

**INDIGENOUS CONFLICT RESOLUTION STRATEGIES IN RURAL
COMMUNITIES OF ZAMBIA: A CASE STUDY OF LENJE PEOPLE
OF MUNGULE CHIEFDOM IN CHIBOMBO DISTRICT.**

By

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A dissertation submitted in partial fulfillment of the requirements for the award
of the degree of Master of Science in Peace, Leadership and Conflict
Resolution. The University of Zambia/Zimbabwe Open University

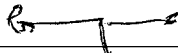
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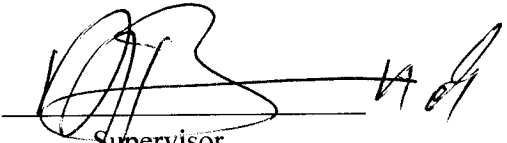
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Supervisor

DEDICATION

This project is dedicated to my family especially my wife Abigail, my children, Grace and Samantha, and our only son Tatenda, for whom the world makes sense to me. I remained on this work because of them. To father, A.J Gwanzura for teaching and showing me the importance of education. To my sisters Chipo and Martha for having faith in me. I hope I will make you proud. I also dedicate this work to my late mother, Mrs. G. Gwanzura, I miss you a lot mum.

Acknowledgements

I would like to express my heartfelt and sincere gratitude to my supervisor Dr. Dennis Banda for his diligent assistance, important and constructive comments, suggestion and advice, and for dedicating his precious time in reading and correcting this research starting from the beginning. I would want also to extend my sincere gratitude to Professor David Chakuchichi for helping me with relevant materials and up to date information for my research.

I am happy to give my special thanks to the Mungule advisory committee for their great role in supplying relevant and up to date information. I am also glad to thank my family and my classmates for their support and advice from the beginning. In addition, I would like to express my special thanks to the community of Mungule for their honest cooperation in providing the necessary information.

I would like to express my deepest gratitude to her royal highness chieftainess Mungule for allowing me conduct, my research in her chiefdom.

Lastly and most importantly, I thank the Almighty God for extending His grace and blessings which have made it possible for me to receive all the goodwill from different people who supported me all the way till completion of the work.

Abstract

This study was an exploration of the indigenous conflict resolution strategies of people in Mungule chiefdom. Specifically, the study identified the common conflicts; explored the various Indigenous Conflict Resolution Strategies used to solve those conflicts. Finally, the study identified the challenges that indigenous conflict resolution institutions face and the prospects that indigenous conflict resolution have achieved. The study is, presented in an exploratory manner employing a qualitative approach to analyze the data gathered through semi-structured interview, focus group discussions, and personal observation. The findings revealed that the institution deals with a wide range of conflicts that are often caused by competition over natural resources, land boundary trespassing, marriage related issues and theft. To address these conflicts, the Nkuta uses special process and procedures of mediation and reconciliation. The challenges were the absences of incentives, lack of modern education and proper training militate against the effective application of the institution in the resolution of local level disputes. The study concluded that indigenous conflict resolution strategies are still relevant and should be mainstreamed in all processes of conflict management.

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List of Abbreviations

| | |
|------------|------------------------------------|
| ADR..... | Alternative Dispute Resolution |
| CR | Conflict Resolution |
| FGD..... | Focus Group Discussions |
| HNT..... | Human Needs Theory |
| ICR | Indigenous Conflict Resolution |
| IK..... | Indigenous Knowledge |
| IMs | Indigenous Mechanisms |
| NGOs | Non-Governmental Organizations |
| UN..... | United Nations |
| UNDP..... | United Nations Development Program |

CHAPTER ONE

INTRODUCTION

1.0 Introduction

This chapter commences with the background of the study, statement of the problem, purpose of study, objectives of the study, research questions, and significance of the study, scope of study and definition of terms.

1.1 Background of the Study

Conflict is a phenomenon that is always there in human interactions. People experience conflict in their everyday lives. Social, economic, religious and political issues are often at the heart of human conflict. Differences in interest on these issues can cause conflict of various natures. Different societies can also experience different nature of conflict depending on their socio-economic and cultural based context (Kohlbage, 2008).

All societies across the world have institutions and mechanisms of conflict resolutions among themselves and with other groups. Some societies such as modern western societies rely more on the justice system of the state, whereas most African rural societies have employed their indigenous mechanisms of conflict resolution. Obviously, almost all African societies still have their indigenous mechanisms of conflict resolution (Dejene, 2002).

In this regards, Tobiko (2013) states that before the coming of colonial powers to Africa, customary laws governed almost all affairs of the people of Africa including their customary mechanisms of conflict resolutions. The colonial power, however, destroyed the indigenous institutions and replaced them with 'modern' legal systems that have been proved ineffective. Nevertheless, despite colonial powers efforts to eliminate the indigenous system, most traditional institutions have survived to this day and are functioning effectively. For example, the Rwandan Gacaca court, which provided speedy solution to genocide criminals in Rwanda (Kohlbage, 2008) and Ajaweed Council that, handled Darfur criminal and civil cases (Ibrahim, 2013).

Like other African societies, different ethnic groups in Zambia have their own institutions and mechanisms of conflict resolution. However, the state formation process of the late 19th

century and the political climate that followed it devalued them in many respects. According to Dejene (2002), societies in different parts of the world still apply indigenous laws in their administration of justice to solve socio-economic and political problems. In the process of solving social and economic problems through indigenous method, conflicting parties are all willing to accept and abide by their traditional cultures and ignoring these traditions would amount to exclusion from the societal norms and neglecting by the society (Dejene, 2002).

The study explores the application of indigenous strategies to conflict resolution in Mungule Chiefdom and the challenges faced by these indigenous conflict resolution institutions. Figure 1.1 below is the map showing Mungule chiefdom in Chibombo district.

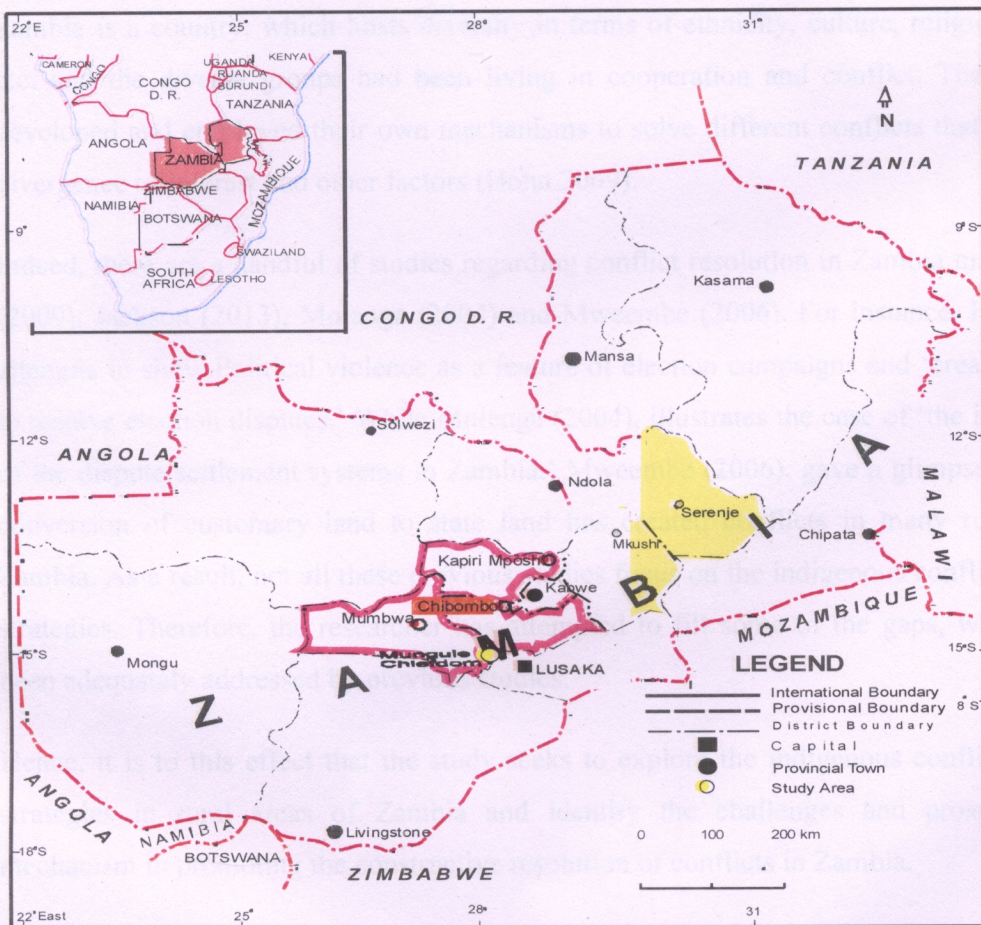


Figure 1. Location of study area-Chibombo, Central and Zambia

1.2 Statement of the Problem

Africans have their own means of addressing and resolving conflicts since the remote past (Zartman, 1989). Tirsit (2002) notes that traditional approaches of conflict resolution are an important component of the cultural heritage of African societies.

Africa, therefore, has a number of indigenous conflict resolution strategies, which still help its people to manage and resolve conflicts ranging from inter personal to interethnic ones. The role of such African born conflict management and reconciliation methods are observed in Rwanda, Kacoke meditation meetings in northern Uganda (Malan, 2005), Kidepo valley communities of eastern Equatorial and Mato Oput of the Acholic people of northern Uganda (Brock-Utne, 2001). As part of the African continent, Zambia cannot be an exceptional case. Zambia is a country, which hosts diversity in terms of ethnicity, culture, religion; language etc. and the diverse groups had been living in cooperation and conflict. They have also developed and employed their own mechanisms to solve different conflicts that arise due to divergence of interest and other factors (Hohn 2009).

Indeed, there are a handful of studies regarding conflict resolution in Zambia made by Hohn (2009), Jackson (2013), Mulenga (2004) and Mweembe (2006). For instance, Hohn (2009), attempts to show Political violence as a feature of election campaigns and 'creating avenues to resolve election disputes.' While Mulenga (2004), illustrates the case of 'the inefficiencies of the dispute settlement systems in Zambia.' Mweembe (2006), gave a glimpse on how the conversion of customary land to state land has created conflicts in many rural areas of Zambia. As a result, not all these previous studies focus on the indigenous conflict resolution strategies. Therefore, the researcher has attempted to fill some of the gaps, which had not been adequately addressed by previous studies.

Hence, it is to this effect that the study seeks to explore the indigenous conflict resolution strategies in rural areas of Zambia and identify the challenges and prospects of the mechanism in promoting the constructive resolution of conflicts in Zambia.

1.3 Purpose of the Study

The purpose of study is to explore the indigenous conflict resolution strategies in Mungule Chiefdom of Zambia.

1.4 Objectives of the Study

The Objective of the study constitutes the following main and specific.

1.4.1 Main Objective

The main objective of this study is to explore the indigenous conflict resolution strategies in rural communities of Zambia.

1.4.2 Specific Objectives

Besides the above main objective, the proposed studies also have the following specific objectives:

1. To establish the common types of conflicts in Mungule Chiefdom of Chibombo district in Zambia.
2. To explore the various Indigenous Conflict Resolution Strategies used in Mungule chiefdom.
3. To investigate the challenges of Indigenous Conflict Resolution Strategies in bringing long lasting solutions to conflicts.
4. To identify the prospects of conflict resolution strategies in bringing long lasting solutions to conflicts among the people of Mungule Chiefdom.

1.5 Research Questions

1.5.1 Main Research Question

The Main research question of this study is; what are the indigenous conflict resolution strategies used in rural areas of Zambia?

1.5.2 Specific Research Questions

This study tried to answer the following specific research questions:

1. What are the common types of conflicts in Mungule Chiefdom?
2. How are the indigenous conflict resolution strategies applied and resolve conflicts in Mungule Chiefdom?
3. What are the contemporary challenges Indigenous Conflict Resolution Strategies in bringing about peace?
4. What are prospects of the conflict resolution strategies in Mungule Chiefdom?

1.6 Significance of the Study

A study on indigenous conflict resolution strategies is one important area of peace and conflict resolution research. Therefore, the study introduces better perspectives about the role of indigenous conflict resolution mechanisms for the society and the country in general. It may inspire further research activities over crucial factors focused on the study in relation to indigenous conflict resolution strategies in other areas. Moreover, the findings/outcomes of this research are also supposed to serve as a significant and reliable ground for policy makers, the house of chiefs, legal personnel and development partners (government bodies, non-governmental organizations, etc.) in their activities towards initiating, executing, handling and supervising the holistic and sustainable development of the study area and other similar localities of the country. It may also contribute to the understanding of the characteristics of these indigenous institutions of conflict resolutions and differences between such institutions in different social contexts. Finally, the study also gives an input to the body of knowledge with its contribution to the understanding of the indigenous mechanisms used in resolving conflict in rural areas.

1.7 Scope of the Study

1.7.1 Limitation of the study

Any of the assessments and findings of the study are specific to the study area. The study is only limited to Mungule Chiefdom, because of limited sample size. Findings of this study will not represent or correspond to other areas of the country. Furthermore, the study will not explore the types of conflict and the role of indigenous conflict resolution strategies and its challenges in the urban area.

1.7.2 Delimitation

The purpose of delimiting a study is to make it more manageable and focused. Due to the logistical challenges of covering the entire district, the study will focus only on Mungule chiefdom in Chibombo District.

1.8 Theoretical Framework

Peace and conflict studies are concerned with the transformation or resolution of conflict and the building of amicable and positive peace. In order to understand peace and conflict

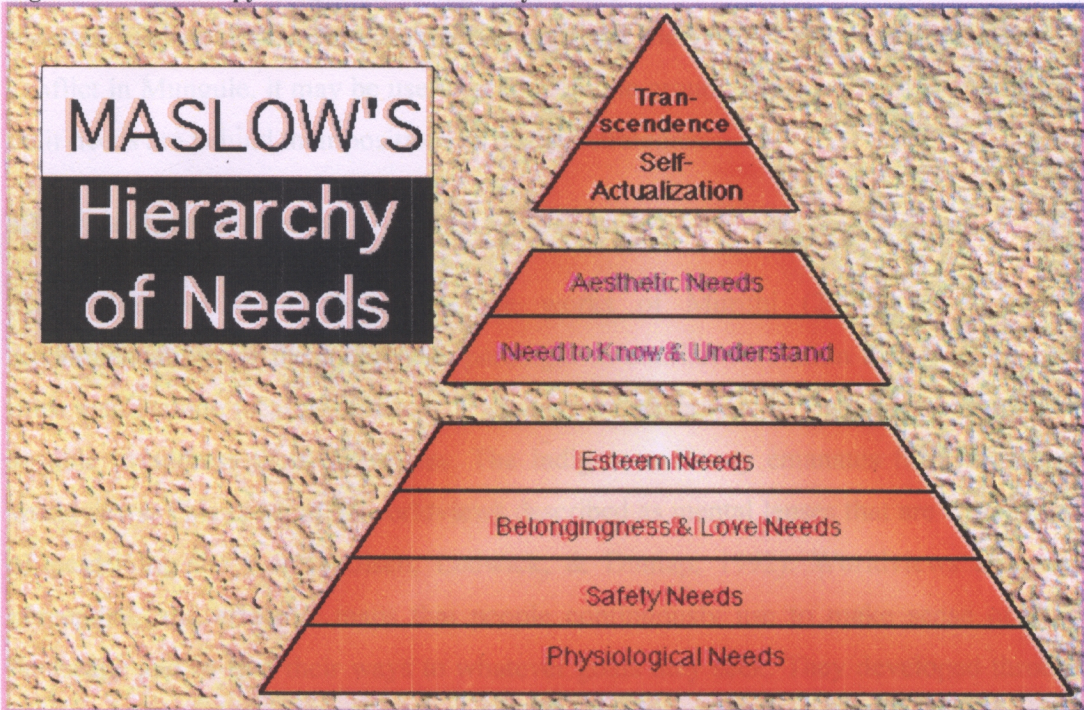
resolution mechanisms, it is important to look at the theories underpinning the subject. Similarly, Owutu (2014) says that the theoretical framework is the underpinning of a research study, based on theory. Therefore, theory in its most general sense describes or explains something. Often it is the answer to 'what', 'when', 'how' or 'why' questions (Olayinka, 2006). The theories must be such that they help in the understanding of the types and causes of conflicts. This study looks at two theoretical explanations (Murithi's indigenous theory and human needs theory) for the causes of conflict and conflict resolution.

1.8.1 Human Needs theory

The Human Needs theory provides a framework of analysis that centres on the unmet human needs. Human needs theorists argue that conflicts and violent conflicts caused by unmet human needs. Both Maslow and Burton (in Marker, 2003) viewed these needs as not limited to food, shelter, and water, but rather extend to include nonphysical elements needed for human growth and development, participation, control over their own life, as well as all those things human beings are innately driven to attain. Violence occurs when certain individuals or groups do not see any other way to meet their need, or when they need understanding, respect and consideration for their needs. Similarly, Rosenberg (2003) states that violence is a tragic expression of unmet human needs, implying that all actions undertaken by human beings are attempts to satisfy their needs. Various scholars have applied human needs theory. In this study, I will briefly explore the proposals of John Burton and Abraham Maslow.

John Burton (1997) has been applying human needs theory more actively to current social and political conflicts. In his work on protracted, social conflicts, he looks at how universal human needs often are neglected leading groups to use violence to claim their rights and satisfying their needs. For Burton, the concept of basic human needs offered a possible method of grounding the field of conflict analysis and resolution. He points out that aggressions and conflicts are the direct result of some institutions and social norms being incompatible with human needs. His submission is that aggression and antisocial behaviours are stimulated by social circumstances. Denial by or inability of society to provide material basic needs, recognition, and identity would lead, at all social levels, to alternative behaviours designed to satisfy such needs, be it ethnic conflict, street gangs, or domestic violence.

Figure 1.8 shows the pyramid of human needs by Maslow.



In the above Pyramid of Human Needs, Abraham Maslow (In Marker, 2003) puts emphasis on the hierarchy of needs, stating that some are more urgent than others are. On the base of the pyramid, he places food, water, and shelter. On a second level, he places the need for safety and security, followed by belonging or love. The need for self-esteem is on the fourth level and finally on a fifth and final level, personal fulfilment. Maslow argues that each human being is trying to meet needs on a certain level at any one time. An individual looking to meet needs for food and water will not be looking to meet needs of belonging, love or self-esteem. Only when the needs on the lower end of the Pyramid are met, will humans look to meet their need for personal fulfilment.

The implication is that the human needs theory is particularly important in understanding the types, causes, resolution, and management of conflict in the developing regions, such as Africa. This theory is strikingly crucial because it moves beyond theories that blame conflicts in Africa on a primordial past, such as colonialism or neo-colonialism, global market or Africa's failure to follow Western development culture. It is also different from the theories that attribute the causes of conflicts to the inherent aggressiveness of man. In addition, it is different from the theories that see conflict causation as the natural instinct of human being to aggress and thus concentrate on using the police and other paramilitary agencies for controlling conflicts. The human basic needs theory emphasizes instead, the problems of the

(domestic) institution of government's inability to meet the basic needs of the population, as the source of conflicts. Therefore, when applying the Human Needs Theory (HNT) to the conflict in Mungule, it may be useful to look at one group at the time, trying to identify what their needs are behind their positions or desired strategies.

1.8.2 Indigenous theory

The indigenous theory based on the works of Murithi (2000); gave one of the recommendations of the indigenous paradigm to conflict resolution that is peace processes must also include local populations in order to be effectively grounded in their realities, and so able to address their grievances. The indigenous theory emanates from the concept of worldviews. This concept of worldviews described as mental lenses that are entrenched ways of perceiving the world (Olsen, Lodwick, & Dunlap, 1992). Worldviews are cognitive, perceptual, and affective maps that people continuously use to make sense of the social landscape and to find their ways to whatever goals they seek. They developed throughout a person's lifetime through socialization and social interaction. They are encompassing and pervasive in adherence and influence. Olsen et al., (1992) suggested that in any society there is a dominant worldview held by most members of that society. Alternative worldviews do exist, but the majority of society does not usually hold them. There appear to be many commonalities between Indigenous worldviews (Gill, 2002; Rice, 2005). McKenzie and Morrisette (2003) explained that Indigenous worldviews emerged because of the people's close relationship with the environment.

Leanne Simpson (2000) outlined seven principles of Indigenous worldviews. First, knowledge is holistic, cyclic, and dependent upon relationships and connections to living and non-living beings and entities. Second, there are many truths, and these truths are dependent upon individual experiences. Third, everything is alive. Fourth, all things are equal. Fifth, the land is sacred. Sixth, the relationship between people and the spiritual world is important. Seventh, human beings are least important in the world. It is apparent to me that these and other discussions of Indigenous worldviews highlight a strong focus on people and entities coming together to help and support one another in their relationship. This has been called a relational worldview (Graham, 2002). Key within a relational worldview is the emphasis on spirit and spirituality and, in turn, a sense of communitism and respectful individualism.

Communitism is the sense of community tied together by familial relations and the families' commitment to it (Weaver, 1997; Weaver, 2001).

The indigenous approach is an approach that involves these indigenous worldviews, local institutions and mechanisms, through processes of internal as well as external dialogues, to respond to the emerging social, political, and economic situations (Muyingi, 2013). Thus, traditional African structure such as Ubuntu based on the values of humanness, caring respect, compassion, and associated values ensuring a happy and qualitative human community life in a family spirit (Broodryk, 2004).

Braimah (1998) says that Traditional Methods of Dispute Resolution are those methods practiced for an extended period and have evolved within societies rather than being the product of external transplantation. To the extent that there are similarities and differences in the congeries of these methods defined as such by those who see themselves as Africans, there is a sense in which we can think and talk of Traditional Methods of Dispute Resolution. They develop them around specific conditions of populations and communities indigenous to a particular geographic area, and in this context within the society.

In the indigenous paradigm, conflict resolution has to include the expansion of new methods of solving conflict in the African context, in order to promote peace, human life, dignity, and development (Francis et al., 2004). The goal of including new methods is to have valuable insights that can inform the rebuilding of social trust and restoration of the conditions for communal coexistence. Thus, peace, human life, dignity, and development achieved through the expansion of new methods of conflict resolution such as traditional African ethics (Bob-Manuel, 2000). The indigenous approach constitutes the glue for socio-cultural and political cohesion (ibid). For that reason, this study wants to establish whether the indigenous conflict resolution approach has had a significant degree of success in maintaining order and ensuring the peaceful coexistence of groups in Mungule Chieftdom.

The human needs theory and the indigenous theory will therefore be the framework for analysing the types and causes of conflict and conflict resolution in this study. This research, therefore, will employ the human basic needs theory for understanding the types and causes of conflicts and the indigenous theory for the resolution of conflict in Africa.

1.9 Ethical considerations

Direct consent was obtained by attaching consent forms to every semi-structured interview (SSI). Before the interviewees answered any questions, they were required to sign and agree or disagree to be audio recorded, to be quoted, whether the researcher should take note, photographs and whether the results are to be shared.

The data reported in this research is honestly reported and the researcher has withheld no data, methods were used as explained in the methodology section and intellectual property of others respected by citing relevant literature accordingly. In the use of the data collection instruments there was no bias towards or against any sex, race, gender or tribe and no respondent was harmed physically or psychologically. After approval from the University of Zambia/ Zimbabwe Open University was obtained to conduct the study, permission was obtained from the ethics committee.

1.10 Operational Definition of Key Terms

Conflict: refers to “an expressed struggle between at least two interdependent parties who perceive incompatible goals, and interference with the other party in achieving their goals” (Hocker & Wilmot, 1991).

Conflict Resolution: is “the process used by parties in conflict to reach a settlement” (Sweeney and Carruthers, 1996).

Indigenous: A practice that has developed separately in the context of traditional societal structures in particular place and have been practiced in that context over a substantial period of time (Volker 2007).

Indigenous conflict resolution: is where local communities settle disputes in the absence of state or formal justice system (Barfield et al, 2004).

Mediation: is voluntary participation in a structured process in which an unbiased third party assists two or more disputing parties who are trying to reach an agreement (Girard, Refkin, & Townley, 1985).

Negotiation: refers to voluntary problem solving or bargaining carried out directly between the disputing parties to reach a joint agreement on common concerns (Girard et al., 1985).

1.11 Structure of the dissertation

The dissertation has five chapters. The chapters are:

Chapter One has the introduction where the background, statement of the problem, research objectives and questions, are presented. The chapter also presents the theoretical framework, purpose of the study, delimitation, and definition of terms used in the report.

Chapter Two reviews the literature that has informed the study.

Chapter Three presents the methodology that the researcher used in the study.

Chapter Four presents' and discusses the research findings.

Finally, Chapter Five presents the conclusions and recommendations arising from the study.

1.12 Summary

The chapter has presented the introduction to the dissertation giving background, problem statement, and purpose of the study, research objectives and questions. The chapter has also provided the theoretical frameworks that have guided the study. The two theoretical frameworks used were Needs theory, which looked at the types and causes of conflict and the indigenous theory, which looked at the application of indigenous approach in resolving conflicts. The next chapter will discuss the literature that informed this study.

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

The research aims at exploring indigenous conflict resolution strategies. Therefore, to strengthen this, an intensive literature review carried out with the purpose to cover literature related to the research topic and to identify the gap within the literature that this study might contribute to fill-in. In this respect, I covered four aspects of literature: (1) literature related to the concepts of the study. (2) literature related to conflict and conflict resolution across the world, (3) literature related to conflict and conflict resolution in the Africa and finally, (4) literature related to conflict and resolution in Zambia.

2.1 Concepts of the study

2.1.1 Concept of Conflict

A starting point of understanding conflict as used by Isike and Uzodike is that it is an inevitable phenomenon in any society. In other words, it is an inherent dimension of human relations, an undercurrent of social relations (Centre for Advanced Social Science (CASS) 2005). Therefore, conflict and peace defined and viewed against the backdrop of security and stability. It is almost impossible to define or explain the term concept- conflict and peace- in isolation of security and stability. This is because both terms are, nonetheless, critical variables in the analysis of security and stability.

According to Mumuni Abdallah (2005) in his master thesis (conflict resolution in West Africa) conceptually, conflict presents a serious problem, particularly with the increasing expressed scepticism about realist definition used to describe it. Some analysts argue that, conflict often expresses itself in the form of violence, noting that once it assumes this character, "it becomes both undesirable and counter- productive" (Maltosa 1999).

It is, however, important for us to note that the concept itself does not carry any threatening connotations. For example, Rubin, Pruitt and Kim (1994) explain it as "perceived divergence of interests or beliefs that the parties' current aspirations cannot be achieved simultaneously." For their part, Bercovitch and Allison (1996) have argued that conflict can lead to mutual

satisfaction and growth or it may produce acrimony, hostilities and violence. Therefore, not all conflicts are a threat to peace. Only the negative action taken to resolve the conflict may represent the threat to peace. The term 'negative' according to Bakut (2007) connotes action that entails injuring other people or destroying their property in the attempt to resolve the conflict: for example, the use of arms (armed conflict) to resolve the conflict in one's favour which may result in mass killings, murder or even genocide of innocent and unarmed civilians. This study would want to find out as to whether the above types of conflict are understood by the people of Mungule chiefdom.

In his conceptual approach, Bakut (2007) defines conflict as the “the pursuit of incompatible goals or interests by different groups or individuals.” According to him, all human or groups of human have goals and interests, which may be different with the goals and interests of other groups. Hence, conflict becomes inevitable especially when those groups confront each other in the process of achieving their goals. In the international arena, governments seek to achieve some national objectives such as security, more territory, and access to markets, prestige, alliances, and many other goals. In pursuing these goals, conflict may occur from incompatible positions over an issue (Ibid). Similarly, Forster (2007) identifies three general forms of conflict; these are interstate, internal, and state formation conflicts. According to Forster, interstate conflicts are disputes between nation states or violations of the state system of alliances while internal and states conflicts are conflict that is taking place within the state and that are posing a severe challenge to traditional conflict management techniques.

The international community has become increasingly concerned with the rise in frequency and intensity of internal conflicts, which are contributing to the expanding nature, sophistication, and at times legitimisation, of interventionist policies. Examples of internal and state formation conflicts include civil and ethnic conflict. Today, the focus of attention is on global conflicts, where non-state groups combat internal and regional organisations (Forster, 2007). Conflict seen as a distinct category of social behaviour of two parties trying to get something they both want but cannot both have (Miall *et al.*, 2005). Moreover, conflict apprehended as a potentiality or a situation, as a structure or manifestation, as either an event or a process. Hence, conflict is a social phenomenon where reality comprises multiform and interwoven potentialities, dispositions, and powers. This conflict refers to the prevailing pattern of political and violent conflict and armed conflict refers to those that involve the use of force that is detrimental to human existence (Forster, 2007). We do not know whether

conflict is the prevailing pattern of political and armed conflict in Mungule chiefdom. This study therefore, wants to establish the types and causes of conflict in Mungule chiefdom.

Galtung (2005) has complemented this definition by arguing that conflicts have both life-affirming and life-destroying aspects and they form from contradictions in the structure of society. Once formed, conflicts undergo a variety of transformational processes: articulation or des-articulation, complexification or simplification, polarisation or de-polarisation, escalation or de-escalation. Galtung proposes a model of conflict that encompasses both symmetric and asymmetric conflicts (Mumuni Abdaliah, 2005).

This study employs the concept of conflict, in broad terms, to describe violence, war, and all other kinds of conflicts. In this light, the definitions employed to fit into the conflict assessed here will be opposition over scarce resources (incompatible goals). Whereby incompatibility in goals creates the premise to neutralize, gain advantage over, injure or destroy an opponent. The main character of conflict in Africa entails that social entities, which are ethnic groups, were opposition over scarce resources (incompatible goals) are often eminent. Scarce resources often portray other elements for which group opposition arises in Africa. In some cases, it leads to ethnic marginalization, favouritism, discrimination, power tussle and civil unrest. An example on these incompatible goals in conflict can be seen from the Hutus and Tutsis ethnic clash in Rwanda, because one group felt marginalized in political and economic aspirations compared to the other (Suleiman, 2010). Despite the importance of the term conflict, there remains lack of understanding of the term by many. It is for this reason that this study wants to establish the types of conflicts in Mungule chiefdom.

2.1.2 Concept of Conflict Resolution

The University of Michigan arguably contributed immensely in the evolution and spread of the concept of conflict resolution through the Journal of 'Conflict Resolution,' which started in 1957 and the Centre for Research on Conflict Resolution founded in 1959. Subsequently, many other Institutions in Europe, North America and Africa began to entrench the concept and theories through various literatures (Kriesberg, 2007). Conflict resolution is a range of processes aimed at alleviating, eliminating or transforming actual and potential violent conflict into peaceful (non-violent) processes for social development, human safety and political change (Mwajiru, 2001). According to Oliver (2001), conflict resolution is concerned with addressing the fundamental causes of conflicts and aims to produce solutions,

which are mutually acceptable to all parties. Similarly, Bukari (2013) says that conflict resolution aims at identifying the main causes of conflict and put an end to the conflict to ensure sustainable peace. The United Nations Department for Economic and Social Affairs (UNDESA) (2001) maintains that a conflict is resolved when the root causes of that particular conflict are identified and addressed. Miller (2003) posits that conflict resolution is “a variety of approaches aimed at terminating conflicts through the constructive solving of problems, distinct from management or transformation of conflict” (p. 8). For Mial and Wood House (2001), conflict resolution, expected that the deep-rooted sources of conflict addressed and resolved, and behaviour is no longer violent, nor are attitude hostile any longer, while structure of the conflict change.

Conflict resolution operates at a number of levels or tracks, and encompasses a range of techniques from conciliation to mediation, negotiation, arbitration, problem solving and alternative dispute resolution (Muyingi, 2013). Therefore, Conflict resolution seeks to design solutions through a joint-problem solving approach. Hence, the appropriate method may depend largely on the nature and type of conflict involved. Generally, the various methods of conflict resolution are usually a process in that each requires a certain procedure and time and not just a one-way approach (Best, 2006). When a conflict is successfully resolved, the conflict transformed and becomes a catalyst for deep-rooted enduring positive change in individuals, relationships and structures (development) (UNDESA, 2001). Thus, successful resolution of a conflict will ensure sustainable peace, which would lead to improved security and good relations among people and human well-being and general development. Muyingi’s assertion is that successful resolution of conflict will ensure sustainable peace. However, we do not know whether in Mungule this is the same. Therefore, this study wants to investigate on whether conflict resolution strategies used in Mungule chiefdom brings about sustainable peace.

Godongs (2006) maintains that mediation by a third party (institutions and bodies) helps to identify the root causes of conflicts in order to address them. Godongs believes that mediations are collaborative and reconciliatory to help to design solutions through a joint problem-solving approach to conflicts. In all this, one understands conflict resolution to imply that conflict is bad, hence it is something that should not be encouraged. It also assumes that conflict is a short-term phenomenon that can be “resolved” permanently through mediation or other intervention processes. The African conception and philosophy of conflict

resolution entails a spiritual dimension which refers to creating and restoring impaired relationship with God, the spirits, ancestors, family and neighbours as the case might be (Mbiti, 1991) which is very critical in restoring other relationships at the physical levels. In my opinion, the most effective forms of conflict resolution, is identifying the underlying causes and types of the conflict and addressing them through solutions that are mutually satisfactory, self-perpetuating, and sustaining. It is for this reason that this study wants to establish the types and causes of conflict in Mungule chiefdom.

2.1.3 Concept of Indigenous Conflict Resolution Mechanisms

According to Bukari (2013), indigenous conflict resolution mechanisms comprise social, economic, cultural and religious-spiritual dimensions in accordance with the entirety of traditions, customs and worldviews of a society within the different spheres of societal life. The methods involve negotiations, mediations and reconciliation based on the knowledge, customs and history of the community (Ibid). Leaders of the community led the process and took the forms of rituals in which the whole community takes part in it (Journal of Sociological Research, 2013). The African conception and philosophy of conflict resolution entails a spiritual dimension which refers to creating and restoring impaired relationship with God, the spirits, ancestors, family and neighbours as the case might be (Mbiti, 1991) which is very critical in restoring other relationships at the physical levels. One major issue in Mbiti's findings is the idea of spiritual dimension. We do not know whether conflict resolution in Mungule chiefdom brings about the idea of spiritual dimension. This study therefore, wants establish the prospects of indigenous conflict resolution.

In traditional African societies, conflict is often resolved using laid down traditions (Nwolise, 2005). This is because the restoration of peace, its maintenance and social harmony are important for the welfare of the entire society. Similarly, Broodryk, (2004) argues that the traditional African worldview of Ubuntu based on the values of humanness, caring, respect, compassion, and associated values ensuring a happy and qualitative human community life in a family spirit. Hence, the indigenous conflict resolution mechanism aims at the restoration of humanness, values and community life. Ubuntu described as a community-based mind-set in which the welfare of the group is greater than the welfare of a single individual in the group (Kwamwangamalu, 1999). In distinguishing indigenous conflict resolution mechanisms from western-style Werberian/Westphalia methods of conflict resolution, Castro and Ettenger

(1996) state that the indigenous conflict resolution mechanisms are not merely about adjudication of who is right or wrong and the punishment of culprits, but the reconciliation of the parties to end conflict.

The main aim is the transformation of conflict in which both parties are satisfied and willing to “let go their pain and forgive each other.” Boege (2006) describes this as “reconciliation”. Thus, indigenous approaches to conflict resolution aim at restorative justice, restoration of order, harmony and the maintenance of relationships within the community through reintegrating feuding parties for true reconciliation (Ibid). In addition, indigenous methods are holistic and consensus-based and often involve the participation of all parties as well as the entire community. For instance, Tonah (2007) using chieftaincy conflict that happened in the Wungu Province of the Mamprungu Kingdom in Ghana, describes how indigenous methods of conflict resolution helped to end the chieftaincy conflict in the Wungu Province. Conflicts are understood in their social context involving “values and beliefs, fears and suspicions, interest and needs, attitudes and actions, relationships and networks” (Brock-Utne, 2001), hence the root causes are explored to emphasize shared understanding of the past and present with the immediate objective of mending the broken relationship, rectifying wrongs and restoring justice. The aim is to ensure the full integration of parties into the society again and to adopt the mood of co-operation. Therefore, the objective of African indigenous conflict resolution is not merely to reach agreements, but to move away from accusations and counter accusations, to settle hurt feelings and reach a compromise that will help improve relationships. It is for this reason that this study wants to establish the conflict resolution strategies in Mungule chieftaindom and see whether there able to ensure the full integration of both parties into their societies and adopt the mood of co-operation.

Similarly, Murithi, (2006) is of the opinion that African societies resolve conflicts through the internal and external social controls. The internal social control uses deterrence such as personal shame and fear of supernatural powers while the external control rely on sanctions associated with actions taken by others in relation to behaviour that may be approved or disapproved. Thus, the indigenous resolution mechanism focuses on the principles of empathy, sharing and cooperation in dealing with common problems that underline the essence of humanity (Ubuntu). Therefore, African cultural approaches to resolving and managing disputes plays vital roles in promoting peace and social order in African communities. In contrast to the above assertion, there is much less information about the

prospects of indigenous conflict resolution strategies Zambia. It is for this reason that this study wants to establish the prospects of indigenous conflict resolution strategies in Mungule chiefdom.

2.2 Conflict and Conflict Resolution in the Western and Eastern Countries

Conflicts are as old as human societies themselves. Historically, individuals, social groups, and societies have disputed and competed against one another over scarce commodities and resources- land, money, political power, and ideology. They have even fought one another but at the same time, human societies and groups have found their own ways and means for averting and/or resolving conflicts. The existing body of literature confirms that the nature and causes of conflicts and the mechanisms for resolving them are deeply rooted in the culture and history of every society and they are many important ways unique to them. Panchayat in India (Baxi and Gallanter 1979; Moore 1985), Mediation Committees in China (Li 1978; Clark 1989), and jirga in Afghanistan, (1992; Olesen, 1995; Gletzer 1998). All these operate as informal mechanisms of conflict resolution and differ from one another significantly. More importantly, all these traditional forms of conflict resolution are fundamentally different from the ways conflicts are resolved in much of the Western world (Reichel, 1998). It is for this reason that this study wants to establish the indigenous conflict resolution strategies in Mungule chiefdom.

According to Reichel (1998), the Soviet military intervention in Afghanistan in 1979, as seen the country as a battlefield between competing global and regional powers and groups. Supporting Reichel's view, Dr. Sangarwal (2014) argues that Afghan history is a landslide of conflicts, many imposed by foreign intrusions, and some originating within. These conflicts have often paralleled with the absence of a strong and effective state, resulting in Afghans developing traditional non-state institutions to deal with the recurrent social, economic, political, and military upheavals. These institutions have guaranteed the nation's security in the absence of state.

Central to all these political stabilization and to the reestablishment of social and political order in Afghanistan is the institution of jirga one of the least researched aspects of Afghan culture and society. According to Dr. Sangarwal (2014) the Jirgas have historically attempted resolving conflicts of varying magnitudes, ranging from negotiating small disputes between families to resolving enormous state conflicts. The traditional Jirgas are the gatherings of

elders of all parties involved in a conflict. The opposing parties in a Jirga declare at the beginning of the Jirga meeting their willingness to hand over their decision-making rights to the Jirga. At the end of long periods of negotiations, whatever decision the Jirga makes, the parties involved in the conflict are bound to accept the decision. If any of the affected parties refuse to accept the Jirga decision, they must pay an agreed fine, which tends to be quite significant in amount. In some instances, Jirgas have handed down ruthless punishments to those not obeying a Jirga's decision. As noted above, the causes of conflict in Afghanistan is because of foreign intrusions, and some originating within. We do not know whether the types and causes of conflict in Mungule chieftdom are because of foreign intrusions. It is for this reason that this study wants to explore the types and causes of conflict in Mungule chieftdom.

Prof. Li Xinfeng (2013) in the paper, 'Traditional Methods of Dispute Resolution (TMDR) in China: The Case Study of Declaring Justice Pavilion.' She traced the history of China that was rooted in the suppression of dynasties, achieved through war. She gave an account of how the first Emperor of Ming Dynasty, Emperor Zhu Yuanzhang, attributed the demise of Yuan Dynasty to lack of regulations and weaknesses of the nation's legal system. She stressed that Declaring Justice Pavilion made special contribution to the stability and unity of the Ming dynasty and had a positive impact on future generations. Furthermore, it also played an important role of promoting local harmony. She noted that in the revolutionary base period, Chinese Communist Party, created the people's mediation system, preserved until today. People's mediation is a simple and humane way for resolving civil disputes, integrated into the nation's political life, philosophy, religion, ethics, and morals in 5000 years development of Chinese history and culture (Ibid). One striking similarity in the traditional methods of dispute resolution in Afghanistan, Africa, and Declaring Justice Pavilion as practiced in China is the hierarchical structure of the traditional dispute resolution setting. The elders saddled with the responsibility to maintain law and order through conflict prevention and resolution. My study would want to find out as to whether there is a striking similarity in the traditional methods of dispute resolution in Mungule chieftdom with those of the rest of the world.

The lessons from the traditional dispute resolution for both China and Africa are many. One is that it provides opportunity for amicable settlement of conflict without resulting to litigation, which is more expensive, and time consuming. The methods equally provided

greater peace, stability, and local harmony at the grassroots level. It also emphasis on peace making at all levels of the society, and especially at the local levels using traditional agencies to minimize criminality and conflict; promotion of good inter-ethnic and inter-community relations (Oguntomisin, 2004).

Boege (2004) researched on the war on Bougainville and he argues that the pacific Island of Bougainville was the scene for the bloodiest violent conflict in the South Pacific since the end of the Second World War. Boege asserts that it was a war of secession: the Bougainville revolutionary army (BRA) fought for the separation of Bougainville form Papua New Guinea (PNG) and for an independent state. Boege says that over the last few years Bougainville presents one of the rare success stories of peace building in today's world. The peace building worked mainly because the indigenous customary institutions, methods, and instruments of dispute settlement, conflict resolution, and reconciliation extensively applied in the process.

People of Bougainville today “want a Justice system that is not solely focused on punishment of crime, but also on reconciliation and restoration of relationships damaged by disputes” (Bec 2004). Similarly, Tombot (2003) says that the emphasis is on restorative justice, which is, presented as the genuine traditional form of justice. The justice system in Bougainville today, work based on the inclusion of customary mechanisms of restorative justice in the new state structures, intentionally distancing itself from the colonial and postcolonial legal practice.

Although Mungule Chiefdom is under going through experiences of conflicts, we do not know whether the justice system of resolving conflicts is similar to that of Bougainville. It is for this reason that this study wants to establish the indigenous conflict resolution strategies in Mungule chiefdom.

2.3 Conflict and Conflict Resolution in Africa

Having reviewed the literature of western scholarship on conflict and conflict resolution, we can now turn our focus first to the comparative of African scholarship, and later on move to review the literature on the Zambian conflict by Zambian scholars. Abdi Muhammad (2010) in his dissertation titled “conflict resolution and nation-building in Somalia,” quotes Adedeji Adebayo (1999), in his effort to comprehend African conflicts. He asks the following questions: why has there been so much conflict in changing governments in Africa? Why are

conflicts so perennial as to have become structural in some countries? Why are they spreading like wildfire across the continent? He notes that Western scholarship on African conflicts often put forward tribalism and ethnicism as the main factors responsible for intra-state conflicts. He disputes the efficacy of such analysis and argues, “This type of approach or analysis lacks clarity and consensus as to the exact make-up of the ethnic or tribal phenomena.

In the Horn of Africa, Adebayo (1999) has a different opinion. He notes, “The ethnic factor cannot be ignored entirely. It is more often than not exploited and manipulated by those who are bent on promoting conflicts. Similarly, Akinrinade and Sesay (1998), Nehma and Zeleza (2008) evaluates the causes of African conflict to be an issue mostly related to ethnic rivalries due to poor boundary formations in Africa after decolonization, coupled with issues of underdevelopment and marginalization experiences within the region and outside the region. Nehma and Zeleza (2008) trace the effect of colonization, when European powers scrambled for territories with scant regard for ethnic boundaries. The effect of this ethnicity disregard has created so much boundary related disputes in Africa compared to other regions (Suleiman, 2010). The above literature revealed that the causes of conflict in Africa are ethnicity. We do not know whether in Mungule chieftom ethnicity is a major cause of conflict. This study therefore, wants to explore the types and causes of conflict.

Kaderi Noagah Bukuri in a ‘Journal of Sociological Research’ (2010), quotes Kirby (2006) who posits that addressing ethnic conflicts in Northern Ghana and elsewhere demands using local beliefs, values and attitudes as well as local contexts, procedures, actors and practices. These beliefs, values, and practices must engage an understanding of local cultures of reconciliation based on African Traditional Region (ATR). The rituals with regard to the earth cult in most tribes in Northern Ghana play important roles in conflict resolution and reconciliation and these rituals of the earth cult involve sacrifices, prayers, and appeasing the spirits for proper reconciliation to take place (Kirby, 2006). Bukuri (2010) researched on the ‘Bawku conflict’ and argues that the Bawku conflict is a deep-seated and longstanding ethno-political conflict between the Kusasis and Mamprusis in the Bawku Traditional Area of Ghana. The conflict is identity-based, and revolves around the claim for traditional political power (chieftaincy) between the Kusasis and Mamprusis. The contest between the Kusasis and Mamprusis over the Bawku chieftaincy has its roots in colonial times.

Following the intensity of violence and the inability of the state to resolve the conflict, a number of CSOs/NGOs had to come in to help resolve the conflict. These include international and community based NGOs. WANEP and the Catholic Relief Services (CRS) have been particularly instrumental in bringing the parties and all other ethnic groups in the area to a round table discussion at Damango in 2001 and Kumasi in 2010 for peace talks and mediation. Many CSOs/NGOs have still been involved in attempting to resolve the conflict (Ibid).

Amadou T. Toure (1999), in analysing the mastering of African conflicts, states that “conflicts arise from human relations in two ways: first, individuals or groups of individuals have different values, needs, and interests; and second, most resources are not available in unlimited quantities and so access to them must be controlled and fought for.” These two factors intrinsically cause conflicts (ibid).

Supporting Amadou Toure (1999), Dessalegn (1999) argues that in Ethiopia, development, not water scarcity, is a more important source of conflicts between the rural communities. Conflicts that ensue from development-oriented undertakings include; (1) disagreements between different users over the allocation of waters, land rights, or maintenance issues; (2) conflicts between users and the authority responsible for the project; (3) conflicts between project beneficiaries and non beneficiaries; and, (4) conflict between donor agencies and the recipient country over design, management, environmental impact, and financial issues. While Amadou Toure and Dessalegn focused on water scarcity as a source of conflict in Ethiopia. We do not know whether water scarcity is also a source of conflict in Mungule chiefdom. It is for this reason that this study wants to establish source of conflict in Mungule chiefdom.

Similarly, Ofuho (1999) in his paper to the ‘All-Africa Conference on African Principles of Conflict Resolution and Reconciliation, held from the 8th until the 12th of November 1999 in Addis Ababa, Ethiopia, brings to light the experiences of grassroots peace-making efforts among the communities of the Kidepo Valley of Eastern Equatorial. According to Ofuho, Kidepo is a big forest that starts from Karenga Hills in the northeast of the border with Uganda and extends deep into South Sudan. The people living along both divides of the valley regard Kidepo as a major asset in terms of both water and grazing resources, particularly during the dry season. The common source of conflict in the Kidepo Valley is

cattle rustling. Cattle herds are the main source of income. Cattle, was sold in exchange for other commodities. A cow is like a modern account in the bank. Initially, all people who own cattle in the region used ordinary spears and arrows for protection of their cattle against rustlers. With the proliferation of light arms, such methods of defence overtook, and almost all cattle owners have now acquired deadly automatic rifles.

Since the beginning of life in Kidepo Valley, there have been as many attempts and practices of peace making as there have been wars over resources in the region. Each member group of the communities often began their attempts of peace making by first identifying the rote causes of the problem. Most of the problems occurred due to revenge for death previously committed over cattle rustling or during fighting over grazing and water resource areas in the Kidepo Valley. Once the, communities identified problems, they convene meetings that may last two to three days in isolation in some forest where they deliberated over them and resolved them. However, for such meetings to bear fruit, the role of opinion leaders and council of elders is crucial. These elders have gained their authoritative influence through wisdom and experience (Brock-Utne, 2001). We do not know as whether cattle rustling are a source of conflict in Mungule chiefdom. This study therefore, wants to establish the source of conflict Mungule chiefdom.

Brock-Utne (2001) says that Ofuho in his 'paper exposes factual stories about the conflict, highlights the use of symbols and interpretation of myths to resolve them. Ofuho's case study is of help as it gives light in finding out the causes of conflict in other African states. However, as to the case of Mungule, we do not know as whether the types of conflict and the method of resolution are the same as the ones practiced in the kidepo area.

According to Joseph Golwa (ed) (2013) in his book, 'Perspectives on Traditional African and Chinese methods of conflict resolution,' says that Nigeria is generally described as a deeply divided state in which main political issues are forcefully and viciously disputed along the fault lines of ethnic, religious, and regional dissections in the country. Braimah (1998) noted that from the onset, the traditional Nigerian society revolves around religious and political pivots. Moreover, culture has developed; it has become a tool for describing differences and similarities among groups of people and it seen as the way of life of a people. It could also refer to as configuration of learned and shared patterns of behaviour and understanding concerning the meaning and values of things, ideas, emotions, and actions. Culture relates to

the beliefs and values people have about societies, social change, and the ideal society they seek.

The nature of conflicts in Nigeria is, demonstrated in various but in the unique and peculiar forms or characters they take. Some of these unique characters are, expressed before, during and after the occurrences of conflict situations. They include, but are not limited to emphasis on physical security than human security; influence of public perception; changing coloration or character; impact of rumours; divided cities/towns; insurgency and involvement of foreigners with terrorist intentions; massive availability and use of small arms and light weapons; and sustained culture of impunity. The Institute for Peace and Conflict Resolution in the Strategic Conflict Assessment, (2003) notes that “the usual response of the government in most conflicts is the deployment of the Police to the conflict zone, and the armed forces where it is obvious the former could not cope.” So far, it not is known to whether the government is involved in resolving conflicts in Mungule chiefdom. It is for this reason that the study wants to establish the indigenous conflict resolution strategies in Mungule chiefdom.

Secondly, the perception of most Nigerians to conflicts, insecurity, and conflict management and administration strategies has been that of mixed feeling and distrust. For example, the Niger Delta conflict and Boko Haram's activities are, sustained by public perception. For instance, the criminal destruction of oil pipelines by the Niger Delta militants was because of their perception that the Federal Government of Nigeria has not transparently, prudently and effectively managed the proceeds from years of oil exploration to better the lives of people from the area (Imobighe, 2004). In fact, Imobighe has argued that, 'they see the wealth generated in their area being used to build unnecessary “fly-over” structures in other cities while nothing is being done in their area where such structures are most needed to connect the various communities.'

The complicated nature of these conflicts occurring in a Nigeria poses a challenge to the nature of response of traditional methods. Nigerian traditional societies have always resolved conflicts through internal and external social controls. The internal social controls use processes of deterrence such as personal shame and fear of supernatural powers. External controls rely on sanctions associated with actions taken by others in relation to behaviours, to approve or disapprove. Hence, the unique historical evolution and experience of each of the

diverse Nigerian community or ethnic groups, there is no one particular traditional method that is dominant for national application (Imobighe, 2004). A new aspect of conflict resolution in Nigeria shows women playing an important role in the Traditional Methods of Dispute Resolution. The unique place of women in conflict management as demonstrated in the concept of 'Nneka' (an Igbo word meaning mother is supreme), which is a belief in the traditional Igbo society in Eastern Nigeria which refers to women as sustainers and healers of human relationships. Achebe in his well-known novel "Things Fall Apart" explains that:

".... when a father beats his child, it seeks sympathy in its mother's hut. A man belongs to his father when things are good and life is sweet. But when there is sorrow and bitterness, he finds refuge in his motherland. Your mother is there to protect you" (Achebe, 1970).

Oyerinde (2002) presented an article on 'Conflicts over Agricultural Land and Indigenous Institutions for Conflict Resolution in Rural Yorubaland (South-western Nigeria)' at Indiana University, sighted scholars like; Akinola (1997), Akinrinade (1999), Akinteye (1999), Albert (1999) and Ayo (2002) who specifically give attention to conflicts and conflict resolution mechanisms in Yorubaland. Such mechanisms involve the council of chiefs for conflicts not resolved at the compound level, compound elders (leaders of the social units within the compound) for conflicts within the compound, witches, traditional medicine men, and community delegates for inter-community conflicts.

Akinola (1997), Akinteye (1999) and Ayo (2002) look at the processes of conflict resolution within urban and rural Yoruba communities, Akinrinade (1999) considers mechanisms for conflict resolution and prevention in the case of inter-kingdom (inter-community) conflicts before post-colonial Nigeria. Only Albert's (1999) study touches a bit on land related issues in the case of Ife-Modakeke conflict. Albert's (1999) attention is however more to the location of a local government headquarters as the major driver of the conflict. We do not know whether conflict in Mungule chiefdom is because of the location of a local government headquarters. It is for this reason that this study wants to establish the causes of conflict.

The Nigerian Traditional Methods of Dispute Resolution are similar to those in other African states. There are well-structured, time-proven social system geared towards reconciliation, maintenance and improvement of social relationships. The methods deeply founded in the customs and traditions of peoples that have gradually developed over a long period. The

importance and utility of these methods lie in the fact that they strive “to restore a balance, to settle conflict and eliminate disputes” (Choudree, 1999).

Landinfo (2011) an independent body that collects and analyses information on current human rights situations and issues in foreign countries, researched on Somalia: ‘Protection and Conflict Resolution Mechanisms.’ It states that individual security in traditional Somali society depended on the ability of the clan. Clan identity and knowledge of ancestry still strongly featured in the Somali population around the Horn of Africa, also amongst children and youth. According to Landinfo (2010) the transitional institutions in Somalia, including the legal system, are weak, and the ability of the transitional authorities to safeguard the rights of the population is extremely limited. In addition, (Le Sage, 2005) states that in Somalia, legal disputes are currently settled in three different ways:

- Traditional common law, enforced by councils of elders/clan leaders.
- Islamic law, enforced by *sharia* courts.
- Secular laws, enforced by the regular civilian courts.

However, the civil war destroyed the regular court system and remains nearly non-existent in Southern Somalia. Traditional common law represents the most widespread and regularly used system of jurisprudence in Somalia today. In addition, traditional mechanisms of conflict resolution and compensation presuppose a certain amount of stability. According to Gundel (2006), traditional jurisprudence implies that a group must be able to pay compensation, and rights and security can only be maintained through defence, and if necessary by the use of force. Sharia courts are found inside as well as outside areas controlled by Shabaab in Southern Somalia, where they process civil as well as criminal cases. In the areas where Shabaab is in control, the sharia courts impose harsh punishments, for example in the form of executions and floggings. The judges are closely associated with Shabaab, and follow the hanbali and shafi’i legal schools.

Similarly, Glickman (1995) argues that in some African countries, the root causes of conflict include ethnicism, In Somalia however; clanism is the major source of strife, disunity, wars, and an ever-continuing struggle over scarce resources of grazing land, water, and space (Ibid). The Somalis are divided into clan families, clans, and sub-clans, all the way to lineages. Six unranked clan families are at the top of the organizational chart, all presumably equal in status. Clan conflict, like ethnic conflict elsewhere, has an ‘instrumentalist’

orientation (Ibid). Struggles for survival spurred by such basic needs as water sources, grazing lands, and distribution of resources at both the national and local level. A conflict over these scarce resources can quickly exacerbate into armed warfare. Besides these concrete interests, there are psychic interests defended and have a role to play. These factors include pride for self, and family, and clan consciousness for respect and fairness in the normal inter-clan business and political transactions. What Fanon, (1967), termed the “savage struggle” for recognition, continues in its original form because no group has been able or willing to conquer the other in the Hegelian sense. Glickman emphasized the point of ethnicism and clanism, as root causes of conflict in Africa. However, we do not know if that is the case with the people of Mungule. Hence, it is important to explore the types and causes of conflict in Mungule chieftdom.

2.4 Conflict and Conflict Resolution in Zambia

Hohn (2009) wrote an article in a monograph of (2009) ‘A Strategic Conflict assessment of Zambia’ and she argued that Zambian political history has been relatively stable since it gained independence in 1964. Despite a number of failed attempts by the military to overthrow the government, conflicts have generally been resolved through non-violent means, mostly through the courts, whose decisions are generally accepted. She further argued that Zambia has escaped the civil wars that have scarred its neighbours. Political violence is a feature of election campaigns, and unrest briefly flared in October 2006 in the capital, Lusaka, and the Copperbelt, the country’s economic hub, when Mwanawasa was declared the victor in a close-run poll (Ibid).

In line with Hohn’s views, Jackson (2013) wrote an article ‘creating avenues to resolve election disputes: conflict management committees in Zambia, 2001 – 2011.’ He drafted this case study based on interviews conducted in Lusaka, Zambia: and asserts that in 2001, the Electoral Commission of Zambia faced a tense presidential and parliamentary election. The commission needed a new mechanism to stave off conflict, clarify responsibilities for dispute resolution, and provide complainants with an effective outlet for their concerns. The committees—comprising representatives from political parties, law enforcement, civil society, and faith-based organizations—mediated conflicts related to violations of the electoral code of conduct. Jackson further argued that the mediation system helped Zambia navigate an unexpected by-election following the death of President Levy Mwanawasa in 2008 and an opposition victory over the ruling party in 2011. Though some challenges

remained, the electoral commission staff and committee members credited the committees with helping the country navigate competitive elections and reduce tensions between competing parties. The article by Jackson (2013) focuses on resolving election disputes meaning that his research is of great help to the electoral commission of Zambia. He has not shown the mechanism used for the resolution and the study site is Lusaka. This study is therefore, opening up new avenues as its focus is on conflict resolution strategies in rural areas of Zambia. Hohn, attempts to show Political violence as a feature of election campaigns and 'creating avenues to resolve election disputes.' We do not know whether in Mungule chieftdom political violence is the cause of conflict. It is for this reason that this study wants to establish the types and causes of conflict.

Mulenga (2004) in his dissertation 'the inefficiencies of the dispute settlement systems in Zambia' posits that during the pre-colonial period, the machinery of justice was, based on customary law. People lived in close-knit societies, promotion, and maintenance of societal harmony was of paramount importance. The need to maintain relationships was therefore an important aspect of societal life. Hence, the judicial system was built around this objective. As justice, Silungwe noted, "the indigenous judicial system was characterised by information and simple procedure of compensation, peaceable reconciliation and mediation and in some cases arbitration, rather than punishment." The focus of Mulenga's dissertation was on the customary law and the application of the western law. While Mulenga's dissertation focused on the inefficiencies of the dispute settlement systems in Zambia. The focus of this research is on indigenous resolution strategies, hence filling the gap Mulenga's research left.

In addition, Mweembe (2006) researched on the 'Challenges of Customary Land Tenure in Zambia' and noted that the conversion of customary land to state land has created conflicts in many rural areas of Zambia. In areas converted for tourism purposes, under the premise of market based land reform that local people have lost full access common pool resources upon which they have depended for their livelihood (Southern Guardian, 2005). For example, some villagers in rural areas have found themselves squatters overnight after their land was converted to private land by investors. The Times of Zambia on 22nd August 2002 carried a story headlined "Displaced in my own country?" It is the story of the people of Kasembele village who woke up one morning and found themselves as squatters. From 1920, the people of Kasembele village have lived on this land, planted over 320 mango and guava trees, which they used as a medium of exchange with people who cultivate their maize. This had been

their livelihood until Thomas Edward Roberts came and ordered the villagers to vacate, claiming he had bought the farm.

Land conflicts such as those in Kasembele Village are occurring all over Zambia, highlighting increasing tensions between customary and private land rights. The process of economic reform, including the liberalization of land markets, which has seen wealthy Zambians and foreign investors buying up land previously held under customary tenancy by the rural poor sharpened these conflicts. Furthermore, Mweemba (2006) argued that the 1995 land Act vests all land in the president to hold in trusts for the people of Zambia (GRZ, 1995). The same act recognises that customary land is under the administration of the chiefs or traditional rulers. This Act in itself has brought problems in the allocation of land. Commenting on the Draft land policy, Chieftainess Nkomesha Mukamambo 11 of the Tonga asserted that traditional rulers were losing land. The research by Mweemba on the 'Challenges of Customary Land Tenure in Zambia,' gives an insight on the causes of conflict in the rural areas of Zambia so far. However, there has been no discussion on indigenous conflict resolution strategies. It is for this reason that this study wants to investigate the resolution strategies used in Mungule chiefdom.

Kapijimpanga (2002) noted that the pressure on urban districts to provide land for the urban population exerts pressure on the customary areas bordering the districts. In a recent case in chongwe district, the chief has complained of encroachment by the district into their land. The chief has since demanded for clear demarcation between his area and the district to avoid further encroachments (Time of Zambia, 2005). Commenting on the draft land constitution, the Zambia land Alliance observed that Government and district councils continued to trespass into traditional land because of unclear boundaries between state land and customary land. Such a dispute has tended to hinder development especially in peri-urban areas, as they tend to argue more on the boundary than on development (Zambia Land Alliance, 2005). It is for this reason that study wants to establish the causes and types of conflict in Mungule chiefdom.

2.5 Indigenous Practices and Strategies of Conflict Resolution in Traditional Societies

2.5.1 The Acholi of Uganda

Lanek (1999) presented a paper he called: " 'Mato Oput', the drinking of Bitter Herb" to the All-Africa Conference on African Principles of Conflict Resolution and Reconciliation which was held from the 8th until the 12th of November 1999 in Addis Ababa, Ethiopia. In this paper, he is concerned with integrating indigenous approaches with national and international mechanisms for conflict resolution and reconciliation. He also contrasts the indigenous approaches, especially the Acholi approach, with the western legal ones. He argues that the Acholi, a Luo speaking tribe occupying northern Uganda, for generations has used Mato Oput as a means of reconciliation within the context of their tradition.

Similarly, Joseph Wasonga (2009) wrote an article in the Journal for African Peace and Conflict (2009): 'Rediscovering Mato Oput: The Acholi Justice system and the conflict in Northern Uganda.' He argued that the nature and practice of *Mato Oput* as an instrument for conflict resolution and reconciliation among the traditional Acholi, was based on the Acholis' understanding of conflict as a life-threatening phenomenon. According to Wasonga (2009), Life, among the Acholi, means a network of relationships. Life without community and relationships is meaningless. Thus, an individual exists in and for the community. No one stands independently and survives. Apart from the living members of the community, the spirits of the dead play an important role in the life of the on-going community. Moral order is measured in terms of the maintenance of communal harmony, which requires being in accord with the living and deceased members of the community. According to Okot Okumu (2008), a former soldier interviewed by Wasonga, said that the centrality of communal harmony in Acholi life makes post conflict peace building an integral part of the healing process in the Acholi community.

The reconciliation process he describes is called the "*Mato Oput*" process (*Mato Oput* - an Acholi vernacular meaning drinking the herb of the Oput tree) because it ends in a significant ceremony of "*Mato Oput*", the traditional drinking of a bitter herb of the Oput tree. Mato Oput is not a happy ceremony; the mood expresses the seriousness of the occasion to all present. The process involves:

- the guilty acknowledging responsibility,

- the guilty repenting,
- the guilty asking for forgiveness
- the guilty paying compensation
- the guilty being reconciled with the victim's family through sharing the bitter drink – Mato Oput

The bitter drink has no medicinal effect. It only symbolises the psychological bitterness that prevailed in the minds of the parties in conflict situation. The *Mato Oput* process covers offences across the board. Many advocates of *mato oput* believe that this process has the potential to deliver true healing, reconciliation, and reconstruction to northern Uganda in a manner that the international justice system cannot. The *Mato Oput* helps us understand the importance of indigenous resolution strategies used by the Acholi people. We do not know whether in Mungule chiefdom they perform rituals of healing, reconciliation and reconstruction. This study therefore, wants to investigate the indigenous conflict strategies used in resolving conflicts among the Lenje people in Mungule.

2.5.2 The Tswana of Botswana

Tswana culture built on consultation (*therisanya*) and resolution of conflicts through open discussion between the parties based on the Tswana belief that 'great battles are fought verbally' (Ngeongco, 1989). Botswana has a dual legal system based on state law and a customary law, which reflects the customary norms and values of the local people. The two systems run parallel and once a case goes to the courts; the chiefs do not have authority to withdraw it for settlement at their own courts. However, cases presented before the customary courts, if one party chooses can transfer to the magistrate's court (Otlhogile, 1992).

The actors in conflict resolution include the Kgosi-kgolo (equivalent of Paramount Chief, a term abolished by the Constitution in 2000), a chief's representative/senior tribal authority, headman, headmen of records and household leaders. At the lowest level of the conflict resolution process is the Lolwapa (household). Failure to resolve disputes at this level will lead to the resolution process progressing to the next level and so the progression continues until it reaches the Kgosi-kgolo. The process could be strictly a private family affair or an open community function depending on the issue involved. However, in modern Botswana, the law prohibits the role of traditional healers, nevertheless, the practice continues in the remote villages.

In addition, Farko (1979) says that it is instructive to note that traditional healers, diviners, herbalist and spiritual leaders/seers also play an important role in conflict resolution at the individual, family and community levels. They are mediums between the living, the ancestor and God. Traditional healers may use herbs, animal sacrifices and water to perform rituals at resolving a conflict between the living, and between the living and their ancestral spirits. This study would like to find out what indigenous conflict resolution strategies like the Tswana in the aforementioned study do.

2.5.3 The Akan of Ghana

The Akan of Ghana like the Tswana of Botswana live in countries with a dual legal system with a structured conflict resolution system, which is political and judicial built on arbitration mechanism. Traditional leader play a vital role in local and grass root communities, which is part of the heritage of the people. Traditional institutions play two important roles: a proactive role to promote social cohesion, peace, harmony, coexistence; and a reactive role in resolving dispute, which have already occurred. The Chieftaincy (chief) institution is the key institution for conflict resolution (Kendie and Guri, 2006). The hierarchy is thus:

- Omanhene – Paramount chief is the highest in the hierarchy
- Ohene – Divisional chiefs are next in the hierarchy
- Apakanhene – Sub-Divisional Chiefs are next in the hierarchy
- Dwanetohene – Mediation Chiefs next in the hierarchy
- Odikro – from the Omanhene down to this level, the Queen Mother influences the conflict resolution process.
- Head of Clan – Abusua Panyin
- Head of Household/family – Ofiepanyin.

The conflict resolution process follows the hierarchy from the household/family level until it reaches the Omanhene in a similar way to the Tswana of Botswana. The Akan conflict resolution process is based on the notion that whatever decision is arrived at should improve the relationship between the parties and that the judgement should be wise and practical (Okrah, 2003). We do not know whether conflict resolution process follows a hierarchy in Mungule chieftdom. It is for this reason that this study investigates on the methods used in resolving conflicts.

The process of Akan conflict resolutions includes the following:

1. **Arbitration:** The parties formally present their cases at the chief's court for determination. The cases cover a wide range of complaints, particularly on land and property. The chief is the custodian of land and its boundaries. The cases submitted if not withdrawn by the parties, go through the formal process of conflict resolution at the chief's court.
2. **Mediation:** There are several ways of mediating over conflicts in Akan society. Because of the importance of mediation in Akan society, there is a chief for mediation (dwanetoo here). Once a complainant runs to the mediator, the mediator goes to plead on behalf of the wrong doer. The rationale of this process is to prevent the conflict from erupting, thus, it is an abating process. Thus, a party may admit guilt and plead for mitigation and the mediator will plead on behalf of the offender or guilty person. The elders and mediators may use pressure, persuasion, recommendation, suggestions and relevant norms, and rules to arrive at a solution. It is with such examples from other nations that this study would want to establish if Mungule chiefdom they also have indigenous conflict strategies.

2.5.4 The Rwandan Gacaca

According to Karbo and Mutisi (2008), *Gacaca* in Rwanda is a traditional mechanism of conflict resolution that attempts to address trauma and post conflict reconstruction needs of that country's post 1994 genocide. The government of post-conflict Rwanda enacted the *Gacaca* Law (2001) to give indigenous courts the mandate to deal with cases of the genocide. Thus, the *gacaca* in Rwanda is one of the largest community based judicial undertakings of the century. Ingelaere (2008) posits that in order for one to understand the origins and purposes of the ancient practice of *gacaca*, it needs to be placed in the cosmology of the Rwandan socio-political universe of the time.

According to Leah Werchick (2003), *Gacaca* is a Kinyarwanda concept which literally means "justice on the grass". *Gacaca* courts are a traditional Rwandese phenomenon, where people sit on the grass to settle their disputes in the presence of community members. In historical Rwanda, issues such as land, property, marital and other interpersonal disputes were, settled through the *gacaca* courts. *Gacaca* hearings are traditionally held outdoors and there are voluntary confessions and apologies by wrongdoers. In its pre-colonial form, *gacaca* used to moderate disputes concerning land use rights, cattle ownership, marriage, inheritance rights

and petty theft, among others. Traditionally, members of the community known as the Inyangamugayo or “persons of exemplary conduct” run *gacaca* courts. Ingelaere (2008) asserts that The *Gacaca* process has five goals-to:

- establish the truth about what happened;
- accelerate the legal proceedings for those accused of genocide crimes;
- eradicate the culture of impunity;
- reconcile Rwandans and reinforce their unity; and
- use the capacities of Rwandan society to deal with its problems through a justice based on Rwandan custom.

To facilitate the process, three fundamental principles, or cornerstones, were incorporated into the genocide and *Gacaca* legislation. On the one hand, there is a popularization or decentralization of justice by installing numerous courts in every administrative unit of society. This procedure is modelled on the traditional *Gacaca* with laypersons presiding as judges and the active involvement—not only the physical presence—of the entire population as a ‘General Assembly’. On the other hand, there is the principle of plea-bargaining to increase the amount of evidence and available information. Plea bargaining was instituted to facilitate the collection of evidence. A defendant must give as much detail as possible of the offence (how, where, when, victims, accomplices, damage, etc.) and apologize in public in order to have his confession accepted and his sentence reduced (Ibid).

The *Gacaca* process is very complex in the perception and experience of the ordinary Rwandans. Older people in particular can compare with the past since they may have had first-hand experience of the ‘old’ institution. They often refer to the *Gacaca* courts as ‘an instrument of the state’. The current *Gacaca* installed by the state with rules and people taking notes, while the traditional version was much more straightforward in its functioning and objective. The idea was to bring people together, talk about the problem or conflict in order to restore harmonious relations, and prevent hatred lingering on between families. The *Gacaca* of Rwanda helps us to appreciate the importance of indigenous conflict resolution strategies in Rwanda. However, previous published studies are limited to local surveys in their countries. Looking at such examples from Rwanda, one would wonder if in Mungule chieftdom, they would also have their own indigenous conflict resolution strategies and hence

this study wants to establish if in Mungule chiefdom, they have their own Indigenous Conflict Resolution Strategies like those found in Rwanda.

2.5.5 Pondo tribe of the Zulu in South Africa

Ajayi and Buhari *et al* (2014) in a Journal 'African Research Review Vol. 8' wrote an article titled 'Methods of Conflict Resolution in African Traditional Society.' Sighted Bennet, (1993) who argued that there are several methods of conflict resolution by the traditional society in South Africa such as Redi, Pondo, Tiswana etc. The reconciliation of the parties in Pondo society was quite the opposite of the western model, which designed to alternate and confuse the litigant. Institution of Mat Association is one of the conflict resolution mechanisms, which are prevalent among the Pondo tribes (Kuchertz, 1960). Mat associations are similar to izithebe/hospitality groups, which Hammond-Tooke has referred to in his study of the Mpondomise, (Hammond, 1975); it is through mat association that organized the distribution of foods and drink at social gathering. However, the cases are first discussed at the Izithebet level where it involves two such groups, that the members of the two-hospitality group would meet and attempt to settle the matter between themselves.

If the person remains dissatisfied then the problem would be referred to the warheads and invariably to the chief. The dissatisfaction is expressed publicly to the chief in a tactful manner (Rucherts, 1990). Proceedings in the chief's court are formal; the emphasis is no longer on mediation and reconciliation, but the correlation between proven testimony and the sanctions imposed by the court of a headman. The difference between the lower court (Mat association) and the court of chief is proceed on the assumption is nothing but a mutual trust. This study gives an insight on the process of resolving cases by the Pondo people of South Africa. However, some aspects, for example, referring one's dissatisfaction to the warheads are not practised in Mungule chiefdom.

2.6 Summary

There are various methods and practices of conflict resolutions all over the continent but central to these is the conception of peace as healthy, wholeness, wealth and harmony with the physical and spiritual levels. While the method may defer and styles varied, there appears to be a continental understanding in terms of the philosophy, hence the methods and practices built on that. For the purpose of clarity, this study wants to establish if in Mungule chiefdom,

they have their own indigenous conflict resolution strategies like those found in other parts of Africa.

CHAPTER THREE

METHODOLOGY

3.0 Introduction

This chapter discusses the methodological framework within which the study will be undertaken. Methodology “refers to the choices we make about cases to study, methods of data gathering, forms of data analysis, in planning and executing research study” (Silverman, 2005). According to Burns and Grove (2003), methodology includes the design, setting, sample, methodological limitations, and the data collection and analysis techniques in a study. Therefore, the chapter describes the research techniques and procedures used for the collection of data. It incorporated general information about the places of fieldwork and the methods adopted on data collection. The fieldwork was conducted mostly in Mungule Chiefdom. The purpose of the field research was to observe and to sample views and perceptions regarding the overall nature of conflicts and on indigenous conflict resolution strategies. The study is a qualitative research and the methods employed in the study use multiple tools, which are designed to triangulate with one another for maximum data reliability.

3.1 Research Strategy and Design

3.1.1 Research Strategy

Burns and Grove (2003) describe a qualitative approach as “a systematic subjective approach used to describe life experiences and situations to give them meaning”. Hence, the rationale for using a qualitative approach in this research are firstly, the study begins with a general question because its, research problem or issue needs to be explored (Creswell, 1998; Dooley, 2003). Secondly, with regard to feasibility, this study also uses qualitative research because quantitative measures and statistical analyses simply do not fit in the problem under the study. Third, being explorative research, qualitative approach is, selected as appropriate in order to explore and analyse the indigenous conflict resolution strategies in Mungule Chiefdom. Exploratory research, is typically used when there is little or no previous research or theory on the subject under investigation (Solomon, 2010)

3.1.2 Research Design

Burns and Grove (2003) define a research design as “a blueprint for conducting a study with maximum control over factors that may interfere with the validity of the findings”. Parahoo (1997) describes a research design as “a plan that describes how, when and where data are to be collected and analysed”.

This study used exploratory research design. Reason for using such explorative method is that the objectives, research questions and nature of the problem under investigation needs in depth exploration of indigenous experiences of resolving conflict in its natural setting. In line with this, Kothari (2004) argue that to investigate practical knowledge from people who have had practical experience with problem to be studied, exploratory research is useful to obtain insight into the relationship between variables and new ideas relating to the research problem. Thus, exploratory approach enabled me to discover the capacity of indigenous mechanisms of conflict resolution strategies in addressing contemporary conflicts among the people of Mungule Chiefdom. Therefore, this particular study focused on exploring experiences, ideas, perspectives, and relationships, systematic and structural interactions of the people in reinforcing indigenous conflict resolution practices.

3.2 Site Selection and Description of the Study Area

3.2.1 Site Selection

The study was conducted in Mungule Chiefdom, among the Lenje people. The rationale behind the researcher intentionally selected Mungule chiefdom because of some convincing reasons. In the first place, different indigenous institutions are available. Similarly, as casual visit of the researcher to the study area indicate that resourceful informants can easily be found in the selected area. The study area is easily accessible for transportation from town.

3.2.2 Description of the Study Area

The study area is Mungule Chiefdom of Chibombo district in Central Province. Mungule Chiefdom is a collection of 236 villages situated outside of the capital city, about 30km from the Lusaka along an industrial corridors leading in and out of the city. The people living in the study area are Lenje people under chieftainess Mungule, also called Bene Mukuni. Their primary language is Lenje. They are believed to be among the first people to come to Zambia

from the Cameroon region. A woman whose five children and a grandchild are the current chiefs of the Lenje people, Chief Mukuni Ng'ombe, Chief Liteta, Chief Mungule, Chief Chitanda and Mukubwe, led them.

The great woman who is believed to have led this pilgrim was buried at what is called 'Likonde Lyabankanga' in the Chibombo district. The Lenje people are very proud keepers of cattle. Their main crops are millet and maize. The primary religion practiced by the Lenje is ethnic religion. Ethnic religion is deeply rooted in a people's ethnic identity and conversion essentially equates to cultural assimilation. Despite being Lenje land, the area settled people from many other tribes; it is in many ways a microcosm of Zambia's diversity. Some of the people reported moving to Mungule to have proximity to the city, others moved to do farming.

3.2.3 Target population

Parahoo (1997) defines population as “the total number of units from which data can be collected”, such as individuals, artefacts, events or organisations. The researcher has targeted all village heads, villagers and the chieftainess. Therefore, the target populations of the study are all residents of Mungule chiefdom.

3.2.4 Samples size

Polit et al (2001) defines a sample as “a proportion of a population”. The sample was chosen from the village heads and villagers, in Mungule chiefdom.

3.2.5 Sampling techniques

The study conducted by using purposive and snowball sampling technique. Snowball sampling is a non-probability sampling technique used by researchers to identify potential subjects in studies where subjects are hard to locate. In snowball sampling method, members of these populations have not all been previously identified and are more difficult to locate or contact than known populations (Sara, 2009). The first respondent helped in identifying the next, and so on. The snowball technique was applied until the required quota of respondents was reached. For the purpose of this study, local elders, chieftainess, Headmen/ Headwomen and people working at the house of chiefs were selected. These key informants were

selected on the bases of their experience and knowledge of indigenous methods in resolving conflicts.

3.2.6 Sampling Procedure

Sampling of the participants was done as follows:

- The researcher sought the assistance from the secretary at the palace to help identify potential participants.
- Possible participants were selected after the researcher pre-selected participants according to the criteria under section 3.2.3.
- The research project was explained to the prospective participants who were on the short- list and they were asked personally if they wanted to take part in the research.
- The researcher selected the prospective participants for a focus group discussion.
- In the event of a problem with identifying participants who met the criteria for selection for the study, each eligible participant was asked to refer colleagues with similar experience.

3.3 Data Collection tools

According to Parahoo (1997), a research instrument is “a tool used to collect data. An instrument is a tool designed to measure knowledge attitude and skills.”

A combination of data collection instruments will be employed to obtain and crosscheck information. This includes interviews, focus group discussion and observation. The data collected through these instruments were qualitatively analysed using Atlas (qualitative data analysis).

3.3.1 Interview

A major means of gathering qualitative information is through in-depth interviewing. This involves open-ended questions, where interviewees can answer questions on their own terms and in as much detail as they like. There are a number of approaches for collecting interview data. Interviews can be structured, semi-structured or unstructured. However, for this study

the researcher mainly used semi-structured and unstructured in-depth interview. This gave the researcher freedom to raise questions depending on the context of the situation and background of the interviewee.

3.3.2 Informal interview

Informal discussion will be used as a preliminary data collecting method to obtain information. This is done in order to focus on factors that induced the people in conflict to look for indigenous mechanisms for redress. It also assesses their attitude towards indigenous mechanism strategies. The interview involved different category of people, i.e. people with formal education and informal education, old and young, male and female. Through this method, I will be able to identify key informants and secure opportunities to locate important cases for the case study.

3.3.3 Formal Interview

Dispute processing is not a day- to-day activity of the people. Hence, it is often possible to collect valuable information from a few members of the community. These are knowledgeable and experienced in conflict resolution. In this study, therefore, semi-structured questions will be used to conduct in-depth personal interviews with about ten (10) key informants. These questions are set with the intention of guiding the informants, rather than restricting them to answering what were just asked. Thus, through this method valuable information beyond the scope of the questionnaires will be collected. The key informants are traditional religious leaders (Headmen), mediators, knowledgeable elders, and old and young educated people. These informants are selected based on their age, profession, experience, knowledge, social status, gender and acceptance among the society. All interviews will be conducted on face-to face basis, in order to probe more about the issue and observe the reaction of the participants over certain issues.

3.3.4 Focus Group Discussion

Focus group discussion will also be used to collect the data. The intention behind undertaking focus group discussion is due to its importance “in the elicitation of wide variety of different views in relation to a particular issue” (Bryman, 2004). Two focus group discussions will be conducted. The number of participants in each focus group will range from five (5) to eight (8) persons. The participants will be local community members. The

participants will be selected through judgmental method. This will help the researcher to explore and draw a conclusion on the role of indigenous conflict resolution strategies.

3.3.5 Observation

Observation is one of the most appropriate methods to gather valuable information in anthropological studies. Observation enables the researcher to submit information which people are in general unwilling or unable to provide and helpful to discover complex interactions in natural social settings (Russel, 2006). Thus, observation is used as instrument of data gathering. With their permission, the researcher has the chance to participate and observe two different conflict resolution assemblies where the people gather to investigate conflicts that arise between individuals and among groups. The researcher has to observe a number of things in these meetings. For example, kinds of acts conducted in the meetings, kinds of cases addressed, how are they solved and by whom? Photographs of related events and matters will supplement the observations. Some of the proceedings will also be tape recorded, in addition to written notes. The method will help me capture significant data on conflict resolution through indigenous mechanism.

3.3.6 Data Management and Analysis

Data analysis can be defined as “a process of piecing together data, of making the invisible obvious, of recognizing significance from insignificance, of linking seemingly unrelated facts logically, of fitting categories one with another and attributing consequence to antecedents” (Morse, 1994). Varieties of methods are used to analyse qualitative data. The process is described here in very general terms appears as a sequence of steps, which in actual practice can occur simultaneously or may even be repeated. Firstly, all data, if not already in a written form, is converted to text. Thus, taped interviews are transcribed and visual material is summarized using words, etc. This body of textual material is reviewed to identify important features and, possibly, summarize them. The data, either is in summarized form or not, is then reviewed to identify patterns.

3.5 Summary

This chapter described the research methodology. The purpose of a research design is to maximise valid answers to a research question. This was achieved by using a non-experimental, qualitative, exploratory approach that was contextual. The researcher was main

data collection instrument. Data was collected by means of interviewing. The researcher made sense of data by using an explorative method to analyse it and ensured that the data was trustworthy. The next chapter will present and discuss the findings.

CHAPTER FOUR

DATA PRESENTATION

4.0 Introduction

In this chapter, I present the field data from the study area. For purposes of providing clear oversight, the data is presented systematically under a number of themes: the common types and causes of conflict; conflict resolution strategies; challenges and prospects.

4.1 Data Analysis Framework for Key Informant and Focus Group Data

4.1.1 Theme one (1): The common types and causes of conflict

The study sought to investigate the common types and causes of conflict.

Box 4.1.1

- Most of the conflicts in the area are interpersonal and intra-family in nature.
- Misunderstandings over land
- Land disputes exist in the form of ownership, inheritance and boundary trespassing
- Family or marital conflicts
- Theft e.g animal theft
- Witchcraft
- Beer drinking

4.1.2 Theme two (2): Conflict resolution strategies

Box 4.1.2

- The indigenous mechanisms of conflict resolution in Mungule are mainly two:
 - (a) Nkuta (palace court)
 - (b) Village courts
- Negotiation
- Mediation
- Arbitration

- Reconciliation
- Sharing of their grievances

4.1.3 Theme three (3): Challenges

Box 4.1.3

- Lack of modern education and training
- Absence of incentives
- Some parents fail to report cases to traditional leaders
- Modernization

4.1.4 Theme four (4): Prospects

Box 4.1.4

- Young ones see it has of no value
- Elders still respect it and see it as important
- Many people now prefer settling their disputes in court rather than at the Nkuta.

4.5 Summary

The framework for presenting the study findings has been reformulated to ensure that the discourse is more logically presented. The next chapter will discuss the findings.

CHAPTER FIVE

DISCUSSION OF FINDINGS

5.0 Introduction

This chapter discusses the major findings of the research based on the data collected using interview, observation and focus group discussions in Mungule chiefdom. The analysis was conducted by following the procedures of specific objectives. The first part, therefore, begins with describing the overall types and causes of conflict in the study area. The paper also analysed the various indigenous conflict resolution strategies used in restoring social relationship of the community in the study area. Finally, the paper gives emphasis on the effectiveness by looking at the challenges and prospects of indigenous conflict resolution strategies in the study area.

5.1 Objective one (1): Types of Conflict in the area

5.1.1 Competition over Natural Resources

Competition over natural resources is one of the frequently mentioned causes of conflict in Mungule chiefdom. It is mainly over land and related issues that conflict erupt among members of Mungule chiefdom. As the data gathered through key informants' interview, this study has established that there were conflicts because of farming land, and land boundary trespass are a common incident among various groups of people in the study areas. The respondents in this study said that the major cause of conflict is severe competition over natural resources mainly of land and land related issues.

a) High demand for land by settlers

Land for building houses or industries are one of the structural causes underlying the conflict in Mungule chiefdom. All participants of FGD and key informants interview have confirmed this fact. The study has established the threshold of the conflict that virtually translated into an issue of disagreement between two individuals. This mostly arises due to disagreement on land sold. Such type of conflict largely occurs between the settlers and the locals.

According to FGD and interview participants, the locals who relatively have fertile and large plots of land sell their land to the settlers who have insufficient or no land at all for different factors. However, this practice is not free of conflict between the landholder and the client. This process of land sale usually resulted in conflict. The conflict occurs due to reclaiming of the sold land by the seller. Moreover, conflict also emerges in a situation where the same piece of land is sold to two different people. The study has established that many of the disputes are due to land issues between the owner and the buyer.

b) Inheritance of land among members of family

Family land was identified as another cause of conflict. According to FGD and interview participants, sometimes conflict arises because of the death of one or both parents, hence, disagreements over the inheritance of land among members of family. For example, one family member might sell land belonging to the family without the consent of other members.

c) Land boundary Trespassing

Conflicts due to land boundaries commonly occur between two landholders who have an adjacent farming land or plot. It is when either of one sell his/her land and trespasses their common border that conflicts erupt. It sometimes also happens when one claims over a tract of land, which is not properly differentiated. Some key informants have seen the problem on land and land related issues with the increasing number of population and scarcity of land.

5.1.2 Marriage related issues

The study has found out that marriage related issues are another cause of conflict. Marital conflicts are because of failure to perform or fulfil marital obligations and responsibilities, example, incident of adultery. Field survey also found that some marital disputes occur due to excessive drinking, sheer arrogance by one party and difficulty in childbearing. An interview with one headwoman reveals that most disputes between men and women especially husbands and wives in the family relates to accusation of adultery.

5.1.3 Theft

Theft in terms of cattle rustling and stealing of agricultural products is another cause of conflict mainly raised by all FGD participants and key informants. Different families start

accusing each other over stolen animals or agricultural products. An interview with one of the headman attested to this saying 'he has been dealing with cases of theft in his vilagae.

5.2 Objective two (2): Various Indigenous Conflict Resolution Strategies

5.2.1 The Process and Procedures of Mediation and Reconciliation in Mungule chieftdom

Even though land and land related problems are the main causes for conflict in the study area, indigenous conflict resolution system plays a pivotal role to minimize these problems. The study has also observed that in Mungule chieftdom, the most commonly practiced strategy of resolving various types of conflicts (ranging from inter personal to inter-ethnic level) is through mediation and reconciliation.

The major activity of the advisory committee is mediating and reconciling conflicting parties including extended members of the party. Through the inquiry and investigation they carried out, the chair (headman) finally identify the causes of the conflict and who the offender and the offended. This virtually enabled them to adjudicate over the conflicting matter. In this regard, with the exception of homicide, the institution deals with conflicts that happened because of theft, debt, land border trespassing, land sells, revenge etc.

a) Stages or procedures

An interview with the chairperson at the palace indicates that the process of settling disputes begins with the separation and reporting of the conflict to the Nkuta. The pressure on both conflicting parties to come to the Nkuta increases when the conflict becomes violent. According to informants, 'when the conflict involves physical confrontation, the parties involved are separated and then the case reported.' The parties themselves, a witness or any person who have knowledge on the conflict can do the reportage. It is after both parties agreed to come to Nkuta that the whole process will begin. However, most conflicts are usually reported to the village head at the initial stage, especially cases of marital or family disputes'. (Source: Field Survey, 2016)

After the conflicting parties agreed to be mediated, the advisory committee proceeds to the next step. Thus, they shall call for a meeting on a day, which is convenient for all parties. On

that specific day, a gathering held under a tree/Nkuta yard with the presence of both conflicting parties and their relatives.

With the briefing of the chair (headman) of the committee about the case and for what reason the meeting is called, the overall process of mediation and reconciliation begins. According to the chair 'When parties are summoned, each party is asked to give his or her account of what happen before I and committee members decide on the resolution process. . If we do not allow them to tell the story, we would know who is at fault or right and the resolution may be unfair. So we always do diligent work'. The conflict parties are usually asked to give a vivid, precise and exact narrative of what led to the conflict. Once each side gives account of what happens and the conflict occurs, the Nkuta (court) will usually pay attention and listen with keen interest to enable them comprehend the issues very well. The parties tell the story in accordance with the guiding principles.

After the account of the matter, the Nkuta then review the issues and deliberate on them. The Nkuta does this by re-examining important issues raised while asking the parties relevant questions. The purpose of this is to enable the Nkuta to know and understand appropriately the root causes of the conflict, the extent of damage and the way forward.

Deciding appropriate judgment was another stage of conflict resolution strategy identified during the interview process. The committee indicated that once the issues are well understood, they then make appropriate decisions regarding who is wrong and who is right. Most importantly, the final judgment depends largely on the nature of the conflict and the parties involved. The researcher found from field observation that whiles the Nkuta seeks to follow the truth, they also tries to protect the integrity of both parties.

The compensation is used to pay for the losses caused to the defended or victim. Finally, field interview indicates that after the compensation has been decided, then the Nkuta reconciles the two parties. At this stage, the parties confess, forgive, sympathize and reconcile with each other.



Figure 5.2 shows the indigenous conflict resolution strategies used at the Nkuta

They therefore make judgment, which at the end brings understanding, happiness and unity among all parties. The judgment is normally based on mutual accountability and communal interest as testified by the chairperson of the committee, that 'when we decide the solution to the dispute, depending of the type of dispute or depth of injury that may cause, we try as much as possible to ensure that the judgement satisfy everybody including the general public. If we give a verdict that majority of people feel that we cheated for one party or another, it becomes a societal issue and we elders may lose the confidence and trust that we have in adjudicating disputes'. (Source: Field Survey, 2016).

The respondents indicated that, depending on the case, compensation is normally determined after the verdict has been decided. The wrongdoer or loser of the case is normally charge to pay some amount of “money” and in some instances animals, such as goat, sheep, or cattle. The compensation is used to pay for the losses caused to the defended or victim. Finally, field interview indicates that after the compensation has been decided, then the Nkuta reconciles the two parties. At this stage, the parties confess, forgive, sympathize and reconcile with each other.

5.4 Objective four (4): Prospects

On whether the Nkuta system of dispute settlement has a future or not, one young man had this to say:

5.3 Objective three (3): Challenges

5.3.1 Challenges

The practice and continuity of Nkuta as an indigenous conflict management mechanism in the now multi ethnic society is being threatened by different factors. The following are some of the major challenges mentioned by most informants as a threat posed against the institution.

(a) Lack of modern education and training

One key informant admitted that culture is dynamic; hence, it changes as the world is changing. Therefore, in order for one to make informed judgements and be able deal with complicated matters of the day, there is need for one to have both traditional and modern education and training.

(b) The absence of Incentives

The absence of incentives given to the committee at least for their transport while they travel from place to place for the purpose of reconciliation is another challenge. The institution of conflict resolution is a social service without any payment. As members of the institution boldly mentioned, it is simply an activity that emanates from moral responsibility of individuals to maintain and promote peace and security in the area.

(c) Modernization or globalization

Nowadays, indigenous/traditional institutions are facing different problems due to modernization or globalization. In the past, such institutions were the centre of peace and security. They were served as schools to gain the value, norm, belief of the Society. Nevertheless, at this time, the core values of indigenous/traditional institutions are changing due to the above-mentioned factors especially among the young generation.

5.4 Objective four (4): Prospects

On whether the Nkuta system of dispute settlement has a future or not, one young man had this to say:

"We modern youth no longer value the traditional ways of life because they are boring and restrict us from doing what we want to do. When we fight, the Nkuta will come in to resolve it, but before you know, they will take side. Because of this, we prefer dealing with our issues in court, after all we're in modern era and so the traditional ways no longer functions".
(Source: Field survey, 2016).

On his part, one headman had this to say;

"It has been a challenging moment for us the elders of today in the protection of our cultural heritage. The youth of Mungule in recent times no longer respect the views of the elders. Their minds are polluted and they do not value our traditional way of life, describing our beliefs as primitive and outmoded. The cause of this is the Western education and religion that influence the lifestyle of our youth. We the elders of Mungule are battling with it".
(Source: Field survey, 2016).

The study has found out that the young generation began to see the indigenous institutions and its resolution strategies as of less value in solving different communities' problem than the modern institutions in terms of procedures in solving conflicts between two parties. However, among the elderly informants, still believe that indigenous institutions are very effective, respected religiously or culturally within the society in resolving any local conflicts.

5.5 Summary

This chapter discussed the results of the study in relation to the research objectives and research questions.

CHAPTER SIX

CONCLUSION AND RECOMMENDATIONS

6.0 Introduction

This chapter presents conclusion and recommendations based on the findings of the previous chapter.

6.1 Conclusion

Conflict is a day-to-day challenge for many residents in Mungule chiefdom. The source of conflict may vary from individual to individual and from one village to another village, but there are common causes of conflict that continuously visible in the study area. Since majority of the informants living in the rural area, agriculture becomes the dominant source of income almost for all residents. Thus, access to land is important for everyone living in the study area. Because of this, land is the main source of conflict for many in the study area. The interest of land for many increases from time to time and similarly conflict on land increase in alarming rate. The main sources of land conflict in the study area are directly related with high demand for land, land boundary trespassing and disagreement over the inheritance of land among members of family. In addition to land and land related conflicts, marriage related problems are also the main causes of conflict in the study area.

The study has established that the institution uses different types of indigenous conflict resolution strategies/ methods. Mediation and reconciliation are commonly practiced methods/strategies of indigenous conflict resolution, which many advisory committees use to settle conflicts in their villages. This conflict resolution strategy/method is necessary for the re-establishment of social relationship or bringing together of the society in general and conflicting parties in particular. It also increases social harmony by addressing common problems of the society and support of each other and tolerance.

There are many challenges that indigenous conflict resolution mechanism are facing today. Firstly, lack of modern education and training. The fact that the issues of conflict and its resolutions are so delicate, it demands careful and an exhaustive interpretation, which needs

an educated and trained personnel. Second, the absence of incentives for the advisory committee for transport and food.

REFERENCES

There are different prospects about the future of indigenous conflict resolution strategies in Mungule chiefdom. The young generation began to see the indigenous institutions and its resolution strategies as of less value in solving different communities' problem than the modern institutions in terms of procedures in solving conflicts between two parties. However, among the elderly informants, still believe that indigenous institutions are very effective

6.2 Recommendations

Based on the research findings, regarding indigenous conflict resolution strategies in Mungule chiefdom, here are the possible recommendations:

- To minimize land and land related problems, there is need for government to provide the right training to the traditional leaders so that they improve on how to deal with complicated matters.
- Responsible bodies such as government, non-government organizations, researchers/ academicians/ should play a great role to train, empower and preserve indigenous institutions.
- Indigenous institutions have played a great role in resolving conflicts within the chiefdom equally like that of the modern institution. Hence, should be preserved for the next generation.

REFERENCES

- Abebe, D. M. (2015). *Indigenous Conflict Resolution Mechanisms among the Kembata Society*. American Journal of Educational Research, 2015, Vol. 3, No. 2, 225-242. Science and Education Publishing.
- Africa Research Institute (2010). *Briefing Note1002*.www.africaresearchinstitute.org Accessed 22/03/16.
- Aja, A. (2007). *Basic Concepts, Issues and Strategies of Peace and Conflict Resolution*. Owerri: Keny and Brothers Ent.
- Ayres, (1997). *Mediating international conflicts; is image change necessary?* *Journal of peace research*, Vol.34 No.4.
- Baines, Erin K., (2007). 'The Haunting of Alice: Local Approaches to Justice and Reconciliation in Northern Uganda', *International Journal of Transitional Justice*, vol. 1 pp. 91–114.
- Barki, H., & Hartwick, J. (2001). *Interpersonal conflict and its management in information system development*. *MIS Quarterly*, 25, 195-228.
- Bob-Manuel, I. (2000). A culture approach to conflict transformation: an African traditional experience. Term paper. Written for the course: Culture of Peace and Education taught at the European Peace University Stadtschlaining. Australia.
- Boulter, A., & Von Bergen, C.W. (1995). *Conflict resolution: An abbreviated review of current literature with suggestions for counsellors*. *Education*, 116, 93-97.
- Brock-Utne, B. (1996). *Peace Education in Post-Colonial Africa*. *Peabody Journal of Education*. Vol. 71.No 3. pp.170-190.
- Brock-Utne, B. (2001). *Indigenous Conflict Resolution in Africa*. University of Oslo: Institute for educational research.
- Broodryk, J. (2004). *Ubuntu: life lesson from Africa*. Pretoria: Ubuntu School of Philosophy.
- Bruce, I. Berg. (1989). *Qualitative Research Methods for the Social Sciences*. California: California State University.

- Bukari, K.N. (2011). *Conflict and development in the Bawku Traditional Area*. Unpublished Thesis in partial fulfilment of the requirements for the degree of Master of Philosophy (Peace and Development Studies), Institute for Development Studies, University of Cape Coast, Ghana.
- Bukari, K.N. (2013). *Exploring Indigenous Approaches to Conflict Resolution: the case of Bawku conflict in Ghana*. University of Bonn. *Journal of Sociological Research*. Vol 4. No 2.
- Burton, J. (1987). *Resolving Deep-Rooted Conflicts: A Handbook*. Lanham, MD: University Press of America.
- Burton, J. (2009). "Conflict Resolution: The Human Dimension," *The International Journal of Peace Studies*. http://www.gmu.edu/academic/ijps/vol3_1/burton.htm (accessed February 10, 2016).
- Burton, J. and Dukes, F. (eds.). (1990). *Conflict; Reading in management and resolution*. U.S.A: Macmillan Press.
- Burton, J.W. (1990). *Conflict resolution and prevention*. London: Mac Millian.
- Carey, Sabine C. (2002). *A comparative analysis of political parties in Kenya, Zambia and the Democratic Republic of Congo*. Democratization 53-71, quoted in von Soest, How does neopatrimonialism affect the African state.
- Clark, J. (1989). 'Conflict Management Outside the Courtroom in China' in *Social Control in the People's Republic of China*. edited by Ronald Troyer, London: Prager Press.
- Coleman, P. T. (2000). *Intractable conflicts*. In the handbook of conflict resolution: Theory and practice. Deutch, M. & Coleman, P.T. (Eds.), San Francisco: JosseBass.
- Colser, Lewis A. (1964). "Conflict". In *A Dictionary of the Social Sciences* (pp123-124). New York: The Free Press.
- Conteh, J.S. (1998). "Colonial Roots of Conflicts in Africa: A Historical Perspective, Prevention and Resolution" *African Journal of Conflict Prevention, Management and Resolution*, Vol. 2, No 1, Jan- April.
- Creswell, John, W. (1998). *Qualitative Inquiry and Research Design: Choosing Among Five Approaches*, 2nd ed. Thousand Oaks, CA: Sage.
- Dejene A. and Abdurahman, A. (2002). *The Root Causes of Conflict among the Southern Pastoral Communities of Ethiopia: A Case Study of Borana and Degodia*. In: *Conflict*

- in the Horn: Prevention and Resolution. Report of Ethiopia National Workshop. Addis Ababa. OSSREA pub.
- Deutsch, M. (1973). *The resolution of conflict: Constructive and destructive processes*. New Haven, CT: Yale University Press.
- Ellet, W. (2007). *The case study handbook: How to read, discuss, and write persuasively about cases*. Cambridge, MA: Harvard Business Press.
- “European Union Election Observation Mission to Zambia Final Report on the General Elections, (2011).” European Union Election Observer Mission to Zambia, 9 December 2011, http://eeas.europa.eu/eucom/pdf/eucom_Zambia_2011_final_report_en.pdf.
- Flick, U. (2007). *Designing qualitative research*. Thousand Oaks, CA: Sage.
- Galtung J. (1996). *Peace by peaceful means: Peace and Conflict Development and Civilization*. London: Sage Publications.
- Golwa, J. (ed.). (2013). *Perspectives on Traditional African & Chinese Methods of Conflict Resolution*. Nigeria: Institute for Peace and Conflict Resolution (IPCR).
- Hauss C. (2001). *International conflict resolution*. New York: Continuum press.
- Hocker, J. L., & Wilmont, W. W. (1985, 1991). *Interpersonal conflict (3rd ed.)*. Dubuque, IA: Wm. C. Brown. <http://www.rainforestinfo.org.au/background/maxneef.htm>
- Idowu, W. (2005). *A philosophical analysis of conflicts in Africa*. In: *Perspectives on peace and conflict studies in Africa*. Olawale, I. A. (Ed.). Ibadan: John Archers Publishers Ltd.
- International Legal Foundation (2004). *The customary laws of Afghanistan*. www.TheILF.org.
- John, W. Creswell. (2007). *Qualitative Inquiry & Research Design Choosing Among Five Approaches*. London: SAGE Publications.
- Johnson, D. W., Johnson, R. T., Dudley, B., & Magnuson, D. (eds.). (1995). *Training of elementary school students to manage conflict*. *Journal of Social Psychology*, 135, 673-686.
- Landinfo (2011). *Report Somalia: Protection and Conflict Resolution Mechanisms*. Norway: Landinfo.

- Lanek, R. (1999). *Integrating Indigenous approaches with national and International mechanism for conflict resolution and reconciliation*. Paper presented to All-Africa conference on Africa principles of conflict resolution and reconciliation November 8th - 12th 1999 in Addis Ababa. Ethiopia.
- Lederach, J. P. (2005). *The moral imagination: The art and soul of building peace*.
- Marker, S. (2003). *What Human Needs Are*. In *Beyond Intractability*, August 2003. Available on http://www.beyondintractability.org/m/human_needs.jsp.
- Maslow, A. (1971). *The farther reaches of human nature*. New York: The Viking Press.
- Maslow, A., & Lowery, R. (Ed.). (1998). *Toward a psychology of being* (3rd ed.). New York: Wiley & Sons.
- Max-Neef, Manfred. *On Human Needs and Human Scale Development*. USA: Jossey-Bass publisher.
- Mayer B. (2000). *The dynamics of conflict Resolution; A practitioners Guide*.
- Mbiti, J. (1970). *African Traditional Religion and Philosophy*. London: Longman.
- Merriam, S. (2009). *Qualitative research: A guide to design and implementation*. San Francisco, CA: Jossey-Bass.
- Mohamed A. Abdi. (2010). *Conflict resolution and nation-building in Somalia*. Atlanta: Clark Atlanta University.
- Moore, E. (1985). *Conflict and Compromise: Justice in an Indian Village*. New York: New York University Press.
- Murithi, T (ed.). (2000). *All-Africa conference on African principles of conflict resolution and reconciliation, November 8-12, 1999, United Nations conference centre-ECA*. Ethiopia: Addis Ababa.
- Murithi, T. (2007). "The African Union's Evolving Role in Peace Operations: The Union Mission in Burundi, The African Union Mission in Sudan and The African Union Mission in Somalia." *African Security Review*. 17(1) 70-82.
- Murithi, T. (2008). *African Indigenous and Endogenous Approaches to Peace and Conflict Resolution*, In Devid J. Francis (eds.). *Peace and Conflict in Africa*. London: Z-Books.
- Murithi, Tim & Pain, Dennis (eds), (1999). *African Principles of Conflict Resolution and Reconciliation*. Addis Ababa: Shebelle Publishing.

APPENDICES

- Mutisi, M & Sansculotte, K. (eds.) (2012). *Integrating Traditional and Modern Conflict Resolution: Experiences from selected cases in Eastern and the Horn of Africa*. Africa Dialogue Monograph Series No. 2/2012. Durban: Umhlanga Rocks.
- Mweembe, M. (2006). *The Challenges of Customary Land Tenure in Zambia*. Germany: FIG Congress.
- Norwood, G. (1999). *Maslow's hierarchy of needs*. The Truth Vectors (Part I). Retrieved May 2016, from <http://www.deepermind.com/20maslow.htm>
- OAU proposal for Action (1992). *Resolving Conflicts in Africa*. OAU press information Series No. 1. www.oau.org/proposal accessed 18th Feb. 2016.
- "Observing the 2001 Zambia Elections," The Carter Centre, Atlanta, October 2002, <http://www.cartercenter.org/documents/1135.pdf>.
- Ofulo, C.H. (1999). *Community Conflict Resolution and Reconciliation in the Kidepo*.
- Olaosebikan, A. J. (2010). *Conflicts in Africa: Meaning, Causes, Impact and Solution*. *An International Multi-Disciplinary Journal, Ethiopia* Vol. 4 (4), Serial No. 17, October, 2010. Oxford: Oxford University Press.
- Oyerinde, O. K. (2002). *Conflicts over Agricultural Land and Indigenous Institutions for Conflict Resolution in Rural Yorubaland (Southwestern Nigeria)*. USA: Indiana University.
- Ruane, Janet. M. (eds). (2005). *Essentials of Research Methods: A Guide to Social Science Research*. Oxford: Blackwell Publishing.
- Simth, J. (2009). "A strategic conflict assessment of Zambia". April 2009. Monograph 158.
- Tobiko, Keriako. (2013). *The Relationship between Formal Rule of Law and Local Traditional Justice Mechanisms*. Moscow: Director of Public Prosecutions. Accessed from www.iap-association.org/Annual-conference/18th-Annual-conference.
- Tutu, D. (1999). *No future without forgiveness*. London: Pinter.
- University for Peace (2005). *A Glossary of Terms and Concepts in Peace Conflict Studies*. 2nd Edition. Geneva: Switzerland.
- Yakubu, D. M. (1995). *Conflict resolution in traditional African societies and present day realities: the Tiv experience*. Paper presented at a seminar organized by the Centre for Nigerian Cultural studies. Ahmadu Bello University: Zaria, July 1995.

APENDICES

Appendix I

Interview Guidelines

Introduction

I am, Gwanzura Charles a postgraduate student at UNZA/ZOU. The objective of this interview to explore the indigenous conflict resolution strategies in Mungule Chiefdom. Therefore, you are kindly requested to answer the following statements as honestly as you can. Feel confident and your response is only needed for academic purpose and will be kept confidential.

Information on the causes of conflict and resolution meetings

1. What are the causes of conflict in your area?
2. What is the conflict resolution strategies used to settle the conflicts?
3. What are the stages or procedures held by the indigenous conflict resolution mechanism?
4. How do you pass judgement?
5. What are the enforcement mechanisms for the decisions passed by local elders?
6. Have traditional institutions preventing and resolving conflicts been successful in your view?
7. What do you think about the support of the government for the sustainability of indigenous conflict resolution mechanism?
8. What were the main impediments and challenges faced by the indigenous conflict resolution mechanism?

Probing: Is it organizational related issues? resources related, limitations with regard to agenda and mandate, political manipulation?

9. What do you suggest to improve the efficiency of traditional systems of resolving conflicts both within and without your community/country?

10. Have the indigenous conflict resolution mechanism at least for the last five years been able to address the root causes of conflict in Mungule Chiefdom? If not, why?
Probing: regarding issues such as conflict over land ownership/or boundaries, competition over natural resources resulted from environmental degradation, competition over local power/leadership?
11. What is the contribution of Indigenous Conflict Resolution Strategy to social cohesion and sustainable resolution?
12. What are the challenges and opportunities of indigenous conflict resolution strategies in your area?

Appendix II
Questions for the Focus Group Discussion

I am, Gwanzura Charles a postgraduate student at UNZA/ZOU. The objective of this interview to explore the indigenous conflict resolution strategies in Mungule Chieftdom. Therefore, you are kindly requested to answer the following statements as honestly as you can. Feel confident and your response is only needed for academic purpose and will be kept confidential.

1. What are the main causes of conflicts in the village?
2. Why do individuals inter into dispute or conflict in your village?
3. How do you evaluate the process of indigenous conflict resolution mechanism?
4. How effective is the indigenous conflict resolution?
5. Is the result of indigenous conflict resolution sustainable?
6. How efficient is the indigenous conflict resolution?
7. What are the challenges and weaknesses of indigenous conflict resolution mechanism in your area?