs. The findings indicate that chiefs, village heads and family heads were considered as part of traditional institutions. The study recommended that traditional institutions should also preside over political disputes at grassroots level in promoting peacebuilding and conflict transformation initiatives at grassroots levels.

Keywords: Type your keywords here, separated by semicolons ;

Spiritual leaders, elders, chiefs, village heads, political disputes, land disputes, socio-economic disputes

INTRODUCTION

Traditional institutions beyond any reasonable doubt continue to play an important role in the governance and administration of many African communities. Their roles are not only based on administrative and governance duties but also include economic, social and security services. In addition to this, they play an important religious role which made them contacted regularly by their subjects in efforts to solve life calamities or for spiritual guidance. In many African countries, traditional institutions perform the most excellent role of mediation even of brutal conflicts. According to Logan (2009) in literature, there is huge

cross-country disparity on the indicators of the importance and status of traditional institutions in Africa.

In community development projects, traditional institutions, in particular at grassroots levels, play an important role for resource mobilisation, regulating and utilising and regulating the mobilised resources mobilizing resources based on a notion of having a long-term productive use (Olate, 2003). Even when it comes to management of natural resources, William (1995) indicates that long-term use of the resources depends on the strength, vigilance and active involvement of traditional institutions. This entails that involve the one to use the natural resources would factor in traditional institutions in the rational management of the project.

In many African states, rural communities are characterised by having a well-ordered set-ups. These set-ups have structures responsible for various duties and responsibilities meant to maintain peace and order, development and management of natural resources. Coordination and interaction of different structures are well vested in the community. However, the way of coordination and interaction varies from one community to the other. According to Singh (1994) family unit, kingship, rural community and villages are the key players through which rural African communities are organized. These community structures are the stratus through which varied community objectives are satisfied. Olate (2003) indicated that the social structures are well coordinated, with consideration on different dynamics and community development based on the community needs. Of importance to note is the fact that traditional institutions may take long to accomplish community developmental objectives, may also fade out and also are subject to transformation in quest to meet the demands of emerging opportunities.

Mthandeni (2002) defined a traditional leader as a someone who,
by virtue of his ancestry, occupies the throne or stool of an area and who has been appointed to it in accordance with the customs and tradition of the area and has traditional authority over the people of that area or any other persons appointed by instrument and order of the government to exercise traditional authority over an area or a tribe.

This definition denotes that a number of structures in society are considered to be a part of traditional authorizes. According to The Constitution of Zimbabwe (2013) the legally considered composition of traditional leaders are chiefs and village heads. Contrary to this Mazo (2003) identifies a number of players among them village heads, family heads, spiritual/religious leaders, the elderly and nominated out-spoken members of the community as part of traditional institutions. This created a gap to identify who exactly can be considered to be part of traditional institutions in Zimbabwean communities. With the guidance or provisions of Ayittey (1992) and Meliyo et al., (2006) traditional institutions in many African countries are native authorities. These authorities are born to traditional leadership positions. This means there are not elected by community members within their jurisdiction. However, there are a number of African systems which are followed to recall or displace these leaders if they violate their oath of office or fail to lead according to cultural norms, values and systems.

Beyond any reasonable doubt, it means if we have different structures as composition of traditional institutions, there is need also to identify the type of disputes they preside over as long as peacebuilding and conflict transformation is concerned.

The purpose of this study was to identify who constitute part of traditional institutions in peacebuilding and conflict transformation programmes in Zimbabwean context.

METHODOLOGY

The study was conducted in Mashonaland Central Province. The province has a total area of 28 347km² and a population of 1 152 520 representing about 8.5% of total population of Zimbabwe. The province have seven districts which are Guruve with a population of 200 833 people, Shamva with a population of 98 people 077, Mount Darwin with a population of 307 946 people, Muzarabani with a population of 121 127 people, Mazowe with a population of 198 966 people, Rushinga with a population of 67 829 people and Bindura with a population of 156 842 people, Census Report (2012).

The study used a mixed methods approach combining questionnaires, in-depth interviews and focus group discussions. Survey data was collected from a sample of 250 respondents which was drawn using a stratified random sampling approach from all the 7 districts in the province. In-depth interviews were done with 7 participants representing the 19 traditional chiefs in the province. Seven focus group discussions were conducted with 65 out of 87 members who comprise the Chiefs' Councils (Dare Ramambo). Purposive sampling was used to identify participants for both the in-depth interviews and focus group discussions.

RESULTS AND DISCUSSION

Who Constitute Traditional Institutions in Peacebuilding and Conflict Transformation?

Table 1 below shows spiritual leaders and elders were recognised less than chiefs, village heads, kraal heads and family heads, elders and spiritual leaders.

Table 1 Composition of Traditional Institutions

Community Perception on Composition on Traditional Institution of Peacebuilding and Conflict Transformation	Sex of Respondents		Total 100% (N=249)
	Male (N=175)	Female (N=74)	
Chiefs	99.4%	98.6%	99.2%
Village Heads	98.3%	97.3%	98.0%
Kraal Head	92.0%	95.9%	93.2%
Family Heads	85.1%	79.7%	83.5%
Elders	34.9%	59.5%	42.2%
Spiritual leaders	20.0%	12.2%	17.7%
Source; Primary data			

Data presented above shows that there were no variations between male and female on who comprise traditional institutions chiefs, village heads, kraal heads and family heads. Notable differences were on elders and spiritual leaders. More females than females indicated that elders were part of traditional institutions. The reason for the variations could be attributed to the fact that in most cases, women are married and stay with children in rural settings (a trend which is now under radical change); they have a tendency to give much respect and honour to the elderly than their male counterparts who meet periodically. However, more male than female indicated that spiritual leaders were part of traditional institutions. This could be because more women than men disassociate with African Traditional religion. Christianity is a religion highly dominated by the female (Mbwirire and Masunungure, 2016).

All FGD informants indicated that chiefs, village heads, kraal heads and spiritual leaders constitute traditional institutions of peacebuilding and conflict transformation.

More so, all KIIs informants echoed the same sentiments that chiefs, village heads, kraal heads, and spirit mediums constitute to traditional institutions of peacebuilding and conflict transformation. When probed on elders and family heads, the informant indicated that elders and family do closely work with them but are not considered legally as traditional leaders. Furthermore, the role of spiritual leaders was almost near to nothing because chiefs lack trust on their participation. Only a handful of spirit mediums exist which had not much to say of value on community challenges. These support the low numbers of household survey which indicated that elders and spiritual leaders were part of traditional institutions.

Survey data agrees with FGD and KII data that chiefs, village heads, kraal heads and family heads were part of the composition of traditional institutions. Differences were noted on spiritual leaders and elders. Community members were not considering elders and spiritual leaders as part of traditional institutions while FGDs and KIIs were on the contrary. The difference might be because in modern days, recognition of elders and spiritual as important components of traditional institutions was affected by freedom of worship with differing ideologies on spiritual leaders as well radical changes in standard of living which do not value elders as it was in the past.

Visser, Steyler and Machingauta (2010) concur with the findings above that traditional institutions comprise of different strata in rural local governance systems since before the colonial era. Constitution of traditional institutions comprises of chiefs, headmen and village heads (VHs). The application of African Customary Law in Zimbabwe legally is stipulated in the Constitution of Zimbabwe while the Traditional Leaders Act [Chapter 29:17] specifies the institution of traditional institutions, which are Chiefs, Headmen and Village Heads. Based on these guidelines, leaders legally are the custodians of the traditional African culture, customs and values. Also, traditional institutions also have an adjudicatory role in conflict resolution through application of the African Customary Law.

Type of Disputes, Role, Approaches and Mechanisms of Traditional Institutions in Peacebuilding and Conflict Transformation

Table 2 below shows that composition of traditional institutions has several roles to play on land disputes and socio-economic disputes.

Table 2 Disputes Resolved by Traditional Institutions

Type of Dispute	Gender	Chiefs	Village Heads	Kraal Heads	Family Heads	Elders	Spiritual leaders
Land	Male (n=175)	100%	94.3%	94.3%	57.1%	61.1%	14.3%
	Female (n=74)	100%	93.2%	90.5%	93.2%	43.2%	16.2%
	Total n=249	100%	94.0%	93.2%	67.9%	55.8%	14.9%
Political	Male (n=175)	1.7%	6.3%	1.7%	1.7%	38.9%	19.4%
	Female (n=74)	1.4%	2.7%	1.4%	1.4%	59.5%	31.1%
	Total n=249	1.6%	5.2%	1.6%	1.6%	45.0%	22.9%

Socio-economic	Male (n=175)	100%	98.8%	97.1%	76.6%	57.1%	77.1%
	Female (n=74)	100%	98.6%	97.3%	75.7%	93.2%	77.0%
	Total n=249	100%	98.8%	97.2%	76.3%	67.9%	77.1%
Source; Primary data							

There was similarity on gender concerning land, political and economic disputes between male and female on chiefs, village heads and kraal heads. The same trend persisted on family heads concerning socio-economic disputes. Notable differences were noted between male and female on family heads on land, political and socio-economic disputes (except family heads on socio-economic disputes) on family heads, elders and spiritual leaders. The cause of the variation might be the fact female community members are much closer to these institutions as compared to their male counterparts, therefore, they associate a lot to the extent that close relations warranty resolving any form of dispute in the community. Also, family heads, elders and spiritual leaders were not on government pay sheet which makes their role in resolving disputes impartial and apolitical to a certain extent.

FGDs data indicated that land disputes, socio-economic disputes were resolved by traditional institutions except political issues. KIIs concurred with data from focus group discussions. When probed, key informants indicated that they were not allowed to deal with political disputes according to the law. According to the Constitution of Zimbabwe (2013) Chapter 282, legally traditional institutions resolve land disputes and socio-economic disputes. One key informant said *"disputes which have a criminal component were dealt with other governments department such as the police and judiciary systems"* (KII informant). However, all social issues were resolved by traditional institutions for promoting co-existence between warring parties. The Customary Law and Local Court Act [Chapter7:05] empowers chiefs and headmen to preside over civil cases which can be determined using African Customary Law. In reality, village heads preside over civil matters in resolving disputes informally.

Data presented above shows that survey, FGD and KII data agreed that political disputes were outside the jurisdiction of traditional institutions in terms of Constitution of Zimbabwe (2013) Chapter 282 and The Customary Law and Local Court Act [Chapter7:05]. Chiefs, village heads and kraal heads were the top hierarchy in society which were highly considered to deal with land disputes and socio-economic more compared to family heads, elders and spiritual leaders. This goes hand in hand with the regulatory framework in Zimbabwe used in this study. Of interest to note is the fact that on political disputes, family heads, elders and spiritual leaders had high figures as compared to chiefs and village heads. This might mean the closer in proximity, the more nature of disputes solved.

The type of disputes traditional institutions resolve in this study matches the ones identified by (Pkalya, Adan and Masinde, 2004). The scholars indicate that traditional institutions components such as traditional chiefs, community elders, family heads, ethnic group, religious leaders, local governance structures and ethno-linguistic groups continue to play a critical role in resolving conflicts and other social disputes at community level. Western approaches to conflict resolution refer to the use of official other third party intervention systems in attempting to reach a settlement.

In line with data presented above, African conflict resolution approaches cover social disputes, economic issues, cultural issues and religious-spiritual issues in agreement with the tradition, customs and beliefs of a society. The techniques involve negotiations between warring factions, mediations processes and

reconciliation based on the understanding, traditions and the history of the concerned people. The practice is normally led by kings, traditional chiefs, elders, spiritual leaders, elders and tribal leaders significant in the community in form of community courtship, rites, ritual and ceremonies in which the whole community is involved. Material goods exchanges, prayers and appeasement of the gods/ancestors are executed and in mostly, become a joyful occasion. In customary African societies, conflict is habitually resolved using laid down traditions. This is because the re-establishment of peace, its sustainability and social concord are most important for the wellbeing of the whole society.

At independence, the Zimbabwe government adopted a post-socialist model of development and introduced Village Development Committees and Ward Development Committees (Makumbe, 2010). This created conflict between government structures and systems and traditional systems at grassroots levels in Zimbabwe.

CONCLUSION AND RECOMMENDATIONS

Spiritual leaders and elders were not highly regarded as part of traditional institutions in peacebuilding and conflict transformation. Women considered spiritual leaders and elders as part of traditional institutions than men.

Socio-economic and land disputes were the types of disputes which the traditional institutions resolved successfully.

Composition of traditional institutions should include spiritual leaders and elders based on the influence they have at grassroots levels.

Traditional institutions should continue to resolve socio-economic and land disputes at grassroots levels in order to promote peacebuilding and conflict transformation.

The study also recommended that traditional institutions should also preside over political disputes at grassroots level in promoting peacebuilding and conflict transformation initiatives at grassroots levels.

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