



*Working Together for
Sustainable Peace in Zimbabwe*

LOCAL CONFLICT RESOLUTION MECHANISMS MAPPING REPORT

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Abbreviations and Acronyms

ADTZ	Artists for Democracy Zimbabwe Trust
CCSF	Church and Civil Society Forum
CSO	Civil Society Organisation
DA	District Administrator
EMA	Environmental Management Authority
EU	European Union
FGD	Focus Group Discussion
GNU	Government of National Unity
GPA	Global Political Agreement
MDC	Movement for Democratic Change
NANGO	National Association of Non-Governmental Organisations
PLWHA	Persons Living with HIV and AIDS
UNDP	United Nations Development Programme
VFU	Victim Friendly Unit
ZANU PF	Zimbabwe African National Union – Patriotic Front
ZCA	Zimbabwe Christian Alliance
ZCC	Zimbabwe Council of Churches
ZIMCET	Zimbabwe Civic Education Trust
ZimRights	Zimbabwe Human Rights Association
ZRP	Zimbabwe Republic Police

1. EXECUTIVE SUMMARY

The Church and Civil Society Forum (CCSF) revised its implementation strategy at a review workshop in September 2013. The new strategy is premised on process oriented programming focusing on addressing underlying causes of conflict and promoting the creation of enduring safe spaces for dialogue. The new strategy ensures a smooth flow from identification of causes of conflict to developing and implementing possible solutions. As part of the shift to the new strategy, CCSF commissioned a study on the nature and characteristics of current conflict issues and the local conflict resolution mechanisms being used to address them. The objective of the study was to establish a baseline on (a) the nature and characteristics of conflict issues (b) how conflict issues have been or are being resolved, and (c) the conflict resolution mechanisms being used in different parts of the country.

The study was conducted from October 2013 to May 2014. Qualitative data was collected through 28 Focus Group Discussions (FGDs), involving between 9 and 25 participants each, conducted by eight CCSF members in eight provinces of the country. The sample sites for the FGDs were 18 communities selected for geographical representation of all provinces except Harare and Bulawayo, historical conflictual relationships and ethnic composition in order to understand how different cultures and traditional values influence conflict resolution mechanisms.

There was a general common understanding of the meaning of the terms conflict and violence by focus group discussants in the 18 sample communities. Conflict was defined as ***".....friction between two or more people due to differences in opinions, ways of thinking and perceiving things"*** and violence as ***".....harm inflicted as a result of conflict that is not handled well"***.

The most prominent conflict situations mentioned by communities include (a) land (field) boundaries and livestock straying into neighbours fields – all provinces (b) partisan political differences – all provinces except Matebeleland South (c) distribution of food aid and agricultural inputs such as fertilisers – all provinces except Midlands, Manicaland and Mashonaland West (d) cultural and religious, including tensions between Christian and traditional cultural values and practises – all provinces except Mashonaland West and Midlands (e) unjust and corrupt practises especially by those in leadership – all provinces (f) tribalism, respect of local languages and lack of opportunities for locals – mainly in Matabeleland provinces and (g) unaffordable residential stands and labour practises – in communities at growth points and towns. Conflict issues are recurrent and permanent solutions have not been found. Where immediate solutions may have been found for particular individual cases the conflict issue or source remain unresolved, sometimes for want of healing and reconciliation.

There are commonalities on mechanisms for resolving conflicts in the 18 communities. Family level conflict resolution methods involve interventions and mediation by extended family members including aunts, uncles, marriage intermediaries, and close family friends. Family disputes are usually first handled by the head of household with extended members coming in depending on the nature of disputes. Where family disputes cannot be resolved at family level, they are taken to the village-head and then headman. Some people, however, prefer to take family disputes, especially those involving domestic violence to the police because they are seen as impartial and to apply known laws. Churches also play an important part in family level disputes resolution through peace messages, prayer, counselling and mediation especially where Church members are involved.

Community level conflicts or those between individuals from different families are presided over by headmen and chiefs depending on the nature and gravity. There is a referral and appeals system from the headmen to the chief. Chiefs also preside over disputes between different headmen (and their people). Headmen and chiefs preside over community level conflicts involving land boundaries, livestock straying in neighbours' field, inheritance issues, accusations of witchcraft, family disputes brought before them and cultural issues such as observance of sacred places and days ("*chisi*") in most communities. In some communities including Nyanga, Buhera, Matopo and Guruve, the traditional leaders together with spirit mediums also lead in traditional rituals such as "*birā*" (i.e. appeasement of ancestral spirits by brewing beer) where things are generally not going well in the community. In such communities spirit mediums and ancestral spirits are also seen as players in conflict resolution. Churches are also important players in community level conflict resolution by seeking divine intervention through prayer and deliverance, counselling and in some cases promotion of development and income generating projects. Government officials including District Administrators (DAs), agricultural and veterinary extension workers, headmasters and teachers, Environmental Management Authority (EMA) and National Parks and Wildlife officials are also players in conflict resolution in areas falling under their purview.

In town settings such as Beitbridge, Residents Associations and Local Councils are players on issues of residential stands while in formal employment situations, like in parts of Binga and Hwange, workers' unions are players on labour issues. Other conflict resolution structures are Local Peace Committees formed with support from Civil Society Organisations in places like Mberengwa, Matopo, Lupane and Shamva.

A key finding from the study is that generally people have relied on the local conflict resolution methods that are in place and that the different methods have mixed results in terms of effectiveness. The local conflict resolution structures and methods have served the people well in some cases and failed them in others. Enabling factors for effectiveness include: traditional methods involving restorative justice; use of locally available assets, e.g. fowls, goats and cattle, for fines and reparations/restitution contribute to appropriateness and effectiveness; referral and appeal systems starting at the household level through the village head, headmen to the chief and even to the magistrate and high courts provide for effectiveness and sustainability; the respect that some pastors command among members enable the Church to be effective in handling disputes involving members; and, trained local peace committees being appreciated by communities.

Challenges for local conflict resolution structures and methods effectiveness include: the rural urban migration usually for economic reasons resulting in the disintegration of family units thereby affecting the effectiveness of the extended family system; abuse of office by people in positions of authority and influence who are supposed to preside over conflict prevention, management and resolution; partisan chiefs and headmen who are manipulated by politicians thereby compromising their impartiality; poverty and corruption affecting the effectiveness of traditional leaders; contradictions and tensions between some traditional values and practises and the constitutional law; lack of capacity for case follow ups; leadership skills; skills by secretaries / clerks of court on record keeping; knowledge of the constitution and relevant laws; and, support from the magistrate to enforce by-laws.

A strong message from the study is that local conflict resolution structures and methods are weak but can be sustainable if capacitated. Sustainability factors that can be used in strengthening the structures and methods are that: the systems are part of and belong to the communities; structures and methods involve local people who know the communities and their contexts; some traditional leaders, especially chiefs, are held in high esteem as

custodians of local cultures and values and respected as arbiters in communities; the structures are in the communities and there are relatively low costs involved in running them; there is no delay of judgement or backlog of cases; and activities of peace committees involving peace projects create dialogue spaces.

The inhibiting factors to watch out for in capacitating local conflict resolution structures and methods include: weakening of the extended family system due to modernisation; technology and modernisation making people look down upon traditional leaders/systems and values; poverty, scarcity of resources and economic hardships, corruption and partisan politicisation of local leaders compromising local leaders; some church leaders compromised by scandals within their churches thereby losing respect among followers; tension between Christian and traditional beliefs regarding practises such as rain making ceremonies, sacred places and days; and, poor working relationship between some elected leaders and traditional leaders who are supposed to work closely together for the good of communities.

Overall, people want to see improvements in local conflict resolution structures and methods. Among stakeholders they want added or become more involved in local conflict resolution structures are women, youths, elders, church leaders, elected leaders, teachers and police. Other suggestion for improving effectiveness of local conflict resolution structures include: having neutral places for village heads and headmen and chief's courts; creating councils of elders to advice new and young generation of traditional leaders; democratising the selection of traditional leaders and their advisors; inclusion of women and youth representation in local structures of conflict resolution; traditional leaders engaging more with the local churches for establishment of common ground where traditional and Christian approaches to conflict resolutions differ; realigning the traditional laws and constitutional provisions so that there is no conflict in interpreting rights issues; traditional leaders to be non partisan; training of stakeholders in conflict prevention, management, resolution and reconciliation; training on human rights and women's rights for leaders and general public including translating constitution into local languages; and, enforcing rule of law starting at leadership level.

2. INTRODUCTION

2.1 Background to the study

Church and Civil Society Forum (CCSF) is a network of the Church, faith based and civil society organisations working together to promote peace through facilitating national healing and reconciliation in a coordinated and harmonized manner. CCSF held its inaugural conference on national healing and reconciliation in Kariba in 2009. With support from the United Nations Development Programme (UNDP), the European Union (EU) and Oxfam Novib the Forum has, since 2012, been implementing a project titled "Towards a framework on national healing, reconciliation, integration and prevention of violence in Zimbabwe" whose purpose is to advocate for a home grown national healing and reconciliation framework developed through a participatory and inclusive process. The project has four specific objectives of: (a) developing national and local mechanisms for violence prevention and promotion of community cohesion (b) strengthening the capacity of the Church, civil society and policy makers to engage on issues of reconciliation and violence prevention (c) creating awareness and encouraging participation of communities in all aspects of reconciliation, integration and violence prevention, and (d) creating more efficient reconciliation and violence prevention processes by coordinating and bundling existing programs.

Based on lessons from the project, CCSF revised its implementation strategy at a review workshop in September 2013. The new strategy is premised on process oriented programming focusing on addressing underlying causes of conflict and promoting the creation of enduring safe spaces for dialogue. The strategy has two steps. The first is participatory action-oriented research on conflict and violence. The second is local conflict management, resolution and prevention mechanisms. The action-research dovetails into communities identifying and implementing possible local solutions for conflict resolution. The strategy is being adopted by CCSF members who, hitherto, were divided into three clusters on capacity building, community mobilisation and violence prevention mechanism. The cluster system was good for coordination, networking and administrative purposes. Reality on the ground is that work on peace building is a continuum from community mobilisation to capacity building and conflict prevention mechanisms. The new strategy, therefore, ensures a smooth flow from identification of causes of conflict to developing and implementing solutions.

Cognisant of the need track progress and impact of work under the new strategy, CCSF commissioned a study on the nature and characteristics of current conflict issues and the local conflict resolution mechanisms being used to address them. The findings will serve as a baseline on which to benchmark progress and impact of future work.

2.2 Purpose of the study

The objective of the study is to establish a baseline on (a) the nature and characteristics of conflict issues (b) how conflict issues have been or are being resolved, and (c) the conflict resolution mechanisms being used in different parts of the country. The baseline report will be used to guide CCSF in its programmes aimed at strengthening community level conflict resolution mechanisms. CCSF will also share the findings with partners, stakeholders in government, donors and other players with interest and/or involvement in peace building, reconciliation and integration.

2.3 Study methodology

2.3.1 How the study was conducted

The study was conducted from October 2013 to May 2014. Qualitative data was collected through 28 FGDs, involving between 9 and 25 participants each, conducted by eight CCSF members in eight out of the ten provinces of the country as summarised in Table 2.3.1¹. The sample sites for the FGDs were 18 communities selected for geographical representation of all provinces except Harare and Bulawayo, historical conflictual relationships and ethnic composition in order to understand how different cultures and traditional values influence conflict resolution mechanisms. The aim was to conduct two FGDs at each sample site. One group would involve local leaders (traditional and elected). The second group, to act as control, would involve women, youth and other members of communities such as church leaders, business people, retired civil servants, etc. The tool used for FGDs is given as an Annex at the end of the report. Each FGD had a moderator and note taker from respective CCSF members. The note takers compiled reports on FGDs and submitted same to the CCSF Secretariat for analysis and production of this report.

Table 2.3.1 Focus Group Discussions conducted for the study

CCSF member	Leaders' FGD venue	Control FGD venue	Mixed FGD (i.e. leaders & community members) venue	Province	FGD date
ZIMCET	-	-	Keyara-Mberengwa West	Midlands	October '13
	-	-	Karereshi-Hurungwe West	Mashonaland West	November '13
Bulawayo Agenda	Lupane Centre	Lupane Center	-	Matabeleland North	November '13
	-	Ngqoya village - Tsholotsho	-		
	Gwanda Town	-	-	Matabeleland South	November '13
	Matopo Presbyterian Church.	Matopo	-		
-	Mathendele - Plumtree	-			
ZimRights	-	-	Sedze - Nyanga North	Manicaland	November '13
	-	-	Mahenye- Chipinge South		
	-	-	Birchenough - Buhera South		
Basilwizi Trust	Binga Centre	Binga Centre	-	Matabeleland North	March 2014
	Hwange Town	Hwange Town	-		
ZCA	-	Beitbridge (pastors)*	-	Matabeleland South	February 2014
	-	Beitbridge (women, youths, PLWHA)	-		
ZCC	Sadza Growth Point - Murambinda	Sadza Growth Point - Murambinda	-	Mashonaland East	February 2014
	-	Muzarabani Growth Point	-	Mashonaland Central	March 2014
	-	-	-		
Silveira House	Shamva	Shamva	-	Mashonaland Central	March 2014
	Guruve	Guruve	-		
ADZT	Chivi	Chivi Ward 16	-	Masvingo	May 2014
	Zaka	Zaka Ward 26	-		May 2014
TOTALS	10 leaders' FGDs	14 control FGDs	5 mixed FGDs	8 provinces	-

*In Beitbridge a group of church pastors was treated as main group representing leaders while in other areas pastors and other church leaders were included in the control group and with main groups consisting of traditional and elected leaders.

2.3.2 Study challenges

There was a challenge for the study in the lack of consistence in conducting leaders' and control FGDs in the same communities. Only in nine out of the 18 sample communities were both the leaders' and control FGDs held. In the other sample communities, either leaders alone or ordinary community members or mixed FGDs were conducted, thereby missing the

¹ The range of FGDs participants as per returns that indicated numbers of participants. Some returns did not.

idea of a main and control group. However, the similarities of responses by leaders and ordinary community members in the nine communities where separate FGDs were conducted and the apparent openness in mixed FGDs point to frankness and objectiveness by focus group discussants. Consequently, the presentation of analysis is for all FGDs without separating between leaders' and ordinary community members.

3. PRESENTATION AND ANALYSIS OF FINDINGS

3.1 Types of conflict

3.1.1 What communities understand by conflict and violence

There was a common understanding of the meaning of the terms conflict and violence by focus group discussants in the 18 sample communities in the eight provinces of the country. While different focus group discussants used different words and phrases and signs/evidences of presence of conflict and violence the Keyara, Mberengwa West, control focus group discussants agreed on working definitions that aptly capture the essence of all the other groups' understanding, examples of which are shown in Text Box 3.1.1. The Keyara focus group discussants defined conflicts as **".....friction between two or more people due to differences in opinions, ways of thinking and perceiving things."** The same focus group discussants agreed on a working definition of violence as **".....harm inflicted as a result of conflict that is not handled well."** Defined this way conflict has potential to spawn violence and has to be prevented, managed or resolved for peaceful co-existence in communities.

Text Box 3.1.1

Examples of focus group discussants' understanding of the meaning of the term conflict

"Conflict is a state of misunderstanding between one or more people and can be expressed in many ways that include the exchange of harsh words or physical fighting as well as poor communication relations" Matopo FGD.

"Conflict can be defined as friction or opposition resulting from actual or perceived differences or incompatibilities" Karereshi-Hurungwe FGD.

"Failure to agree or arguments over e.g. debt repayment, children" Sedze- Nyanga FGD.

"Misunderstandings" Mahenye-Chipinga & Sadza Growth Point FGDs.

"Children not listening to their parents and teachers" Birchenough-Buhera FGD.

"When someone tries to force you to accept their view" Mathendele-Plumtree FGD.

"Not Listening to the views of others – looking down upon others and disrespecting them" Matopo FGD.

Examples of evidence of manifestations of violence

"A physical fight between two or more people" Matopo FGD

"Husbands beating wives" Sedze-Nyanga FGD.

"Political violence" Mahenye, Chipinga FGD

"Violence between MDC and ZANU PF" Sedze- Nyanga FGD.

"Burning of houses of opposition political party members " Birchenough-Buhera FGD.

"Fighting among family members" Chivi FGD.

3.1.2 Most pressing conflict issues

Focus group discussants were asked about conflict situations most prominent in their communities. Indications were that conflicts happen at both family and community levels. Eleven FGDs pointed to occurrence of family disputes usually involving spouses or between parents and children. Reasons for family disputes included use of money raised from sale of farm produce, misunderstandings over women's rights, issues of adultery and respect

between spouses. Dominant community level conflict issues that were mentioned included: (a) land (field) boundaries and livestock straying into neighbours fields – all provinces (b) partisan political differences – all provinces except Matabeleland South (c) distribution of food aid and agricultural inputs such as fertilisers – all provinces except Midlands, Manicaland and Mashonaland West (d) cultural and religious, including tensions between Christian and traditional cultural values and practises – all provinces except Midlands and Mashonaland West (e) unjust and corrupt practises especially by those in leadership – all provinces (f) tribalism, respect of local languages and lack of opportunities for locals – Matabeleland provinces and (g) unaffordable residential stands and labour practises – communities in growth points and towns. Table 3.1.3 summaries the prominent conflict issues and how they have been or are being resolved in the sample communities.

A noteworthy dimension to land boundaries and straying of domestic animals issues is the cross-border nature of the problems in communities that border with Mozambique and national parks in Manicaland province. Additionally, communities with irrigation schemes (e.g. Birchenough Bridge in Buhera) also deal with water distribution disputes while those in drier areas like Chivi find themselves in conflict with the Environmental Management Authority over cultivation in wetlands (often referred to as stream bank cultivation).

Another important point to note were consequential conflict issues raised in some communities such as "*ngozi*" in Manicaland and Mashonaland West provinces, and witchcraft accusations (by "prophets" calling themselves "*vana Tsikamutanda*") in Mashonaland Central province which are a result of unresolved previous conflict issues. These are akin to a verdict and judgement being passed at a local traditional court or even a magistrate court where one or both parties to the dispute are not satisfied and the tension persists. This points to the importance of reconciliation in conflict resolution as suggested in some FGDs.

3.1.3 How pressing conflict issues were resolved

Focus group discussants were asked about resolution of the most prominent conflict issues in their communities. Some FGDs indicated the structures and processes used or being followed to resolve conflicts while others focused on whether an issue was resolved or not without reference to structures and processes. Table 3.1.3 also summarises the feedback on resolutions of the prominent issues in study sample communities.

It appears most conflict issues raised as prominent are recurrent and permanent solutions have not been found as shown in Table 3.1.3. While particular individual cases may be handled, the conflict issue or source remains unresolved. The issue of field boundaries and domestic animals straying into neighbours' field, for example, is seasonal occurring during the cropping period. While an offender may be fined and the offended restituted for crops destroyed by stray livestock the conflict issue remains and this is probably why it is prominent in all provinces. The issues of partisan political differences and unjust and corrupt practises especially by local leaders, appear to be the most difficult to resolve, even on a case by case basis. These two conflict issues were reported as prominent in all provinces with focus group discussants indicating that political conflict issues "*....never end*", "*....not resolved*", "*.....recurrent*" and "*.....remain unresolved*", re. Table 3.1.3. Even in communities where there was no politically related violence in the last five years, observations were made to the effect that there is mistrust and suspicion among people and that people live in fear. This points to the importance of healing and reconciliation as part of conflict resolution.

Table 3.1.3 Most prominent conflict issues and how they have been resolved

Focus Group	Prominent household level conflict issues	Prominent community level conflict issues	How issues were or are being resolved
Sedze–Nyanga (Manicaland)	Arguments over children. Misunderstanding between husbands and wives.	Conflict over field boundaries (during the rainy season) and over grazing (when fields have crops). Conflict on land boundaries between headmen (exacerbated by some corrupt headmen who parcel out land in exchange for money). Conflict on performing traditional rituals (e.g. rain making ceremonies) between traditionalists and Christians. The latter refuse to participate and to pay fines imposed by traditional leaders. "Ngozi" cases arising from murder where the spirit of the murdered is said to demand appeasement, usually by giving the aggrieved family a girl child and or some cattle.	Resolution of family issues usually presided over by aunts. Issues tend to be on-off. Community level conflict issues are seasonal and recur from year to year. These are handled by village heads, headmen and chiefs.
Mahenye- Chipinge (Manicaland)		Raids by Mozambique police force. Cross border land disputes with communities in Mozambique – cattle straying across the border and women fetching firewood from across – border not clearly marked. Disputes with National Park and Wildlife officials over cattle straying into the park areas.	Cross border issues recurring and requiring chiefs and government officials from Zimbabwe and Mozambique to engage and find solutions. Local leaders engaging National Parks officials.
Birchenough Bridge – Buhera (Manicaland)		Political violence between main political party supporters. Field boundaries and sharing of water for irrigation.	Chief publicly condemned political violence. Headmen engage parties involved boundary and irrigation water disputes to resolve conflict. Issues recurring.
Keyara – Mberengwa West (Midlands)	Conflict between married couples	Cattle grazing in other people's fields. Political conflicts and violence around elections Boundary conflicts in resettlement area	Domestic conflicts resolved by aunts and marriage negotiators (go-betweens). Cattle grazing issues resolved by village heads. Chief engaged political party leaders, MPs and councillors on political violence. Boundary issues remain unresolved.
Karereshi – Hurungwe West (Mashonaland West)	Domestic violence arising from sale and use of proceeds from farm produce	Partisan distribution of resources, e.g. seed maize, fertilizers and farming implements favouring members of dominant political party. Discriminatory practises by Grain Marketing Board. Farming land boundary issues during farming season. Political intolerance and violence especially during elections.	Not happy with the way domestic violence issues are handled. Fines that are imposed further strain relations between spouses leading to divorce in some cases or suicide which in turn leads to worse situation of "ngozi". Partisan distribution of resources issue not resolved. Farming land boundaries handled by headmen or chief. Verdicts given either but conflict recur. Not happy with handling of political violence as police seem powerless to act.
Sadza Growth Point – Murambinda (Mashonaland East)		2008 elections violence – the fear, mistrust and suspicion remains. 2012 – 2013 – conflict surrounding accusations of witchcraft caused by "vanaTsikamutanda": some people left Churches because of accusations: others took each other to court. Conflict in Anglican Church-resolved in courts: remains an issue at grassroots because of need for reconciliation. Conflicts over food shortages. Land demarcations an issue in community.	All issues remain unresolved. Where they have been dealt with in court there has been no reconciliation and integration of affected parties at community level.

Muzarabani (Mashonaland Central)	Family conflict over <i>lobola</i> (bride prize payment)	Violent political conflicts involving main political parties. Floods disaster – loss of homes and livelihoods - leading to conflicts between government and local people. Land boundaries between Chadereka and Kairezi areas. Lack of respect of culturally sacred days ' <i>chisi</i> ' leading to conflict between the church and traditional leaders	Marriage conflicts resolved by family members. "Political conflicts unresolved at all". Flood disaster not fully resolved: though government built 2-roomed house for each affected family, people still not happy and continue to return to original settlements - sign of misunderstanding. Land boundary resolved by the District Administrator (DA).
Ngqoya – Tsholotsho (Matabeleland North)		Domestic animals invading neighbours fields (<i>amasimini</i>). Unfair distribution, by local leaders, of NGOs donated food and fertilisers. Tribalism and different cultural beliefs and values. Christianity versus culture.	Land partitioned into paddocks for grazing. Structures put in place to monitor different activities & act as intermediaries between leaders and community members in food aid & fertiliser distribution. No comment on how tribalism and Christianity vs culture is being resolved.
Lupane (Matabeleland North)		Conflicts in times around political events like elections. Tribal differences translating into cultural (and values) conflicts. Christian versus traditional belief systems. Employment – locals not being given first preference. Domestic animals straying in other people's fields.	Political conflicts never end – recurrent. Traditional leaders deal with other conflicts. Government not dealing with issue of giving locals preference. Issue rooted in history.
Binga and Hwange (Matabeleland North)	Domestic conflicts over: - family support - disobedient children	Conflict over land including invasion by people from outside who settle irregularly. Partisan political conflicts around elections. Religion based conflicts e.g. prophets accusing people of witchcraft, harmful practises by some churches including giving under-age children in marriage and conflicts with traditional values and practises. Food distribution by NGOs and centralisation of development projects in same villages. Denial of opportunities to locals e.g. school entry and neglect of local language. School Development Committees and communities over management of school funds. Work related conflicts including:- discrimination against members of some political parties – failure to pay employees by politicians.	Domestic violence issues dealt with by family members, headmen and chiefs – some cases referred to the magistrate court. Land issue dealt with by headmen and chiefs. Religion and political conflicts difficult to handle. Use of police not always effective as some people see them as perpetrators of political violence. Communities just comply with NGOs food distribution criteria. Workers committees not effective because of political interference. Issues recurrent: no permanent solutions have been found.
Mathendele-Plumtree (Matabeleland South)	Marital issues where people have more than their husbands as a lover.	Land distribution and allocations. Resource and food distribution Fighting over children's mischief. Discrimination according to political party that one is aligned to.	Church leaders involved in dealing with domestic issues. Community leaders and councillors dealing with issues of land, resource and food distribution. Discrimination issue still current.
Matopo (Matabeleland South)		NGO or government food distribution. Land demarcations and fields border disputes (tree cutting, farms and building of homesteads). The way the people of Matopo are losing their cultural belief disregarding the rituals that are done in the community (re. the Njelele incidents where people go without consultation and during the forbidden times). Acrimony between councillor and traditional leaders.	Traditional leaders (headmen & chiefs) and elders dealing with land issues. Police involved in Njelele issue but there is challenge as some people come with higher authority than that of traditional leaders. Churches involved in handling issues of cultural beliefs. Political leaders usually left unresolved and individuals aligned to the dominant ZANU PF normally have their way.

Gwanda (Matabeleland South)		Youth clashing because of political differences. People exchanging harsh words ending at traditional courts (<i>inkundla</i>).	Political disputes remain unresolved. Quarrelling dealt with by traditional leaders.
Beitbridge (Matabeleland South)	Marital problems attributed to - whatsapp - poor communication - management of finances	Tribalism even in Churches where congregates fight over languages in which to sing hymns. Conflict over resources – especially grazing and water. Religion and traditional culture – Beitbridge made up of Tshangani, Sotho, Venda, Ndebele and Shona people. Prostitution causing conflicts in the community. Costs of residential stands too high.	Churches working to promote harmony in families through prayer, counselling and income generating projects. Churches seeking to balance the use of languages in church services. Chiefs and headmen deal with conflict over resources. Churches try to help those involved in prostitution to start decent livelihoods. Police, magistrate court & Local Council involved. Residents' Association engaging Council on stands.
Shamva (Mashonaland East)	Family disputes and domestic violence over: - use of money after selling farm produce - misunderstanding between young couples	Farming land boundaries especially during the cropping season and domestic animals straying in neighbours' fields. Political related conflicts around elections. Disputes over debts payments especially around month end. Adulterytaking each other's wives and husbands. Lack of respect of sacred places.	Relatives and friends (aunts, uncles and pastors) deal with family disputes and domestic violence. Peace committees deal with political related conflicts. Land issue dealt with by headmen and chiefs. Debt issues handled by the police. Adultery cases and lack of respect of sacred places handled by headmen and chiefs. Most of the issues recurring.
Guruve (Mashonaland Central)	Family disputes between couples & between parents and children. Use of money from farm produce a major source of family disputes.	Farming land boundaries and animals straying into people's fields during cropping season. Disputes over positions in Church. Intra-party and inter-party violence during elections. Distribution of food aid and agricultural inputs. Witchcraft accusations by prophets calling themselves " <i>Tsikamutanda</i> ".	Domestic disputes dealt with by family members. Land issues dealt with by headmen and chiefs and sometimes by DA or magistrate courts. Disputes in Churches dealt with by Church leaders. Political conflicts handled by chiefs and police but usually remain unresolved. Witchcraft accusations handled by chiefs and police.
Chivi (Masvingo)	Family disputes	Land (fields) boundary issues. Conflict with EMA over wetland cultivation....EMA fining people for stream bank cultivation. Chiefs and people say it is necessary in view of the Chivi being a semi-arid area. Corruption in distribution of food aid – politicisation of food aid. Succession disputes for chiefs and spirit mediums.	Family disputes handled by family members and police. Boundary disputes handled at village head and if need be referred to chief and DA depending on magnitude. Conflicts with EMA unresolved. Food aid corruption unresolved as some of the parties involved are the leaders themselves (village heads) - Councillor roped in to resolve issue. Chieftaincy issues handled by DA.
Zaka (Masvingo)	Family disputes	Limited grazing land and domestic animals straying into neighbours' fields. Unfair distribution of food aid and agricultural inputs. Succession of chieftainship disputes. Intra and inter-Church disputes especially among emerging Churches disputing over places of worshipchurch related disputes also impact on households where wives are accused of respecting pastors more than husbands. Political conflicts.	Family disputes handled by family members before being referred to village heads. Land issues handled by village heads, headmen, chiefs and then DA depending on magnitude. Food disputes involved some leaders themselves. Intra and inter-church conflicts recur at homes and affected Churches. Political conflicts not fully resolved and people live in fear.

3.2 Local conflict resolution methods

3.2.1 Present local conflict resolution methods and stakeholders

There are commonalities in mechanisms for resolving conflicts in the 18 communities. In FGDs in Sedze-Nyanga, Keyara-Mberengwa, Binga and Hwange, Beitbridge, Shamva, Guruve, Chivi, Zaka, Kareshi-Hurungwe and Lupane that talked about **family level conflicts**, conflict resolution methods involved interventions and mediation by extended family members. Among family members mentioned as generally playing key roles are aunts and uncles. Family disputes are first handled by the head of household with extended members coming in depending on the nature of disputes. It was observed in Hurungwe and Lupane FGDs that the heads of families/households are mostly male because the society is highly patriarchal. Other players mentioned include "*vana sawwira*" (i.e. close family friends) and marriage intermediaries where disputes are between spouses.

In Nyanga, Mberengwa, Shamva and Guruve it was indicated that family disputes that cannot be resolved at family level are taken to the village-head and then headman. Chivi and Zaka FGDs observed that some people prefer to take family disputes, especially those involving domestic violence to the police because they are seen as impartial and to apply known laws.

The Hurungwe, Muzarabani, Plumtree, Gwanda, Shamva, Guruve, Chivi and Zaka FGDs mentioned respected community elders as players in conflict resolution at family level. In all FGDs, Churches were mentioned as playing a part in family level dispute resolution through peace messages, prayer, counselling and mediation especially among Church members.

Community level disputes or those between individuals from different households / families are presided over by headmen and chiefs depending on the nature and gravity. There is a referral and appeals system from the headmen to the chief. Chiefs also preside over disputes between different headmen (and their people). This was reported to be the case in all FGDs. It was indicated in some FGDs (re. Shamva, Mberengwa, Chivi and Zaka) that there are criminal cases, such as rape and arson, that are referred directly to the police ending up at the magistrates court.

Headmen and chiefs are said to preside over community level conflict issues involving land boundaries, livestock straying in neighbours' field, inheritance issues, accusations of witchcraft, family disputes brought before them and cultural issues such as observance of sacred places and days ("*chisi*" in Shona) in most communities. In some communities including Nyanga, Buhera, Matopo and Guruve, the traditional leaders together with spirit mediums are said to also lead in traditional rituals such as "*bira*" (i.e. appeasement of ancestral spirits by brewing beer) where things are generally not going well in the community. Such communities attribute angry ancestral spirits to practices such as defiling land, cutting down trees at sacred places and failure to observe sacred days and respect sacred places and hence the need for appeasement. In such communities ancestral spirit mediums and ancestral spirits are also seen as players in conflict resolution.

While most FGDs were silent on compositions of the local conflict resolution structures, the Hurungwe, Chivi and Zaka FGDs indicated that the headman's advisory committee (*dare raSabhuku*) comprises members voted for by the community. In Zaka, *dare raSabhuku* has six members. The Zaka FGD also indicated that the Chief's committee (*dare raMambo*) has five assessors, a clerk and messenger of court. The assessors are elderly royal family members.

In all the FGDs, Churches were observed as important players in community level conflict resolution by seeking divine intervention through prayer and deliverance, counselling and in some cases promotion of development and income generating projects. In some communities (e.g. Zaka and Guruve) where intra- and inter-church disputes have been experienced Church leadership handle the disputes.

Text Box 3.2.1

“Church leaders use bibles verses and visit the conflicting family often. They also use prayers and church values to help resolve conflicts amongst people....There is still a problem of a patriarchal system in churches and women now want to preach and hold church positions and this creates a conflict in churches themselves. Therefore women should be given a chance in order to eliminate these conflicts.”
Excerpt from Kerereshi-Hurungwe FGD report.

Government officials including District Administrators (DAs), agricultural extension workers, veterinary extension workers, headmasters and teachers, EMA officials and National Parks and Wildlife officials were also mentioned as players in conflict resolution at community levels. DAs were mentioned with respect to land demarcations and chieftainship disputes. Extension workers with respect to land boundaries and irrigation schemes. Headmasters and teachers are mentioned as players in disputes involving students, parents and teachers. EMA and National Parks and Wildlife officials were mentioned where there are issues of wetland cultivation and straying of livestock into national park areas, respectively. In urban setting such as Beitbridge, Residents Associations were mentioned as a player on issues of residential stands while in formal employment situations in Binga and Hwange, workers’ unions are mentioned as players on labour issues.

Other conflict resolution structures reported in Mberengwa, Matopo, Lupane and Shamva are Local Peace committees that were formed with support from Civil Society organisations such as ZIMCET, Bulawayo Agenda and Silveira House, respectively.

Table 3.2.1 Stakeholders involved in conflict resolution in different communities

Stakeholders in conflict resolution	FGDs where stakeholder was mentioned
Traditional leaders – village heads, headmen and chiefs.	Sedze-Nyanga, Mahenye-Chipinga, Birchenough-Buhera, Keyara-Mberengwa, Matopo, Shamva, Kerereshi-Hurungwe, Sadza-Murambinda, Muzarabani, Lupane, Ngqoya-Tsholotsho, Guruve, Gwanda, Binga & Hwange, Beitbridge, Chivi and Zaka.
Local (community) elders.	Sedze-Nyanga, Mahenye-Chipinga, Birchenough-Buhera, Mathendele-Plumtree, Matopo, Chivi and Zaka
Church leaders – pastors, elders & other church members.	Sedze-Nyanga, Birchenough-Buhera, Keyara-Mberengwa, Kerereshi-Hurungwe, Chivi, Matopo, Sadza-Murambinda, Muzarabani, Mathendele-Plumtree, Lupane, Gwanda, Beitbridge, Shamva, Guruve and Zaka
Traditional healers, spirit mediums & prophets (Said to assist with spiritual explanations of disputes & lead rituals in appeasing spirits of the deceased)	Shamva, and Guruve
Ancestors	Sedze-Nyanga
Ordinary community members	Sedze-Nyanga, Mahenye-Chipinga, Mathendele-Plumtree, Matopo and Gwanda
Headmasters and teachers	Sedze-Nyanga, Matopo and Shamva
Elected leaders (VIDCOS, councillors and MPs)- Involved more in political related conflicts and violence.	Birchenough-Buhera, Keyara-Mberengwa, Mathendele-Plumtree, Matopo, Binga and Hwange, Shamva and Chivi
Other (DA, Police, National Park & Wildlife officials, irrigation committee, agricultural & veterinary extension workers, magistrate & high court)	Mahenye-Chipinga, Birchenough-Buhera, Keyara-Mberengwa, Kerereshi-Hurungwe Sadza-Murambinda, Muzarabani, Ngqoya-Tsholotsho, Mathendele-Plumtree, Zaka, Matopo, Lupane, Gwanda, Binga and Hwange, Beitbridge, Shamva, Guruve and Chivi.

3.2.2 How effective have local conflict resolution methods been in the past five years

A key message from the FGDs is that generally people have relied on the local conflict resolution methods that are in place and that the different methods have had mixed results in terms of effectiveness. This is corroborated by how the most prominent conflict issues have been resolved in the last five years, re. Table 3.1.3. Table 3.2.2 summarises the views of different FGDs on local conflict resolution structures and methods effectiveness.

Table 3.2.2 Effectiveness of local conflict resolution structures and methods

FGD	Overall view on effectiveness of local conflict resolution structures & methods*
Mathendele-Plumtree	Methods have worked well....contained conflicts that would have otherwise erupted into violence
Gwanda	Some aspects have worked well while others have not.....chiefs still respected while krallheads are sometimes by passed by villagers going straight to the chief of police.
Matopo	Some aspects have worked well while others have not.....chiefs still respected while krallheads are sometimes by passed by villagers going straight to the chief of police.
Binga and Hwange	Methods effective....despite challenges in dealing with religious and political conflicts.
Hurungwe	The structures have failed more than they have achieved.
Sadza Growth Point	The structures have failed more than they have achieved.
Beitbridge	Methods at family level effective. Corruption affects effectiveness of the police.
Shamva	Judgements may be pronounced even at courts but the offended and offender may not be satisfied....there need for reconciliation as part of conflict resolution.
Guruve	Some cases are resolved others are not....some parties show dissatisfaction with judgements because they feel it's too lenient (if victim) or too harsh (if perpetrator).....some commit suicide but that does not mean the conflict is over.
Chivi	Police very effective in handling domestic violence issues
Zaka	Local traditional leaders not as effective because they are prone to taking bribes and involved in unfair food distribution –politicised food distribution. Family system shutting down as people prefer to go to the police – family set ups tend to favour men.
Muzarabani	<i>"In certain cases police are seen to be effective through use of fines but at times they are said to be corrupt"</i> . Excerpt from FGD report
Ngqoya-Tsholotsho	<i>"Not wholly effective because of knowledge of human rights people now have, this sort of gives individuals leverage to disobey rules put by the community because they know they can make noise over nothing claiming that their rights are being violated."</i> Excerpt from FGD report.
Birchenough - Buhera	<i>"The local mechanisms have managed to reduce political violence in the 2013 elections and also water disputes keep on being referred to the irrigation committee and the headmen who have been able to amicably resolve the issues."</i> Excerpt from FGD report.
Sedze-Nyanga)	Kupira "ngozi" (spiritual appeasement) effectiveness has been affected by that it is against the law and many families are resorting to the use of cattle.

* Views on effectiveness expressed as closely as possible (including verbatim) as in FGDs reports.

The local conflict resolution structures and methods have served the people well in some cases and failed them in others. There are enabling and inhibiting factors for effectiveness indicated by focus group discussants. Among the **enabling factors for effectiveness** are:

1. The traditional methods involve restorative justice where both the victim/complainant and perpetrator are reconciled at family and community levels according to Sedze-Nyanga, Birchenough-Buhera, Keyara-Mberengwa and Shamva FGDs.
2. The traditional methods' use of locally available assets, e.g. fowls, goats and cattle, for fines and reparations/restitution contribute to appropriateness and effectiveness. *"...a fine is put for different offences, a goat is at times put as a penalty and knowing how people value their livestock they will guard them jealousy to avoid losing them,*

especially as the cultivation time is upon us, no one wants to lose any of it." Excerpt from Ngqoya-Tsholotsho FGD report.

3. The referral and appeal systems in the traditional conflict resolution methods starting at the household level through the village head, headmen to the chief and even to the magistrate and high courts also provides for effectiveness and sustainability according to Sedze-Nyanga, Birchenough-Buhera and Keyara-Mberengwa FGDs.
4. The respect that pastors command among members enables the Church to be effective when handling disputes involving members. The church is also gaining in importance as more people, especially the younger generations, are turning to Christianity. The younger generations are said to be shying away from the traditional ceremonies such as "*bira*" in favour of church service. Church, however, has challenges when handling a case that involves members and non-members. It's easier to reconcile members of the same church. (re. views from Sedze-Nyanga, Muzarabani, Mathendele-Plumtree, Lupane, Gwanda and Beitbridge FGDs)
5. Trained local peace committees being appreciated by communities. The Shamva FGD observed that in local peace committees have been very effective in some areas that traditional leaders use them and refer parties in dispute to them. However, where local peace committees have failed to handle sensitive conflict cases their effectiveness has been affected.

Among **effectiveness challenges** faced by local conflict resolution structures and methods according to focus group discussants are:

- a. The aunts and uncles usually play important roles in addressing domestic violence issues. The rise in modernization, work schedule and location of places of employment is affecting the effectiveness of the extended family system (aunts, uncles, marriage intermediaries, close family friends, etc) in resolving family level disputes. Consequently, there is overstepping of the roles that aunts and uncles, for instance, would play in many families according to Sedze-Nyanga and Shamva FGDs.
- b. Conflicts being caused by the very people who are supposed to preside over conflict prevention, management and resolution, e.g. the case of some headmen who were said to corruptly parcel out land in exchange of money thereby precipitating conflict in Sedze-Nyanga and corruption in distribution of food in Chivi and other communities.
- c. Some partisan Chiefs and Headmen who are manipulated by politicians thereby compromising their ability to impartially serve all members of communities according to Mahenye-Chipingwe, Birchenough, Kerereshi-Hurungwe and Chivi FGDs.
- d. The traditional mechanism being severely under stress from dealing with more serious issues especially the ones that spill across national borders and the one involving officials from the National Parks and Wildlife department according to Mahenye-Chipingwe FGD.
- e. Poverty and corruption affecting the effectiveness of traditional leaders. In Matopo, Kerereshi-Hurungwe, Matopo, Chivi, Zaka and Lupane FGDs, concerns were expressed on how leaders have failed communities because of corruption which then permeates the community with some people committing crimes knowing they have friends and relatives in high places.

f. Contradictions and tensions between some traditional values and practises and the constitutional law affect effectiveness of local conflict resolution methods according to Matopo and Mathendele-Plumtree FGD. The Shamva, Lupane and Matopo FGDs also noted decline in respect of traditional authorities to the extent of people not answering summons to appear before traditional courts.

g. The Binga and Hwange FGDs identified a number of challenges for effectiveness of local conflict resolution structures including lack of: capacity on case follow ups; leadership skills; skills by secretaries / clerks of court on record keeping; knowledge of constitution and relevant laws; and, support from the magistrate to enforce by-laws.

Text Box 3.2.2

"The traditional leaders are unfair in the sense that they protect their friends and family members leading to corruption and complete disregard of the law by some of the community members." Excerpt from Matopo FGD report.

"The modern court system has stripped the relevance of traditional methods of conflict resolution at the community level. Community members now can go straight to the court thus undermining the role traditional mechanisms could play in conflict resolution." Excerpt from Birchenough FGD report.

3.3 Sustainability of local conflict resolution methods

3.3.1 How sustainable have local conflict resolution methods been

Focus group discussants were asked to reflect on sustainability of local conflict resolution methods. The feedback was that some methods are sustainable while others are not. Table 3.3.1 summarises feedback from FGDs.

Table 3.3.1 Sustainability of local conflict resolution structures and methods

FGD	Overall view on sustainability of local conflict resolution structures & methods*
Mathendele-Plumtree	Some methods have worked well for some types of conflict e.g. land issues, but may not necessarily work for other types.
Gwanda	Family level conflict resolution methods sustainable because key players are people with long term family interests at heart.
Matopo	Community level methods not sustainable due to issue of corruption among leaders....loss of respect of traditional leaders. Family level conflict resolution methods sustainable because key players are people with long term family interests at heart.
Lupane	In the past people respected the institutions and powers of traditional leaders. This respect is declining. Perpetrators not even showing up in traditional courts. <i>"We doubt that they can be sustainable because many a times these offenders ask to see were that 'law' is written in black and white claiming to want to see the authenticity of the crime they are being accused of."</i>
Beitbridge	Family level conflict resolution methods sustainable because key players are people with long term family interests at heart.
Shamva	Weak but sustainable if they are capacitated
Guruve	Generally sustainable sustainable if they are capacitated.
Chivi	Weak but sustainable if they are capacitated
Zaka	Leaning on tradition and adhering to cultural values which lessened family disputes in the past. Headmen and chiefs were impartial and objective. There was no corruption, favouritism and politicisation of leaders.
Ngqoya-Tsholotsho	High moral standards in the past helped with sustainability " <i>Yester-year telling the truth was a norm such that no one compromised."</i>

* Views on sustainability expressed as closely as possible (including verbatim) as in FGDs reports.

3.3.2 Enabling and inhibiting factors for sustainability of local conflict resolution methods

FGDs pointed to the following as **enabling factors for sustainability** of local conflict resolution methods:

1. The systems are part of and belong to the communities according to Senze-Nyanga, Mahenye-Chipinga, Birchenough-Buhera, Keyara-Mberengwa, Ngqoya-Tsholotsho and Kerereshi-Hurungwe FGDs. It was observed in some FGDs that even where there have been ineffective traditional leaders they are part of the system.
2. Having traditional leaders at the core and where these and other law enforcement people like the police have been firm make them sustainable according to Keyara-Mberengwa FDG.
3. These structures and methods involve local people who know the communities their contexts according to Sedze-Nyanga, Birchenough-Buhera, Binga and Hwange, Zaka, Guruve and Shamva FGDs.
4. Some traditional leaders, especially chiefs, are held in high esteem as custodians of local cultures and values and respected as arbiters in communities according to Sedze-Nyanga and Keyara-Mberengwa FGDs.
5. *"Traditional methods of conflict resolution are right within the community and there are no costs to run them"* according to Birchenough-Buhera FGD.
6. *"No delay of judgement or backlog of cases"* according to Birchenough-Buhera FGD.
7. Activities of peace committees involving peace projects such as gardens and creation of dialogue spaces contribute to their (local peace committees) sustainability according to Keyara-Mberengwa FGD.
8. Using elders in advisory capacity have contributed to sustainability of the traditional leaders' methods according to Mathendele-Plumtree, Zaka and Chivi FGDs. The Zaka FGD noted that elders are respected because they considered wiser and mature.

FGDs pointed to the following as **inhibiting factors for sustainability** of local conflict resolution methods::

- a. The weakening of the extended family system due to modernisation affects ability of aunts, uncles, etc to play their customary roles according to Sedze-Nyanga FGD.
- b. Technology and modernisation make people look down upon traditional leaders/systems and values. New laws such as those covering domestic violence and other family laws not well understood by all stakeholders according to Chivi and Zaka FGDs. The Mahenye-Chipinga FGD added that society is fast moving and the role that chiefs and headmen play are being replaced by the courts (magistrates and high court).
- c. Poverty, scarcity of resources and economic hardships, corruption and partisan politicisation of local leaders compromises their neutrality and objectivity leading to loss of respect of traditional conflict resolution methods according to Senze-Nyanga, Mahenye-Chipinga, Sadza-Murambinda, Beitbridge, Lupane, Matopo, Birchenough-Buhera, Kerereshi-Hurungwe, Keyara-Mberengwa, Ngqoya-Tsholotsho, Muzarabani and Ngqoya-Tsholotsho FGDs.

- d. Church leaders compromised by scandals within their churches and therefore losing respect among followers according to Sadza-Murambinda FGD.
- e. Leaders of emerging churches not wanting to work closely with and take advise from traditional leaders and hence intra- and inter-church conflicts likely to continue unabated according to Zaka FGD. In addition, tension between Christian and traditional beliefs regarding practises such as rain making ceremonies, sacred places and days likely to fuel conflict according to Lupane, Matopo, Binga and Hwange, Chivi and Shamva FGDs.
- f. Poor working relationship between elected leaders and traditional leaders who are supposed to work closely together for the good communities according to Lupane and Zaka FGDs.
- g. The high court fees being charged by some Chiefs from each of the conflicting parties for cases to be heard according to Karereshi-Hurungwe and Muzarabani FGDs.

3.3.3 People's confidence in local conflict resolution methods

Focus group discussants were asked to reflect on level of trust that people in their communities have in local conflict resolution structures and methods. The feedback showed mixed feelings regarding different structures and methods as summarised in Table 3.3.3. Overall people want to see improvements in local conflict resolution structures and methods.

Table 3.3.3 Trust and confidence in local conflict resolution structures and methods

FGD	Trust and confidence in local conflict resolution structures & methods*
Mahenye-Chipingwe	Trust based in that <i>"...they form part of the Mahenye community heritage"</i>
Gwanda	High in some and low in others. Some chiefs and headmen are trusted and respected.
Matopo	Low confidence because of politicisation and corruption.
Lupane	Low confidence because of politicisation and corruption.
Beitbridge	High at family level.
Karereshi-Hurungwe	<i>"Things are changing and most people do not consider traditional method any more: they now prefer exogenous methods of solving conflicts such as court summons."</i>
Sadza-Murambinda	Low confidence. Issue of corruption of traditional leaders and police undermine people's confidence in the system
Ngqoya-Tsholotsho	High in some and low in others. Corruption undermine people's confidence in system.
Muzarabani	Corruption of traditional leaders and police undermine people's confidence.
Mathendele-Plumtree	Elders tend to trust local structures where as younger people prefer the police and modern courts.
Guruve	High in some and low in others.
Beitbridge	Some chiefs and headmen are trusted and respected. Churches trusted by members.
Chivi	Police trusted, especially in dealing with domestic disputes and corruption. Elders tend to trust local structures where as younger people prefer the police and modern courts.
Zaka	Police trusted, especially in dealing with domestic disputes and corruption.
Keyara-Mberengwa	Trust based on that they have long served the communities in the past.
Birchenough-Buhera	<i>"Chiefs and headmen forums and some traditional practises such as "kuripa" (reparation) are methods that have been passed from generations before and people still relate to them in this modern day"</i>

* Views on confidence expressed as closely as possible (including verbatim) as in FGDs reports.

FGDs indicated that where structures and methods are trusted, the confidence derive from, among other things, that:

1. *"...they have a more human face than the modern court system (judgments are not meant to punish the perpetrator but to correct his ways)"* according to Mahenye-Chipingwe FGD. The Sedze-Nyanga FGD added that they build a community in that when a crime is committed it is regarded first as a crime against the community before the individual.
2. They involve people that understand local contexts and some of the chiefs and headmen also trusted and respected according to Gwanda and Beitbridge FGDs.
3. They preserve *"unhu"* or *"ubuntu"*, identity within the community and are transformative rather than retributive according to Senze-Nyanga, Birchenough-Buhera and Guruve FGDs. The Birchenough FGD added that *"they are integrative in that they seek to mend broken down relationships between victim and perpetrator."*

3.4 Strengthening of local conflict resolution methods

3.4.1 Who should be included in local conflict resolution structures

All focus group discussants would like to see local conflict resolution structures become more inclusive. Table 3.4.1 summarises the additions or increased involvement that focus group discussants would like to see over the current stakeholders listed in Section 3.2.1. Besides the additions and or increased involvement, some FGDs in Karereshi-Hurungwe, Ngqoya-Tsholotsho, Matopo and Lupane suggested the qualities of people to be in conflict resolution structures to include people that are: politically neutral; respected; long in the community and knowledgeable of local context; and, older and mature people who have seen it all and have interests of the community.

Table 3.4.1 Who should be included or become more involved in conflict resolution structures

To be included or become more involved	FGDs where stakeholder was mentioned
Women - to represent the interests of women at the headmen and chiefs' forum.	Sedze-Nyanga, Mahenye-Chipingwe, Birchenough-Buhera, Ngqoya-Tsholotsho, Matopo, Chivi and Zaka
Youth - to represent the interests of youths at all levels.	Sedze-Nyanga, Mahenye-Chipingwe, Birchenough, Ngqoya-Tsholotsho, Mathendele-Plumtree, Matopo and Guruve.
Elders - to act as custodians of culture in the community.	Sedze-Nyanga, Ngqoya-Tsholotsho, Mathendele-Plumtree, Guruve.
Church leaders – as they are perceived as reconcilers and preachers of peace.	Senze-Nyanga, Birchenough-Buhera, Keyara-Mberengwa, Sadza-Murambinda, Beitbridge, Shamva, Guruve and Chivi
Elected leaders including VIDCOS (where they are functional), Councillors and Members of Parliament	Mahenye-Chipingwe, Birchenough-Buhera, Keyara-Mberengwa, Mathendele-Plumtree, Matopo, Binga and Hwange
Local community based organisations representatives	Mahenye-Chipingwe
People living with disabilities	Birchenough-Buhera and Karereshi-Hurungwe
Teachers – to help in deal with problems faced at schools even though they are subject to transfer from time to time.	Karereshi-Hurungwe, Matopo and Chivi.
Police including VFU	Keyara-Mberengwa, Mathendele-Plumtree, Matopo and Beitbridge.

3.4.2 What can be done to make local conflict resolution structures more effective

Focus group discussants were of the view that more inclusive structures of local conflict resolution would be more effective and confidence building. In addition to inclusivity FGDs made suggestions for improving effectiveness of local conflict resolution structures which include:

1. Having neutral places for village heads and headmen and chief's courts and avoid using someone's house as venue (Sedze-Nyanga and Lupane FGDs). In addition, conflict situations should not be dealt with in secrecy but be made public to avoid manipulation by corrupt elements (Birchenough-Buhera).
2. Creating councils of elders to advice new and young generation of traditional leaders. Youthful traditional leaders are said to be oppressive and lack respect compared to older traditional leaders who are dignified (Sedze-Nyanga, Karereshi-Hurungwe and Zaka FGDs).
3. Democratising the selection of traditional leaders. Leaders should not be imposed or hereditary and should not be left to choose their advisors or committee members as this has potential to undermine objectivity and impartiality (Karereshi-Hurungwe, Ngqoya-Tsholotsho and Zaka FGDs).
4. Include women and youth representation in local structures of conflict resolution (Sedze-Nyanga, Ngqoya-Tsholotsho and Zaka FGDs).
5. Traditional leaders to engage more with the local churches for establishment of common ground where traditional and Christian approaches to conflict resolutions differ (Sedze-Nyanga FGD).
6. Realigning the traditional laws and constitutional provisions so that there is no conflict in interpreting rights issues. Traditional courts, for example, say people should not work on certain days (*"chisi"*), e.g. Wednesdays or Thursdays, depending on the area while the constitution provides for right to freedom of worship (Ngqoya-Tsholotsho FGD).
7. Traditional leaders should not be partisan (Mathendele-Plumtree, Matopo, Lupane, Gwanda, Chivi and Zaka).
8. Training of stakeholders in conflict prevention, management, resolution and reconciliation as methods being used are by most stakeholders are old. Also training on human rights and women's rights for leaders and general public including translating constitution into local languages (Ngqoya-Tsholotsho, Matopo, Keyara-Mberengwa, Karereshi-Hurungwe, Sadza-Murambinda, Lupane, Guruve, Ngqoya-Tsholotsho, Mathendele-Plumtree, Gwanda, Shamva, Beitbridge, Binga and Hwange, Chivi and Zaka FGDs).
9. Kraal heads should be given an allowance to avoid corruption through bribery (Zaka FGD).
10. Enforce rule of law starting with the leaders (Beitbridge FGD).

11. Government to introduce law that bans traditional leaders from charging a fee to preside over cases (Karereshi-Hurungwe FGD).
 12. Strengthen link between chiefs and magistrates to facilitate smooth flow of cases (Binga and Hwange FGD).
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4. CONCLUSION

The most prominent conflict situations faced by communities include (a) land (field) boundaries and livestock straying into neighbours fields (b) partisan political differences (c) distribution of food aid and agricultural inputs such as fertilisers (d) cultural and religious, including tensions between Christian and traditional cultural values and practises (e) unjust and corrupt practises especially by those in leadership (f) tribalism, respect of local languages and lack of opportunities for locals – mainly in Matabeleland provinces and (g) unaffordable residential stands and labour practises in town and growth point communities. These conflict issues are recurrent and permanent solutions have not been found. Where particular individual cases have been dealt with, the conflict issue or source remains unresolved sometimes for want of reconciliation.

There are commonalities on mechanisms for resolving conflicts in the 18 communities. Family level conflict resolution methods involved interventions and mediation by extended family members. Usually family disputes are first handled by the head of household with extended members coming in depending on the nature of disputes. Where family disputes cannot be resolved at family level, they are taken to the village-head and then headman. Some people, however, prefer to take family disputes, especially those involving domestic violence to the police. Churches play a part in family level disputes resolution through peace messages, prayer, counselling and mediation especially among Church members.

Community level disputes or those between individuals from different families are presided over by headmen and chiefs depending on the nature and gravity. There is a referral and appeals system from the headmen to the chief. Chiefs also preside over disputes between different headmen (and their people). Headmen and chiefs preside over community level conflict issues involving land boundaries, livestock straying in neighbours' field, inheritance issues, accusations of witchcraft, family disputes brought before them and cultural issues such as observance of sacred places and days in most communities. In some communities the traditional leaders together with spirit mediums also lead in traditional rituals such as "*bira*" (i.e. appeasement of ancestral spirits by brewing beer) where things are generally not going well in the community. In such communities spirit mediums and ancestral spirits are also seen as players in conflict resolution. Churches are important players in community level conflict resolution by seeking divine intervention through prayer and deliverance, counselling and in some cases promotion of development and income generating projects. Government officials including District Administrators (DAs), agricultural extension workers, veterinary extension workers, headmasters and teachers, EMA officials and National Parks and Wildlife officials are also player in conflict resolution in activities under their purview.

In towns such as Beitbridge, Residents Associations and Local Councils are players on issues of residential stands while in formal employment situations, such as parts of Binga and Hwange, workers' unions are players on labour issues. Other conflict resolution structures

are Local Peace Committees formed with support from Civil Society Organisations in places like Mberengwa, Matopo, Lupane and Shamva.

A key finding from the study is that generally people have relied on the local conflict resolution methods that are in place and that the different methods have had mixed results in terms of effectiveness. The local conflict resolution structures and methods have served the people well in some cases and failed them in others. Enabling factors for effectiveness include: traditional methods involving restorative justice; use of locally available assets which contribute to appropriateness and effectiveness; referral and appeal systems starting at the household level through the village head, headmen to the chief and even to the magistrate and high courts providing for effectiveness and sustainability; the respect that some pastors command among members enabling the Church to be effective in handling disputes involving members; and, trained local peace committees being appreciated by communities.

Challenges to local conflict resolution methods effectiveness include: the rural urban migration and modernisation affecting extended family system; conflicts being caused by the very people who are supposed to preside over conflict prevention, management and resolution; partisan chiefs and headmen who are manipulated by politicians thereby compromising their impartiality; poverty and corruption affecting the effectiveness of traditional leaders; contradictions and tensions between some traditional values and practises and the constitutional law; lack of capacity for case follow ups; leadership skills; skills by clerks of court on record keeping; knowledge of the constitution and relevant laws; and, support from the magistrate to enforce by-laws.

A strong message from the study is that local conflict resolution structures and methods are weak but can be sustainable if capacitated. Sustainability factors that can be used in strengthening the structures and methods are that: the systems are part of and belong to the communities; structures and methods involve local people who know the communities and their contexts; some traditional leaders, especially chiefs, are held in high esteem as custodians of local cultures and values and respected as arbiters in communities; the structures are in communities and there are relative small costs involved in running them; there is no delay of judgement or backlog of cases; and activities of peace committees involving peace projects create dialogue spaces.

The inhibiting factors to watch out for in capacitating local conflict resolution structures and methods include: weakening of the extended family system due to modernisation; technology and modernisation making people look down upon traditional leaders/systems and values; poverty, scarcity of resources and economic hardships, corruption and partisan politicisation of local leaders compromising local leaders; some church leaders compromised by scandals within their churches thereby losing respect among followers; tension between Christian and traditional beliefs regarding practises such as rain making ceremonies, sacred places and days; and, poor working relationship between some elected leaders and traditional leaders who are supposed to work closely together for the good of communities.

Overall, people want to see improvements in local conflict resolution structures and methods. Among stakeholders they want added or become more involved in local conflict resolution structures are women, youths, elders, church leaders, elected leaders, teachers and the police. Other suggestion for improving effectiveness of local conflict resolution structures include: having neutral places for village heads and headmen and chief's courts; creating councils of elders to advice new and young generation of traditional leaders; democratising the selection of traditional leaders and their advisors; inclusion of women and youth representation in local structures of conflict resolution; traditional leaders engaging more with the local churches for establishment of common ground where traditional and

Christian approaches to conflict resolutions; realigning the traditional laws and constitutional provisions so that there is no conflict in interpreting rights issues; traditional leaders to be non partisan; training of stakeholders in conflict prevention, management, resolution and reconciliation; training on human rights and women’s rights for leaders and general public including translating constitution into local languages; and, enforcing rule of law starting with the leaders.

5. ANNEX – FGDs GUIDE

CCSF FGDs GUIDE

Date of Focus Group Discussion:

CCSF Member conducting FGD:

Geographical location:

Type of Group (e.g. Male, female, youths, church leaders, traditional leaders):.....

Introduction

Moderator should welcome people as they enter the room and make them feel comfortable as you are waiting for all to arrive. Start to fill out participant demographic chart as people arrive (**record pseudonyms only if necessary**)

[Moderator introduce yourself, CCSF and purpose of study]

Hello, my name is _____ and I work for _____, which is a member of the Church and Civil Society Forum (CCSF). The CCSF is a coalition of both the Church and Civil Society Organizations working together to promote peace and conflict prevention. We are a neutral and are not affiliated with any political party. Our goal today is to understand the nature and characteristics of conflict and how these have been resolved in the past. I am the facilitator for today’s discussion, but I consider this your group. We are here to listen to your thoughts and opinions. This discussion will take approximately 90 minutes.

[Moderator: Introduce others in the room and their roles in the group]

A few things before we get started:

- It does not matter to me what opinions people have; I only care that we have a good discussion
- There is no right or wrong answer to the questions I will ask.
- Everyone’s opinion is equally important. We want to hear the opinions of each and every one of you.
- If you disagree with what someone has said, that is okay. Speak up and let me know in a nice way that you disagree, and I will allow you to say what you think.
- Everything you say in this discussion is **confidential**. This discussion is **only between those of us here**. No one outside of this room will know what has been said.
- I have this recorder to help me when I write the report. **Those of us in this room do not have to know your name and no names will be used in the report**. Only those preparing the report will listen to the recorder.
- Please speak loudly, and only one at a time, so the recorder can pick up your voice.
- Please switch off your cell phones, or put them on silent for the duration of this meeting. They may interfere with our recordings.
- Do you have any questions or concerns about what I have said?

[Note: the moderator may answer questions related to process (e.g., will others know what we have said?), but not related to topics to be discussed.]

Thank you. Now let us begin.

Section A: Types of Conflict [10 minutes]

1. In a few words what is your understanding of conflict? **(Moderator clearly define conflict in order to have a common understanding.)**
2. With consideration to this community, would you give me three conflict situations that are most prominent **(Moderator probe for the following: time frames, magnitude and prominence.)**
3. How were these resolved **(Moderator probe to determine levels of satisfaction with the resolutions)**

Section B: Local Conflict resolution methods [25 minutes]

1. Looking at this community, what local conflict resolutions methods are in place?**(Moderator probe further in order to get as many as possible)**
2. Who are the stakeholders involved in conflict resolution at local level? **(Moderator probe on the role of each stakeholder group, and where necessary selection criteria)**
3. How effective have these been in the last 5 years?

Section C: Sustainability of local conflict prevention methods [25 minutes]

1. In your opinion, are the local conflict resolution methods sustainable? Why do you say so?
2. In the past how have these local methods been sustained through different phases of conflict within this community? **(Moderator probe for specificity)**
3. If any, what problems have been faced in sustaining these local methods? **(Moderator probe for specificity)**
4. How much **trust** do you have in the home grown local conflict resolution methods? Why do you say so? **(Moderator probe for specificity)**

Section D: Strengthening of local conflict resolution methods [20 minutes]

1. In your view, who should be included in the local conflict resolution structures? **(Moderator probe the choice of each stakeholder group and their different functions.)**
2. In order to have mechanisms that work very well within communities, there is need to strengthen their operations. In your opinion taking into consideration the characteristics of this community, what can be done to make the local conflict resolutions mechanisms more effective? **(Moderator probe each response to be as specific as possible)**

Section E: Any other information [10 minutes]

1. Is there any other information you would like to share with us pertaining to the nature of conflict, its resolution and management in your community that you think will be key to this discussion. **(Moderator focus on each item)**

[End: Moderator to thank participants for their time and views]
