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Challenges Faced by Traditional Institutions in Peacebuilding and Conflict Transformation in Mashonaland Central Province, Zimbabwe

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	Abstract: This study is a comparative analysis of challenges faced by traditional			
*Corresponding author	institutions in peacebuilding and conflict transformation during the periods 2002-			
Mbwirire John	2008 and 2009-2013 in Mashonaland Central Province in Zimbabwe. The study			
	employed a mixed method approach combining questionnaires with community			
Article History	members, focus group discussions with traditional chief's council members and			
Received: 03.10.2017	in-depth interviews with traditional chiefs. The findings indicate that traditional			
Accepted: 10.10.2017	institutions faced political, social, and economic and land challenges. The study			
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	framework for the application of traditional mechanisms in peacebuilding and			
DOI:	conflict transformation.			
10.36347/sjahss.2017.v05i10.004	Keywords: African community, conflict, challenges, traditional institutions.			
E14-350E1	INTRODUCTION			
	Conflict is omnipresent in every community. Conflict is also inevitable in			
	all human conduct because of differences in interests, goals, values and aims.			
	According to Benyera [1] most African conflicts emanate from families, clans,			
	villages, locations or other small units. However, traditional institutions are found			
E162639787	in all African communities. These institutions have peacebuilding and conflict			
	transformation frameworks for resolving conflicts and for preventing escalation			
	of conflicts into violence. In so doing, they promote peaceful co-existence at			

grassroots levels.

Traditional institutions have native peacebuilding and conflict transformation mechanisms which are mandatory in addressing social disputes, land disputes and to a lesser extent, socio-economic and political disputes. In modern society, traditional institutions in a many African countries such as South Africa, Mozambique, Kenya, Zimbabwe, Botswana and Malawi are working alongside other governmental departments which deal with justice system delivery [2]. In other words, these government departments together with traditional institutions have a special role to play in peacebuilding and conflict transformation.

Traditional institutions have native justice delivery systems which are primarily responsible resolving conflicts among community members as well as between communities. During the past century, traditional institutions have drastically changed because of colonialism, technological advancement, globalisation, introduction of foreign religious systems and beliefs, changes in governance systems and structures among other factors. All these factors entails that traditional institutions were greatly affected.

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Furthermore, changes which took place have created challenges on the way traditional institutions deal with peacebuilding and conflict transformation mechanisms [3].

Since traditional institutions are regarded as part of the justice delivery system in quest for conflict transformation, what are the challenges faced by traditional institutions in peacebuilding and conflict transformation? The purpose of this study was to explore challenges faced by traditional institutions in peace building and conflict transformation mechanisms in Mashonaland Central Province in Zimbabwe during the periods 2002-2008 and 2009-2013.

METHODOLOGY

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

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

RESULTS AND DISCUSSION

Political Challenges Faced by Traditional Institutions

Table 1 shows how political challenges affected traditional institutions more during the period 2002-2008 than during the period 2009-2013.

Period	Category of Challenge	Sex of Respondents		Total (n=249)
		Male (n=175)	Female (n=74)	
2002-2008	Political Issues	94.2%	100.0%	96.0.0%
2009-2013	Political Issues	69.1%	71.6%	69.9%
Source; Primary data				

Table 1: Political Challenges	Faced by	Traditional	Institutions

The period 2002 to 2008 had more political challenges than the period 2009-2013. For the two periods, there was no much difference on how male and female considered how political issues affected traditional institution in peacebuilding and conflict transformation.

Reasons for the political challenges during the period 2002-2008 provided by respondents are illustrated on Fig 1 below. The ascending order of the suggested reasons were that traditional institutions were characterised by; violence, partisan, co-opted, anarchy and hegemony.



Fig-1: Political Institutions Faced by Traditional Institutions during 2002-2008 Source; Primary data

For the period 2009-2013, respondents indicated that political challenges affecting traditional institutions in peacebuilding and conflict transformation in

ascending order of prominence were; corruption, nepotism and human rights abuses as illustrated on Fig 2 below.



Fig-2: Political Challenges Faced by Traditional Institutions during 2009-2013 Source; Primary data

This shows that the traditional institutions faced political challenges. This could be so because it is difficult if not impossible, for traditional institutions to clearly say that there were corrupt, full of nepotism when they have a special role to play on conflict resolution and conflict transformation.

The majority of the FGD informants indicated that political violence, instability, torture, killings and intimidations were the challenges faced mostly during the period 2002-2008 than during the period 2009-2013. The political challenges persisted during the period 2009-2013 but not as gravy as the period 2002-2008.

All KII informants concur with focus group data that politically motivated violence was the serious challenge faced by traditional institutions. The challenges were high during the period 2002-2008 than during the period 2009-2013. When probed to clarify on traditional institutions creating or supporting politically motivated violence and instability, some informants indicated that it is a misconception which community members have, but others indicated that they unwillingly complied with the dictates of the ruling party for them to 'survive'. One of the key informants even said "kana uchida kurarama uri muno muprovince, wotoita zvinodiwa ne bato rinotonga (ZANU PF)" (KII informant). (If you want to stay alive in this province, you have to comply with directives issued by the ruling party (ZANU PF).

Survey data show differences with FGDs and KIIs data on political challenges faced by traditional institutions for the two periods 2002-2008 and 2009-2013. The most challenging issue was for traditional institutions to negatively evaluate themselves in peacebuilding and conflict transformation. On the other hand, the majority of community members were unwillingly to comply with politically motivated sentiments dictates and approaches due to fear of

victimisation. However, Mohammed [4] identified that a number of traditional institutions are corrupt and biased.

Political challenges in Zimbabwe were high during the period 2002-2008 than 2009-2013. This finding has been supported by Makumbe [5], Madondo [6] Chitsike [7] and Dodo [8]. On the other hand, traditional institutions did support or had direct influence on promoting or facilitating political challenges by being political activists. This has been seen by the number of suggestions made by community members on issues such as high level of political violence and instability, partisan (with a bias towards the ruling party), and being co-opted. ZANU PF appears to have egocentrism for traditional institutions when it sees it convenience to bring about its political agenda. By so doing, this makes some traditional leaders becoming partisan. In view of that, traditional institutions face the dilemma of who to please: their community members (subjects) or their paymasters (Zimbabwean government). Some traditional leaders carry out violence and this has made them drop community acceptability in the eyes of the victims of violence.

Unlike in Mashonaland Central Province, Makumbe [5] indicated that in Masvingo and Buhera, some traditional leaders maintained their traditional ethics and fought politically motivated violence by enforcing perpetrators to return what they took from victims even before the formation of government of national unity. This kind of behaviour could be one of the reasons why political tolerance was high in 2013 than before as far as Zimbabwean history is concerned.

Social Challenges Faced by Traditional Institutions

Table 2 below, indicates social challenges faced by traditional institutions during the periods 2002-2008

and 2009-2013. Basically, the social challenges were

similar for the two periods under study.

Period	Category of Challenge	Sex of Respondents		Total (n=249)
		Male (n=175)	Female (n=74)	
2002-2008	Social Issues	61.1%	67.6	63.1%
2009-2013	Social Issues	61.1%	60.8%	61.0%
Source; Primary data				

There were no noteworthy differences between male and female community members on social challenges affecting the community. In addition to this, there was no much difference of social issues during the two periods, 2002-2008 and 2009-2013. This clearly indicates that community members had the same understanding on social issues affecting their lives.

Illustrated on Fig 3 below are reasons for the social challenges faced by traditional institutions during the period 2002-2008 in ascending order of prominence were: nepotism, lawlessness, high crime rate and poor court systems.



Fig-3: Social challenges affecting traditional institutions during 2002-2008 Primary source

The majority of FGD informants indicated that marital disputes, family issues and human rights abuses were the social issues which were challenging to traditional institutions during the periods 2002-2009 and 2009-2013. A few of the informants suggested minor theft cases. One informant said *"Kushungurudzana kwanga kwakanyanya kunana 2008 pane kunana 2009"* (FGD informant). (Cases of abuse were high during 2008 than during 2009).

All KII informants indicated that social issues were not a challenge to them. The challenge aligned to social issues according to all key informants was that the legal systems (judicial system) in most cases turned down their ruling and considered their ruling a nullity. One of the key informants expresses that *"ini nemasimba andakapiwa napresident, ndinorwadziwa kana ndichiti nyaya dzandatonga dzakaitwa appeal ku* court magistrate *akati mambo akatadza kutonga*" (KII informant). (Being appointment by the president of the state automatically accorded me with the power and authority over my community, it is painful to learn that an appeal made after my ruling be considered a nullity by a magistrate). When probed on why the judicial system does not consider communal court rulings, informants indicated that it seems the legitimacy of traditional courts dovetails with that of the judicial system.

Data presented above indicated that community members could identify challenges which are different from the ones identified by traditional institutions. Corruption, nepotism poor court systems and lawlessness were the major causes for social challenges faced by traditional institutions according to community members.

Social issues (marital disputes, family issues and human rights abuses) were the real areas which

traditional institutions preside over in communities. This has been supported by scholars such as Chitsike [7], Gelfand [9], Makochekanwa and Kwaramba [10] and Mawere and Kadenenge [11]. The possible reason why these duties pose a challenge in their execution might be that, corruption and nepotism cause lawlessness which renders poor judicial systems; are the real challenges affecting traditional institutions. The area of concern which might pose a real challenge is the lack of coordination between the community courts and the judicial system. This was indicated by the fact that ruling of social disputes by community courts may be dismissed and considered void by the magistrate courts. This assertion was supported by Gelfand [9].

Despite facing the challenges presented above, traditional institutions could be influential in setting off

social change by striking a strong balance between tradition and modernity. By remaining informed, they could disseminate information about and give support to the activities of organisations like local authorities, other government departments, CSOs and NGOs. In a related study carried by Sharma [12] in Botswana, community courts handle around 80 to 90 percent of criminal cases and civil disputes. This clearly shows that traditional institutions are popular among people living in rural communities. Therefore, traditional institutions are there to stay considering that they got approval and recognition by both community members and the government of many African states.

As shown on Table 3 below, economic challenges traditional institutions faced during the period 2002-2008 and during the period 2009-2013.

 Table 3: Economic Issues Affecting Traditional Institutions

Period	Weakness	Sex of Respondents		Total (n=249)
	Category	Male (n=175)	Female (n=74)	
2002-2008	Economic Issues	94.3%	93.2%	94.0%
2009-2013	Economic Issues	81.1%	78.3%	80.3%
Source; Primary data				

Economic challenges were more during the period 2002-2008 than during the period 2009-2013. However, there were not many differences between male and female community members on the effects of economic challenges affecting the entire community.

Reasons why economic challenges prevailed during the period 2002-2008 are illustrated in their ascending order of prominence on Fig 4 below. The reasons are inflation, limited resources, no funds, drought, sanctions and economic meltdown.



Fig-4: Reasons for economic challenges during 2002-2008 Source; Primary data

There were not many differences between male and female on economic challenges which affected traditional institutions during the period 2002-2008.

Economic challenges which affected traditional institutions during the period 2009-2013 are as

illustrated on Fig 5 below. To note is the fact that the reasons are illustrated in the ascending order of prominence. The reasons are nepotism, industry closure, sanctions and global recession.



Fig-5: Economic challenges faced by traditional institutions during 2009-2013 Source; Primary data

There were no notable differences on economic challenges faced by traditional institutions for the periods 2002-2008 and 2009-2013. Survey data presented on economic challenges indicated that there were more economic challenges affecting traditional institutions during the period 2002-2008 than during the period 2009-2013.

According to FGD data gathered, the majority of informants indicated that economic disputes were not an area of concern except on matters which involve compensation and retribution. One informant said "Isu tinoona zvekuripirana chete pane zveupfumi hwenyika izvi" (FGD informant). (We deal with reparations/compensation only. We do not preside over economic matters). The minority of informants indicated that economic challenges which were affecting the whole country had a strong bearing to traditional institutions. In addition to this, informants identify poor economic performance, due to economic sanctions imposed by the West, lack of resources and funds and the anti-development antics of MDC.

According to KIIs data gathered, informants indicated that economic disputes were partially dealt with by traditional institutions. When probed to specify areas they dealt with, informants indicated that they encouraged and collected livestock and hut taxes from their subjects, as well as handling matters to do with compensation and retribution. On compensation and retribution, the majority of informants indicated that the type of offence had a penalty which was well known by community members as follows; removing someone's eye or tooth warranted a penalty of a one cow, desecrating a grave warranted a penalty of three cattle, denouncement of a tradition leader warranted a penalty of a goat, adultery warranted a penalty of three cattle. Ngozi warranted a penalty determined by the avenging spirit, failure to adhere to traditional code by village heads warranted a penalty of payment of a goat to the

chief, witchcraft disputes payments were determined through consultation of a n'anga (native doctor) chosen by disputants. On monetary fines or payment, all informants indicated that they dealt with cases which do not exceed US\$500.00. Also, some informants indicated that due to economic hardships, drought and famines, economic sanctions and unemployment were some of the challenges faced in the community. Payment of taxes, fines and penalties were the other challenges. A few of the informants went further to highlight that zunde ramambo (chief's food reserves for the less privileged) was difficult to revive despite receiving food inputs from President Mugabe and ZANU PF. One informant said "We are not specialists in economic matters, therefore our participation is minimal" (KII informant).

Survey, FGDs and KIIs data indicated that economic issues pose a threat to the operation of traditional institutions. The economic challenges were severe during the period 2002-2008 because of a number of reasons presented above. Although the period 2009-2013 showed signs of economic improvements, the improvements were not enough to eliminate all problems completely, but to manageable levels.

Data presented above indicate the traditional institutions had a role to play as far as economic issues were concerned. Jackson and Marqutte, 2005 argued that chiefs have become 'overvalued' civil servants. The fall down of the Zimbabwean economy at the commencement of Structural Adjustments, the 1997 munched of the Zimbabwean dollar after the war veterans, gratuities, the amplified social unrest leading to 1998 food riots, the surfacing of the Movement for Democratic Change-MDC and the failed referendum in 2000 facilitated a qualitative variation in the nature of subjugation. Facts collected about human rights violations; particularly since the February 2000 Constitutional Referendum and succeeding parliamentary elections disagree with government's destructive effort to 'economically empower' the indigenes with the deterioration of the civil political rights regime.

In a related study in Namibia, Mamdani [13] observed that most, if not all, traditional institutions were experiencing financial challenges. This is similar to the findings of this study. After independence, traditional institutions lost most of their main sources of income (petty fines and communal fees) and presently obtained little financial or institutional support from the government. Nevertheless, The Traditional Authorities Act makes provision for traditional authorities to set up a Community Trust Fund for supporting the traditional institutions' projects. However, it is unlikely that these Trust Funds will be able to generate enough capital and security to overcome the existing financial problems. Mamdani [13] went further to say some members of the

traditional institutions absent themselves from their duties for economic reasons. A considerable number of them are in employment elsewhere whilst others were full-time commercial farmers. Others were church leaders, teachers, politicians and businessmen. Because of this, traditional institutions have to divide their time, energy and resources between their employment and leadership responsibilities in the community. If the economic woes affecting the Zimbabwean populace are not resolved, the efforts of traditional institutions in peacebuilding and conflict transformation would be in vain.

Land Challenges affecting Traditional Institutions

Data presented on Table 4 below shows that land challenges faced by traditional institutions were more during the period 2002-2008 than during the period 2009-2013. However, there were no much differences between male and female community members on the how land issues affect the entire community.

Table 4: Land Disputes Is	sues Affecting	Traditional]	Institutions
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Period	Weakness Category	Sex of Respondents		Total (n=249)
		Male (n=175)	Female (n=74)	
2002-2008	Land Issues	94.3%	86.5%	92.0%
2009-2013	Land Issues	77.1%	78.3%	77.5%
Source; Primary data				

Reasons why land issues were challenging to traditional institutions during the period 2002-2008 are

illustrated on Fig 6 below. The reasons are displayed in ascending of prominence.



Fig-6: Reasons for land challenges during 2002-2008 Source; Primary data

Reasons for land challenges which affected traditional institutions during the period 2009-2013 are as illustrated on Fig 7 below. The reasons are presented

in the ascending order of prominence. These are partisan, nepotism, farm invasions and land boundary disputes.



Fig-7: Reasons for land challenges during 2009-2013 Source; Primary data

There were not many differences on land challenges affecting traditional institutions during the periods 2002-2008 and 2009-2013. However, the period 2002-2008 had many land challenges than the period 2009-2013. This could be a result of farm invasions. which beneficiaries called land redistribution, which was done haphazardly. Following the political dynamics in Zimbabwe since the early 2000s, there was no national framework for land distribution. Politicians took advantage of this to satisfy selfish power needs at the expense of benefiting the rightful people, with the potential to utilise the land fully.

Data gathered through FGDs indicated that the majority of community areas close to farms grabbed faced difficulties in regularizing land allocation. The popular view indicated that there was commotion among landless majority, the government and local leaders. The minority view from other informants was on those far away from grabbed farms who faced challenges of managing land left by community members in favour of grabbed farms. The challenge was on who should take over and how. All informants indicated that land disputes were always there for a long time generation after generation but considering the two periods in question, 2002-2008, this had a lot of challenges than the period 2009-2013. One informant said "Kubvira pasi chigare, ibasa remadzimabo ne madzishe kutamba nyaya dzevhu, hazvisi zvatanga iyezvino izvi" (FGD informant). (Since long back, traditional institutions were and are still dealing with land issues. It is not a new phenomenon).

Data gathered through KIIs indicated that the popular view shows that land challenges were on who should benefit from farms taken by the government and the ruling party and how. All informants indicated that the land allocation was fast yet there were no structures to manage and allocate the land. One informant said "Takanetseka kuti vanhu vangapiwa minda sei uye vakaita sei" (KII informant). (It was difficult to find people who were to benefit from land redistribution, and how)". When probed further on how they managed to deal with the land challenges, the majority of informants indicated that war veterans, traditional government departments were institutions and responsible; coordination of their activities was to follow at a later unspecified stage. Some informants indicated that the interference of war veterans and politician pose a number of challenges on land distribution and re-distribution. Others indicated that other players like the ruling party politicians and war veterans surfaced and posed challenges during the period 2002-2008 but there were few such cases during the period 2009-2013.

Survey, FGDs and KIIs data indicated that land challenges affected Zimbabwe during the period 2002-2008 more than during the period 2009-2013. In land disputes, the traditional institutions had a prominent role to play. In a related study in Ghana, Crook [15] finds that, in broad-spectrum, about 37% of disputants were involved in land disputes. The disputants resorted to resolve the conflict by traditional institutions through a traditional court system. Those who were not satisfied with the rulings of traditional institutions were allowed to appeal the ruling through the judicial court systems.

As the findings of this study revealed, land being the major means of production, has mostly been the main root cause of conflicts in most countries. Land conflict issues associated with cultivation that has been in existence prior to colonial era, during the colonial era and post-colonial era. Currently, due to rapid population growth, the conflict over land is sharply increasing. As indicated by Campion and Achaempong [14]

effectiveness of traditional institutions to resolve land disputes is depleting mainly because of the absence of formal land structures and institutions which must give guidance and supervision over land dealings. Traditional institutions might be found wanting to both allocate and preside over the land disputes. To avoid conflict of interest and monopoly, allocation of land should be done by a separate institution, resolving land disputes by the other sectors. In certain cases, traditional authorities might be politically co-opted, get biased and become partisan. Consequently, they end up losing focus because of not being neutral and end up justifying the unjust, as well as acting like spokespersons for government and politicians. Such acts constitute betrayal of trust; as a result community members undermine their worthiness.

Just like the situation in Zimbabwe, Crock [15] observed that the formal land management or administration sectors in Ghana were not expecting land invasions, and therefore, were not prepared for it. Therefore, even traditional institutions did not come up with a land acquisition process or system. In addition, the Ministry of Lands and Rural Resettlement situation in Zimbabwe was identical to Ghana's Lands Commission and the Environmental Protection Authority, which had no rules and regulatory framework for chronicling land for large-scale cultivation specifically for landless rural folks.

CONCLUSION AND RECOMMENDATIONS

Political challenges were high during the period 2002-2008 than during the period 2009-2013. This was mainly because of politically motivated violence and traditional institutions being partisan.

Social changes were almost the same during the two periods 2002-2008 and 2009-2013. These social challenges were caused by lawlessness, nepotism and high crime rate.

Economic challenges were higher during 2002-2008 than during 2009-2013. This was because of drought, recession, industrial closure, sanctions, nepotism and lack of funds.

Also, land challenges were more during the period 2002-2008 than during the period 2009-2013. This was caused by farm invasions, nepotism, partisan, political instability and poor court rulings.

The study recommended that there is need to craft and implement a clear legal and policy framework for the application of traditional mechanisms in peacebuilding and conflict transformation. This would entails that traditional institutions should address challenges affecting them in accordance to the confines of the law governing their operations. Traditional institutions should be included on the national budget as a special unit for community development.

Also, the study recommended that there is also need for African traditions and customs to be included in formal education system to boost respect for African cultures, particularly following centuries of suppression.

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