

Traditional Mechanisms of Resolving Conflicts over Land Resource: A Case of Gorowa Community in Northern Tanzania

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Abstract

Traditional mechanisms for conflicts resolutions in Tanzania have been playing a major role to bring harmony and peace among members of the society. These mechanisms are created within a social-political structure of every community. They have been shaped by the realities that are happening in every community, making them unique to each community. Among Gorowa of Babati in Northern Tanzania conflict and conflict resolution mechanisms have never been static. They have been changing gradually over time as influenced by the nature and dynamics of the socio-political and economic activities. However, despite the fact that, traditional mechanisms contributes much to peace and security in promoting development, no through study have been done to underscore the nature of conflicts and their mechanisms for resolution among Gorowa community. Therefore, this paper tried to fill this gap by analyzing the nature of land conflict and the mechanisms for their resolutions. The study applied qualitative approach in exploring the causes, nature of land conflict and the mechanisms of resolving them. Qualitative approach was mostly used to gather views and opinions of respondents about the nature of land conflict and their mechanism of resolving. Also, quantitative approach was used to supplement the information whereby numerical and statistical data were gathered. The instruments used to collect data were interview, focus group discussions and observation. The study population included experts for conflicts resolution and other members of the community with sample size of 140 respondents. The analysis of the data was done through Statistical Package for Social Scientists (SPSSx) computer programmes. The main findings of the study showed that, over 75% of the respondent agreed that, land shortage for pasture and cultivation, water scarcity, livestock and family relationships were the main causes of conflicts in Gorowa community. About 60% of respondents had the views that, traditional mechanisms hold significant role in resolving dispute while 55% percent of the respondent preferred modern mechanisms for conflicts resolution. The study concluded that, land conflicts among Gorowa community can be minimized by providing education and adoption of modern technologies in livestock keeping and crop cultivation. The study recommended that, because the nature and causes of conflicts

are not fixed, the traditional mechanisms have to be incorporated to modern ways for the more effectiveness in communal conflict resolutions.

Key Words: Land Conflict, Traditional Conflict Resolution Mechanisms, Gorowa, Tanzania

Introduction

The vital importance of land issues to social and economic development in Africa is unquestionable. Land resource is very crucial in any production within a society whereby equitable and secure access to land is a critical factor for the development. It provides a sense of security in contexts where formal employment opportunities and access to resources are limited. Land resources continue to have major historical, cultural and spiritual significance (Odgaard (2006, the Encyclopedia of Earth, 2008). In East Africa, land plays a big role in sustainable economic development whereby large population depends on it in industry, urban life and agricultural livelihood. It remains the fundamental importance to large majority of people. Land provides the means of existence that is in food production and without it, man is poor (Gulliver, 2013). This is also true for Tanzania whereby to a large extent majority (about 80 per cent) of her population depends on land for agriculture. The remaining 20% of people use land for other activities such as industries, forestry, and fishery to mention but few (Navuri, 2011). Although new generation seemed to favor cash crop cultivation over animal keeping, the main problem again is land shortage. The other problems are that, while population is growing fast land resource is stagnant and thus makes it obvious for conflict to arise

However, despite the importance of land, it has posed many challenges and become a source of conflict in Africa. A study done by Yamano (2005) revealed that, land is increasingly becoming a source of conflicts in Africa, where land access had traditionally been characterized as relatively egalitarian. Conflict is defined as a difference in preferred outcomes in a bargaining situation. It is a disagreement between two or more parties in search for a particular interest such as social structural, religious sentiments racial or ethnic differences (Goldstein & Pevehouse 2006). Again Mpangala (2000) defined conflict as confrontation that arises from incompatible interests of opposing parties. In Tanzania, recently land conflict is not a new phenomenon. Rwechungura (2011) reported that, even though Tanzania remains relatively comfortable with arable tracts estimated at 44 million hectares for various uses, mostly agricultural activities, the country is not free from land related conflicts. The country has been experiencing an increasing magnitude of conflict among land-users particularly between the cultivators and pastoralists. This argument is supported by Williams (1999) that, conflicts often erupt between herders and farmers over access to land and water resources. This situation happens due to the farmers' expansion into marginal lands resulting into competition between livestock and crop production. Also, poor distribution of people engaged in farming has always created problems and sometimes leading to deadly conflicts. Areas such as Kilosa and Kilombero districts in Morogoro region, Kilindi and Handeni district in Tanga region, and Mbarali district in Mbeya region are some of the places that have experienced land conflicts between farmers and pastoralists in recent years. These conflicts mostly resulted into loss of lives, destruction of property and the turning the areas into war zones, as they try to clinch the right to use the land (Chawene, 2012).

Land conflicts among agro-pastoral communities have been major threats to the community and a nation at large. This is because land resource is the most useful for both crops cultivation and livestock keepers. Gorowa community is not exceptional in facing conflict over land. Gorowa people, also called Wafiome, are one of Cushitic people in Babati district which is located about 160 kilometers to the south west of Arusha region however, little has been studied and recorded about the Gorowa people but often they have been integrated and studied together with the Iraqw. This is because of their similarity in language to Iraqw people who are a larger group than the Gorowa. Historically, it had been assumed that studies on the Iraqw represented also the Gorowa people since they have similar customs and ways of life (Gray, 1955). The Gorowa, also known by a Swahili name Wafiome, are linguistically related to the Iraqw (Wambulu). Gorowa language belongs to southern Cushitic languages of East Africa as classified by Greenberg (Thornton,1980). Farming and livestock rearing are their main economic activities that influence clashes over land. Being agro-pastoral community, land is very essential both for crop cultivation and animal keeping. The main crops cultivated among the Gorowa are sorghum, bulrush, millet, maize, beans, pumpkins and sweet potatoes. Other activities include honey gathering, fishing and hunting to supplement source of crops and natural products. Hunting, fishing and gathering provided an access to a supplementary source of animal food and natural products. Despite these activities, however, the allocation and distribution of land as well as their inheritance brings the rise of misunderstandings and land conflicts in Gorowa community.

Conflict resolution is a complex field of endeavor with many interdependent kinds of activities. Their causes and destructive consequences of conflicts imply that, pragmatic steps must be employed to resolve these conflicts regardless of the level and nature of conflict. Conflict resolution is the situation where by the conflicting parties enter into an agreement that solves their central incompatibilities, accept each other's continued existence as parties and cease all violent actions against each other (Wallenstein,2002:8). Despite the efforts of resolving the conflicts, there have been the tendencies of re-occurrence of the conflicts. Land conflicts like any other conflict, do not disappear simply through the invisible hand of God. In Tanzania both modern and traditional mechanisms are employed to resolve land conflict. However, previous studies done on resolving land conflict emphasized on modern mechanisms such as negotiation, arbitration, mediation, reconciliation, adjudication as pointed by UN Charter chapter six, article 33. For example, Schellenberg (1996), pointed out that, the approaches of conflict resolution should base upon BATNA (Best Alternative to Negotiated an Agreement). He identifies five different methodologies practices that can lead to conflict resolution that are modern. Therefore, there is a gap on the traditional mechanisms for resolving conflict particularly land conflict in Tanzania. This paper tries to fill the gap by examining on the traditional mechanisms in resolving land conflict among the Gorowa community of northern Tanzania. Traditional mechanisms is used in this paper to mean, the means, tools, or instruments of hearing, making analysis and peace making recommendations for conflicting parties to come to an end of their disputes through in an amicable way without causing harm or damage to either party. These mechanisms are generally closely bound with socio-political and economic realities of the lifestyles of the communities. They are rooted to the culture and history of the African people, and are in one way or another unique to each community (Rabar and Karimi, 2004).

Materials and Methods

The study was conducted in three villages of the Babati district in Manyara Region, namely, Gidabaghar, Gidas, and Nangara. The choice of these villages was purposively done due to the fact that, in these villages the Gorowa people are many as compared to other tribes in the district. Also because of time limit, it was not possible to study the whole community at the same time. And finally, Gorowa community used the same traditional mechanisms for conflict resolutions hence to use representative villages was convenient for researchers. The study used a case study design whereby both qualitative and quantitative approaches were employed in data collection and analysis. Qualitative approach was used for the issues that demanded opinions and views while quantitative approach was useful in information that required numbers and statistics. The study population included men and women over 16 years and experts for the mechanisms of traditional conflicts resolution among Gorowa community. The selection of 16 years was influenced by the fact that, in these villages people belong to the mentioned age above have independent families and therefore in one way or another they enter into conflicts with other members in the community. A sample size involved 140 respondents. From this sample size, about 125 respondents were selected by using simple systematic randomly sampling. From the village registry, every tenth name in the list was picked and included in the study sample. This technique was used to give equal chance for every member to be included in the sample. The remaining 15 respondents who were experts and elders were selected purposively. Out of 140 respondents about 90(64%) were males and 50(36%) were female. Number of female respondents was small because during field interview most of the women were not available due to exigency of family responsibilities.

Data collection methods involved the use of multiple data gathering techniques to investigate the same phenomenon so as to improve the validity and reliability of the data collected (Babbie, 1995; Cohen, 2000; Berg, 2004). The instruments used for data collection were the personal observation, interview and focus group discussion. Interview guides were prepared in the semi structured manner and administered during face to face interviews session by the researchers. During focus group discussion, the avenue was given for every responded to hear out what he or she thought as a sources of conflicts and the mechanisms for managing as well as resolving those conflicts. After debate, the consensus was reached and the high agreed opinions were recorded by the researchers. For personal observation technique, the researchers were invited to attend the elders meeting called kwatlemar barise in Gorowa venicular language. Although the meeting was conveyed in vernacular language (Gorowa) but this did not affect the findings of the study since one member of the research belong to the same community, hence it was not difficult to translate the findings into english language. Secondary data were gathered from both published and unpublished sources such as books, journal articles, research reports and online information were consulted to compliment primary data.

Upon completion of the data collection, the information was verified, compiled and coded prior to analysis that was done through statistical package for social scientists (SPSSX) Computer programme. Data from the semi structured questions were analyzed quantitatively and the results are presented in tables and figures in frequencies and percentages. While the qualitative data from the open-ended questions and focus group discussions were analyzed

through classification and reorganization of different sub headings, as well as identification of similar and dissimilar aspects of the study in the interviews. In recording the findings from personal observation, the higher the percentage the point was given by respondents was recorded. Observation provided the researchers chances to see from respondents the body language such as nodding the heads, smile or laughing as a sign of showing agreement or disagreement to what has been raised while debating over the subject of the discussion. Quantitative and qualitative results were reported concomitantly in such a way that the qualitative results were used to elaborate and validate the quantitative findings.

Results and Discussion

Characteristics of Respondents

The study result indicates that, the majority of the respondents (64%) were male while (36%) were female. Female respondents were few due to family exigency responsibility contrary to men who in most cases were flexible hence available during the field data collections. The findings of this study further revealed that, the majority of the respondents (50%) were aged between 16-45 years, followed by age group 46-70 years for (36%) while only (14%) were above 70 years. This evidenced that, the research has taken into consideration the age group that is most vulnerable to conflict. One among the reason was family responsibilities whereby most of this age group was struggling for life which depends on land resource. During the process of production and redistribution of resources they were at risk to enter into conflicts with their counterparts. The study also involve people aged above 70 years and above since most of them are elders who are expect on the mechanisms for handling various conflicts within the community. These findings are similar with those found by Mpangala (2004) that, the use of traditional method in conflict resolution among African societies is not a new phenomenon. African societies normally made the use of wise of the respected elders who intervened between conflict groups to talk with both side, listened to their concerned and used their wisdom to convince each side to stop fighting.

Accordingly, the results show that (50%) of the respondents attained primary education, (21%) attained secondary education and (29%) were illiterate. These results were the indication that, most of the Gorowa people are still marginalized in attaining secondary education and therefore most of them depend largely on animal keeping and crop cultivation. Although the findings show that, majority (50%) of the respondents attained primary education, this level is very low and cannot enable them to be employed in the formal or informal sectors hence hinder their development. This finding is similar to that by Damas and Rayhan (2004) which show that illiteracy is a very serious problem which hinders efforts towards improving livelihoods and it is the main cause of underdevelopment. In the same context, a study done by Admin (2010) found that, about (87%) of the poor people of Tanzania live in rural areas and engages in subsistence agriculture. Their education is of low quality which limits them to better life and development. During the focus group discussion illiteracy was mentioned to be one among the sources of conflict among the Gorowa people. Furthermore, the study findings revealed that, the respondents annual income was very low in comparison to living cost. About 70% of the respondents were earning less than 500,000/= per year. This implies that, the monthly income of the respondent was around 42,000/= this amount was to minimal to support families to meet their basic needs such food, shelter, clothes, health services and education. Only 30% said that their income was above 500,000/= per year. These findings concur with those of URT (2002) in that, an estimated 36 % of the

Tanzania population lives below the basic need poverty line, and 20% live on less than US\$1 a day (Table 1)

Table 1: Demographic characteristics of the respondents in the study area

Variable	Category	Frequency	Percentage
Sex of the Respondents	Male	90	64
	Female	50	36
Age of the respondents	16-45	70	50
	46-70	50	36
	Above 70	20	14
Education Level	Primary	70	50
	Secondary	30	21
	Illiterate	40	29
Income level	<Tshs.500,000 per year	98	70
	>Tshs. 500,000 per year	42	30

Source: Survey Results (2012)

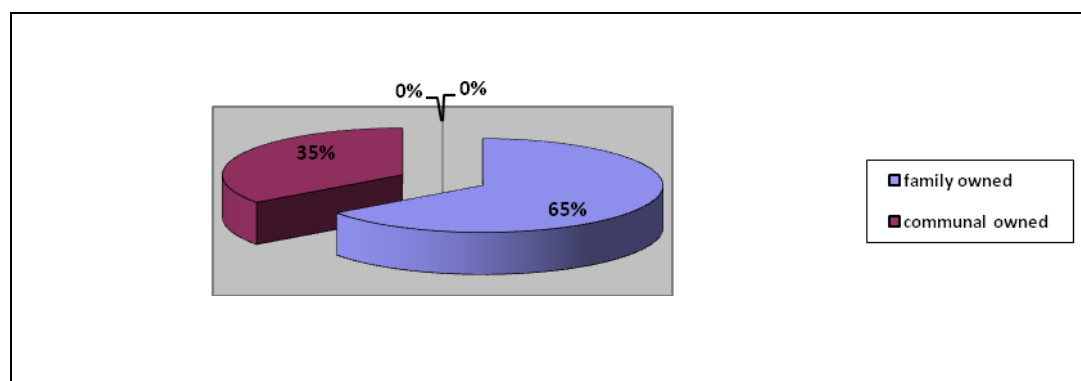
Land ownership among Gorowa community

The findings from the focus group discussion revealed that, land ownership among Gorowa community had two scenarios. First, there was open or land which belonged to all members of the community, this land was collectively owned and no individual claimed to possess the right of using communal land than other. The common usages of communally owned land among others were animal herding, firewood searching, collection of medicine and collection of fruits. Furthermore, during the interview session, the researchers wanted to know whether common land was appropriate than individually owned land among agro-pastoral society. About (35%) of the respondents were of the opinion that, communal land was necessary among Gorowa community to reduce tension for animal keeping. On the other hand, about (65%) of the respondents interviewed pointed out that, the importance of individually owned land overwhelm the communally owned land. The reason given was that, communally owned land was not properly taken care and hence it demolishes or loses its original quality gradually. To support this information Gunnar (1997) argued that, conflict is driven by the unfulfilled needs of the people be in terms of autonomy, sense of justice, identity, basic needs, right of an individual and others. Most of these needs are collective character and are more often than not provoked by official neglect, persecution, denial of human rights, insensitivity or egoism as well as by the arrogance of power on the part of some African leaders which contributes to the escalation of conflict.

Another form of land ownership is individual land belongs to individual families or clans. On the issues of administration and uses it is upon a particular family or clan members to decide. In some families it was divided over portion such that, a particular portion was for cultivation of crops and other portion for animal keeping. During the field interview respondents were of the view that, the tendency of using portion is recently increasing among gorowa

community simply because without doing that an individual will not be able to get enough pastures because common land is not satisfying the needs (Figure1).

Figure 1: Land ownership among Gorowa community (N=140)



Source: Field Survey (2012)

Causes of Land conflict among the Gorowa

In line with the conflicts over the land, researchers wanted to know the extent to which land have contributed to the rise of conflicts among Gorowa community. The results show that, out of 140 respondents about 65 (46%) said that, very often land distribution was a main cause of conflict in the study area. About 55 respondents (39%) agreed that, often land caused conflicts while 15 respondents (11%) were of opinions that, land caused conflict but not very often and only 5 (4%) of the respondents were not sure whether land was a cause of conflicts or not . These findings implies that, Land has been and still is a valuable object that the Gorowa community depends upon whereby it is used for cultivation, pasture, as a source of money by hiring or by selling. (Table 2)

Table 2: Land as a source of conflict among the Gorowa ((N=140)

Item	Frequency	Percentage (%)
Very often	65	46
Often	55	39
Not very often	15	11
Not sure	5	4
TOTAL	140	100

Source: Field Survey (2012)

Impacts of land conflict among the Gorowa community

There are several impacts that are resulted from land conflict in Gorowa Community. From the focus group discussion the findings indicated that, among of the major impacts of land conflict was the destruction of peace in the community, distortion of relationship among

community members which leads to enmity, depression to people, death, injuries and depopulation. One of the clan elders said that, once land conflict occurs, the parties involved had no friendly relations until the matter is resolved. Economically, land conflict led to the destruction of property, the killing of livestock and stagnation of economic activities due to the fact that, instead of engaging in production, people were running away for security purposes and hence the parties involved to conflict suffered from famine. Sometimes people lost their fertile lands for both agriculture and animal keeping. This land conflict finally, made the Gorowa people to be poorer.

Conflict Resolution among the Gorowa Community

Conflicts by nature do not disappear simply through the invisible hand of God. Their cause and effects are always many and varied; their histories are more complex and their solutions more challenging than a remote observer could ever imagine (Gunnar, 1997). Conflict resolution is the situation where by the conflicting parties enter into an agreement that solves their central incompatibilities, accept each other's continued existence as parties and cease all violent actions against each other (Wallenstein,2002:8). In addition to that, conflict resolution is the way of handling conflict by taking problems out not fighting them out (Nathan, 1996:11) .The goal of the process is not just to end the conflict, but also to solve the problem so that all parties in conflict feel satisfied. In resolving conflicts, there are two approaches namely traditional and modern approaches.

The traditional mechanism for resolving land conflicts in Gorowa community varies depending on the nature and the extent of the conflicts. During the field survey, while interviewing the experts of conflict resolution, one of the respondents (Qaduwe Qwandu), narrated that, "the kind of conflict found in communal land was related to some individuals who violated the rule that govern the collective ownership of land. Some individuals decided to take the piece of communal land and enclose as a private property". To resolve such a conflict, the elders meeting termed ('kwatlmar barise') was conveyed led by the experts for procedure of conflicts resolution called 'bariser kwatlema' the accused person was called and asked about his decision and directed to withdraw his decision. In case, he agreed then the problem was solved. However, some greed people refused the advice given to them. In such situation, another step was taken as a punishment, the wife of the concerned individual was asked to go back to her parents, she will be asked to send children to her in laws since in Gorowa tribe children belong to father's clan. Subsequently, collective decision was taken against individual by strictly prohibiting any member of the community to go to the house of such an individual. This action was called 'bayinisa' in Gorowa's venicular language. Upon such an action, a punished individual once wanted to resume the good relationship with the members of the community, it was his/her solely duty to find out elders and to ask for the meeting in which he was supposed to ask for the forgiveness for his wrong practice. Depending on the extent of aggressiveness, relationship background to the members of the community, the decision was made to such an individual. In some circumstances, an individual was freely forgiven, or was asked to prepare the local alcohol called' bura' which was shared by all members of the community who attended the meeting of resolving such conflict. In a circumstance which was serious a wrong doer was asked to provide the bull ('awu') that was killed and the meat was shared during the meeting as an indication that a person was forgiven (Munyo, 2012). This procedures are not far with those found by Chukwuemeka (2012) from Nigeria who reported that, in case that a conflict was between ethnic groups such as an interethnic war there were traditional symbols such as waving leaves of special trees

indicating that one or both sides had an intention of making peace. The parties could engage in direct talks or could seek the assistance of a respected wise elder. Very often when they agreed to end the conflict, a ceremony was organized which involved feasting with traditional brew and slaughtering a cow or cows and/or goats (ibid).

In case of the family land conflict, this conflict arises when one among family members wants to extend the boundary of the inheritance land, given to him by the family head (father). Once land conflicts erupt within his family, the father normally initiate the process for resolving such conflict by listening to the argument of conflicting parties. Afterward, he wisely advice them on how to resolve their differences, incase of any difficulties, he calls upon clan meeting which was led by the head of the clan to resolve it. The meeting composed of the conflicting parties, the witness of the problems (if any), the elders who are expert in reconciliation and the neighbors. The matter is listened and the decision reached after discussion. These mechanisms of resolving family land conflicts are similar with those reported by Weaver (2003) that, successful conflict resolution occurs by listening to and providing opportunities to meet the needs of all parties and to adequately address interests, so that, each party is satisfied with the outcome. The observation of the researcher's was that, when amicable solution was attained at this level, the matter was easily resolved and the level of hostility was minimal between the conflicting parties.

Conclusion and Recommendations

This paper concludes that, land resource is an opportunity if it is properly managed and used but also is a source of conflict in many communities in Tanzania including Gorowa .The traditional mechanism is among the approaches of resolving land conflict in Tanzania. Unequal distribution of land, greed and land scarcity are among the causes of land conflict in the gorowa people. The study findings show that, death, lack of peace, property destruction, economic stagnation and distortion of community relationship are among the results of land conflict in Gorowa.

This paper therefore, recommends that, for the sake of minimizing land conflicts education must be provided to the community members on modern ways of animal keeping such as zero grazing for quality products and reducing the quantities of livestock keeping. Moreover, the government specifically, local government authority has to arrange youth in groups and tries to find other places with abundance land, put in place infrastructure and send youth in their groups to those new places. To avoid the occurrence of more land conflict, communal land should be used equally to the community members. Finally, it was observed that, traditional mechanisms of resolving land conflicts work effectively, however, due to changes in the world and globalization, the elders need to be equipped with additional skills and exposed to new environment to enhance the sufficiency and effectiveness of these mechanisms in resolving conflicts.

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