

**RE-APPROPRIATING AFRICAN INDIGENOUS PROCESSES OF
CONFLICT RESOLUTION FOR SOCIAL JUSTICE: A CASE STUDY OF
BATSWANA PEOPLE OF THE NORTH WEST PROVINCE IN SOUTH
AFRICA**

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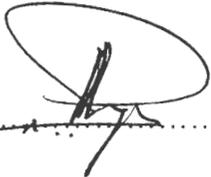
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I, PROFESSOR PHILIP FRANCIS IYA, hereby recommend that the following thesis entitled, "Re-appropriating African indigenous processes of conflict resolution for social justice: a case study of the Batswana communities of Lokaleng and Disaneng of the North West Province in South Africa" by MBOH LOVELYNE NGONG, student number 23267143, for the doctoral degree of philosophy in Indigenous Knowledge Systems, be accepted for examination.

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DEDICATION

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ABSTRACT

This study investigated the indigenous processes of resolving conflicts among the Batswana communities generally but, precisely, those living in Lokaleng and Disaneng communities. It was inspired by the problems faced in indigenous processes of conflict resolution including: lack of documentation and use of IKS, non-recognition of the role players in conflict resolution among others. The study aimed at looking at the processes followed by different structures during conflict resolution in Lokaleng and Disaneng communities. This was achieved through the use of a mixed methodological approach to collect data from these communities. In addition, close-ended questionnaires were used to collect data from individual respondents while focus group discussions were held using open-ended questions.

The researcher contended that in both indigenous communities of Lokaleng and Disaneng, conflict resolution processes were inherently rooted in cultural moral values. The findings showed that the communities had an elaborate process for resolving non-violent conflicts. This process included the creation of an environment conducive to discussing non-violent conflicts, listening to each of the disputants, establishing the truth, exhausting all issues, reconciling the disputants using mechanisms such as mediation and arbitration. Within these communities, the processes were underpinned by moral values including respect for relationship, interdependence, unity, kindness, friendliness, sharing, love and obedience. Accordingly, these structures had several inherent features, which enabled the communities to not only prevent but resolve conflict among community members when conflicts occurred, in order to maintain and achieve social justice.

The first part of the findings showed that within each community, people had knowledge of indigenous processes and the structures used in resolving conflict.

They were also aware of the existence of both formal and informal mechanisms of conflict resolution, the nature, types and causes of conflict in their communities. Secondly, in the resolution processes individuals were allowed to intervene in conflict situations such as within the family. Different structures facilitated different types of conflict and there was hierarchy. Thirdly, these structures had open discussions in the process of resolving conflict in which, a council of elders facilitated open discussions of non-violent conflicts, and decisions were made by consensus involving as many men and women as were available. Moreover, transparency and re-integration were the main aims of these processes.

In conclusion, the researcher argued that the salient factors for the resolution of indigenous conflict outlined above should be promoted for incorporation into the formal systems. The study recommended the re-appropriation of these conflict resolution processes because these processes had been found to be existent and useful in Lokaleng and Disaneng communities. This re-appropriation could be done through peace-building and development initiatives as well as democratisation processes through the Traditional Court Bill, and through the inclusion of IKS into educational pedagogy. This could be one of the interventions for dealing with non-violent conflict and promoting indigenous processes of conflict resolution in South Africa and Africa at large. Above all, given the importance of these processes, there was a need for reclamation from formal processes and usage of indigenous processes of conflict resolution in Lokaleng and Disaneng communities in South Africa.

Key words: Indigenous knowledge; Indigenous knowledge systems; Conflict; Conflict resolution; Social Justice and Re-appropriation of indigenous conflict resolution processes

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LIST OF ACRONYMS

- ADR: Alternative Dispute Resolution
- ANC: African National Congress
- BRIN: Business Referral and Information Network
- CCMA: Commission for Conciliation, Mediation and Arbitration
- CERD: Committee on the Elimination of Racial Discrimination
- CR: Conflict Resolution
- DRC: Democratic Republic of Congo
- DST: Department of Science and Technology
- FGD: Focus Group Discussion
- IK: Indigenous Knowledge
- IKS: Indigenous Knowledge Systems
- ILO: International Labour Organisation
- ITK: Indigenous Technical Knowledge
- LRA: Labour Relations Act
- ND: No date
- NRF: National Research Foundation
- NURC: National Unit and Reconciliation Commission
- NWU: North West University
- PASW: Predictive Analytic Software
- RSA: Republic of South Africa
- SPSS: Statistical Package for Social Sciences
- TCB: Traditional Courts Bill
- TEK: Traditional Environmental/Ecological Knowledge

UN: United Nations

UNDESA: United Nation Department for Economic and Social Affairs

UNESCO: United Nations Educational, Scientific and Cultural Organization

UNO: United Nations Organisation

USAID: United States Agency for International Development

WB: World Bank

CHAPTER 1: INTRODUCTION

1. BACKGROUND TO THE STUDY

Conflict is inevitable and an inherent part of human societies. The term processes of resolving conflict was used in this research to mean how conflicts are being resolved in the Lokaleng and Disaneng communities. In the lives of human beings, differences of interests, opinions (and conflicts) are natural. Conflict can occur in the inside of an individual, they may occur between two or many individuals, groups or organisations, states, just to name a few. Conflicts can take place at all levels - from the local to the global level; from intra-individual to the group level not leaving out small to large communities (Tsongo, 2012:1). Conflict may be articulated and managed in different ways. Sometimes conflicts are expressed in violent ways and then often become destructive. Sometimes conflicts take on non-violent ways leading often to constructive effects. Regrettably, even though conflicts may be expressed violently or non-violently, nowadays, the contemporary global system is dominated by violent conflicts (ibid: 10).

Conflict is a universal feature of the human society and takes its roots in economic differentiation, social change, cultural formation, psychological development and political organization, all of which are inherently conflictual and become overt through the formation of conflict parties, which are perceived to have, mutually irreconcilable goals (Ramsbotham *et al.*, 2011:6). Conflict can either be functional or dysfunctional (Slabbert, 2004:83). Weeda (2014: 34), discusses functional conflict to be regarded as a productive force that can stimulate community members to increase their knowledge and skills, encourage new thinking and build relationships. Dysfunctional conflict on the other hand is rooted in the notion that communities are created to

realise goals by creating structures that perfectly define individual and communal responsibilities, authorities, and other tasks (Utleg: *ibid*: 35). Conflicts (also referred to as disputes) could also occur between people of different communities or ethnic groups normally over the determination of rights of ownership of natural resources and livestock. Disputes could result from a breach of contract, theft, slander, witchcraft and sorcery accusations (Maakor, 2011:34). Conflicts could as well result from marital misunderstandings, injuries against persons, and damage to property (*ibid*: 65).

Both internal and external factors contribute to the root causes of conflicts in communities for example, limited resources, unmet basic needs and differences in values and beliefs (Brock-Utne: 2001: 42). The processes and regulations of solving such conflicts are deeply rooted in the customs and traditions of the people of Africa. The importance and utility of such processes lie in the fact that they strive to restore a balance to settle conflict and restore peace by eliminating differences (Choudree, 1999:1). These processes of resolving conflict are both traditional/indigenous and western in nature. Formal conflict resolution processes are centred on a hierarchy of courts and clearly defined judicial institutions.

The West, for the purpose of the study, refers to the formal conflict resolution processes such as courts. These formal processes view conflict as natural and solvable. In principle, many advocates of conflict resolution classify conflict as random as well as organized, hence the need for social and structural change. Formal processes use structures such as courts with role players including lawyers in resolving conflicts (Irani and Funk, 2000:1). Formal processes of resolving conflicts are related to extensive poverty and violent armed conflicts in the sense that they have produced a series of inter-linked crises that question the continued

dependence on orthodox state actors for bringing about social progress especially in African communities (Opoku, 2007: 5). Some of the searching solutions to these challenges according to (Opoku, *ibid* and Bratton, 1989: 46) have, on the one hand, activated the case for regionalization in a bid to wrestle with transnational security and economic development challenges, while civil society organizations (a form of western mechanism of conflict resolution), on the other hand, continue to gain acknowledgment as partners in peace building (Constitutive Act, 2002:75). Western processes have existed and have gained grounds in indigenous communities but they have fallen short of resolving conflicts and maintaining peace (Adamo, 2011: 23). This then has created the need to turn to indigenous mechanisms of resolving conflicts.

Indigenous conflict resolution processes, are part of a well-structured, time-proven social system geared towards reconciliation, preservation and improvement of communal relationships (Skelton, 2002: 34). These indigenous mechanisms play an important role in conflict resolution and reintegration of conflicting parties back into their communities (Nigusie, 2013:21). Indigenous knowledge systems, as such, provide the basis for problem solving for local communities, especially the rural and urban poor (Rudolph, 2012: 12). These traditional processes are relatively informal and thus, less intimidating and those who use them, are also more at ease in a familiar environment. The role of chiefs, elders, family heads, and others is not only to resolve conflicts but also to anticipate and stop/or intercept conflicts (Choudree, 1999:32). It is an incident of societal existence that, as in any human society, conflicts are part and parcel of indigenous African communities and thus processes/mechanisms have been developed over time to address such conflicts (Boege, 2011: 45).

Indigenous Knowledge Systems (IKS), according to Settee (2007:199), allow communities to stay alive and are the basis for decision-making in resolving conflicts, maintaining peace, managing natural resources, and education. In keeping with traditional practices, communities rather than individuals are the repositories of indigenous knowledge. This knowledge is entrenched in community practices, rituals and relationships making it difficult to codify. Besides, indigenous knowledge is part of everyday life and is, thereby, used in resolving conflicts (Snyman, 2002:101). It is, therefore, necessary that the positive aspects of the two systems of conflict resolution be assimilated as supported by the above discussions.

Conflicts have both adverse and positive effects on the socio-economic and political development of indigenous communities in particular, Africa and the world at large. Negative impacts of conflict, according to Aremu (2010: 554-556), include loss of lives, unemployment and poverty. This view is supported by the World Bank (2011:61) which reported that, at the end of 2009 some 42 million people around the world had been forced to leave or flee their homes due to conflict, violence, and human rights violations. Aremu (*ibid*: 543) argues further that although the effects of conflict are mostly negative, positive sides such as independence and service delivery do exist and also it offers opportunities for creativity which are beneficial to communities at the end of a conflict.

Conflict resolution has been found at a crossroad with the emergence of serious problems. For instance, which processes (indigenous or formal) are better or preferable to the continuous evolvement of conflict in daily life? Thus, conflict resolution and peace building processes have become very essential in solving the problem of conflicts among indigenous communities, the African continent and the

world at large. Mwajiru (2001: v), underscores the importance of conflict resolution when he says:

“One of the distinguishing features of Africa's political landscape is its many dysfunctional and protracted social and political conflicts. This problem is made worse by lack of effective mechanisms to manage these conflicts. Where they exist they are weak and, thus, social and political relationships in the continent have been disrupted. This has had negative consequences, including the interruption of development and the diversion of scarce resources to the management of these conflicts.”

In Africa, the processes of resolving conflict are characterised by three dimensions which include: (a) the nature of conflicts, (b) conflict resolution mechanisms and (c) the outcome of such mechanisms (Mpangala, 2002: 6). In understanding the nature of conflicts, first, there is the need to identify types of conflicts (Mpangala, 2000:2). According to the United Nations Organisation, UNO (2005: 234), indigenous peoples within enclosed geographical settings often find themselves involved in conflict with the dominant society. The resulting effect of these conflicts mostly, is the loss of their lands, territories and resources or the deprivation of their civil, political, cultural, social and economic rights. The rapid pace of globalization is one of the major factors that have hastened such conflicts among indigenous people. The International Labour Organisation (ILO) was the first international body to address indigenous issues in a comprehensive manner. The role of the ILO is to protect and promote the rights of indigenous and tribal peoples. The ILO since the early 1920s has been working to promote this role through providing access to mechanisms for peaceful conflict resolution (ILO: 2013:123).

The mechanisms used in resolving conflicts include peace negotiations, mediation and/or facilitation, traditional or indigenous methods, peace agreements and peace keeping (Mpangala, 2002:5). Among the various conflict resolution mechanisms, peace negotiations and mediation have been the most commonly used in most conflicts in Africa (Mwagiru, 2001:12). Peace negotiations can be internally based or externally based. Internally based peace negotiations are carried out within the country or community where the conflicting parties are negotiating with an internal mediator. Besides peace negotiations, another mechanism of conflict resolution is the use of traditional methods. These are methods taken from the way traditional African societies resolved their conflicts in the past. Indigenous communities traditionally made use of wise and respected elders who intervened between conflicting parties, talked with both sides, listened to their concerns and used their wisdom to convince each side to stop fighting (Mwagiru, *ibid*: 17). These mechanisms of resolving conflicts are not without their own problems. The nature and type of conflict in a particular conflict situation, dictates the resolution mechanism is to be used. But if this fails other methods (Alternative Dispute Resolution mechanisms-ADR) maybe used in an attempt to reach an agreement (Mpangala, *ibid*: 11).

Similarly, in the Southern African region, indigenous knowledge in the context of conflict resolution has also been acknowledged by governmental bodies (Lebel *et al*, 2006 54). A significant number of people, who in an African context, define themselves as indigenous, live in Southern Africa. While some countries in the region, such as South Africa, have taken important steps toward recognizing their rights, others have abrogated these rights, with members of indigenous groups being discriminated against, dispossessed of their ancestral lands and deprived of their

rights to resources (Saugestad, 2004:87). South Africans have critiqued the theoretical base of colonialism and its inherent cultural and intellectual domination that has been the force leading the African renaissance and the rebirth of Ubuntu (Settee, 2007: 55). Now as a democratic country, South Africa is engaged in the unfolding process of bringing African indigenous knowledge systems into focus as a legitimate field of academic enquiry (Mkabela, 2005: 178). There is a wide perception that the formal system of justice in South Africa before the dawn of the present constitutional dispensation suffered from the effective exclusion of most South Africans from the formation and execution of legislation (Carpenter, 1997:65). For many the western legal systems were seen to be superimposed on a natural, indigenous legal system (Carpenter: 23). Externally based peace negotiation on the other hand, involves the use of structures and actors that are not within the country or community where parties in conflict are present (John and Kew, 2008: 43). This external peace negotiation process makes use of civil societies and other international organisations (Mac Ginty, 2008: 34).

The demands of social justice are an important issue in conflict resolution. Justice although perceived as a rather indefinable concept is, by and large, something positive as it is used as a rationale for maintaining the current situation, promoting far-reaching social reforms, and justifying ground-breaking action (Charmaz, 2011: 87). In Africa or elsewhere, it would hardly be argued that justice is something not worth achieving and injustice not something that should be avoided (Conninck *et al.*, 2013: 7). Social justice is a virtue, reflecting deliberate acts of individual persons and social systems. Social justice is defined as the first virtue of democracy, because it is the habit of putting the principle of association into daily practice (Morgaine, 2014: 65). Taylor (2013: 2), in her contribution to discourses on social justice in Africa,

argues that economic growth alone cannot structurally address problems of poverty, exclusion, and inequity in Africa. Strategies to ensure human development and social justice are also required. The UNO (2006:2), further supports that poverty reduction; inequality and overall improvements in the standard of living are attainable goals that would bring the world closer to social justice. Social justice is thus important because, it is perceived that it provides indigenous communities with values for reconciling conflict parties.

The common sources of conflict in most indigenous communities (as with the case of Lokaleng and Disaneng communities) stem from within communities and are usually non-violent in nature. Examples of conflict types in these two communities include family or domestic conflicts, religious conflict, communal conflict and land dispute. These conflicts are resolved and managed through indigenous mechanisms put in place by the traditional leaders which have existed from time immemorial, and as such known as indigenous processes. Some of these processes of conflict resolution include negotiation, mediation and arbitration which can be done through courts (Western) or the indigenous way through customary process (Shea, 2012:3). However, according to Boege (2010: 43), these indigenous processes still have their own challenges; for instance, they do not end violence in the long term. Indigenous processes may also contradict universal standards of human rights; they have a limited scope of applicability and are open to abuse.

The need for a study on the demands of re-appropriating indigenous processes of conflict resolution and emerging demands of social justice makes this research topical. In respect of the above discussion, this present study explores the different indigenous types, causes, mechanisms and outcomes of conflicts. The recurrence of conflicts in present-day societies is caused by various factors, including conflict of

cultures. These causes make conflict prevention, peace building and social harmony imperative for sustainable development in the various communities in South Africa, Africa, and the world at large (Lee, 2009: 9). With the increasing nature of the complex processes of conflict resolution developed from the co-existence of indigenous and western cultures especially in South Africa, the need arises to establish what indigenous processes are and how effective they are in achieving social justice in a democratic South Africa. The establishment of these indigenous processes supports the need for re-appropriation from the formal processes of resolving conflicts in Lokaleng and Disaneng.

Therefore, the above debates go to justify the choice of the topic for the study. The investigation has been placed in perspective of a particular social context of the Lokaleng and Disaneng communities in the North West Province of South Africa. The reason for the choice of study area is due to the fact that it is accessible and there is availability of local assistance since the researcher has worked with the traditional leaders of the above mentioned two communities on other projects. In addition, the occurrence of conflict in these communities according to the researcher's observation is a serious problem, warranting the need for this study being carried out. Similarly, the current need for the recognition of community leader's role in resolving disputes poses a threat to the existence of indigenous conflict resolution processes. This problem was noted during discussions with elders from these communities. Besides, no study of this nature has been done and put on record regarding the topic of this research in these two chosen communities, making this study new.

1.2. PROBLEM STATEMENT AND SUBSTANTIATION

Conflict, as explained by its various characteristics outlined, implies that by its own nature is very problematic. There is conflict because wherever human beings exist, there is bound to be disagreements. The problems thereby caused by conflict tend to have and affect all areas of society from both socio-economic and political spheres. The following paragraphs of the thesis discuss the various problems that relate to conflict and its resolution processes especially, among the people of Lokaleng and Disaneng and support the need for the study to be carried out among these communities. The necessary recommendations will be made for future use. The following included some of the major strains relating to indigenous conflict resolution in the locations selected.

1.2.1. The challenges caused by the democratic South Africa

The 1986 legal and constitutional committee of the African National Congress (ANC) fashioned a set of Constitutional Guidelines which was anticipated to provide the fundamental principles of a new democratic South Africa (SA) with respect to traditional leadership. These Guidelines prescribed that hereditary rulers conformed with the principles of democracy, embodied in the Constitution and its Bill of Rights and consequently, all inequalities, especially that between men and women, inherent in the Constitution had to be abolished (Nthai, 2005: 5). Indigenous processes of conflict resolution still face this challenge of inequality.

The 1993 interim Constitution in an effort to establish this equality instead provided for limited recognition of traditional leadership and Houses of Traditional Leaders at both national and provincial levels (Nthai, 2005:8). This concession laid the basis for

further development and transformation of the institution (Nthai, *ibid*: 5). Thus, the need for more recognition of traditional leaders' role in conflict resolution processes.

The 1996 South African Constitution (referred to as the Constitution) has limited the powers of traditional leaders who are the main custodians of indigenous values pertaining to conflict resolution. Chapter 12 of the Constitution specifically acknowledges the institution of traditional leadership and its place and role in the system of democratic governance. The Constitution provides for the continued authority and functioning of such leaders in accordance with traditional law, within the broader legal framework, and for traditional leaders to participate at local government level. Further, the Constitution also established a Council of Traditional Leaders. Even though the Constitution had as its objective to promote the role of traditional leaders in resolving conflicts and promoting development, their protection is flawed and limited. This research advocates for more vigorous constitutional protection and recognition of traditional leaders as role players in resolving conflicts and maintaining peace and social justice in their communities.

According to the preamble of the Traditional Courts Bill (TCB, 2008: 6), the Constitution in its Chapter 12 recognised the institution, status and role of traditional leadership, including a role in the administration of justice, as well as the application of customary law, subject to the Constitution. Therefore, the main aim of the TCB (2008: 6) (hereafter referred to as the Bill) was to affirm the recognition of the traditional justice system and its values, based on restorative justice and reconciliation; to provide for the structure and functioning of traditional courts in line with constitutional imperatives and values; to enhance customary law and the customs of communities observing a system of customary law; and to provide for

matters connected therewith. It had as one of its objectives in section 2 (b) (i-iii) to affirm the role of the institution of traditional leadership in:

“(i) Promoting social cohesion, co-existence and peace and harmony in traditional communities;

(ii) Enhancing access to justice by providing a speedier, less formal and less expensive resolution of disputes; and

(iii) Promoting and preserving traditions, customs and cultural practices that promote nation-building, in line with constitutional values.”

Even though the Bill had these great objectives, it was welcomed with some controversies.

According to Makinana (2013: 1), five Provinces opposed the above controversial Bill which sought to regulate the functioning of the traditional courts on grounds of its constitutionality while only two Provinces; the Northern Cape and the Free State supported the Bill. Mpumalanga and KwaZulu-Natal are yet to decide. Gasa (2014:1), in supporting the challenge faced by the Bill highlighted in “the Sunday Independent Newspaper”, that the Traditional Courts Bill did not lapse but it actually died. With this challenge of the death of the TCB, the study looked at the importance of the role of the traditional justice system in resolving conflicts with the need to argue for the ‘dead bill’ to be enacted into law which will recognise traditional leaders as is the wish of the government.

1.2.2. Problems of access to justice in modern SA



The court processes of the modern Eurocentric legal system are much more expensive and slow. This poses a major problem for members of indigenous communities to access the courts, to resolve conflicts. The dispute resolution system in South Africa is based on the acceptance of conflict and the utilization of processes

to deal with the conflict as soon as possible (Choudree, 1999:44). Despite the existence of these Western Eurocentric processes of resolving conflicts in South Africa through the formal courts, there still exist communal conflicts. Efforts to resolve or reduce such conflicts for peaceful co-existence have proven futile. The courts have their own shortcomings as a dispute resolution mechanism. This challenge is supported by Brand J *et al.* (2008:15), who noted that court processes are inaccessible, slow and adversarial in nature and as such, caseloads tend to increase (Brand J *et al.*, *ibid*: 23). How these processes can be re-appropriated is dealt with in the course of this work, supporting the need to turn to indigenous processes of conflict resolution as an alternative remedy.

Furthermore, another perceived shortcoming with the Western is that unlike indigenous processes, they emphasize the establishment of guilt and the execution and punishment of offenders without reference to the victim or the wider families or future reincorporation of the offender into the community (Lanek, 1999: 23). The importance of African processes of conflict resolution whereby, peace building mechanisms do not require the presence of judges are discussed in this study. It is argued indigenous conflict resolution processes is less time consuming, more user friendly, informal and less intimidating (Choudree, 1999:46). With the challenges of the formal processes, Lokaleng and Disaneng communities still fail to make use of indigenous conflict resolution processes.

1.2.3. Insufficient utilization of Indigenous Knowledge Systems (IKS) as Alternative Dispute Resolution (ADR)

Lokaleng and Disaneng communities have failed to make sufficient use of indigenous mechanisms of resolving conflict (as an ADR) in the society at large,

particularly, within the labour sector. Although the Labour Court has to take charge in dealing with cases of labour conflicts, these courts still have huge caseloads and cases tend to take a longer time before they are resolved in the event of conflict. The Commission for Conciliation, Mediation and Arbitration (CCMA) established under the Labour Relations Act (LRA: Act 66 of 1996) was meant to deal with disputes quickly, at low cost and with a preference for conciliation between the parties rather than the more costly, quasi-legal arbitration procedure (Hanneli, 2006:60).

As discussed in the introduction (page 8), different causes of conflict such as witchcraft and slander in African communities led to the need for alternative dispute resolution (ADR) processes. Churches, Labour Courts and other community organisations for instance, were used but reference has not been made specifically to IKS as an ADR mechanism for communal conflict resolution. A meaningful search for viable alternative conflict resolution systems for Africa must start with a reconciliation of the fact that, both formal and informal processes are useful (Knowledge, 2004: 39). This is the case in Lokaleng and Disaneng communities where the use of indigenous processes as an ADR process is very low. As such, this study proposes the use of indigenous processes of conflict resolution as an alternative means of solving conflicts, especially in cases where spirituality (use of mediums) is concerned.

1.2.4. The negative impact of international organisations on resolving conflicts

Even though international organisations such as the International Labour Organisation (ILO) have made efforts in protecting indigenous people, there still exist loopholes. Recommendations 25 and 67 of the ILO for instance, do not discuss procedures on how to resolve indigenous conflict (ILO, 2009:38). While noting the

existence of legal aid mechanisms in South Africa (Lokaleng and Disaneng communities), the Committee on the Elimination of Racial Discrimination (CERD), for instance, expressed concern on the difficulties of access to justice, especially, for members of the most disadvantaged and poor ethnic groups, including indigenous people, especially those unfamiliar with English or Afrikaans (ILO, 2009:38). This study supports the need for the ratification of the above ILO standards in South Africa as it will benefit indigenous people generally, with specific regards to conflict resolution and maintaining social justice.

1.2.5. Scarcity of debates and written materials

Less debates on indigenous knowledge and lack of written documentation on indigenous knowledge practices pertaining to indigenous conflict resolution, especially, in Lokaleng and Disaneng communities in South Africa has become problematic as much is not known about indigenous knowledge systems (Makinde and Shorunke, 2013: 23).

Although indigenous mechanisms for resolving conflict exist in indigenous communities, there is still a problem on how to get information as relevant sources are not documented (Eyong, 2007:122). Besides, very little debate is made on the subject of IKS generally and on indigenous conflict resolution in particular (Eyong, *ibid*: 134). Where work has been done, it has not touched on Lokaleng and Disaneng in South Africa, instead, much has been documented in Ethiopia, leaving a lot of work to be done pertaining to indigenous conflict resolution in Africa. This study recommends the necessity of putting down in writing, the experiences and past knowledge of resolving conflict in the above study areas and thus, promoting development in these research communities.

1.2.6. Poverty and colonialism

The effects of poverty and colonialism are still felt in Lokaleng and Disaneng communities in South Africa and Africa at large. According to the World Development Report (1999: 123), half of the sub-Saharan population live on products that cost less than one American Dollar a day. The international dollar-per-day poverty standard was developed by the World Bank for its 1990 World Development Report in order, to provide a single global measurement to set a level that would be relevant in underdeveloped, developing and developed countries despite enormous differences in the meaning of poverty all over the world. This problem still plagues the effectiveness of indigenous conflict resolution processes in the above mentioned communities as fewer people can afford to pay fees in courts, thus the need for re-appropriation.

Western processes of conflict resolution although available are not readily accessible to indigenous people due to poverty and the negative effects of colonialism (Mimiko, 2010:12:34). Hence, the communities of Lokaleng and Disaneng concentrated on producing more of what was needed less and produced less of what was needed most. This problem still persists in contemporary Africa, and South Africa (Lokaleng and Disaneng) is no exception (ibid; 34). This has caused indigenous parties in a conflict not to be able to afford the fee for existing conflict resolution processes (Aiyedun, and Ada: 2016: 43). Not all people have the finance for court proceedings in resolving conflicts in their communities as they are mostly peasants and can hardly afford or pay for legal representation. This problem of poverty still plagues communities including Lokaleng and Disaneng. This research proposes the use of indigenous conflict resolution mechanisms because it is cheaper and affordable to community members in conflict, as it can further lead to social justice and harmony.

1.2.7. Inadequate role of the family and traditional leadership

Different authors have disagreed on the importance of the role played by various structures in conflict resolution (Snodgrass & Blunt, 2009: 14). The family and traditional leadership have largely been underlooked by parties in dispute (Ajayi & Buhari, 2014: 145).

Besides, there seems to be no clear difference between the state at the top of governance and traditional leaders in conflict resolution. However, it appears that, the role actors (from both processes) in conflict resolution are still corrupt and thereby, processes tend to be less effective (Blind, 2007: 17). The strong social ties existing in indigenous communities make the importance of reconciliation, the presence of family heads and the key role of traditional institutions, indispensable (An-Na'im, 2013: 65). In addition to the fact that these actors in conflict resolution exist, most actors in African indigenous processes (as is the case with Lokaleng and Disaneng) of conflict resolution are under trained or not trained at all, unlike actors in the western system that are educationally trained for resolving conflicts (Zelege, 2010: 63-64). Also, corruption and bias are the order of the day for actors in both processes, for instance, in a case where a mother or father has to mediate on behalf of their child, there tends to be an aspect of bias (Deutsch et al, 2011: 245). Makoae and Amoateng (2015: 54), supports Bangura (2016: 23), in discussing the role of chiefs. They explain that traditional leaders can provide the bedrock upon which to build new mixed governance structures since chiefs serve as custodians of and advocates for the interests of local communities within the broader political structure. This study discusses ways to fill-in the loopholes that exist in African processes of conflict resolution and also looks at measures that can be used to curb corruption in both processes in Lokaleng and Disaneng communities.

1.2.8. Less-recognition of the role of women in conflict resolution

Women, although peaceful by nature tend to be excluded traditionally from most indigenous conflict resolution processes in Africa with focus on Lokaleng and Disaneng, and where they are even allowed, representation is always poor (Kidane, 2014: 76). This remains a major problem because they have an extensive and positive role to play in conflict resolution in the above communities.

Even though women are always at the forefront of looking for communal solutions, they are at times excluded. For example during strike actions, they are not included in the traditional council (Lekogtla) for conflict resolution among the Batswana's (Ntsoane: 2003:12). The inclusion of traditionally excluded actors, such as females, may provide an important means through which peace can be promoted (Glowacki and Gonc, 2012: 31). This is due to the fact that, although women play a significant role in the communal resolution of conflicts, different beliefs and customs forbid them from partaking in such processes with men always at the fore (Isike and Uzodike, 2011:24). This is because apart from being marginalised socially, economically and politically, they have increasingly become victims of male violence. However, women have now been transformed from being active participants in peace building to mere observers (ibid: 35). The problem which still plagues the indigenous communities of Lokaleng and Disaneng is the fact that, the representation of women still remains low as experienced by the researcher.

Unlike Western processes where a woman can play any role in conflict resolution, traditions and customs in some African communities prevent women from doing likewise (Ngongo-Mbede 2003:31). Even where women have been mainstreamed into politics in significant numbers, as is the case with Rwanda, South Africa,

Tanzania and Uganda, de-feminisation arising from the colonial corruption of gender relations makes their involvement and representation in the public domain ineffective (Isike and Uzodike, 2011: 43). This research supports the view that, a gender balance of role players, with increased representation of women in conflict resolution will have a positive impact on peace building in African indigenous communities.

1.2.9. The alleged primitive nature of Indigenous Knowledge Systems

Indigenous knowledge has generally been seen as old and outdated, most particularly that which pertains to conflict resolution. Indigenous or local knowledge has been ignored because of the ideas passed on from nineteenth century colonialism and social science that indigenous knowledge is primitive, simple and static (Briggs, 2005:7). Indigenous knowledge is not always understood because it is a deep-seated part of a peculiar culture. Indigenous knowledge is part experience, part custom, religion, community laws, and the attitudes of a society that concerns their lives and the lives of people and other living things (Puffer, 1995:12). Because this knowledge cannot be tested like other sciences, it is considered primitive and people tend to refrain from it (Briggs, 2005:7). Not only were indigenous knowledge systems seen as inferior, they were also systematically misappropriated and then wrecked in their own cultures by the colonizing West (Davies 2006: 147). The problem of regarding IKS as primitive, and indigenous processes in particular in Lokaleng and Disaneng, supports the need for re-appropriation of these processes. This study discusses the communal processes of resolving conflict and its benefits, thereby attempting to show that IKS is not as primitive as alleged.

1.2.10. No comparative analysis

Indigenous knowledge systems have had little work done on a comparative analytical basis. For instance, most researches have not looked at what happens with other countries in an effort to compare and understand what happens with conflict resolution in other countries. In Lokaleng and Disaneng communities in particular, no work of this nature has been done relating to the processes of resolving conflict. This poses a challenge to researchers in relation to informed literature on indigenous conflict resolution processes in other communities.

Merriam Webster dictionary (2014: 56), defines comparing as looking at two or more things closely in order to see what is similar or diverse about them or in order to decide which one is better. Indigenous knowledge and Western science are best regarded as complementary, or analogous, systems of knowledge, rather than as fundamentally incommensurable. As Turnbull (2000: 21) points out, all knowledge systems can be regarded as localized, situated ways of making coherent systems of meaning from an array of disorganized and fragmented elements. The differences that can be observed cross-culturally among and between knowledge systems arise from their different power structures, modes of social and political organization, and the particular ways in which they seek to produce coherent systems (Turnbull 2000: 23). These differences as noted by Turnbull (2000), can be complemented by one another. This study opines that, when IKS processes of resolving conflict (as is in the case with Lokaleng and Disaneng communities) is compared to other knowledge systems, more can be learnt by other indigenous communities most importantly, in relation to conflict resolution for sustainable development and social harmony. The above discussed problems thus give rise for the need to re-appropriate indigenous

conflict resolution processes from the more used formal processes in Lokaleng and Disaneng communities.

1.3. RESEARCH AIM AND OBJECTIVES

1.3.1 BROAD RESEARCH AIM

The main aim of this study was to explore and promote the various indigenous processes of resolving conflicts in Lokaleng and Disaneng communities. The research also identified the importance of these processes in maintaining peace, social justice and re-appropriation in Lokaleng and Disaneng communities in the North West Province of South Africa.

1.3.2. SPECIFIC RESEARCH OBJECTIVES

The study seeks to:

1. Investigate the types and causes of conflicts in Lokaleng and Disaneng communities;
2. Explore the structures and role players of conflict resolution in the above-named communities;
3. Establish the existing methods of resolving conflicts in Lokaleng and Disaneng;
and
4. Re-appropriating indigenous processes of conflict resolution in the villages of Lokaleng and Disaneng.

1.4. RESEARCH QUESTIONS

The central questions which this study seeks to address include the following:

1.4.3.1. What constitutes conflict generally in indigenous communities (Lokaleng and Disaneng) of SA?

1.4.3.2. What are the types of conflicts that exist in these communities?

1.4.3.3. What are the causes of these conflicts in Lokaleng and Disaneng communities?

1.4.3.4. What processes are used in resolving these types of conflicts in the above communities?

1.4.3.5. What role do these structures for example; family, chiefs and women play in resolving conflicts in Lokaleng and Disaneng?

1.4.3.6. How can these indigenous processes of conflict resolution be re-appropriated and made use of within Lokaleng and Disaneng communities?

1.5. SIGNIFICANCE OF THE STUDY

The study investigates the different indigenous mechanisms of resolving conflicts in Lokaleng and Disaneng communities in order to promote peace and social harmony.

The study uncovers the opportunities brought about by making use of indigenous mechanisms of conflict resolution among the communities of Lokaleng and Disanang particularly and in South Africa generally. In this light, contributions if made, are to the efforts by all actors' especially traditional leaders and family heads working towards attaining a peaceful environment suitable for development. Through facing major conflicts, addressing them, reorganizing as necessary to deal with them, and

moving on, social organizations adapt to changes in their environment and strive to attain and maintain social harmony.

It is hoped that the findings of this research will go a long way to lessen the burden of courts on huge caseloads if both indigenous and western processes are integrated or used alongside each other. Conflict resolution can help build communities, define and balance people's needs as individuals with their needs as participants in larger systems. The peaceful resolution of conflicts can help those involved in such conflicts to face and address in a clear and conscious way the many difficult choices that life brings to them in both Lokaleng and Disaneng communities.

Furthermore, findings might improve the recognition of the role of indigenous players such as traditional leaders, family heads and village councillors in conflict resolution in South Africa. Also, the knowledge gained from the study may help in the awareness of the topic and thus, job creation to the community and the creation of awareness of the traditional or indigenous methods of conflict resolution.

Findings may help decision makers such as the government to adopt policies and intervention methods which will assist them with understanding the dynamics of conflict and will therefore, provide conflict resolvers and related professionals with a basic tool for addressing the essential forces that shape the development of individuals and social entities as a whole. It also stresses the need for the government to take into consideration a relook at the Traditional Courts Bill (2009: 43).

The communities (Lokaleng and Disaneng) and the state might get to know how these communities actually carry out indigenous conflict resolution through its established processes and this will in turn, provide an understanding of the

processes, the challenges and how they can be improved if need be and as such, as an indigenous knowledge study, IKS will be documented through publications of articles in journals and presentations. Re-appropriation might also encourage the use of IKS processes.

It is further hoped that research findings on conflict resolution processes from indigenous African perspectives precisely in Loakeng and Disaneng may add value to the existing body of research by using the positive aspects of the processes in resolving conflicts in South Africa through publications. Hence, other researchers can gain insight and make recommendations for further research. It is hoped that the study might further contribute to academic studies by providing more information and knowledge for future use.

1.6. SCOPE OF THE STUDY: DIVISION OF CHAPTERS

1.6.1. Chapter one: Introduction.

1.6.2. Chapter two: Literature review.

1.6.3. Chapter three: Research methodology

1.6.4. Chapter four: The types and causes of conflicts in the Batswana communities of Lokaleng and Disaneng villages in the North West province.

1.6.5. Chapter five: Exploring the structures, role players and indigenous conflict resolution processes in the above communities;

1.6.6. Chapter six: The need for re-appropriation of indigenous processes of conflict resolution in the Lokaleng and Disaneng communities; and

1.7.7. Chapter seven: Conclusions and recommendations.

1.7. CHAPTER CONCLUSION

This chapter introduced the topic of the research, discussing briefly the overviews of conflict with its characteristics which are human, social and economic in nature. The aim of which is to direct the nature of this study, from an indigenous perspective and also to view conflict as non-violent and violent in nature. The chapter also looked at the existing problems which are debatable and still very topical in contemporary society precisely in Looking and Disaneng communities. The research aim for the study was spelt out alongside the objectives which make the road map for the research. The significance of the study was discussed to support the need for the study to be conducted. Accordingly, the research questions were also developed together with the chapter division for the thesis.

The next chapter discusses the theoretical framework and the hypotheses underpinning this study. It further expands on the review of literature, speaking to key concepts and theoretical basis of the study.

CHAPTER TWO: LITERATURE REVIEW

2.1. INTRODUCTION

This chapter starts by discussing the conceptual framework for the study so as to establish its basis by reviewing the existing and relevant literature on the study. Information from literature supports the importance of current debates on the topic as evidenced by the present study. For this purpose, the chapter also discusses the theoretical framework for the study, which is the backbone for the review of literature. It then explains indigenous knowledge and conflict as a theoretical framework in the context of (western and indigenous perspectives). The chapter concludes the introduction by emphasising the gaps established and the purpose of the research to fill in those gaps thereby, contributing new knowledge to the debates on the study.

2.2. CONCEPTUAL ISSUES

2.2.1. Indigenous knowledge

Indigenous knowledge (IK) is based on how indigenous people know and do things, and what they have known and done for generations, that is practices that evolved through trial and error and have proven to be flexible enough to cope with change (Melchias, 2001: 45). Boven & Morohashi (2002: 18), also defines IK to refer to a complete body of knowledge, know-how and practices preserved and developed by people, generally in rural areas, who have extended histories of interaction with the natural environment. These sets of understanding, interpretations and meanings are part of a cultural complex that embraces language, naming and classification systems, practices for using resources, rituals, spirituality and worldview (Daes, 1993:4). Furthermore, IK provides the basis for local-level decision-making about

many fundamental aspects of day-to-day life: for example hunting, fishing, agriculture and husbandry, food production, water, health, conflict resolution and adaptation to environmental or social change (Nakashima, 2000: 432). Indigenous knowledge in contrast to formal/western knowledge is passed over orally, from generation to generation, and is, therefore, hardly ever documented (Boven & Morohashi, *ibid*). For the purpose of this research, indigenous knowledge means how the communities have developed conflict resolution mechanisms overtime till present.

2.2.2. Indigenous Knowledge System

Indigenous knowledge systems (IKS) refers to the complex set of knowledge and technologies existing and developed around specific circumstances of populations and communities indigenous to a particular area (Boven and Morohashi, 2002: 123 and Ndangwa, 2007:167). Franz Boas, one of the founding fathers of anthropology in supporting the importance of IKS in 1927 noted that: “there is no such thing as a primitive mentality” (See *Wade Davis’s 2008 TED talk* in: Dun, 2014: 1). IKS for the purpose of this study refers to the technologies which the communities of Lokaleng and Disaneng have used to maintain their indigenous conflict resolution mechanisms and the peculiar factors which have made these IKS mechanisms specific to the people that is, the processes involved.

2.2.3. Conflict

Coser (1957:16, cited in Moore, 1996:63), defines conflict as a struggle between two or more people over values, competition for status, supremacy or scarce resources. Conflict commonly reveals itself through ethnic markers. Ethnic traits stand out as an outstanding technology for either or both the generation and expression of social

tensions (Amodio and Chiovelli, 2014: 8). Conflict can be violent or non-violent or functional and dysfunctional (Slabbert, 2004:83). Bukari (2013: 21), supports the view that conflict occurs when two or more parties pursue irreconcilable interests or goals through actions that the parties try to undo or damage each other. These parties could be individuals, groups or countries. Conflict could also occur between people of different communities or ethnic groups normally over the determination of rights ownership of natural resources and raid of livestock. Conflict for the purpose of this study was taken by the researcher to mean non-violent struggles or misunderstandings over different issues between members (for instance, families) within the communities chosen for the study.

2.2.4. Conflict Resolution

Conflict resolution brings a close to a conflict where the disputing parties are satisfied and the conflict is formally and truly resolved. Many approaches and methods could be used in conflict resolution (Bukari, 2013: 23). The United Nations Department for Economic and Social Affairs (UNDESA) (2001: 24), maintains that a conflict is resolved when the root causes of that particular conflict are identified and addressed. Conflict resolution seeks to design solutions through a joint-problem solving approach. When a conflict is successfully resolved, the conflict is transformed and becomes a catalyst for deep-rooted positive change in individuals, relationships and structures for development (UNDESA, 2001:25). Thus, successful resolution of a conflict will ensure sustainable peace which would lead to improved security and good relations among people which could then lead to human well-being and general development. On the other hand, indigenous conflict resolution mechanisms according to Bukari (2013: 24), comprises social, economic, cultural and religious-spiritual dimensions in accordance with the entirety of traditions,

customs and world views of a society within the different spheres of societal life. For purposes of this study, conflict resolution is defined to mean the various indigenous mechanisms which have been developed over time by the communities chosen for this study and how these mechanisms have been used in achieving peaceful settlement of conflicts.

2.2.5. Social justice

According to (Mbondenyi and Ojienda, 2013: 69 and Handmaker and Berkhout, 2010: 97) social justices refers to the extension of principles/values, enshrined in the South African Constitution. These principles include of respect for human dignity, equity, and freedom to participate in all of the political, socio-economic and cultural spheres of society. For the purpose of this study, social justice means the peaceful resolution of conflicts within the communities in order to enjoy the rights enshrined in the Constitution.

2.3. THEORETICAL FRAMEWORK AND HYPOTHESES

2.3.1. THEORETICAL FRAMEWORK

A theoretical framework consists of concepts, together with their definitions, and existing theories that are used for a particular study. The theoretical framework, therefore, demonstrates an understanding of theories and concepts that are relevant to the topic of any research (William, 2006:2). For the purpose of this study, the theories of structuralism and community building were used to guide this research.

a. Structuralism

Theory is a concept which assists in selecting and interpreting facts. In this sense, theory is intensely practical (Gounden and Solomon: 2001: 43). A theoretical

framework can be thought of as a map or travel plan into which this study will fit (Sinclair, 2007:1).

For the purpose of this discussion, structuralism in conflict resolution explains the specific processes through which societies developed conflict resolution mechanisms (Ross, 1993:10-11). Proponents of these theories argued that, the stronger the ties of kinship, economy and politics in a country, the lower the chance of severe conflict among the individual groups. In other words, it explains the specific ways that societies formulate conflict resolution mechanisms (Ross, 1993: ibid).

The researcher submits that the stated theories (structuralism and community building) will help decision makers and mediators in conflict situations to understand the role of the state and its institutions (traditional) as important elements in either preventing conflicts or allowing them to evolve, thus, working toward social justice and re-appropriation of indigenous conflict resolution processes. Through these theories, it also becomes possible to determine whether conflicts developed as a result of the lack of reference to indigenous mechanisms or simply the failures of existing conflict resolution mechanisms. The researcher further notes that through these theories, it also becomes possible to determine whether conflicts develop as a result of the lack of reference to indigenous mechanisms or simply the failures of existing conflict resolution mechanisms (western and indigenous). In addition, these theories support the view that should different structures of resolving indigenous conflicts be made use of, community building will be enhanced.

b. The theory of Community building

The term Community is said to be flexible. It is therefore often defined by its features, which could be the focus on harmonious type of bonds between people,



geographical areas or a group of people living in a particular place or community as an area of common life (Moumakwa, 2010: 43). In descriptive terms a community is put in three categorical descriptions by (Hoggett, 1997:23), as follows; territorial or place whereby, a community can be seen as a place where people have something in common, and this shared element is understood geographically. Community is also viewed in the common interest and characteristics people share within a particular environment and other than places. They are linked together by factors such as religious belief, sexual orientation, work or ethnic origin. An example of such will be distinctly different tribes in South Africa such as the Batswana's (Lokaleng and Disaneng) in terms of religious beliefs and ethnic orientation in resolving conflicts.

According to Hoggett (1997:41), development in what might be called the sociology of individuality and selfhood has played an important role in opening up the conceptual space within which a community can be understood (Hoggett, 1997:7). In other words, identity and selfhood play an essential part in defining groups or communities and these have been seen as the key features in contemporary life. Communities have certain common features which they identify themselves with in order to be said to belong to a certain group. In the case of Lokaleng and Disaneng, the processes of resolving conflicts which they employ make them outstanding as noted by the researcher.

The last group is communion, which can be approached as a sense of attachment to a place, group or idea, in other words, where there is a spirit of community. Communion further entails a profound meeting or encounter not just with other people, but also with God and creation (Smith, 2001: 65). An example from a Batswana scenario would be Badimo (ancestral spirits which literally mean gods).

Different communities in the North West Province caution themselves by associating with certain cults that are relevant to them but not to the other provinces (Gluckman, 1972:245). Although many tribes in the North West such as the Batswana's from Lokaleng and Disaneng believe in Badimo with an African notation on African Traditional Religion, many turn to do good in respect of Badimo, because doing bad means provoking the Gods to anger, as such bad things may tend to happen to such an individual. The beliefs and the uniqueness on how people serve their gods make each community's identity. Therefore, people could easily associate themselves with one another of the same belief; thus forming a community.

In addition, Marglin (2008:20: 13), defines community in terms of providing social adhesion, binding people together in relationships that give form and flavour to life. It could be a set of social connections, human behaviours that have meaning and expectations between its members. Normally such behaviours are based on shared expectations, values, norms, customs, beliefs and meanings between individuals (Marglin, 2008:20). Community also conceals the ideology of defining different tribes in a country. Generally Batswana society is culturally composed in patrilineal, patriarchal and patrilocal ways. Therefore, community members tend to associate themselves in line with their families, hence promoting their originality, that is, the region where their father came from, beliefs, locality and cults.

This shows therefore that the members of a community have something in common with each other, and these things held mutually distinguished them in a significant way from members of other communities. But the fact that people have something in common and live close to one another does not necessarily mean that they have much to do with each other. People could still be individualist and perform things that do not relate to the rest of the community norms and customs. There could be little

or no interaction between neighbours, especially nowadays. Whether people are willing to engage with one another is dependent upon the norms of a particular society or community and the extent to which individuals make such engagement with other, habits of the heart (Smith, 2001). For the purpose of this study, community building involves how the people of these communities, Disaneng and Lokaleng interact in order to combat and promote indigenous conflict resolution through the mechanisms and processes they have developed overtime in an effort to achieve social justice and harmony. As discussed earlier, structuralism and community building underpins this study in the light of indigenous conflict resolution because, such communities have different role players and the essence of these existing structures is to maintain and build the community. In the opinion of the researcher, without peace, community cannot be built and peace cannot be attained.

2.3.2. HYPOTHESES

2.3.2.1. The Central hypothesis of this study is: If indigenous villages/communities (in this case Lokaleng and Disaneng) are encouraged to use indigenous mechanisms of resolving conflict, there will be less conflict and more social harmony.

2.3.2.2. Should the causes and types of conflict in Lokaleng and Disaneng be known, conflicts will be easily resolved.

2.3.2.3. If the indigenous processes/ways of resolving conflicts in the above mentioned two villages are known and made use of, there will be social justice.

2.3.2.4. If the role players of indigenous conflict resolution promote harmony and not inequality, social justice will be attained in the villages of Lokaleng and Disaneng.

After discussing the theoretical framework which underpins this study, and the hypothesis, the next section reviews literature on key concepts.

2.4. LITERATURE REVIEW OF RELEVANT AND CURRENT SOURCES

The purpose of this review of the current sources was to explore and appraise the evidence related to the importance of indigenous conflict resolution processes, the role players and structures involved in these processes and the need for making use of these processes in Lokaleng and Disaneng. Literature was discussed using a thematic approach whereby according to Webster and Watson (2002, p. xvi), themes related to the topic were arranged and reviewed as pertains to previous work done. Literature was done through the exploration of books, articles, journals and other policy documents relating to Indigenous knowledge. The following themes were identified by the researcher:

2.4.1. Indigenous Knowledge (IK)

The question “What is Indigenous knowledge?” is usually asked by Eurocentric scholars seeking to understand a rational system that is unfamiliar to them (Ogungbure, 2013: 43). The greatest challenge in answering this question however, is to find a more comprehensive way to compare Eurocentric and Indigenous ways of knowing and including both into present-day modern conflict resolution (Battiste, 2006:Cajete: 2000b).

Finding a suitable answer to this question is the necessary primary step in improving the failures of the existing conflict resolution system and in bringing about a blended conflict resolution context that respects and builds on both Indigenous and Eurocentric knowledge systems. According to UNESCO (2002:9), indigenous

knowledge (IK) is a cumulative body of knowledge, know-how, practices and representations maintained and developed by people with extended histories of interaction with the natural environment. Indigenous knowledge comprises knowledge belonging to a particular people and its territory, the nature or use of which has been transmitted from generation to generation (Daes, 1993:4). The above authors define indigenous knowledge as the know-how of people. They give one a sense of direction as to what indigenous knowledge is about. The gap they left uncovered is failure to mention the ways indigenous people resolve conflict as the definition is too broad. This study thus searched for information on how indigenous people of Lokaleng and Disaneng communities view IK in relation to indigenous conflict resolution processes.

Green (2012:1), advances the view that since the formalisation of South Africa's indigenous knowledge policy in 2004; indigenous knowledge has become projected in national discussions on the content of the sciences and humanities that (undergird) policy, education, medicine and law in a democracy. The IKS Policy document identified the following fields related to and requiring integration with IKS which included: (a) the affirmation of African cultural values; (b) the development of services by traditional healers; (c) integration with the economy; (d) interfaces with other knowledge systems; (e) integration in education and the national qualifications framework; (f) the national innovation system; (g) research and development; traditional leadership; and (h) the custodianship of certain kinds of knowledge by women (DST 2005: 30). These recommended areas acknowledged by the policy serve as a guide to IKS practitioners not leaving out students and other stakeholders. This notwithstanding, the area of interfacing IKS with other knowledge systems seems to be too broad and vague in the field of knowledge. Although this

problem exists, the researcher advocates for the interface of indigenous conflict resolution processes with existing western or formal processes of conflict resolution.

Das Gupta (2011: 2) argues that indigenous knowledge develops from a divergence in value system and social norms that can happen due to geographic migration of certain population/community to a different climate and ecosystem. Such migration generates a persuasive pressure on that population to acclimatize into that new geo-climatic setup and at the same time urges the community to invent or accept a new mode of livelihood in due course. The values, norms, customs and beliefs within such a society constitute a concrete part of its culture which has a propensity to remain the same and thus, the development of their own indigenous knowledge or ways of surviving. This assertion will be further supported by this study through findings from field work on how the resolution of conflict has evolved over time in the study areas. IK relating to conflict resolution is thus underpinned by cultural values.

IK according to Agrawal (2004: 34) explores aspects like theory, concepts, interrelations, factual data and attributive information with a high degree of accuracy. Agrawal (ibid: 35) further notes that IK is also referred to by several names, such as, folk knowledge, traditional knowledge, local knowledge, indigenous technical knowledge (ITK), traditional environmental/ ecological knowledge (TEK) and People's Science or ethnology. These names in most cases often look very much confusing and overlapping with each other and in different context. It is true that the author discusses indigenous knowledge from different views, but what is lacking is the fact that he does not look at this knowledge from a conflict resolution perspective or how this IK impacts conflict resolution. The authors' view on IK was tested when the research was carried out to see what conflict resolution was according to

community members. The next section discusses three types of knowledge which guide the resolution of conflict in Lokaleng and Disaneng communities.

Individual, Distributed and Communal knowledge

Ngoetjana (N.d: 30), notes that knowledge is held by individuals within indigenous communities pertaining to different areas of life, for instance, knowledge in traditional medicine and knowledge on how traditional healers continue to improve or innovate on the existing body of this knowledge through sustained observation and experiment. The improvement of knowledge was also supported by Ng'etich (2005: 4). Furthermore, an individual knowledge holder (Masuku, 2015: 1) in explaining her experiences on traditional medicine (Ngoetjana: *ibid*: 32) asserts that individual knowledge is, at times given by the ancestors to a particular individual. In elaborating, she claims that, the ancestors may/and sometimes show her the medicines in a dream, and when she travels she always happens to meet someone in dire need of the medicine. As discussed above, the author shows the existence of individual knowledge but limits the discussion to traditional medicine. This study took a step further to look at individual knowledge pertaining to conflict resolution in the case study areas.

Ngoetjana (n.d: *ibid*) supported by Bonabeau and Theraulaz, in Ng'etich (2005: 4) holds the view that knowledge is in the possession of some but not all members of a group and such knowledge is known as distributive. Both individual and distributive knowledge are often interconnected in that, sometimes traditional healers compare and share remedies across a large geographic area. This study also looks at how knowledge is being distributed among people within their communities, as dealt with by the above authors regarding traditional medicines, but with emphasis or focus on

indigenous conflict resolution mechanisms unlike the above authors who looked at this type of knowledge from the eye of traditional medicine.

Communal knowledge on the other hand, was seen as knowledge that might be available to all members of a group (Ngoetjana, n.d). The author further notes that, this type of knowledge is freely available to members although it may be concentrated among the older members of the society. In every community for instance, there are people who have knowledge on how to resolve conflict and sometimes, they work in groups sharing their know-how. An example is the Lekogotla traditional court system of resolving conflicts. The author also discussed the importance of IK through some medicinal plants which were seen as communal knowledge and the intellectual property of such plants. In some communities also, there exists community standards directing when information must be passed on regarding different rituals in an attempt to protect the intellectual property rights (IPR) of such communities (Ng'etich, 2005: 3). This study looked at the role of the community, especially the elderly, in sharing knowledge with regards to resolving indigenous conflicts and protecting such knowledge.

2.4.2. Indigenous Knowledge System

According to Ndangwa (2007:167), indigenous knowledge systems (IKS) unlike indigenous knowledge (IK), constitutes the knowledge that people in a given community have developed overtime, and continue to develop. It is the basis for agriculture, food preparation, health-care, education and training, environmental conservation, and a host of other activities including the resolution of conflict in African indigenous communities (Ogunniyi, 2007: 965). Ogunniyi, (ibid) explains further that indigenous knowledge systems are “a conglomeration of knowledge

systems encompassing science, technology, religion, language, philosophy, politics, and other socio-economic systems". This collection also includes epistemologies, ontologies, and metaphysical systems, which might have roots in other geographical localities through shared experiences and human interaction, including elements of Western science. What is called IK is embedded, enmeshed and interwoven into a holistic cultural matrix called an "indigenous knowledge system" as buttressed by Vhurumuku and Mokeleche (2009: 14). IK is thus, the knowledge itself and IKS, is on the other hand, the cultural matrix in which this knowledge is embroiled and stored. The authors did not focus on community conflict resolution but dealt with IKS generically and in differentiating between IK and IKS. This research discusses the role of IKS in communal conflict resolution and its benefits to the research communities.

Chabalala (2010: 63) indicates that, IKS needs to be approached in an all-inclusive manner in order to go beyond the boundaries of the physical body into the spiritual. Central to this definition is the idea of knowledge proprietorship. In the case of resolving conflict, the local population has privity to this knowledge as it has been handed down from generation-to-generation within their context, for instance the processes of resolving conflict. It is something that is interlinked with their way of life. IKS is easily availed to local decision-making processes as it networks with the environment due to the fact that it also encompasses: technology, social, economic, philosophical, learning and governance systems (Business Referral and Information Network, 2005: 23). Although discussing the importance of IKS, the above authors failed to elaborate on how IKS is made available to decision makers in events of conflict resolution. This researcher elaborates on the various ways in which IKS is

used and made available to local decision makers as a conflict resolving tool in the Batswana communities of Lokaleng and Disaneng.

From the perspective of the National Research Foundation NRF (2006:34), indigenous knowledge systems further speaks of a complex set of knowledge and technologies existing and developed around specific conditions of population and communities indigenous to a particular geographical area - and their interfaces with others. Therefore, IKS becomes relevant in so far as it is not imported or imposed from outside. Yet, if indiginity is neither temporally fixed nor deeply rooted and fixed in present times, the notion of the indigenous as something as natural and inherent as a root is to a tree is deeply problematic. Although the NRF is of the view that knowledge is communal and can fade away, that is within a particular community, the NRF did not touch on aspects of indigenous conflict resolution in (Lokaleng and Disaneng) communities but limited their definitions and discussions to the general ways indigenous people behave and do things. This study explores literature that shows how IKS is linked to conflict resolution and the ways indigenes in Lokaleng and Disaneng use this knowledge in communal conflict resolution.

2.4.3. Conflict

Robin (2016: 128), perceives conflict as a process that starts when one party sees that the other party harmfully affected something the first party cares about. When confrontation begins, it can be understood as engagement in a fight or confrontation between two or more parties aiming towards incompatible or competitive means or ends (University for Peace, 2005:142). It is a situation in which two or more parties try hard to acquire the same scarce resources at the same time (Mikael and Swanstrom, 2005: 18). Conflict has manifested in diverse formats for a long period of

time (Slabbert, 2004: 61). Though it is almost impossible to avoid conflict in human relations, to reduce its negative consequences, people tend to solve a conflict, which is called conflict resolution. Conflict is rooted primarily in the fields of business, sociology, and psychology, but not in indigenous knowledge systems. It is problematical to define conflict as it is difficult to come to a consensus concerning the definition of this term (Borisoff & Victor, 1998: 23). Yet, the views of other authors narrow the scope of what conflict is. Gebre-Egziabher (2014: 155) adds that conflicts come into existence as a result of differences between rates of change in the moral norms of a society and people's desire, hopes, dissatisfactions and demands.

Similarly, Barash and Webel, (2002: 45) puts conflict as:

“The word conflict derives from the Latin “*confligere*”, which means to strike together. It is impossible for two physical objects, such as two billiard balls, to occupy the same space. They conflict, and if either is in motion, the conflict will be resolved by a new position for both of them. Within the human realm, conflict occurs when different social groups are rivals or otherwise in competition. Such conflicts can have many different outcomes: one side changed, one side eliminated, both sides changed, neither side changed, nor (rarely) both sides eliminated (Ibid: 23).”

The researcher supports the view of the above authors when they noted that conflict occurs when different social groups are in competition and such conflicts may have diverse consequences.

According to the National Unity Reconciliation Commission, NURC (2008; 12), conflict means a contrary relationship or a disagreement between two or more

persons, between groups, regions or even nations originating from different insights and interests. Conflict always exists as long as human beings live together and it is an unavoidable human practice. Imobighe (2003: 56) supports Mbah and Nwangwu (2014: 15), further by defining conflict as a situation of disagreement in an interaction process and usually occurs because of clash of interest between the parties involved. Clash of interest could occur because either party in conflict are pursuing their incompatible goals to pursue their chosen goal. Nathan (2007:42) also describes conflict as a consequence of major transformation of popular pressure for essential political or economic change. Furthermore, Spangler (2003: 9), states that conflict tends to arise over non-negotiable issues such as fundamental human needs, intolerable moral difference or high stakes distributional issues regarding essential resources such as water or land. Moral differences remain a main reason for conflict.

According to Ngongo-Mbede (2003:78), one of the most significant results from the Cameroonian study is its finding on the African traditional notion of peace. Ngongo-Mbede (ibid: 78), records that according to the traditional Cameroonian people, peace is not seen as an absence of war. The author noticed that, in almost all the cultures of Cameroon, peace was equated with freshness, health, well-being, harmony, calm and tranquility. The absence of such qualities was seen as the sign of conflicts, which could be either latent or overt. It was that harmony and freshness which provided farmers with good crops, fishermen with abundant catches and hunters with game. When there was enough food for everyone, peace would reign in homes and families, clans and tribes; as nobody had any reason to be resentful of anybody else. Neighbouring communities could live in peace, visit one another during the off-seasons and attend weddings and funerals. These views of Ngongo-

Mbede were also seen to be the meaning of peace in Lokaleng and Disaneng as experienced by the researcher.

On the word of Warioba (2008: 32), the most commonly acknowledged definition of conflict is that it is a divergence of ideas or interests, values and beliefs that occur between one individual and another, one group and another or even one community and another. Terry (1983:83) further describes conflict as the existence of opposition or dispute between persons, groups, institutions or communities. For instance, in most cattle-rearing communities in South Africa clashes tend to arise from animals straying into the lands of others to eat up their crops. This is further supported by Terry (ibid:87), who is of the opinion that conflicts occur due to the fact that with all the developments taking place in communities, it is rational to expect variances of opinions, beliefs and ideas to exist. Differences among people mean conflict as noted by the researcher.

Baye (n.d: 67), sees conflict as a emanating from territorial claims, ideology, colonialism, nationalism, religion and natural resources which have typically been the main sources of clashes throughout the world. While the influence of some of these is diminishing, struggles for the control of valuable natural resources have remained a persistent feature of national and international affairs for decades. Isike and Okeke-Uzodike (2010:39), are also of the view that conflict arises when those in political positions fail to allocate scarce resources in a manner that wins the goodwill, trust, confidence and loyalty of citizens. This often, results in the collapse in relations between citizens and the state and within citizens in the competition for access to increasingly scarce resources and, manifest in violent conflict. Although Baye (n.d: 67) and Isike and Okeke-Uzodike (2010:39) define conflict, it is done from an international and political perspective without looking at the conflict from grass-roots

level. This research looks at how indigenous people (Lokaleng and Disaneng) perceive conflict.

Conflict has been described by Coser (1957:16, cited in Moore, 1996) as a struggle between two or more people over values, competition for status, power or scarce resources. Wertheim, Love, Peck and Littlefield (1998) on the other hand, view conflict as occurring when there are real or perceived differences in interests (for instance, wants, needs, fears, concerns) that cannot be concurrently satisfied. According to Moore (1996: 1), conflicts may be avoided, talked out, negotiated, arbitrated, adjudicated, resolved by legislation, by political action, or by violent force. It is to support the above that, traditional processes can be used to achieve conflict resolution. These contributions by the above authors are valuable to the research, although their definitions are not extended to communal conflict. This study goes further to fill the loopholes the authors left by looking at conflict particularly from an indigenous or communal perspective of the people of the case study area.

Darling and Walker (2001:230), also view conflict as a situation in which it becomes impossible for two or more individuals operating within the same community to exist together. According to Babyegeya (2002:219), conflict is a breakdown of communication between members of a community or a situation where decisions are not well understood, hence causing difficulty in selecting an alternative action by community leaders. Babyegeya (ibid: 213), argues further that if conflict is not well managed it can bring communal development to a standstill. Conflict processes need to be well established in Lokaleng and Disaneng communities as a way of managing conflict.

Conflict therefore, according to the researcher is the process in which one community member sees its interests as being opposed or negatively affected by another member. It is important to note that in this process, cultures, attitudes, values, and styles play an important role in deciding whether conflict leads to beneficial or destructive outcomes in indigenous communities. For example, differences of values between Christians and Moslems in Tanzania have resulted in several covert and overt conflicts (Ngaillah, 2004: 6). In Dar es Salaam, Moslems pressed for pork-selling shops to be closed in some parts of the city. This led to several physical confrontations with pork sellers and the Government (Ngaillah, 2004: 6). The next section discusses the various and existing types of conflicts in order to look at the gaps existing within Lokaleng and Disaneng communities.

2.4.3.1. Types of conflicts

Conflict as discussed above is multifaceted and develops differently in respect of the circumstance which presents itself. Conflict is of diverse nature, as dealt with by Darling and Fogliasso, (1999: 384-5). Disputes between individuals or groups about the distribution of scarce resources, values, or about the access to power that allows influence over the two, are both inevitable and necessary. Conflict is a complex phenomenon both in communities and in the society at large. There are different types of conflict in different areas depending on the economic, socio-cultural and political activity of such society.

a) Domestic Conflicts

As noted by Pkalya *et al.* (2004: 38), domestic quarrels do exist in all communities and also among the Pokot people in particular (an indigenous community as is the case with Lokaleng and Disaneng). At the family level, disputes do occur between

the family members. A man and his wife or wives might quarrel over issues such as lateness, poor milking skills, selfishness, and disobedience or general laziness. If a man fails to provide food for his wife or wives, quarrels also arise. In polygamous homes, a husband might be accused of spending too much time in a certain house (wife). The wives might also pick quarrels among themselves and so can their children.

The issue of inheritance is another major cause of domestic conflict among the Pokot (Pkalya *et al.* *ibid*: 25). It is a customary principle that male children are entitled to their father's property especially when they are about to break-off from the family to start their own homes. In such cases, some children might claim that their father's property was unevenly distributed. In polygamous families, a woman might rouse her male children to demand certain things from their father to match her co-wife's children. In isolated cases, a man might refuse to hand over part or all of his property to his children advising them to seek their own by raiding neighbouring communities. Inheritance disputes also arise after the death of the head of the family. How to share and, or manage the deceased property, normally creates disputes since there are no written wills.

Sharing of dowry earned from marrying off a daughter is another source of domestic conflict in indigenous communities and the Pokot community specifically. However, there is an elaborate rule or procedure for determining who gets what. Nevertheless, quarrels emerge during the process of sharing the dowry. Domestic conflict in Lokaleng and Disaneng, is according to the researcher's observation, one of the main types of conflict. There is therefore, need to look at what constitutes domestic violence in the above communities. Cattle's grazing in other peoples land is a major cause of conflict in Lokaleng and Disaneng.

b) Theft

Theft cases are the most predominant and leads to conflicts within indigenous communities. This is a crime punishable by a range of fines, and even death. Remarkably, the Pokot community for instance, regards stealing from a fellow Pokot as a serious crime whereas stealing from other communities is not a crime but a just cultural practice of restocking. Livestock (cattle, goats, sheep, and camels) are the most frequently stolen property among the Pokot people. Grains, poultry, clothes, spears, arrows and shields are rarely stolen. Theft was also noted as one of the types of conflicts in the communities of Lokaleng and Disaneng.

c) Scarce resource conflict

Babyegeya (2002:219), classifies conflict according to resources. A scarce resource conflict takes place when there are insufficient resources in a community. This happens when some members in the community start complaining that others are favoured in resource distribution while others are impoverished or ignored. This situation was observed by one researcher at Mzumbe University where non-academic staff felt that the academic staff were paid more than them. They had already complained to the management who were working on the issue (Babyegeya, *ibid*). Scarce grazing land and water resources have forced the community of Pokot in East Africa to scout for alternative pasture resources (Pkalya *et al*, *ibid*). Babyegeya (2002:219), discussed scarce resources as a main type of conflict in indigenous communities but not in Lokaleng and Disaneng in particular. This study thus looks at the types of conflict in the above communities.

d) Land disputes

Land disputes are not new to indigenous communities (Pkalya *et al*, *bid*). This manifestation of conflict is more pronounced in agriculturally productive and settled

places in the highlands unlike in the lowland. It is also experienced along river settlements where crop farming (furrow irrigation) is practiced. The Marakwet people for instance, perceive land as a communal property that is managed by elders for the benefit of the whole community and as such should not be distributed with any form of bias which can lead to conflict.

e) Adultery, Fornication and Rape

Adultery, fornication and rape are serious indicators of conflicts within the Marakwet and Pokot communities in East Africa although not widely acknowledged in public. An adulterous person is considered unclean and is subjected to ceaseless and vigorous rituals of cleansing the moment the culprit is proven guilty or caught in the act. At the same time, fornication attracts a similarly harsh punishment. Rape is a relatively new phenomenon among the Marakwet people. Adultery, and lately rape, cases have always been veiled in secrecy. Just like other crimes, the parties involved are given enough time to present their story (Pkalya et al: *ibid*).

f) Blood vengeance

Yideg (2013:10), sees blood revenge as a very grave act that involves the killing of the former killer and his kin by the family of the victim. Blood revenge is primarily a tradition for many people in the world, and its connection to honour is illustrated by the fact that failure to respond is reckoned as a sign of moral weakness, and may imply whole kinship groups being seen as lacking in moral character. If the victim side negotiating for financial compensation with the perpetrator's family can be interpreted as weakness and as indicating that the group is not strong enough to defend its honour (Country of Origin Information Center, 2011:45). A decision in the governmental judicial system does not necessarily ignore the risk of violent

retaliation by community members. The victim's family can still be expected to kill the murderer when he is released (unless there is a settlement to end the feud locally). A local community will not consider a revenge killing legitimized by tradition to be a criminal act. If the death is the result of an accident and is involuntary, the victim's family may be entitled to compensation, but not blood revenge (Country of Origin Information Center, 2011:45).

Blood revenge according to Yideg (2003:32), is closely linked to honour. A killing that provokes revenge has in one way or another dishonoured the kin group/clan/tribe. Within the victim's kin group there is a limited, collective responsibility to take revenge and contribute to restoring honour. The person taking revenge should be a close relative of the victim. Killings connected to political conflicts/battles do not legitimize blood revenge, nor do killings and attacks against family members by political opponents or in connection with a political or military conflict constitute a collective responsibility within the kin group to avenge these acts. The revenge will therefore be directed at the perpetrator, and the conflict is concluded when the perpetrator is killed (Strand, 2007:3).

Lulofs and Cahn (2000: 12), describe four types of conflicts, unreal conflicts, non-substantive conflicts, disagreements and real or substantive conflicts. Unreal conflicts refer to those encounters that are perceived by one person but do not exist or do exist but are misperceived by those involved. Examples of unreal conflicts they describe include false conflicts, where only one side believes there is a conflict, displaced conflicts, where conflict is directed toward the wrong person and misplaced conflict, where parties debate an issue that is not at the core of the

conflict. Non-substantive conflicts on the other hand, involve behaviours like quarrelling, aggression and competition, where there is no real issue involved. Finally the authors described substantive conflicts as those where there was a real issue involved. Although the authors defined these various types of conflicts, they did not specify what happened in indigenous communities. This study looked at the existing types of conflicts that actually exist among the Batswana's with reference to Lokaleng and Disaneng.

Ellis and Anderson (2005:16), claim there are three types of conflict; interest conflicts which stem from scarcity, value conflicts which stem from cultural differences and cognitive conflicts which stem from either misunderstanding, disagreement over facts and differing world views or ideas about how to achieve results. Tillett and French (2005: 12) and Tillett (1999: 45), identify types of conflict determined on the basis of relationship with categories radiating from the individual. The types of conflict they described are domestic relationship conflict, family conflict, neighbourhood conflict, employment conflict, commercial conflict, consumer conflict, environmental conflict, multiparty conflict and international conflict. While Tillett and French (2005:23), and Tillett (1999:31), see workplace conflict as a separate group of conflict they do not describe workplace conflict as having any particularly unique characteristics. Folger *et al.* (2005: 42), take yet another approach as they differentiate types of conflict according to the number of people involved. This means that they see conflict between individuals, between individuals and groups and between groups as three different types of conflict.

In addition to the above, Adedeji (1999, 331), describes the following different types of conflict that exist within the African continent starting from political to socio-cultural.

Political: The struggle for power, lack of visionary leadership, external influences, lack of good governance and transparency. In addition, the non-observance of the principle of human rights is a major conflict type.

Economic- Poverty, inequitable distribution of resources and national wealth forms conflict.

Social and cultural types of conflict include: social inequality, a system of exclusion and ethnic hatred, the role of the political class in the manipulation of ethnic and regional sentiments. Similarly, cultural detachment and the search for identity with extra-African culture and defective educational systems remain as types of conflict as described by Adedeji (1999, 331). Although the authors note the various types of conflict, this study focuses on the existing indigenous types of conflicts from Lokaleng and Disaneng communities.

Social scientists have made impressive efforts in order to differentiate conflicts. They have tried numerous approaches to distinguish conflicts. These include differentiating conflict according to where it occurs, according to what the subject of the conflict is, on the basis of relationship, on the basis of the numbers involved on either side, on the basis of whether it is real or unreal, on the basis of how serious the conflict is and on the basis of the actual conflict behaviours being displayed in the conflicts. However, the lack of agreement on this issue and the fact that none of the attempts to differentiate conflict seems to have significantly more merit than the others, has resulted in a state of confusion on this issue. The Masters and Albright

(2002: 71) definition, that conflict exists whenever disagreement is felt psychologically by at least one of the parties, is a simpler definition that provides a solution to this confusing situation by implying it is unnecessary to differentiate conflict.

The Masters and Albright (2002:34), definition of conflict is however too simple. De Dreu and Gelfand (2008:12), point out that this definition needs a distinction to be made between latent and manifest conflict for it to be complete. Cahn and Abigail (2007:56) suggest further that disputes should be defined as conflicts that the parties need help in resolving. The result of combining these three positions appears to be a segregated definition of conflict that answers all the major criticisms. This definition is also consistent with the evidence showing that conflict is normal rather than being purely a negative experience.

This definition implies that indigenous conflict is not a standalone category of conflict. It is subject to the same dynamics and influences that apply to all forms of conflict in all locations between all groups and individuals. Thus, the basic techniques for resolving indigenous conflicts are the basic techniques that will help solve all other forms of conflicts. The above conflict types discussed by different authors illustrate that indigenous communities such as Lokaleng and Disaneng tend to have different types of conflict depending on their moral and cultural values.

2.4.3.2. Causes of Conflict

It is of essence to however, start with a general statement of care. A major African Workshop on conflicts noted:

“Africa is a vast and varied continent made up of countries with specific histories and geographical conditions as well as uneven levels of economic development. The causes of conflicts in Africa reflect the continent’s diversity and complexity. While some causes are purely internal and portray specific sub-regional dynamics, others have a significant international dimension. Notwithstanding these differences, African conflicts show a number of cross-cutting themes and experiences (Adedeji 1999, 364).”

Although the researcher agrees with the author on the view that African conflicts show a number of cross-cutting themes and experiences, she is of the opinion that these themes and experiences are specific to different indigenous communities as is the case with Lokaleng and Disaneng. Thus what causes conflict in Lokaleng might not be the same reason for the occurrence of conflict in Disaneng.

Jeong (2010: 38), explains how structural violence gradually evolves to be a serious violence with negative consequences such as poverty, hunger, repression and social alienation. Also, quality of life is reduced by denial of education opportunities, free speech and freedom of association. These violent conflict conditions are associated with uneven life chances, inequitable distribution of resources and unequal decision-making power Bujra (2002:56). Given its indirect and disturbing nature; structural violence in most cases works slowly in eroding human values and shortening life-spans. It is typically built into the very structure of society and cultural institutions. Structural violence is thus, apparent in social systems maintaining exploitative means (for example, slavery) throughout human history (Ibid: 20-21).

Conflict can arise because of the following reasons:

a) **Economic cause:** One of the basic and long-term causes of conflict has been the destruction of economic achievement. The combination of factors like debt, poor flow of capital towards a given nation from abroad and inefficient aid for different programmes often leads to conflict (Adeleye, 2012:65). According to Frances (2002:12) four economic suggestions propagated to explain conflict based on factors related to collection or group inspiration, private interest, failure of the theory of social contract, and degraded environment (Adeleye, 2012: 67). Economic reasons like debt also lead to conflict in Lokaleng and Disaneng.

b) **Group inspiration or collective interest:** The presence of intra-state conflicts consists of fighting between groups, group interests, resentments, and ambitions provide motivation for conflict. Societies may divide alongside cultural or religious lines, by topography, or by class. Grievances stimulated by group dissimilarities would result in flat inequalities and become a major cause of conflict. These group differences have many dimensions like economic, political, and social. In addition to these, relatively privileged groups may also be motivated to fight to protect their privileges against attack from relatively deprived groups (Slabbert, 2004).



c) **Language barriers:** Many countries have heterogeneous societies. The diversity of languages often poses communication difficulties as they cannot be used equally. The preference of one or some of them has often bred ill feelings for the others thus breeding mistrust and conflict (Livingstone, nd: 41).

d) **Power:** Power is the ability or capacity to perform something or to control and influence others. It determines who passes judgment and what judgment is prepared (Jacob, n.d: 12). Politicians who hold a lot of power compared with the people they choose or the people who work for them would lead to anarchy. Power is not only having military strength. It can also include having capital and wealth as well as the ability to make decisions. The state of powerlessness occurs when people fail to think they have power, when they fail to use their power or fail to exercise their power effectively, or when others do not accept or recognize their power. Many people are unable to develop confidence to influence state of affairs which they believe are out of their control. Supporting people to gain a sense of self-worth and self-confidence is the first vital step in the process of empowerment (Bamlak, 2013: 32). Conflict increased when the balance of power between different groups change or power gap increased. Perhaps another group wants to remove those in power but the other side is fighting in order to improve the existing situation. It is important to note that the way in which power is used varies. In a case of conflict, power is important either to stimulate conflict or to assist peace building process (Jacob, n.d: 12).

e) **The Mechanisms to solve Conflict:** Besides direct and indirect causes, certain mechanisms and dynamics also increase the occurrence and nature of conflict. This includes social cohesion, local factors, and the peace building triangle as postulated by Arthur, (2009: 23).

- f) **Social Cohesion:** It implies fundamental force necessary for development. This power is what enabled some heterogeneous countries with multiple cultures and ethnic groups to unify around a national identity and organized groups build effective systems needed for stability and security (Bamlak, 2013: 23). For example, those who as a group are very influential in development, are reluctant to consider that social aspects of a community can override the implementation of sound administration and economic policies as the driving force.
- g) **Local factors and persecution:** Refers to levels such as the individual, family, and community. These local factors make the society to involve in disputes over land, resources, and power. Persecution implies violations of human rights, mass movements of refugees, poverty or instability caused by the mismanagement or weak competence of the government, including evident and apparent levels of corruption by the government beyond any acceptable limits of traditional toleration (Adeleye, 2012:545). The above causes of conflict were determined by the researcher during field work to constitute the major reasons why conflict occurs in Lokaleng and Disaneng.

Amongst the Kembata people in Rwanda, Mengesha *et al.* (2015: 87), explain further the causes of conflict. The authors in elaborating note that there are many deeds with explanations in the daily activities of the society which are considered to be crimes regarding the norms and traditions of the Kembata community. However, the most serious ones include:

- i. **Beating a man with a slump and/or thin stick** – this is worst crime because it is considered as a scorn and so it is done intentionally. But if a person uses

any other heavy material to beat a man, he might have done it for self-defence purposes and that is relatively light and simple crime.

- ii. **Beating the elderly** – elderly people in Kembata tradition are very prestigious. Elders play an important role in keeping the society peaceful and harmonious in as much as a strong government can do for its people.
- iii. **Raping** – this is especially very serious when the raped girl is betrothed to someone else. Raping of such a girl would be as equally serious crime as murder.
- iv. **Murder** – murder could be of two types; intentional and accidental. Although murders of any kind are unwanted, an intentional murder would account to be the most severe crime.
- v. **Physical damage**- this refers to interpersonal strikes resulting in physical wounds or loss of any part of the body. Thus, when there is a situation that one party perpetuates to commit any of these crimes, elders intervene to solve it through different hierarchical institutions before it spreads out to other members of the clan (Mengesha *et al*: 76). The above authors explain the causes of conflict from the scope of the Kembata people, while this present study looks at the people of Lokaleng and Disaneng. The above causes of conflict amongst the Kembata people also create conflict among the communities of Lokaleng and Disaneng as noted the researcher.

2.4.3.3. Elements of conflict

To have a vivid understanding of conflict, one has to be aware of various elements that are found in conflict in a community or social system. According to Galtung (2009:168), conflict has three elements: attitude, cognitive ideas and emotional behaviour, which are obvious and have a potential for aggressive or hostile action

and contradiction. This involves incompatible values and interests between parties or within one person. Galtung (ibid: 169), emphasizes that these elements are necessary for a full-fledged conflict to exist and more importantly, all parties must be consciously aware of each element for a conflict to be fully expressed.

2.4.3.4. Views and effects of conflict

There are various views relating to conflict. Conflict is a reality in everyone's life and should be considered, or seen and accepted as a natural process that occurs daily (Wariobia, 2009: 56). As a group or community performs its assigned duties, conflicts inevitably arise (Robbins, Bergmann, Stagg & Coulter, 2003: 421). For most, conflict has negative connotations, invokes undesirable feelings and often leads to destruction. Whether the effect of conflict is good or bad depends on the strategies used to deal with it (Rahim, 1986: vi). The researcher supports Wariobia's view that conflict is a natural process and has both good and bad consequences.

The traditional view of conflict (1930-1940), argues that conflict must be avoided. This school of thought is of the opinion that conflict must be avoided and that it reflects malefaction within the group/parties in conflict. Conflict is viewed negatively and it is associated with violence and destruction. To them, conflict is the outcome of poor communication and, a lack of trust between people. Conflict can be eliminated or resolved only at high levels of management. Sheperd *et al.* (2014: 63), further emphasizes the disadvantages of conflict by stressing that conflicts keep people poor, cause impoverishment and reduce the political space to implement anti-poverty interventions. In addition to its obvious toll in terms of lives lost, it affects three essential dimensions of everyday life: incomes and assets; human capital (health, nutrition and education), and social relations (especially within families and social

bonds). According to this view on conflict, all conflicts should be avoided, thus there is a need to pay attention to the causes of conflict and to correct them in order to improve group and organizational performance (Robbins, 2005). The authors place emphasis on organisational conflict but this study focused more on communal or indigenous conflict and how it is resolved by the structures that exist within Lokaleng and Disaneng communities. The researcher also disagrees with Sheperd *et al.* (2014: 63), who focuses on the negative impacts of conflict. According to the researcher, the disadvantages of conflict in some instances tend to improve relationships of parties involved in the long run.

The behavioural view on their part sees conflict as a natural and inevitable outcome of people working together in groups and teams in a community. Thus it (conflict) need not necessarily be viewed negatively, but rather positively as a potential force in contributing to the performance of the individuals. According to the interactionists, conflict is not only seen as a positive force, but it is also necessary for an individual to acknowledge the benefits. Resolving conflicts means challenging normal processes and procedures in an effort to improve individual productivity or introduce innovative systems (Robbins, Bergman, Stagg and Coulter, 2003:421–422).

Heellriegel, Slocum and Woodman (1995:430-1), further supports that conflict in communities is both positive and negative depending on its scale or magnitude. A similar view is held by Pondy (1967:320), who points out that conflict is not necessarily good or bad. Conflict can have both good and bad consequences. He argues that conflict generates pressure to reduce conflict but when it persists, it can be endured under certain conditions.

McShane and Von Glinow (2003:386), observed that conflicts occur when people disagree about task issues, such as key decision areas, processes and the appropriate choice for action in families and the community at large. Such conflict is potentially healthy and valuable because it makes people rethink their perspectives and reality. Wood, Chapman, Fromholtz, Morrion, Wallace & Zeffane Smay (2003: 597), add that as long as the conflict remains focused on a particular issue, new ideas may emerge and the conflict remains controlled. It can also force participants to address some of their assumptions and override their attempts to achieve premature unity, thus leading to better performance in cases of organisational conflicts and within indigenous communities as is the case with Lokaleng and Disaneng.

Dealing with conflict between and among individuals can be one of the most frustrating and uncomfortable experiences for community leaders. According to Schmidt and Tannenbaum (1960:107), when conflict occurs, strong feelings are frequently provoked, objectivity forgotten, personalities are threatened, and personal relationships are placed in jeopardy. On the other hand, a flexible society benefits from conflict because this helps to create and modify norms and assists its continuation under changed conditions. In looking at the positive sides of conflict, Coser (1956:137&154), records the following positive elements:

Conflict helps to create one's identity and independence. Especially, at the early stages of one's life, conflicts help affirm one's personal identity as separate from the aspirations, beliefs and behaviours of those around the individual.

- The intensity of conflict demonstrates the closeness and importance of relationships. Intimate relationships require one to express opposing feelings such as love and anger.
- The coexistence of emotions in a relationship results in tension when conflicts arise. While the intensity of emotions can threaten the relationship, if dealt with constructively it can help in measuring the depth and importance of the relationship.
- Conflict also leads to the building of new relationships. At times, conflict brings together people who did not have a previous relationship. During the process of conflict and its resolution, these parties may find that they have common interests and then work to maintain an on-going relationship.
- Conflict can also create coalitions. Similar to building relationships, sometimes opponents come together to build coalitions to achieve common goals or fend off a common threat. During the conflict, previous bitterness is suppressed to work towards these greater goals.
- Conflict serves as a safety-valve mechanism, which helps to sustain relationships. Relationships which repress disagreement or conflict grow rigid over time, making them brittle. Exchanges of conflict at times through the assistance of a third-party, allow people to vent pent-up hostility and reduce tension in a relationship.
- In addition, conflict helps parties assess each other's power and can work together to redistribute power in a system of conflict. Since there are few ways to measure the power of the other party, conflicts sometimes arise to allow parties to assess one another's strength. In cases where there is an imbalance of power, a party may seek ways to increase its internal power. This process can often

change the nature of power (or regulate power relations) within the conflict system.

- Conflict establishes and maintains group identities. Groups in conflict tend to create clearer boundaries, which help members determine who is part of the “in-group” and who are part of the “out-group”. In this way, conflict can help individuals understand how they are part of a certain group and mobilise them to take action to defend the group’s interests.
- Conflicts also enhance group cohesion through issues and belief clarification. When a group is threatened, its members pull together in solidarity. As they clarify issues and beliefs, renegades and dissenters are weeded out of the group, creating a more sharply defined ideology on which all members agree.
- Conflict creates or modifies rules, norms, laws and institutions. It is through the raising of issues that rules, norms, laws and institutions are changed or created. Problems or frustrations left unexpressed result in the maintaining of the same atmosphere. These positive effects of conflict are also faced by community members in Lokaleng and Disaneng communities as illustrated by the researcher.

Low to moderate levels of conflict are functional and constantly demonstrate a positive effect on the individual's performance (Robbins *et al.*, 2003:423). Successful institutions or communities encourage mild forms of conflict without having the situation escalate into an emotional battle between community members and those involved in a particular task (Wariobia, 2009: 26). The key is to create a task conflict and prevent it from escalating into a conflict relationship (McShane and Von Glinow, 2003:386).

Conflict is ever so often competitive in nature as it is based on a principle of competition between community members/participants and is seen as dysfunctional. The main characteristic of competitive conflicts is that the participants have a win-lose orientation. This is the belief that the conflicting parties are drawing from a fixed pie and the more one party receives the less the other party receives (McShane *et al.*, 2003:394).

Wood *et al.* (2003: 599-600), in discussing whether conflict is good or bad argue that the interactionist view is not portentous of the fact that conflict is good. In terms of the intensity of the conflict, it distinguishes between functional and dysfunctional conflict. Functional conflict is of a constructive nature. For instance, it supports the goals of parties in dispute and thus improves the performance of individuals. Dysfunctional conflict on the other hand, is destructive and can decrease the output of community members and thus slow the development of such community.

Wariobia (*ibid*: 27), further holds the view that conflict can also be cooperative. This conflict is also seen as functional, whereby the experiences gained from this kind of conflict are important backgrounds for individual and communal growth. The win-win orientation of the participants/members, a circumstance where both parties in conflict are satisfied with conflict resolution outcomes, is an integral part of cooperative conflict. The parties believe that they will find a mutually beneficial solution to their disagreement. In addition, the parties discuss concerns quickly and openly, seek their partner's opinions, and explain their course of action fully. It works best when the parties do not have perfectly opposing interests and when they have enough trust and openness to share information like in the case of family disputes (McShane

et al, 2003: 394-396). In the researcher's opinion, indigenous conflicts when resolved should end at a satisfactory solution where both parties feel justice has been served.

Masters and Albright (2002: 54), propose another approach to deal with this issue of conflict. They are of the opinion that conflict exists when it is felt psychologically by at least one of the parties, that interdependence is a core aspect of conflict and that conflict can be either real or perceived. The strength in this approach is that it is a modest and all-encompassing definition (Harris, 2007: 34). De Dreu and Gelfand (2008) cited in Thomas (1992:78), Wall and Callister (1995), Van de Vliert (1997) and Harinck, De Dreu, and Van Vianen (1999: 23) supported this definition of conflict. De Dreu and Gelfand (2008: 87), claim this definition is based on a process view of conflict and requires a distinction between latent and manifest conflict to be made for it to be fully understood. Latent conflict is felt or perceived by one party and manifest conflict refers to conflict dynamics that occur between people or groups (De Dreu & Gelfand, 2008: 76). The researcher supports Masters and Albright (2002: 54) definition because in indigenous communities as in Lokaleng and Disaneng, psychological effects are mostly felt by parties in conflict. This even leads to such parties not talking to one and other over a long period of time. In some instances, children of conflicting parties also tend to feel hatred for each other within their communities.

2.5. Conflict resolution

According to Galabawa (2000:4), conflict resolution denotes an ending of conflict between disagreeing parties. This, he stated, demands consideration of various aspects such as time, energy, cooperation and the context within which the conflict occurs. Many social scientists do not burden themselves with defining the word

resolution in the context of conflict resolution, assuming that the everyday meaning is satisfactory (Tillett and French, 2006: 75; Brandon and Robertson, 2005:54). However, amongst those that do attempt to define resolution, Burton (1990: 32) differentiates settlement from resolution by claiming settlements are negotiated outcomes while resolutions are outcomes that satisfy the needs of all parties. Cahn and Abigail (2007: 74), and Lulofs and Cahn (2000: 82), agree with Burton as they say that for a conflict to be resolved, both parties must be happy with the outcome. The Abigail (2007: 74), and Lulofs and Cahn (2000: 82), views are supported by the researcher.

Schirch (2004: 34), views conflict resolution which in theory and practice, examines and attempts to meet the underlying needs of people and deals with systemic issues of a specific conflict. Its methods are also meant to stabilize a conflict situation, allowing people to continue their relationships, do their jobs, and move beyond the immediate difficulty. Unlike conflict transformation, however, conflict resolution interventions do not fully address historical harm or current structural injustices. Conflict resolution may also result in co-optation, important issues being ignored, or a cover up instead of implementation of the real changes needed. Tillett and French, 2006: 124; Brandon and Robertson (2005: 43), take a position that conflict can only be resolved if it delivers win-win outcomes. If the outcome is a win-loss one where one side is dissatisfied with the outcome then, they contend, the conflict has not been resolved but has been managed. Lulofs and Cahn (2000: 83), claim that managed conflicts have as a characteristic that they are likely to reoccur again in the future because they have not been resolved and this view is supported by the researcher.

According to Sanson and Di (2007: 23), conflict resolution is a set of tactics which can be used to satisfy human needs of security, identity, self-determination and quality of life for all people who are engaged in a conflict. In a similar setting Dereje (2010: 64), explains conflict resolution as the suppression of conflict that has already broken out in the form of searching for a solution that would reduce the levels of violence and prevent its escalation either through formal or using indigenous conflict resolution mechanism. Harris (2007: 95) perceives conflict resolution as a process which aims at achieving an agreed solution which satisfies all parties to a conflict and which normally means that the conflict is dealt with.

Conflict resolution according to Manning (n.d: 34) can be regarded as any process that resolves or ends conflict via methods which can include violence or warfare. The author looks at how conflict can be resolved from a violent stand but does not fully explore communal or non-violent indigenous methods of conflict resolution which is the gap this research seeks to fill by looking at the communal methods of resolving conflicts among the Batwsana (Lokaleng and Disaneng) community of South Africa.

2.5.1. Indigenous conflict resolution

The term indigenous has been defined by Volker (2007:85), as a practice that has developed separately in the context of traditional societal structures in a particular place and has been practiced in that context over a considerable period of time. According to this definition, indigenous conflict resolution means local communities settle disputes in the absence of state or the formal justice system (Bamlak, 2013: 45). It depends on a common cultural and ethical code that produces binding rules on its members (Barfield *et al.*, 2004: 23). Lokaleng and Disaneng communities use this system to resolve disputes, evaluate actions for respect or blame, and to impose

sanctions against violators of locally accepted norms and values. Speaking to the deep-rooted structural causes of violent conflict in an all-inclusive manner is considered to be the key approach to peace construction (UN, 2010: 47). As long as people live in the form of group or society, there are conflicts arising from differences of interests, prejudice, needs and ambitions. Therefore, indigenous conflict resolution approach adopted to prevent or resolve such difference of interests determines its resolution. In other words, when a conflict happens, the crucial point should be the effective adoption of the necessary principle of the resolution. Indigenous mechanisms are grass root approaches to solving conflicts by the society generally and in Lokaleng and Disaneng in particular. The most important elements involved in this mechanism include the tradition of forgiveness, respect for elders because of their symbolic authority to enforce decisions and transfer of resource as compensation (Zartman, 2000: 45).



Indigenous conflict resolution usually incorporates consensus-building based on open discussions to exchange information and to simplify concerns as is the case in Lokaleng and Disaneng. Individuals or groups who are involved in the conflict become more likely to accept guidance from these mediators than from other sources because an elder's decision does not entail any loss of face and the decision also highly supported by the society (USAID, 2005: 14). Indigenous conflict resolution mechanisms use local actors and traditional community-based judicial and legal decision-making mechanisms to manage and resolve conflicts among individuals and within or between societies. Indigenous conflict resolution system implies those local instruments that aim to resolve conflicts without resorting to state-run judicial systems, police, or other external structures (Bamlak, 2013:25). Local or indigenous conflict resolution mechanisms can lead to ad hoc practical agreements

which keep broader societal relations constructive, creating conducive environments where nomads are able to graze together, peoples whether in rural or urban area live together, and individuals who are involved in trade activity can deal together even if military men remain unreconciled (Lowery, 1995: 98). The researcher agrees with the fact indigenous conflict resolution makes use of local instruments and actors even when judicial systems exist within these communities (Lokaleng and Disaneng).

2.5.2. Conflict resolution and interdependence

One area of conflict where there is broad consensus is that a core aspect of conflict resolution is the notion of interdependence (Masters and Albright, 2002: 18; Lulofs and Cahn, 2000: 64; Ellis and Anderson, 2005: 62; Brandon and Robertson, 2007: 41; Wilmot and Hocker, 2007: 42; Cahn and Abigail, 2007: 91). This is because thinking on conflict resolution has evolved over time, from believing it was about dealing with irreversible opposition to thinking it should focus on interdependence (Wilmot and Hocker, 2007: 42). The researcher agrees with the need for interdependence among actors and parties in the conflict resolution processes of Lokaleng and Disaneng communities.

However while there is broad consensus over the role of interdependence in conflict resolution there are a range of views as to what interdependence actually means. Wilmot and Hocker (2007: 12), claims that if there was no interdependence there would be no conflict. These authors look at interdependence as being the need of one party to have the other party change their position. Ellis and Anderson (2005: 23) supported this view by adding that interdependence is the core variable that conflict is always based on. They claim the level of interdependence decides

whether parties will compete or collaborate in resolving conflicts. The higher the level of interdependence the higher the likelihood that parties will collaborate. This appears slightly simplistic as it does that people will only act selfishly. Cahn and Abigail (2007: 4), asserts that “Interdependence occurs when those involved in a relationship characterize it as important and worth the effort to maintain”. This is also problematic as they claim conflict has interdependence as an essential feature. From their perspective this means conflict cannot occur between people who do not have a relationship that they think is “important and worth the effort to maintain” (Cahn and Abigail, 2007: 4). This appears to be flawed thinking as most people have experienced conflicts with other people who do not have important relationships with them. Masters and Albright (2002: 23), provide a definition that overcomes these weaknesses as they view interdependence as meaning, conflict cannot be resolved so that there is a mutually satisfying outcome without mutual effort. The researcher supports the above author's view of the important need for mutuality in indigenous conflict resolution processes in Lokaleng and Disaneng.

2.5.3. The Process of Indigenous Conflict Resolution

Indigenous conflict resolution is one of the most noticeable ADR methods of conflict resolution in many parts of the world especially in developing countries. A study conducted by Eshetu and Getu (2009: 65), describes indigenous conflict resolution process as qualitatively distinct from judicial processes. It is a process where conflicts are managed with the assistance of a neutral third party and the neutral third party's decision is dependant generally on the parties own choice. After choosing the neutral third parties based on the willingness of the conflicting parties, conflict parties start to discuss the issue or issues that led them to get involved in the conflict (Volker, 2007: 45). After discussing the different issues, facts have to be

established and the truth has to be exposed. Once an agreement regarding the facts and the truth has been achieved, wrongdoers can declare their illegal behaviours apologise by saying sorry and ask for forgiveness, and victims can understand and accept the apologies and then forgive one another. These processes are very vital in Lokaleng and Disaneng communities during conflict resolution processes.

Generally, these processes lead to the exchange of material and goods as compensation, be it blood money (paid in compensation to the family of someone who has been killed) or other payments; depending on the culture and norms of a particular society and these might be in the form of cattle, goats, pigs (Volker, 2007: 26). The advantage of this exchange lies in the makeover of exchanging things with others for mutual benefit. Compensation takes the place of violence or violence is replaced by compensation. Conflicts are settled by compensation of a symbolically comparable amount, which is then acknowledged to have restored peace and order to the community. That response has two-cleft acceptance by the distressed party depending on acceptance that is punishment by the attacker (Zartman, 2000:76). The conflicting parties openly engage in discussions on conflict extinction and in the search for a solution that would bring mutual benefit. During the process to solve the conflict, a third party can be invited to lead the process; in any case the process to solve the dispute is public, and the participation of individuals or groups in the process and the approval of its results is voluntary. In Lokaleng and Disaneng, third parties are invited and open discussions are held in an effort to seek for solutions.

The procedure to settle conflict through indigenous means is led by traditional kings, chiefs, priests, sheikhs' healers, big men, elders (being a social elder, not a biological category) (Volker, 2007:56). These authorities are highly honoured for their knowledge of custom, tradition, the history of the communities and the relationships

of the conflicting parties. They are rich in experiences of conflict resolution, their skills in interpreting symbols of reconciliation, their ability as speakers and their social capital as leaders of the communities authorize them to negotiate a resolution to the conflict that is acceptable to all the society. Since conflict solving is dependent upon voluntary consent and agreement, everybody has to be in agreement to a solution, including god and the spirits of the ancestors to say in other words, indigenous conflict transformation is consensus-based (Zartman, 2000: 76). In Lokaleng and Disaneng, the chiefs and their traditional councillors are held and regarded by community members as authorities with the ability to resolve conflict. When conflict is resolved and results have been attained, they are preserved in highly ritual forms. Celebrating ceremonies are of great symbolic and practical prominence to strengthen the social relationship of the community (Eshetu and Getu, 2009: 56). There are different types of activities that are included under the celebrating of the ceremony such as exchanging of assets, prayers and sacrificing to god of the spirits of their ancestors and habitual activities such as breaking spear and arrows, drinking and eating jointly, playing and dancing mutually or consuming certain drugs (Volker, 2007: 79).

Abebe, *et al.* (2015:13), state as an example gacaca and how it functions. Gacaca refers to a traditional Rwandan method of conflict resolution at a village level. Gacaca is a traditional mechanism of conflict resolution amongst the Banyarwanda of Rwanda (Karbo and Mutisi, 2008:57). This method is used to resolve conflict at the grassroots level through dialogue and community justice system. It is an intricate system of custom, tradition, norm and usage. In cases of conflict in a Community, such as dispute over land, property damage, material issues, or inheritance rights, meetings are convened between aggrieved parties, and presided over by community

leaders. The meetings are not only meant to sanction the violators of the village norms, but also to ensure that those accused, and found guilty, are again fully accepted as members of the community. Reconciliation between violators and their communities is at the core of the traditional Gacaca system (Ibid: 46). This aspect of reconciliation as discussed by Karbo and Mutisi (2008:57), is a very essential outcome for conflict resolution in Lokaleng and Disaneng and brings about a sense of justice to both parties in conflict.

Mengesha *et al.* (2015: 23), noted that another African traditional institution of conflict resolution, to add to the above, is ubuntu which is also an effective conception of peace making institution. The role of ubuntu in conflict resolution and its very notion in general, as in Hebo (2006:65), is stated as an indigenous conflict-prevention and peace-building concept; it embraces the notion of acknowledgement of guilt, showing of remorse and forgiveness, and paying compensation or reparation as a prelude to reconciliation and peaceful co-existence. The essence of ubuntu is to promote a culture of peace, tolerance, peaceful co-existence and mutual development as explained by Lutz (2009:82). As a conflict prevention and peace building strategy, ubuntu is based on the principle of reciprocity, inclusivity and a sense of shared destiny between peoples and communities. The ubuntu tradition, in practical terms, is about reconciliation and building peace in divided societies, and about democratic participation (Ibid, 2006:87). Ubuntu according to the researcher is an underlying principle which binds community members of Lokaleng and Disaneng. This principle supports the need for quick resolution of disputes and encourages people to live together in harmony.

Kazeem (2009: 23), postulates that amongst most African communities there are existing frameworks for the resolution of conflicts and for preventing their escalation into violence, which may threaten the social fabric. Putnam and Alone (2000: 78) support the above view by noting that the institution of the elders is one of the crucial institutions for conflict resolution in most African societies. The authors further explained that even in countries with no formal state recognition of the institution of elders, it has remained resilient and continues to exist outside the sphere of the state influence. The role of the elders in conflict resolution can be recognised in two major ways: the Council of elders or a single elder. The council of elders usually consist of more than one elder and thus acts as a form of third party collegiate conflict resolution process. The second form of organisation is where a single elder presides over a dispute resolution process. The basic example of this organisation is where a patriarch or eldest individual in an extended family resolves disputes relating to that family. Meyer and Shin (2010: 75), are also of the view that, an elder in some communities, has a position of authority such as chieftainship or kingship to resolve conflicts among the members of the clan, ethnic group or tribes involved.

Besides the role of traditional leaders, Mekonen (2016: 34), explains the importance of family as an important structure in the process of indigenous conflict resolution among the Libido-Mareko ethnic group known as the Maaga conflict resolution institution. This structure resolves minor criminal related matters such as low scale physical injuries and civil matters within the family. A family within this ethnic group is made up of parents and children, although this conflict resolution structure can further resolve conflict between cousins, nephews, brothers from different mothers, husband and wife and close family members. The Maaga structure also settles minor family disputes and disagreements between married couples as noted by Bokari

(2013: 25). The role players, structures and processes of resolving conflict in Lokaleng and Disaneng have been expanded in the course of this study.

Some of the conflict resolution methods require third party involvement. The following section discusses the concept of third party involvement and its associated methods in attaining social justice in Lokaleng and Disaneng.

2.5.3.1. Third Party intervention methods



For Laue (1990 in Albert 2001:27), a third party intervention is said to have taken place when an outside or semi-outside party self-consciously enters into a violent conflict situation with the objective of influencing the conflict in a direction the intervener defines as desirable. According to Moore (1996 in Albert, 2001: 28), third party intervention seeks to change the power and social dynamics of the conflict relationship by influencing the beliefs or behaviours of individual parties, through provision of knowledge or information or by using a more effective negotiation process and thereby helping the parties to settle the contested issues.

Fisher (2001:1), argues that the degree of power that the intervener exercises over the process and its consequence for the conflict resolution distinguishes various categories of observed third-party intervention. He makes the following categorisation of interventions based on the continuum of power of the third party:

At the high end of such a power spectrum, disputes may be made subject to legal rulings through adjudication or binding decisions by means of arbitration. In the middle range of influence, powerful mediators may make use of a whole range of inducements or threatened punishments in order to move the disputants toward a settlement. At the low end of the power continuum, third parties may play a

facilitative and diagnostic role, helping conflicting parties to understand their problem more clearly and assisting them in their efforts to construct agreements or restructure their relationship (Fisher 2001:1).

Albert (2001:27), identifies two broad categories of third party intervention in a conflict situation depending on the basis of power of the third party. The first part involves interventions organised in non-adversarial contexts, that is, in this case interventions are not based on the wielding of absolute powers by the interveners; but instead, “are based on the value of consensus and joint problem solving and give the disputants the right to have a say in both the processes and outcomes of the interventions” (Albert 2001:35), such as facilitation, conciliation and mediation. The second intervention involves the use of some measure of force and results in win or lose outcomes such as arbitration and litigation (ibid: 34). This thesis focuses on third party interventions organised in non-adversarial context within Lokaleng and Disaneng communities. According to Albert (2001:32), if third party intervention has to have any impact in a particular conflict situation, the disputing parties necessarily need to endorse the power and mandate to intervene; otherwise, the intervention may not help them to work effectively through the conflict. Consequently as Fisher (2001:2) observes, the more recent and innovative forms of third party intervention will operate through power, and seeks to influence adversaries toward the use of positive rather than negative power. In order to do this, the third party will seek to maintain control over the process of the intervention, rather than over the outcomes (ibid: 2). This situation is also observed in Lokaleng and Disaneng where different role players (third parties) operate within different structures in different conflict situations.

a. Mediation

Fisher (2001:4), perceives mediation as an intervention of a skilled and impartial intermediary working to facilitate a mutually acceptable negotiated settlement on the issues that are the substance of the dispute between the parties. Leviton and Greenstone (2004:1), define mediation as a step-by-step process in which agreements and disagreements are carefully explored, relevant information is collected and shared, options and proposals are discussed, interests of each party are presented and clarified and negotiations between the parties are conducted to resolve the conflict. The decision-making power and responsibility remains with the parties (Greenstone, 2004:1). This definition is similar to what happens in Lokaleng and Disaneng during the process of mediation in conflict resolution.

In his investigation, Fisher (2001:4), identifies three defining characteristics of mediation. Firstly, he sees mediation as a pacific, non-coercive and non-binding approach to conflict management that is entered into freely by the concerned parties, who at the same time maintain control over the substance of the agreement. Secondly, he sees mediation as primarily task-oriented method directed toward solving a shared problem of the parties; that is in general not directly concerned with the nature of the social relationship between the parties. Thirdly, he sees mediation as a flexible approach that can be directed toward disputes between two parties in its bilateral form, as well as multiple parties when called upon to assist in multilateral negotiations (ibid).

In addition, Fisher (2001:2-3), categorises mediation into two: 1) Traditional mediation as practiced from a strong power base, which seeks above all to halt violence and gain a quick settlement which is often in the interests of the status quo.

This, as he argues “suppresses processes of social change towards greater equity and equilibrium” (ibid: 3). 2) Less official and more innovative forms of mediation, such as problem-solving workshops, which focus on dealing with the underlying causes of the conflict in order to address the genuine basic interest of all parties. These are more clearly directed toward longer-term conflict transformation (Fisher 2001: 3). In Lokaleng and Disaneng, the first type of mediation as noted by Fisher (2001: 3), is more applicable as noticed by the researcher.

b. Conciliation

Fisher (2001:11), defines conciliation as a process in which a trusted third party provides an informal communicative link between the antagonists for the purposes of identifying and clarifying the issues, lowering tension and encouraging direct interaction, usually in the form of negotiation. The third party tries to facilitate an agreement through separate consultations with disputants; and this occurs before the parties are ready to commit themselves to formal mediation (Leviton and Greenstone 2004:2).

c. Arbitration

According to Fisher (2001:11), arbitration is an intervention where the third party renders a binding judgment arrived at through consideration of the individual merits of the opposing positions and then imposes a settlement, which is deemed to be fair and just. Leviton and Greenstone (2004:2), describe arbitration as a process, which is utilized when the parties do voluntarily agree in writing, to resolve the dispute, which may arise out of a contract. A neutral third party (the arbitrator) presides at the hearing, hears all the facts and evidence of the parties, and thereafter renders an award which is final and binding (ibid: 2).

d. Consultation

Fisher (2001:11), describes consultation as an intervention in which the third party works to facilitate creative problem solving through communication and analysis, making use of human relations skills and social-scientific understanding of conflict ethology and dynamics. "The aim of consultation is to take messages back and forth to the disputing parties with a view to helping them to come to a common ground on how the problem can be amicably resolved" (Albert, 2001:36).

e. Facilitation

For Kraybill (2004:2), facilitator's intervention seeks to achieve two things; firstly to assist empowerment, that is, support the persons involved in conflict fully achieve their own potential as human beings. "Unless parties in a conflict situation experience facilitators as empowering, they rarely give more than superficial access to their views, their networks, and decision-making processes" (ibid: 3). Secondly, facilitator's intervention seeks to foster right relationships, that is, relationships characterized by recognition of the other, fairness, respect, mutuality and accountability (Kraybill 2004:2). The processes of arbitration, consultation and facilitation make up part of the processes followed by indigenous role players in Lokaleng and Disaneng communities.

This section has discussed conflict resolution concepts based on contemporary theoretical perspectives and as well as the way they apply in practice generally, with precision on Lokaleng and Disaneng communities.

2.5.3.2. Conflict management

Conflict management aims to encompass a conflict. It includes numerous ways of positive conflict handling, frequently used in the sense of limiting, mitigating or containing violent conflict (Hartmann 2005:9). It may also be labelled as an intervention aimed at preventing the escalation and negative outcomes, especially violent ones, of ongoing conflicts (King and Miller, 2006:55). However, conflict management does not resolve the underlying issues (InWent 2004:17).

Miller (2005:23), summaries a variety of techniques that have been identified and employed in conflict management efforts, which include: bringing together the conflicting parties to establish a mutual agreement; direct intervention by governments or third parties to the strife to introduce or impose a decision; implementation of new initiatives, programmes, or institutional structures (for example, elections) to address the conflict in question; compelling or coercing contending parties to utilise previously established means of resolution or containment; use of coercion by government or another third party to eliminate or instil fear among one or all those engaged in a given conflict, leading to subsidence (Miller, *ibid*: 24). The researcher establishes the need for conflicts to be managed in order to avoid conflicts to escalate.

Conflict management may operate where a resolution which satisfies the parties has not proved possible, but where an agreement is reached on arrangements which limit or control the conflict (Harris, 2007:92). Conflict management and resolution are ideally handled by the parties' themselves. For a range of reasons, including high levels of emotion and different power levels of the parties involved, the parties may not be able to reach a resolution by themselves. In this case, a mediation process can be implemented, facilitated by a mediator, to assist the parties to a conflict to reach a resolution. The author explains how conflict can be managed from an

educational institutional which is the university in this case, but did not discuss conflict management from an indigenous point of view. This research looks at how conflict is managed from indigenous perspectives in Lokaleng and Disaneng communities.

2.5.3.3. Conflict transformation

Conflict transformation is concerned with meeting the interests and needs of individuals and groups based on analysis involving the historical, political, economic, socio-relational, and psychological aspects of the conflict. It uses principles and practices that stem from a cultural and contextual understanding of the involved parties. Amstutz (2009: 25) is of the view that transformational methods have been developed to systematically analyse and help constructively bring about change in relationships and the structures of oppression. These approaches and the values of nonviolence, respect, human security, dignity, and growth that inform them are meant to empower people at all levels of society and are more indigenous.

Justice systems are critical to building and maintaining stable and peaceful societies, with indigenous communities as no exception. These systems deal with complex conflicts, and through their criminal justice component, prosecute perpetrators of forbidden acts against the community. South Africa for instance, has reformed its criminal justice system over the last few years, but has continued to regularly rely on customary law to help it address criminal (and other) issues Louw (N.d: 87). Lederach (2003: 76) points out that, representatives of the judicial legal structure understand that customary law is better understood and more trusted by the people, compelling them to share cases with customary law practitioners.

The tension between these different systems of law has its roots in South African culture, which, as distinguished, recognizes communal responsibility, for the purpose of social stability, and the western perspective of the law, which is geared more toward individual responsibility for actions that require punishment by the state.

As Villa-Vicencio (2011: 34) puts it, a more balanced form of punitive or retributive justice and customary law, similar to what is found in New Zealand and other western legal systems, would benefit both systems of law in Somaliland and add to its peace building capacity. Restorative justice has the potential to enhance this process and form a bridge between these two law-based systems Hadley (2008: 42). It addresses individual and societal interests and needs through a community-based system of accountability to victim and offender; responsibility on the part of the offender is central, and the involvement of the victim and other community members helps in finding solutions to restore relationships and social harmony. Amstutz (2009: 25), notes further that restorative justice is rooted in indigenous and religious systems of problem solving, and over the last thirty-five years has been integrated on a global basis into formal legal systems.

Restorative justice is not just about victims and offenders. Its indigenous and religious roots indicate that there is a community responsibility to address wrongdoing and the harm it causes and be involved in making things as right as possible. This is done to help restore, if possible, the broken relationship between victims and offenders in order to maintain harmony and a well-functioning community. The interdependent reality of community requires that its members be active in transforming conflict and creatively dealing with criminal acts in order to meet individual needs within their collective reality Louw (N.d: 83). Such an ethic is at the heart of restorative justice and points to similarities in customary law principles and

practices as seen in table 1. The above authors in discussing the importance of transforming conflicts focused more in Somaliland unlike this study which is looking at South Africa (Lokaleng and Disaneng). Indigenous mechanisms of resolving conflict can in the opinion of the researcher thus, be transformed to meet the needs of different communities with respect to the customary law of South Africa.

Table 1: Customary Law versus Conflict transformation

Customary Law	Conflict Transformation	
Values	Respect for traditional law (informs ways of acting and being in relationships with others) Interdependence Moral duty (of elders) to solve or settle society's problems Listening, patience, wisdom, and honesty by elder Importance of feelings and dignity	Maintenance of healthy relationships and structures that support them Interdependence Fairness, equality, responsibility, and accountability for and among everyone Listening and self-reflection Emotional healing
Analysis	Elders collect information from both sides of a conflict, look for causes and core issues Elders investigate the relationships between the parties Elders seek understanding through precedent, but adjust analysis if not available	Seeks and examines underlying historical and current, personal, relational, cultural, and structural causes of conflict Develops theories of conflict and theories of change for a particular conflict Investigates positions, interests, and needs Analyses power dynamics Examines identity and formation of and threats to worldview Looks for connectors and dividers Investigates trauma and resilience factor Explores social bonding, bridging capital, and individual and community

		assets
Strategies and Practices	Security and stability of disputes/conflict resolution Peace Settlement of Achievement of main goal through consensus (among elders) Agreement on short-term peace Regulation of relationships among clans/communities	Security Change at the personal, relational, cultural, and structural levels (conflict transformation) Transitional, distributive, restorative, and transformational justice (at all levels and for all persons in society) End to the conflict and establishment of long-term peace. Thus, social justice

Source: Barry H. and Muhyadin S. (2010: 6)

2.5.3.4. Conflict Resolution Values

a) **Respect for All:** From the perspective of conflict resolution, conflicts can and must be resolved by taking into account the needs of the people affected by the conflict Omisore and Abiodun (2014:130). In other words, for a solution to be lasting, it must meet the needs of all those involved in the conflict. A solution, in which one party's needs are met at the expense of the needs of the other party, is neither just nor likely to last for a long time (Bodtker and Jameson, 2001; Kazan and Ergin, 1999). Conflict resolution is based on the view that people have the right and an obligation to participate in decisions that affect their lives (Omisore and Abiodun, *ibid*: 130). As such conflict resolution stresses that people are most likely to achieve their own goals and have rewarding relationships when they co-operate. In the same vein, society will be more productive. This means that when people are in conflict, they should consider each other as allies in

helping to create a solution to a common problem rather than enemies who are to be defeated (Hughes, 1993:34).

- b) **Respect for Diversity in Views and Perspectives:** One of the fundamental principles of conflict resolution is that the parties in the conflict need to respect and understand each other's needs and perspectives. This is not only understanding and respecting people that you agree with, but also attempting to understand and respect people that you disagree with, and respecting their right to disagree (Kazan and Ergin, 1999; Bodtker and Jameson, 2001:54).
- c) **Justice:** Most people practicing and writing about conflict resolution agree to the view that it is necessary for solutions to be just and fair. In conflict, justice can be of two kinds: procedural and substantive. Procedural justice implies that the procedure for dealing with conflict is fair. Conflict resolution techniques are very useful in ensuring procedure justice, such as ensuring that all the parties affected by the conflict are present. Substantive justice on the other hand amounts to making sure that the solutions produced are fair. This, however, is more theoretical than practical. For instance, if parties in mediation agree to what the mediator believes is an unjust solution, there is very little the mediator can do to facilitate a more just outcome (Cambodia –World Bank, 2005:65).



Respect for all, respect for diversity in views and perspective and justice are values among others according the researcher which need to be taken into account during indigenous conflict resolution processes in Lokaleng and Disanerg communities, in order to make these processes more effective.

Rahim *et al.* (2000:67), argue that justice is one of the most important concerns for employees in organizations. Justice and fairness encourages positive attitudes and

facilitates conflict management. Rahim, *et al.* (ibid), therefore, present the following hypothesis that was supported in the research: Employees perception of organizational justice will be positively associated with their use of the more cooperative (integrating, obliging and compromising) styles of managing conflict with their supervisors (Rahim, *et al*, ibid: 43). Rahim in citing the importance of justice discusses it from an employee related conflict scene. This study looks at the importance of justice but from among indigenous communities with the need for re-appropriation.

d) **Non-Violence:** Conflict resolution promotes the use of non-violence techniques wherever conceivable. Based on the argument that violence is generally unethical and ineffective, conflict resolution techniques seek to highlight and create non-violent options for dealing with conflict. While admitting that the use of force cannot always be avoided, it is argued from a conflict resolution perspective that by increasing the acceptance of non-violent methods for dealing with conflict and training people in these skills, a great proportion of conflict can be more effectively addressed without violence (Galtung, 1996:87).

e) **Transformation of Individuals and their Communities:** Altering the way we deal with conflict helps us live a more rewarding and responsible life. Changing oneself is also an indispensable part of creating community change, as one is providing positive role models for others, and taking charge of the role one plays as part of one's own community. However, for community to change, members also need to be proactive and consider other ways to influence their communities such as through conflict resolution training and direct intervention (Bodtker and Jameson, 2001). According to Rubin and Sung (1994:65), once conflict escalates, it often reaches a deadlock, a situation in which neither side can win

but neither side wants to back out or accept loss either (Omisore & Abiodun, ibid: 130).

Madafferri (N.d: 65), in adding to the above values notes that the following are fundamental to Aboriginal culture. These values influence the way Aboriginal people live and how they interact with others. Moral values, otherwise also known as ethics, refer to what Prozesky (2009:3), describes as “lived and practised beliefs about right and wrong, good and evil”.

- Family – including extended family are a high priority.
- Shared Responsibility – each person is required to be responsible in one area or another. If this role is neglected it becomes automatic for another member of the family or extended family to ‘fill in’.
- Acceptance – each individual is understood for both their strengths and weaknesses.
- Sharing-is seen as part of Aboriginal peoples responsibility, it is an honour.
- Equality-each person is respected with the ‘right’ to be an equal.
- Belonging-to your people, your land and your ‘rights’ are of utmost importance.
- Ownership-is a shared experience.
- Land-gives us a complete sense of belonging.
- Respect-for ones positions and responsibilities in all areas.
- Time Orientation – Aboriginal people often focus on the past and present rather than on the future. With the attitude of ‘live for today’, and not for tomorrow.
- Person Orientation – human relationships and interactions are valued. Material gain may have little or no interest. Although the author discusses the general cultural values which are of importance, he failed to look at it from a conflict resolution angle and also focused on Aboriginal people of Australia. This study looks at these values

from the side of conflict resolution and also from different communities in South Africa (Lokaleng and Disaneng), because each community has its own ways which are known to them in the process of conflict resolution.

2.5.3.5. Reconciliation

Just like other conflict related terms reconciliation is a complex and a challenging term. "There is little agreement on its definition because reconciliation is both a goal - something to achieve and a process - a means to achieve that goal" (Bloomfield *et al.*, 2003:19).

According to Maregere (2009:42), reconciliation is a process that seeks to develop the necessary cooperation between the victims and perpetrators to enable them to coexist and live together again in the same society. For victims to understand the truth, accept the apology, seek justice and be reconciled with the perpetrator both the victim and perpetrator need to walk through the narrow paths of memory, that is to jointly reflect and understand what fuelled the conflict, what happened, what could have been avoided and what needs to be redressed to enable both parties to coexist peacefully (*ibid*).

As Bloomfield *et al.* (2003:12) noted:

"Reconciliation in simple terms means finding a way to live alongside former enemies – not necessarily to love them, or forgive them, or forget the past in any way, but to coexist with them, to develop the degree of cooperation necessary to share our society with them, so that we all have better lives together than we have had separately. Reconciliation is a process that redesigns the relationships between the victims and perpetrators based on respect and real understanding of each other's needs, fears and aspirations.

The consequent habits and patterns of cooperation that develop are the best guarantee that the violence of the past will not return (Bloomfield *et al.*, 2003:12).”

The researcher supports the above quote with that view that reconciliation is key among indigenous communities (Lokaleng and Disaneng). Reconciliation also helps maintain peace in the long-run but does not signify the non-recurrence of conflict.

According to Bloomfield *et al.* (2003:13), apart from crucial individual elements covering those who suffered directly and those who inflicted the suffering, reconciliation should necessarily deal with community-wide elements that demand questioning of the attitudes, prejudices and negative categories that we all develop about the enemy during a conflict. “This is in view of the fact that attitudes and beliefs that underpin non-violent conflict spread much more generally through a community and must be addressed at that broad level”(ibid: 43).

2.6. Role of women in conflict resolution

2.6.1. Women and conflict resolution

The United Nations Educational, Scientific and Cultural Organisation UNESCO (2003: 5), portrays women as the transmitters of cultural values to their offspring and to future generations, including through the use of artistic expressions such as song, dance and folk tales. They act as intermediaries in conflict situations, undertaking investigation missions to assess possibilities for peace and subsequently facilitating communication and peace negotiations. UNESCO further postulates that women are also used (or accept to be used) as bridge-building blocks between hostile or fighting communities, notably through inter-community marriage whereby a daughter of one community is given in marriage to a son of another community as a way of sealing

an alliance for peace and reconciliation. Settee (2007: 17), supports the role of women in indigenous conflict resolution when she indicates that as a person deeply involved in the cultural, educational and political events in her community, she has expanded her own definition of Indigenous Knowledge to include women's knowledge and other aspects of community knowledge. With the contribution of the Settee (2007: 17), this study will through its findings support the importance of the role of women in the light of the author, in indigenous conflict resolution processes.

According to Mazurana and McKay (1999: 23), women often were symbolised as paragons of morality, sacredness, goodness and tenderness. To the authors, women's existence and power in pre-colonial African societies were based on an ethic of care that was rooted in their motherhood. Women in their nature were tolerant of differences, collaborative, non-violent and, as such, peaceful. These authors also see women as role players in conflict situations in Africa and this will be supported by findings from the communities (Lokaleng and Disaneng) involved in this research.

2.6.2. Women and Ubuntu

In the view of Isike and Okeke-Uzodike (2010:689), *ubuntu* is based on positive relationships between people. *Ubuntu* captures the human spirit of the African personality (male or female) which is validated by and built around its belonging to a collective or organic whole. Munyaka and Motlhabi (2009:66), observe further that, in *ubuntu* regardless of their social status, gender, race, persons are recognised, accepted, valued and respected for their own sake. The meaning and practice of *ubuntu* in Southern Africa can be inferred from a Zulu maxim: *umuntu ngumuntu*

ngabantu which literally translates to 'a person is a person only because of other people'.

The collective and inter-related humanity *ubuntu* summary is further underscored by Desmond Tutu when he argues that a person with *ubuntu* is open and available to others, affirming of others and does not feel threatened that others are able and virtuous (Tutu 1999:27). This is because 'he or she has a proper self-assurance that comes with knowing that he or she belongs in a greater whole and is diminished when others are humiliated or diminished, when others are tortured or oppressed' (Tutu 1999:27). In the same vein, Knott (2010:623) contends that if the humanity of one is not respected by a person's desires and experiences, their essence of being are not recognised and acknowledged, then *ubuntu* (humanity) is undermined and compromised. The researcher posits that there is need for the role of women to be more inclusive in indigenous communities (Lokaleng and Disaneng).

In pre-colonial Africa, the dominant worldview of *ubuntu* valued and maintained relationships because it was instrumental to realising the human essence and its survival. It was not one that ill-treated, neglected or humiliated women, since an injury to one was perceived as an injury to all. Rather it made people care for one another. Men did not need to feel threatened by women nor women by men as they both complemented each other in ways that allowed them to function cohesively as a social unit (Isike and Okeke-Uzodike 2010:690). In a nutshell, *ubuntu* is a concept which promotes the role of women and men thus, both can work in the task of resolving conflict for a peaceful and developed Africa. In my view, if there is no reciprocity therefore, there is no *ubuntu* and other African communities should I propose, follow this principle for a more peaceful society.

Women generally are richly endowed with the moral capacity to care and to embrace curiosity and complexity as they want to rise above the historic traps of dualistic divisions which drive the cycles of violence, and in this way, transcend traditional gender stereotypes and the oppressive relations they emit. This is possible because women are more relational than men and as such view the same phenomenon differently. For instance, women have the capacity to imagine themselves in a web of relationship even with their enemies (Lederach, 2005:34).

2.6.3. Women in pre-colonial conflict resolution

In pre-colonial African societies, women had different roles in traditional peace-making and conflict resolution roles as they were involved in mediating and preventing conflict within and between societies (Isike and Okeke-Uzodike 2010: 245). Women's peace agency in these societies, and also their cultural and socio-political roles and contributions to the overall well-being of these societies, were rooted in *ubuntu*. These roles were reinforced by perceptions which stereotyped women as natural peacemakers, as being more pacific than men, and often symbolised as paragons of morality, sacredness, goodness and tenderness. Thus in most pre-colonial societies, virtues of patience, tolerance, humility and subtle persuasiveness were seen as essentially female attributes which were reinforced through socialisation patterns that promoted women primarily as child-bearers, good wives, caregivers, arbitrators of conflict and peace promoters in the family and community (UNESCO 2003:8).

According to Ntahobari and Ndayiziga (2003: 12), in traditional Burundian society, for instance, women were considered to be bridge-builders and symbols of unity between different families, clans, communities and ethnic groups through the

institution of marriage. As such, girls were socialised from an early age to be open-minded, adaptable and tolerant (Ntahobari and Ndayiziga, *ibid*: 20). This was the case in other societies such as in Nigeria, Cameroon, Namibia, Somalia and Tanzania (Awe 1977; Ngongo-Mbede 2003; Becker 2003; Mohammed 2003; Lihamba 2003). Women in these societies were expected to embody such virtues as compassion, patience, discretion, gentleness, modesty and self-control, which though they were considered inherent in womanhood, required reinforcement through upbringing, so that women could fulfil their role as peacemakers (Ntahobari and Ndayiziga: *ibid*). The above discussed virtues associated with women in conflict resolution according to the researcher, are important factors which support the need for increased participation of women in indigenous conflict resolution processes in Lokaleng and Disaneng.

Mohammed (2003:103), supports the above view when he, in an example, records that in periods of conflict amongst the Somalis, there were times when a group of young, unmarried women (known as *Heerin*) from one of the warring clans paid visits to the opposing clan without the knowledge or consent of their families. According to him, on arrival, the *Heerin* told the people that they were unmarried women, and that they wanted to be married and because this was a well-known tradition, the young women were welcomed, and preparations were made to ensure that they were married. This immediately stabilised the situation and set in motion a peace process that eventually resolved the conflict' (Mohammed, 2003: 103). This kind of peace approach was only possible and successful because of the moral authority women were granted. These qualities and authority were also used to mediate in disagreements between men by advising their husbands to toe the line of peace knowing that the consequences of violent conflict would especially be borne by them

(the women). Such is the potency of this moral authority that women in post-colonial Africa have utilised them to wage peace in the Democratic Republic of Congo (DRC), Sierra Leone, Liberia, Guinea, Burundi and South Africa. Barring being essentialist, women have continually drawn on the moral authority granted to them by virtue of their being mothers, as creators of life, to call for peace throughout Africa (Mazurana and McKay 1999:20).

Nwoye (N.d: 6), postulates that traditionally, women in pre-colonial African societies were peace agents. Women engaged in peace building through positive child care, responsible mothering and nurturing of children in ways that prepared and socialised them towards peaceful co-existence. In most pre-colonial societies, Nwoye (ibid), notes that a culture of peace, tolerance and an anti-war tradition were embedded in and transmitted through folktales, proverbs, poetry, songs and dance. For example, Mohammed (ibid) used Somali stories, poetry, songs and proverbs to depict the important role of women as transmitters of knowledge and builders of a stable social fabric for society from the pre-colonial through to the post-colonial era:

‘Mother! Without you it would have been impossible to utter the alphabet Mother! Without you it would have been impossible to learn how to speak. A child deprived of your care. Sweet lullaby and soft touches would not grow up. Mother! You are the source of love, the epitome of kindness (Mohammed 2003:102).’

Nwoye (N.d: 3), further claims that in different pre-colonial societies, women used songs, proverbs, and poetry to transmit positive social capital values upon which peace is predicated. These values include patience, tolerance, honesty, respect for elders, communality and mutuality, compassion, regard for due discretion, gentleness, modesty, self-control, moderation, flexibility, and open-mindedness.

Women in pre-colonial societies also engaged actively in conflict mediation. Age was seen as an important social base of political power in these societies and respect was given to the elderly in general, and to elderly women in particular. Nwoye (n.d: 6) for instance reveals from the findings of her study on women and the peace process in six pre-colonial African states that 'the elderly woman' 'was respected by all, and played a key role in crisis management and conflict resolution'. This was the case amongst the Tuburs in Cameroon, for example, where the *Wog Clu* (old women) were solely responsible for conflict mediation and were consulted on problems which disturbed communal peace (Ngongo-Mbede 2003:32). Thus, as Nwoye (n.d) argues, 'when a conflict degenerated into armed violence, an appeal would usually be made to a third party of mature years to calm the tension and reconcile the combatants. Such an appeal for mediation was usually made to a woman who enjoyed the consideration and respect of all who knew her'. In the same light, because of the sanctity attached to womanhood, women, mostly elderly women, were used as peace envoys to facilitate peace negotiations (Mohammed 2003; Lihamba 2003). The researcher acknowledges that women still use these techniques such as songs in conflict resolution processes, adding to the need for their inclusion in these processes in Lokaleng and Disaneng.

Women in most pre-colonial African societies also served as intermediaries' in conflicts between human beings and nature. For example, according to Ngongo-Mbede (2003: 34), in the land of Mungo in Cameroon, any misfortune occurring in the community brought the latter to seek the mediation of the *Kalbia* (married women). In these communities, in general, misfortune and calamities were taken to imply the existence of conflicts between the people. For instance: in the Mungo communities of Cameroon, such a succession of misfortune was not a chance

happening. It was the sign that love and peace were absent from the community, and prompted the women to decide to organize an *Mbabi*. The latter was organized in a grove or on a crossroads, after consultation of the oracles. It was exclusively a meeting of women who had reached the age of the menopause. The ceremony was presided over by a woman of very advanced years whose moral integrity was usually universally acknowledged. Men could on occasion, be associated with the *Mbabi*. Even in such exceptional cases, however, it was the women, who prearranged and presided over the ceremony of reconciling human beings with themselves, with relatives and with nature (Ngongo-Mbede 2003:31).

Ngongo-Mbede (ibid), further found out that amongst the Beti, Mangissa and the Eton in Cameroon, the *Mbabi* was a common purification rite aimed at restoring peace, and women frequently engaged in it both for peace, community building and development. This is also consistent with the purification rituals (*uutoni*), which women in Northern Namibia performed on soldiers returning from war. The whole idea behind this ritual was to cleanse them of the guilt and consequences of spilling blood during war, which if not done would have adverse effects for social harmony, peace and stability in their societies (Becker 2003: 47).

2.7. Conclusion of literature review

The above literature was reviewed from books, policy documents, and journal articles, published and unpublished theses. The strength of this review included the fact that authors have written on various topics such as IK and IKS. Conflict and its types, causes, effects and moral values underpinning indigenous processes of resolving existing conflict. The role actors such as chiefs, elders and women were discussed and the importance of these actors elaborated. The researcher realised

that nothing has been done on the processes of resolving conflict precisely in Lokaleng and Disaneng, and where work has been done in South Africa; it was from a general perspective. This literature has therefore set the pace for this study, justifying the need for it to be conducted in order to find out what happens during conflict resolution processes in Lokaleng and Disaneng. This review according to the researcher also supports the need for re-appropriation of indigenous processes of conflict resolution in order to make these processes part of indigenous communities (Lokaleng and Disneng) and generally.

2.8. CHAPTER CONCLUSION

This chapter conceptualized the key words used in the research. The review of literature was done using a thematic approach where themes relevant to the study were discussed. It also investigated the importance of both indigenous processes of conflict resolution with a need to establish such processes in South Africa (Lokaleng and Disaneng) and the need to re-appropriate conflict resolution processes of resolving conflicts. This exploration was based on theoretical and hypothetical backgrounds discussed in this chapter. The next chapter discusses the socio-demographic implications of respondents who took part in this study. It further focuses on the types and causes of existing conflicts in Lokaleng and Disaneng as noted by respondents.

CHAPTER 3: RESEARCH METHODOLOGY

3.1. INTRODUCTION

According to Kumar (2011:14), methodology is one way of finding answers to professional and practice questions. It is characterized by the use of tested procedures and methods and an unbiased and objective attitude in the process of exploration. Research methodology is therefore a systematic method consisting of enunciating the problem, formulating a hypothesis, collecting the facts or data, analysing the facts and reaching certain conclusions either in the form of solution(s) towards the identified problem or for some theoretical formulation (Kothari, 2006:15). According to Bless *et al.* (2006:8), research methodology is a scientific and systematic search for pertinent information on a specific topic. The aim for research methodology is to enable the researcher to gain familiarity with a phenomenon or to achieve new insights in the study or to portray accurately the characteristics of a particular individual, situation or group (ibid: 9). According to Mbaio (2007:11), “a research methodology on its part is a plan or strategy that links the method or methods chosen to the outcome of a research”. Therefore, the purpose of this chapter is to establish the research design, the location of the study, sample size and sampling techniques in relation to each of the objectives for the study; and the type of analysis used in explaining obtained data from participants and respondents.

3.2. RESEARCH DESIGN

In this study, both quantitative and qualitative methods were used. The former methods were used to collect empirical evidence from respondents while the latter methods were used to make clarifications where necessary (Curry *et al.*, 2009: 34). Using both methods helped in triangulation which is a comparison of both by mixing of data or methods so that diverse viewpoints or standpoints cast light upon the

research topic (Creswell and Clark, 2007:370). Besides, the two methods were used by the researcher because they supplemented each other and produced a complementary result to the research problem (Creswell, 2003:32). Although the study made use of both methods, qualitative methods were used more than quantitative ones in order to have a deeper understanding as to how conflicts are being resolved. For the purpose of this study, the following variables constituted the critical factors and processes in the research design of the study which included a description of the population, sample and sampling techniques, the research methods and instruments, the data collection and analytical instruments as discussed below.

3.2.1. LOCATION OF THE STUDY

This section of the study describes the topographical features, climate, population, economic activities and social and economic infrastructure of the target communities. The study was conducted in the Batswana communities of Lokaleng and Disaneng in the North West province of South Africa. The reason for the choice of the community was due to the accessibility of the area. In addition, the researcher had been familiar with members and leaders of these communities who had raised some of the problems faced in their communities regarding indigenous conflict resolution processes. The complex nature of conflict resolution processes within a social context and the need for the indigenes to have increased understanding of the importance of local and cultural validity of conflict resolution processes supported the researcher's choice of the study areas.

Both communities are found in the North West Province of South Africa and are commonly referred to as "the Batswana" who speak a common language known as

“Setswana”. Disaneng community is situated in the Ratlou Local Municipality (LM), in the Ngaka Modiri Molema District which is located in the central part of the North West Province. The community is situated approximately 100 km north of Delareyville. It lies between latitude of 25:46.S and longitude of 25:15.E. The estimated population of Disaneng is approximately 7,229 (261.72 per km²). Lokaleng on the other hand, is also situated in the Mafikeng Local Municipality of the same Province. Both communities are situated in the Ngaka Modiri Molema District which is located in the central part of the North West Province. Lokaleng lies at latitude of 25:47.S and longitude of 25:32.E. The population of Lokaleng is estimated at approximately 2,661 (76.66 per km²). Most of the economic activities in the area are based on the communal, social and personnel services sector and agricultural activities (Statistics South Africa, 2014: 43). Members of these communities find themselves in conflict with one another and have traditional conflict resolution processes. Thus, the need for research to be conducted in these communities.

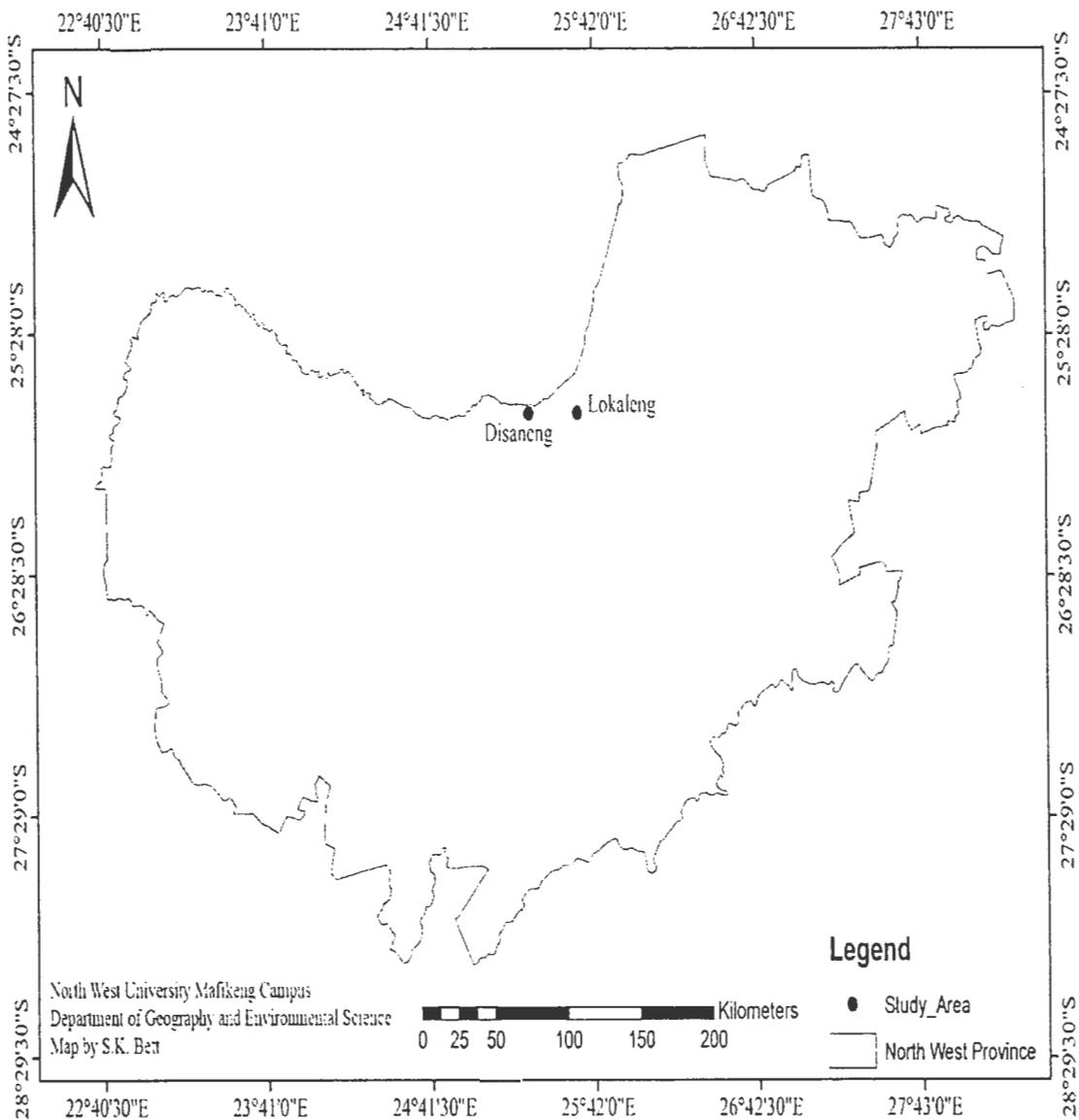


Figure 1: Map of Lokaleng and Disaneng communities

3.2.2. SAMPLING TECHNIQUE

Sample size is the number of individuals from whom the researcher obtains the required information (De Vos, 2005:61, Bless *et al*, 2006:14). The sampling for this study was drawn from a sample of about 9,890 from both Disaneng and Lokaleng villages. A sample of 270 which is 10% (Raosoft, 2014:1) of respondents was used for the study since it was difficult to sample the entire population. This was supported by the fact that the study was more qualitative in nature. The research was based

on judgmental or purposive (non-random) sampling whereby, the researcher employed her own expert judgment about whom to include in the sample frame. Prior knowledge and research skill were used in selecting the respondents or elements to be sampled.

Sampling is a technique of collecting data on a part of the population to reveal the characteristics of the entire population. It is the process of selecting units from the population. The most common reason for using a sample is to obtain information about a population. Sampling is quicker and cheaper than a complete census of a population (Wayne *et al.*, 2001:87; Bless *et al.*, 2006: 65; Kumar, 2011:25). Sample size for this study was drawn from a sample population of 9,890. A sample of 200 respondents was used since the study was more qualitative. One hundred and eighty (180) house-heads (community members) and twenty (20) respondents from the Departments, relevant organization and tribal authority were selected for the study. Non-probability sample method was employed with focus on judgmental or purposive sampling whereby, the researcher made her own expert judgment about who to include in the sample frame through the process of snow balling (Atkinson and Flint 2001: 34) whereby, participants who had indigenous knowledge on conflict resolution processes referred the researcher to other knowledge holders. Prior knowledge and research skill were used in selecting the respondents or elements to be sampled.

Sample size is the number of individuals from whom the researcher obtains the required information (De Vos, 2005:61, Bless *et al.*, 2006:14). Population (Wayne *et al.*, 2001:87; Bless *et al.*, 2006: 63; Kumar, 2011). During the survey, the following were part of the sampling, 100 respondents participated in the completion of the open and closed-ended self-administered questionnaires (see copy attached as ANX

1) which consisted of semi-structured questions. Eighty (80) respondents took part in the focus group interview which comprised of open-ended questions (see copy attached as ANX 2); these were mostly elderly community members. Twenty (20) respondents came from the Department of Arts and Culture, tribal authorities and IKS practitioners. The twenty respondents participated in a self-administered questionnaire consisting of unstructured questions.

The selection of these twenty respondents, as mentioned above, is significant due to the fact that they are holders of indigenous knowledge. Eight (8) respondents came from the Department of Arts and Culture; four (4) from the tribal councils in Disaneng and Lokaleng villages; and finally eight (8) from relevant IKS practitioners. Both females and males from the communities were selected from the study area. During the survey, 80 women and 120 men were selected for the study. The study used more men since they are the majority in indigenous conflict resolution processes. It was important to include females because studies have shown that women also play a great role in resolving conflicts. The research was based on the age group between 20 years and above as this age group is believed to be the active population and the limitless age is because the aged/old are believed to be indigenous knowledge holders.

3.2.3. DATA COLLECTION INSTRUMENTS AND PROCEDURES

According to Bless *et al.* (2006: 16) and De Vos *et al.* (2005: 61), data collection demonstrates the development of tools necessary to collect data and the way the information should be recorded. Data collection is the direct interaction with individuals on one-to-one bases or direct interaction with individuals in a group setting (Kothari, *ibid*: 32). Data collection approach is very important since this allows

the researcher to collect information that will guide the study to meet its objectives. The study used the following methods to collect data. These include, questionnaires, interviews and focus group.

3.2.3.1. Questionnaires

Questionnaires (ANX 2) were used to conduct the interviews which constituted primary data, and included matters relating to indigenous conflict resolution mechanisms. A structured questionnaire (ANX 1) comprising of close-ended questions was used to collect quantitative data while qualitative data was collected using a semi structured questionnaire (ANX 1). Questionnaires were used because they were easy to administer. The survey was undertaken in a face to face process. Respondents were contacted between 10:00 am and 4:00 pm depending on their availability. A translator was also used in the study. The questions comprised two sections namely a demographic section and questions of opinion of respondent's views (ANX 1).

3.2.3.2. Focus group discussion

According to Kumar (2011:44), a focus group discussion (FGD) is a strategy in qualitative research in which attitudes, opinions or perceptions towards an issue, product, service or programme are explored through a free and open discussion between members of a group and the researcher. Open-ended questions as in ANX 2 were used to collect data from the focus group. The FGD used 6-10 people in a group comprising of a traditional leader, house-heads and elderly people with indigenous knowledge experience. The benefit of using focus group discussion in this study includes gaining insight into people's shared understandings of everyday life relating to conflict resolution processes. The main purpose of using a focus group

discussion is to draw upon respondents' attitudes, feelings, beliefs, experiences and reactions in a way that will not be feasible using other methods, for example: observation, one-on-one interviewing, or questionnaire surveys. The use of focus group discussion seeks to gather information that is beyond the scope of quantitative research (Bless *et al*, 2006: 41; Kumar, 2011: 23). Focus group discussion can generate rich data in a less intensive manner than interview. The essence of forming group discussion on a particular topic provides a more natural setting than one-to-one interviews as it allows participants to share their stories and also group discussion enables new strands of thought to emerge (Kothari, 2006: *ibid*). FGD gives the researcher access to primary data which is then supported by secondary data.

3.2.3.3. Secondary data

According to Ober (2008:1), secondary data are cost-effective. Using secondary data is less costly and less time-consuming than collecting primary data. Its disadvantages relate not only to the availability of sufficient secondary data but also to the quality of the data that is available (Kabi, 2016: 51). During the study, literature was reviewed from reports, minutes, documents and books from departments and relevant organizations who are involved in conflict resolution. This enabled the researcher to get as much information as possible about the area under study, target group, activities and processes to facilitate conflict resolution.

The source of such literature was drawn from Statistics South Africa and Department of Arts and Culture. Also information was obtained from journals, internet, published and unpublished articles.

3.3. Data analysis and interpretation

Quantitative and qualitative approaches were used to analyse the data. Taylor-Powell and Renner's (2003:56) and (Bless *et al.*, 2006: 55) approach of categorizing the responses were adopted. However, unlike in the quantitative data where numerical codes are assigned to label the exclusive variables, categorizing the qualitative data responses were done in two steps, namely (1) identifying the themes or patterns and then (2) organizing them into coherent categories. The former step involved identifying such themes or patterns like ideas, concepts, behaviours, interactions, incidents, terminology or phrases that were used in the study.

On the other hand, the latter step was taken to organize the themes or patterns that were identified in step one in order to summarize and bring meaning to the text. To make this process of categorizing the data simple, abbreviated codes of a few letters, words and symbols were assigned and placed next to the ideas and themes that were found. According to Taylor-Powell and Renner (2003: 31), this process helps to organize the data into categories. When categorizing the data, other themes that served as subcategories were also identified and the process continued until all relevant themes had been identified and labelled (De Vos *et al.*, 2005:76). When identifying the themes, the researcher put them according to various categories, and then their meaning and significance were brought out. Such themes were then presented in the form of frequencies, charts and correlations. The result of such identifications were analysed using the Predictive Analytic Software (PASW) version 18. Each questionnaire was numbered to ensure that if there was any mistake it would be easier to retrace. Responses were captured using PASW statistics to get the frequencies, charts and tables.

Besides the general information on how to collect and analyse data explained above, for the purpose of this research, the following were the methods for collecting and analysing data for each of the research objectives for the study in both indigenous communities.

3.4. ETHICAL CONSIDERATIONS

Ethics is a professional practice undertaken in accordance with the principles of accepted codes of conduct for a given profession or group (Bless *et al.*, 2006: 82; Kothari, 2006: 23; Kumar, 2011:38). According to North West University (NWU) Research Ethics Committee requirements (2010:29), adequate measures need to be taken by the researcher towards maintaining ethical standards at all stages. This means that cover letters from the university, accompanied with questionnaires explaining the purpose and nature of the research, need to be used to conduct the study. The Committee (2010: 18) requires that there must be voluntary consent and that participants have not been forced to participate and have to be free to withdraw at any time they want. The questionnaire has to be put in such a way that the participants will be able to have adequate knowledge and understand the elements of the substance concerned. This will guide respondents make an informed consent decision.

Furthermore, the Committee (*ibid*:20) requires confidentiality to be assured to the respondents and issues of answers being traced back to them have to be taken care of by ensuring that there is anonymity. There is also the requirement that during data analysis, respondents must be given a code so that their names are not mentioned. In doing so, they remain anonymous and their answers are kept in strict confidence. Besides, non-harmfulness, which is avoiding harming research participants, must be

ensued while feedback must be brought to the participants at the end of the research. In addition to the above, the following communities' (Disaneng and Lokaleng) ethics and protocols will be discussed at a later stage.

Table 2: Summary of research design

	Objectives	Sample Methodology	Data Collection (Primary sources)	Data Collection (Secondary sources)	Data Analysis (Interpretation and conclusion)
1	Investigate types and causes of conflicts in the Batswana communities	<p>-Total population of 9,890</p> <p>Sample size of 270 (Raosoft)</p> <p>-200 (100 from each community)individual/ community members)</p> <p>-80.Focus group. 4 Groups of 10 per community (40 each)</p> <p>-8(Department, relevant organizations and tribal authorities)</p>	<p>-Quantitative data-Use close ended questionnaires. ANX 1</p> <p>-Qualitative data-use open ended questionnaires and focus group discussions. ANX 2</p>	Articles, journals, reports, minutes, documents, books, cases and legislation	<p>-Analysed using the Predictive Analytic Software. (PASW) version 18 (Frequencies, charts and correlations).</p> <p>-ATLAS.ti 7 Identifying the themes or patterns (ideas, concepts, behaviours, incidents and terminology) and organize them into coherent categorize</p>

2	Explore the role players and structures and processes of conflict resolution in the above communities.	-80 members (40) from each community. Non-probability sampling.	-Focus group discussion using Unstructured questionnaires	Same as 1 above	ATLAS.ti 7 Identifying the themes or patterns (ideas, concepts, behaviours, incidents and terminology) and organize them into coherent categories
3	Re-appropriating indigenous processes of conflict resolution in the Lokaleng and Disaneng communities	-80 participants same as objective (2 above)	Focus group discussion and key informant interviews	Same as 1 above	Same as 2 above
5	Discussion, conclusions and recommendations.	-	Information collected from respondents	-	Recommendation by researcher

3.5. Chapter conclusion

This chapter outlined the procedures for collecting and analysing information related to the topic that was being investigated. The introductory part stated what method was to be used and why it was preferred or essential for this study, and not other methods. Moreover, the sampling processes and sample size were broken down for the two study sites. How participants were to be met and where meetings were to take place was also discussed. The various types of research instruments used for

the study were also explained and how these questionnaires were to be administered. The latter part provided an elaborate breakdown of methods regarding each objective and a more detailed explanation on how collected data was analysed. Methods of investigation provided to guide collection of data and data analysis from the targeted population were discussed. Ethical considerations both from a general and an indigenous point of view were taken into account for the purpose of this research to meet its stated objectives.

Having established the necessary methodology to be employed and the required instruments to be used to collect data for analysing the objectives and hypothesis of this research, the next three chapters were devoted to explaining how the methodologies were used in each of the three main objectives of the study. The starting point for achieving this, relates to the study objective of investigating the types and causes of conflicts which exist among the Batswana's in Lokaleng and Disaneng communities in the North West Province.

CHAPTER FOUR: TYPES AND CAUSES OF CONFLICTS AMONG THE BATSWANA COMMUNITIES OF LOKALENG AND DISANENG

4.1. INTRODUCTION

This discussion has already noted that the major cause of conflict in any society is people's association with each other. Terry (1983:83-84), argues that whenever people are closely associated and particularly in pursuit of common goals, it is reasonable to assume that given sufficient time, differences will occur among them. Therefore, conflict is a complex phenomenon both in indigenous communities and in the society at large and, conflict may take one or more forms as noted by Warioba (2008: 34).

In the case of conflict among the communities of Lokaleng and Disaneng, one has to first discuss its significance in conflict resolution. This chapter therefore is based on the data gathered during field work and complemented by secondary sources. Both quantitative and qualitative approaches were used to obtain data for this objective (De Vos *et al.*, 2005: 23). The questions comprised two sections namely demographic section and opinion of respondent's.

The researcher used close-ended and open ended questionnaires as in ANX 1 and 2 to obtain information from the respondents. Close-ended questionnaires consisted of leading questions and were administered to the respondents (individual community members) in a face-to-face discussion in order to provide a follow up and clarifications where the need arose. Respondents who participated in the close-ended questionnaires comprised a total of 200 respondents with 100 participants from Lokaleng and 100 from Disaneng.

Open-ended questionnaires of the type in ANX 2 were administered to focus groups so as to obtain data from the respondents. This group consisted of six (6) to ten (10) respondents made up of four (4) groups. A total of eighty (80) respondents participated in focus group interviews, 40 from Lokaleng and 40 from Disaneng. It was important to use open-ended questions to get an in-depth understanding in relation to the responses that were derived through closed-ended questions. During this process, the researcher was in position of the questionnaires.

Both females and males from the communities were selected from the study area. During the survey, 80 women and 120 men were selected for the study. As earlier stated, the study used more men since they were the majority in conflict resolution processes. It was important to include females because studies had shown that women also played a great role in resolving conflicts. The research was based on the age group between 20 years and above because this age was believed to be the active population, have some indigenous knowledge and the limitless age was because the aged/old were believed to be indigenous knowledge holders. A translator was also part of the study.

Data was analysed using both qualitative and quantitative approaches in order to meet the above objective. Taylor-Powell and Renner's (2003:56) and (Bless *et al.*, 2006: 55), approach of categorizing the responses was adopted for quantitative data whereby; numerical codes were assigned to label the exclusive variables. For interpretation, the researcher identified the themes, put them according to various categories, and then their meaning, then significance were be brought out. Such themes were presented in the form of frequencies, charts and correlations. The result of such identification was analysed using the Predictive Analytic Software (PASW) version 18 also known as statistical package for social sciences (SPSS).

Each questionnaire was numbered to ensure that if there was any mistake it would be easier to retrace. Responses were captured using PASW statistics to get the frequencies, charts and tables.

Qualitative data was analysed using ATLAS.ti version 7. The qualitative data responses were done in two steps, namely (1) identifying the themes or patterns and then (2) organizing them into coherent categories. The former step involved identifying such themes or patterns like ideas, concepts, behaviours, interactions, incidents, terminology or phrases that were used in the study. On the other hand, the latter step was taken to organize the themes or patterns that were identified in step one in order to summarize and bring meaning to the text.

To make this process of categorizing the data simple, abbreviated codes of a few letters, words and symbols were assigned and placed next to the ideas and themes that were found. According to Powell and Renner (ibid: 42), this would help to organize the data into categories. When categorizing the data, other themes that served as subcategories were also identified and the process continued until all relevant themes had been identified and labelled.

The chapter is divided into two parts: the first part interprets the socio-demographic characteristic of the informants through the use of questionnaires. The second part discusses the analysis of data collected by the researcher on all the methods as discussed above. In so doing, this chapter therefore, identifies the types and causes of conflict in Lokaleng and Disaneng communities.

4.2. Demographic and socio-economic characteristics of the respondents

The total number of respondents who were involved in this study from both communities was 153, due to the fact that the research was more of a qualitative

nature. The respondents comprised of the heads of households in the communities. The demography of the respondents was derived based on gender, age groups, marital status, educational status, income level, head of household and the number of people in household. The essence of demography is to create a profile of respondents in order to determine how their economic and social backgrounds can affect the processes of resolving conflict in their communities.

4.2.1. Categories of respondents by gender



Demographers and other social scientists have shown special interest in the age structure of a population, not only because it is a fundamental measure of population growth, but also as an instrument that helps to understand the relationship within the community and the way various activities are undertaken Warioba (2008: 45). Gender distribution has influenced the prioritisation of the various services and participation in various activities in society at large. As such, gender was taken into consideration and the respondents who were included in this study were both grown-up and mature. The gender categorisation of the respondents was as shown in Table 3.

Table 3: Gender of respondents

Community A: Lokaleng		
Gender	Frequency	Percentage
Male	42	56.0%
Female	33	44.0%
Total	75	100
Community B: Disaneng		
Male	43	54.3%
Female	36	54.3%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015.

Table 3 indicates in relation to the gender of the respondents that, a majority of those in Lokaleng were males (56.0%) while the females constituted (44.0%) of the total sample size. In Disaneng, male respondents were 54.3% while females were 45.7%. This shows that females are fewer than males, or less involved in relation to most of the conflict resolution affairs in the research communities than men.

4.2.2. Age group of respondents

Table 4 describes the stratification of the various age groups who participated in the study. While the age structure has enormous implications on the management of various resources and administrative functions, age group influences the distribution of knowledge in indigenous communities.

Table 4: Age group of respondents

Community A: Lokaleng		
Age group	Frequency	Percentage
20-35	13	17.3%
36-45	23	30.7%
46 and above	39	52.0%
Total	75	100
Community B: Disaneng		
20-35	19	24.1%
36-45	25	31.6%

46 and above	35	44.3%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015.

As seen from the above table, most of the respondents from Lokaleng were aged between 46 +, that is 52%. Respondents between the ages of 20-30 represented 17% while the age's between 36-45 made up 30%.

In community B, that is, Disaneng as presented in the above table, the age group between 20-35 years made up a total of 24.1%, while the group between 36- 45 constituted 31.6% and lastly, the range from 46 and above made up 44.3%.

As indicated, the majority of respondents from both communities were aged 46 and above. Although this age group is seen as the less active age group in the socio-economic development within a country, it is perceived as the most knowledgeable age group when it comes to preserving indigenous knowledge, they are sometimes known as the reservoir of knowledge. Even though, the majority of respondents were of the age 46 and above, the indigenous views on the types, causes and how conflicts, are resolved from other age groups were also very necessary for the study because the younger age group might have knowledge on these processes.

4.2.3. Marital status of respondents

Apusigah (2011:34), highlights the essence of marriage as an important driving force in the cultures and beliefs of African indigenous people. This explains why the inclusion of marital status of respondents in this study.

Table 5: Marital status of respondents

Community A: Lokaleng		
Marital Status	Frequency	Percentage
Married	25	33.3%
Single	21	28.0%
Divorced	9	12.0%
Widowed	20	26.7%
Total	75	100
Community B: Disaneng		
Married	24	30.4%
Single	29	36.7%
Divorced	8	10.1%
Widowed	18	22.8%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015.

As indicated by table 5, married respondents in Lokaleng were 33.3%, singles were 28%, divorced were 12% while the widowed made up 26.7%. In Disaneng on the other hand, married respondents constituted 30.4%, singles 36.7%, 10.1% and lastly, widowed made up 22.8%. The presented result implies that in Lokaleng the majority of respondents were married while in Disaneng, single people were more than the others. This implies that, as stated by Apusigah (2011:34), the cultural value of marriage is still preserved in Lokaleng unlike Disaneng where singles make up a majority of the respondents. Thus, the indigenous value and its worth should be

encouraged in order to preserve indigenous knowledge as this might help in reducing conflict in these communities.

3.2.4. Educational level of respondents

The researcher probed the level of education of the respondents because of the assumption that knowledge is essential in understanding the root causes and nature of problems as well as devising mechanisms for resolving those (Sommer *et al.*, 2004:24). Knowledge is also crucial in the management of resources and conflict. In this study, the term education was used to refer to both formal and informal education, where formal education is provided in school under a well-organized curriculum and informal education entails a non-systematically organized syllabus (Boven and Morohashi, 2002: 76). This informal education is also knowledge that has been passed down from one person to the other and one generation to the other. The respondents were grouped into seven classifications of educational levels.

Table 6: Distribution of educational levels of the respondents

Community A: Lokaleng		
Educational Level	Frequency	Percentage
Illiterate	17	22%
Literate (read and write only)	8	10.7%
Grade 1-4	7	9.3%
Grade 5-8	17	22.7%
Grade 9-12	16	21.3%
Tertiary	10	13.3%
Other	0	0.0%

Total	75	100
Community B: Disaneng		
Illiterate	7	8.9%
Literate (read and write only)	12	15.2%
Grade 1-4	10	12.7%
Grade 5-8	14	17.7%
Grade 9-12	18	22.8%
Tertiary	18	22.8%
Other	0	0.0%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015

As presented in the above table, in Lokaleng respondents who were illiterate were a majority and made up 22% while in Disaneng on the other hand, respondents were mostly from grade 9-12 and equaled 22.8% and tertiary were 22.8% same as the range. It can be deduced from table 6 that a majority of respondents from Lokaleng were illiterates while in Disaneng, most of the respondent could read and write and fell under grades 9-12 and tertiary education level. This meant that, indigenous knowledge pertaining to conflict resolution could be documented and passed down to younger generations through both formal and informal educational systems of IKS as the respondents of Lokaleng and Disaneng were educated indigenously.

4.2.5. Income level of respondents

The researcher asked the respondents to state the level of their income. This was relevant in that it was geared towards ascertaining the way affordability of the various existing mechanisms of conflict resolution in their communities. For example,

knowing whether community members could pay for formal courts or the informal.

Table 7 indicates the distribution of income level as identified by the respondents.

Table 7: Distribution of income level

Community A: Lokaleng		
Income Level	Frequency	Percentage
Less than R800	16	21.3%
R900-1600	32	42.7%
R1700-R2200	13	17.3%
R2200 or above	14	18.7%
Total	75	100
Community B: Disaneng		
Less than R800	19	24.1%
R900-1600	26	32.9%
R1700-R2200	10	12.7%
R2200 or above	24	30.4%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015

Table 7 depicts that most respondents from community A (Lokaleng) fall within the income level of R900-R1600 which is 42.7%. In Disaneng, on the other hand, the majority of respondents (32.9%) fell within the same income level as in Lokaleng. This income range presented in the above table shows that most of the people in both communities cannot afford western formal conflict resolution mechanisms such as courts because it is expensive as supported by Choudree (1999: 243) and Mimiko (2010:12:34). This result is further supported by Babyegeya (2002:220), who argues

that inadequate financial resources is one of the main causes of conflict. Babyegeya argues that the scarcer the supply of resources relative to the amount needed by rival parties and the more important the resources are to them, the greater the likelihood of a conflict developing and for its intensity to increase. In the above communities according to the researcher, scarce financial resources such as money, tend to increase the occurrence of conflict through debts.

4.2.6. Head of household

The need to look at the head of households was actuated by the fact that, according to Glowacki and Gonc (2012: 31) and Isike and Uzodike (2011:24), women were neglected in the role of conflict resolution and the African indigenous system is mostly seen as patriarchal in nature with men always at the fore. The researcher disagrees with the above authors because in Lokaleng and Disaneng, women are part of the traditional council where conflicts are resolved.

Table 8: Head of household

Community A: Lokaleng		
Head of Household	Frequency	Percentage
Male	48	64.0%
Female	27	36.0%
Total	75	100
Community B: Disaneng		
Male	52	65.8%
Female	27	34.2%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015

From the above table, 64% of male make up the head of households in Lokaleng while 65% of male also constitute the head of the household in Disaneng. Thus, in both communities a majority of households are headed by the males, as supported by the above Glowacki and Gonc (2012: 31). The importance of heads of household is seen in the role they play in conflict resolution processes in the study areas.

4.2.7. Number of people in household

It is axiomatic that for conflict to exist; there must be people living or working together, for instance, in households. This view is supported by Mathew and Robert (2014:60). Thus, the need to find out from respondent's how many of them live in a household, creating a space for conflict to arise. This is as shown in Table 9 below.

Table 9: Number of people in household

Community A: Lokaleng		
Number of people in household	Frequency	Percentage
1-2	9	12.0%
3-4	33	44.0%
5 or more	33	44.0%
Total	75	100
Community B: Disaneng		
1-2	12	15.2%
3-4	38	48.1%
5 or more	29	36.7%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015

In Lokaleng as seen from Table 9, the number of people in the household constituted about 44% which fell between 3-4 persons and was same as households with 5 and more people. In Disaneng on the other hand, the majority of the households were made up of 3-4 persons, which was about 48.1%. This implies that the existence of people in such a good number per house, which usually included both the immediate and extended family meant that conflict situations were inevitable as pointed out by Tsongo, (2012:1).

4.3. Types and causes of conflict

Conflict exists in both communities and the world at large and can be of different types as identified in the literature review. These conflict types include: domestic, thefts, adultery, fornication, rape, scarce resource, and blood revenge conflicts. In order to get a clearer picture of what types of conflict existed and what their causes were in Lokaleng and Disaneng, the researcher started by finding out if respondents were members of the community where study was done.

4.3.1. Community membership

In order to get more reliable information pertaining to the objectives of the study, the researcher saw the need to sample and ask respondents if they were actually community members so as to avoid situations where they could be visitors (people who are not indigenous to the research site but are there for some reason) and thus, their knowledge of conflict could be different from what was actually on the ground in the study areas. This was relevant in that not all communities see conflict from the same lens as spelt out by Boone (2013: 75) and supported by the researcher.

Table 10: Community membership

Community A: Lokaleng		
Member of Lokaleng	Frequency	Percentage
Yes	73	97.3%
No	2	2.7%
Total	75	100
Community B: Disaneng		
Yes	78	98.7%
No	1	1.3%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015

As highlighted from Table 10, 97% of respondents said that they were members of Lokaleng while in Disaneng, 98.7% of respondents were also members of the community. This implies that the data collected was relevant to the various type, causes and processes of resolving conflict in the said research areas (Boone, 2013: 75).

4.3.2. Knowledge of conflict

In order to find out about the existence of conflicts, the people whose majority made up members of the communities (as seen from Table 10) were asked if they had knowledge of conflict.

Table 11: Knowledge of conflict

Community A: Lokaleng		
Knowledge of conflicts	Frequency	Percentage
Yes	69	92.0%
No	6	8.0%
Total	75	100
Community B: Disaneng		
Yes	76	96.2%
No	3	3.8%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015

Table 11 highlights that 92% of respondents from Lokaleng had knowledge of what constituted conflict while in Disaneng, an even higher percentage (96.2%) concurred that they were aware of conflict. This implies that in cases of conflict, people could easily ascertain what the conflict was and turn to existing structures for resolution and management as supported by Jeong (2010: 46) and Galtung (2015: 169). This knowledge of conflict also means that conflicts actually exist in Lokaleng and Disaneng communities as determined by respondent's views.

The next section presents the views of conflict and discusses types and causes of conflict as explained by respondents from both communities.

4.3.3. Defining conflict

The term conflict was given different meanings by respondents in both Lokaleng and Disaneng communities. Several themes emerged that reflected the research

participants' understanding of the meaning of a conflict situation in their respective communities. In Lokaleng conflict was defined during the focus group discussion to mean the unrests that arise when people residing in this community do not get along with each other. Not getting along with members in a household, for instance, is conflict and having totally different ideas on different aspects is also an added view of conflict. Another community member puts it this way "...when members of the community do not feel the same way about/towards something it escalates into or becomes conflict..." One member of the Lekogtla also noted when responding to and adding to the above view of conflict:

"Yes, conflict really starts within a household and spreads to neighbours and then the community at large. If you and your neighbor are not getting along then that is conflict because you all do not want to listen to what the other has to say.

Conflict is a disagreement between two or more people which results in tension that might affect their relationship. This tension usually has a negative effect on such parties" (Interview, Anonymous, Lokaleng: 2015).

In Disaneng, conflict was defined during the FGD as a situation whereby there was absence of peace among people and also lack of understanding between two or more people put thus, "*ke kgogakgogano magareng ga batho le go tlhoka kutlwano*". Conflict was further seen as the misunderstandings and misinterpretations that people encountered on a daily basis among themselves as implied from "*ke kgotlhang kgotsa kgoga kgogano*". One member of the traditional council noted in addition to the above that:

"I really do not like it (conflict). Lack of mutual understanding between community people sets us back as a community, we should be able to move

forward together and help each other, other than consistently being in conflict.

“*Ga ke rate*”-“I don’t like it (conflict)” (Disaneng, FGD, 20 October, 2015).

Another participant explained conflict to include, subjective elements such as attitudes (good or bad...) which are usually part of a family especially when the young ones fail to respect the elderly... and this tends to create animosity among members in a household, thus conflict...(Disaneng, FGD, 20 October, 2015).

This definition of conflict as postulated by both communities is supported by (Slabbert, 2004:45), who is of the opinion that conflict has demonstrated itself in diverse formats for a long period of time. Ngaillah (2004: 6), supports these definitions when he notes that conflict therefore, is the process in which one party sees its interests as being opposed or negatively affected by another party. The researcher argues that it is important to note that in this process, cultures, attitudes, values, and styles play an important part in deciding whether conflict leads to beneficial or destructive outcomes in indigenous communities (Lokaleng and Disaneng).

4.4. Types of conflict

After confirming the existence of and defining conflict, the researcher asked the respondent’s to mention the types of conflict(s) that existed in their communities. Thus, during focus group discussions, members were free to mention as many types of conflicts as possible.

In Lokaleng, types of conflict included mostly:

- Conflict between lovers, misunderstandings and also jealousy are the types of conflict that regularly exist in this community.

- Another type also included conflict over resources, more especially natural and scarce resources. This was a very common type of conflict in this community and as such caused a lot of conflict between community members.
- In explaining further, it was noted that people often fought about issues of agriculture. This was supported by a member of the Lekogtla who in emphasizing explained thus, “As a matter of fact we have a case that we are handling as we speak at the moment, and it is about farming space. Two people are fighting over a big piece of land used for growing crops”.
- Family conflicts. Disagreements which arise between families and disagreements among couples.
- Animal trespassing into other community member’s property.
- Conflict amongst neighbours.
- Boundary encroachment.
- Alcohol and drug abuse.

Besides the above stated as types of conflict in Lokaleng, in Disaneng the following types were stated to include;

- a) Differences in opinions ranging from communities’ moral values.
- b) Differences in understanding.
- c) Disagreements in households: between, for example, parents, brothers, sisters, uncles and aunts.
- d) Disputes over traditional leadership.
- e) Children fights over authority in household.

In support of the above and driven by rising tempers and intentions to inflict pain, hurt or cause fear to each other; two or more individuals, or groups of individuals

may use different forms of aggressive language such as shouting, insulting, verbal threats, abusive language and accusations or physical aggression such as pushing or beating or even stop talking to each other; or cause damage to each other's property. These, according to research participants, are the different forms in which conflicts manifest. Disputes, in this context, are associated more with intensive verbal rather than physical aggression and do not often result in injuries or serious damage to property, but may have serious psychological impact. The following quotes from FGD reports provide evidence for these statements:

"...conflicts are associated with rising tempers, people shout at each other there is aggressive noise and there could be physical encounters... (Interview, Chief of Lokaleng, 23, October 2015)".

"...I tried to apologize but she kept on shouting and insulting me. I lost my temper and slapped her on her face... She became totally uncontrollable with anger trying to fight back, but my friends advised me to go away...we did not talk to each other for more than three days... (FGD, Lokaleng, 15 October 2015)."

"...disputes are associated with high tempers, verbal clash, quarrels and sometimes physical confrontations..." (FGD, Disaneng, 25 October 2015).

"...disputes may be associated with physical aggression, for instance, boys pushing or fighting each other; sometimes parents beating their children..." (FGD Disaneng, 25 October 2015).

The results of the data analyses from the two communities revealed that disputes commonly occurred between husbands and wives, people at beer parties, between households competing over pieces of land et cetera. Disputes also occur between

individuals or families because of accusations of witchcraft and between individuals or families competing over chieftainship.

The various types of conflicts existing in Lokaleng and Disaneng according to a majority of the respondents discussed during the FGD, were supported by Ellis and Anderson (2005:16), who submits that there are three types of conflict. They are (a) interest conflicts which stem from scarcity, (b) value conflicts which stem from cultural differences and (c) cognitive conflicts which stem from either misunderstanding, disagreement over facts or differing world views or ideas about how to achieve results. Tillett and French (2005: 12) and Tillett (1999: 45), also identified types of conflict which are determined on the basis of relationship with categories blistering out from the individual. Such conflicts include domestic relationship, family, neighbourhood, employment, commercial, consumer, environmental, multiparty and international conflicts. Most of these types of conflicts as discussed by the above were identified to exist in Lokaleng and Disaneng communities.

4.5. Causes of conflicts

Apart from substantiating the existence and types of conflicts in Lokaleng and Disaneng in the North West Province, the researcher also asked about the causes of conflict in Lokaleng and Disaneng and asked the respondents to discuss these causes in their respective communities; this was done during the FGD's with respondents mainly being part of the traditional council (*Legotla*).

Among the Batswana's of Lokaleng and Disaneng, perceptions of differences in opinions, interests, needs, language tone and actions between two or more individuals or groups of individuals were considered as normal and part of everyday

life. They were also alleged as the starting points for expressions of conflict situations. The following passages from FGD from the two communities demonstrate these claims:

“...where there are two or more individuals, such as husband and wife....men and women... there are always differences in opinions, interests and needs... this may eventually grow into conflict...” (FGD, Lokaleng, 15 October 2015).

“...people differ in many ways - looks, opinions, interests, tolerance levels...” (FGD, Lokaleng, 15 October 2015).



“...people differ in opinions, thoughts, and interests...this happens very often even here where we are...though part of life, these differences may result in conflicts...” (FGD Disaneng, 25 October 2015).

“...where there are two or more people, they always differ in opinions, arguments, debates, interests... these happen all the time...if not controlled, such differences may result in conflict...” (FGD Disaneng, 25 October 2015).

According to the respondents' understanding, differences or perceived differences become a major cause for worry for individuals or a community if these differences are associated with uncontrolled temper or anger as the following extracts from the FGD's demonstrate. An elder of the traditional council in explaining the causes of conflict in Lokaleng highlighted that:

“They (conflicts) are usually caused by lack of understanding, lack of brotherhood (love) because usually when one person makes a mistake, the other party does not want to listen to the explanation of the one who is wrong, they just usually attack him/her and sometimes these attacks are caused by jealousy and are mostly verbal, and fueled with insults. Again sometimes the

one who made the mistake does not want to accept that he wronged other people, so instead he chooses to be in conflict with them, especially those who have a lot of money, they like to believe that they are untouchable” (FGD, Lokaleng, 15 October 2015).

This lack of understanding tends to strain the relationship between members in conflict, especially because, the more people relate with each other, their views always tend to differ.

Another council member added that lack of respect and disagreements are also causes of conflict in Lokaleng by stating that:

“Definitely, disrespectfulness is a cause for conflict. Community members in some instances fail respect one another. Not being on the same page is also a challenge because in order to have an agreement and do away with conflict people have to be on the same page, so difference in attitude causes some of these conflicts.” (FGD, Lokaleng, 15 October 2015).”

These differences are associated with temper, and if left uncontrolled, grow into non-violent conflicts, which destroy the good relationships between individuals in our community as noted by one elder. (FGD, Lokaleng, 15 October 2015). “...if perceptions of differences are not controlled they may result in a dispute between the opposing sides... (FGD, Lokaleng, 15 October 2015).”

“...though part of life, perceived differences become a concern when they result in disputes...” (FGD Disaneng, 25 October 2015). “...these happen all the time...if not controlled differences may result in conflict...” (FGD Disaneng, 25 October 2015).

In both communities, however, these differences were reflected as important for positive changes to occur in their communities. In addition, the differences were

perceived to create the necessary diversity, which made the community interesting.

Quotations from FGD's provide evidence for these claims:

"...without such differences we cannot change for the better... remarked by one young woman" (FGD, Lokaleng, 15 October 2015).

"...it is normal and healthy that people or parties differ...that is what brings in creativity. The world would be boring if we all were similar in everything..." one elder explained (FGD, Lokaleng, 15 October 2015).

"...conflicts are associated with high tempers, verbal clash, quarrels and sometimes physical confrontations..." (FGD, Disaneng, 15 October, 2015).

"...disputes may be associated with physical aggression, for boys such as pushing or fighting with each other and sometimes parents beating their children..." (FGD, Disaneng, 15 October, 2015).

Swearing is a cause of conflict whereby people insult each other by word of mouth. Added to this are criminal activities like theft. That is taking someone else's property with the intension of making it your own and without the owner's approval and as such, there tends to be conflict among such parties even in cases where such acts where perpetrated by children in different families.

In Disaneng on the other hand, a community member noted that, "conflicts are usually caused by lack of understanding among family members. This usually happens in a situation where, when one person makes a mistake, the other party does not want to listen to the explanation of the one who is wrong, they just usually attack him/her and sometimes these attacks are caused by jealousy. Again sometimes the one who made the mistake does not want to accept that he wronged other people, so instead he chooses to be in conflict with them, especially those who

have a lot of money, they tend to believe that they are untouchable” (FGD, Disaneng, 25 October, 2015). The following extracts also added to the causes of conflict in Disaneng:

“Moral values have been eroded, people expecting you to leave in a certain manner and you not agreeing turns to be a problem.”(FGD, Disaneng, 25 October, 2015).

“...even children, they usually cause conflict, especially when it comes to issues of love *“banaba bajola mmeba re losarele batsadi”*... (FGD, Disaneng, 25 October 2015).

Another elder in supporting the above noted that, “children are the most common cause of conflict in this community because they are the ones who are always on the streets and doing their things there, and when their things backfire you find that we as parents take sides and back our children not knowing if they are in the wrong and that causes conflicts between families and neighbors. In addition, disrespect also impacts and causes conflict between elders” (FGD, Disaneng, 25 October 2015).

“Even owning and managing livestock is a major cause of conflict among us; you find that I have chickens and as you know chickens walk everywhere; they might end up in the neighbor’s yard and the neighbors might hit the chickens with rocks, that might not sit well with me thus causing us to quarrel, thus, conflict” (FGD, Disaneng, 25 October 2015).

Conflicts over livestock theft, Lobola (Bride price/dowry) negotiations and disagreements over boundaries and farming land disputes were stated to be reasons for the existence of conflict in Lokaleng. The researcher notes that conflict is rife among community members in Lokaleng and Disaneng. These conflicts can be

caused by different circumstances and in some instances, tension remains between parties even after resolving the conflict. These views of different types and causes of conflict as explained by respondents' supports the need by the researcher to look at the processes of resolving these conflicts.

The above views on causes of conflicts concur with those of Lederach (2003:18), when he perceives conflict as the motor of change which keeps relationships and social structures honest and alive and dynamically responsive to human needs, aspirations and growth. These causes are further supported by Mengesha *et al.* (2015: 87,) who notes that many deeds and explanations in the daily activities of the society are considered to be crimes regarding the norms and traditions of such people, for instance beating of an elder. NADRAC (2006: 7) contends the above views by noting that, although indigenous dispute resolution needs vary widely, disputes involving indigenous people tend to be more complex, involve a larger number of people, comprises a series of overlapping issues and evolve over a longer period of time when compared to non-indigenous groups. Thus, causes are not as identifiable and defined as is the case with the formal legal system.

4.6. Awareness of conflict resolution mechanisms

After looking at the types and causes of conflicts in Lokaleng and Disaneng communities, the researcher went further to investigate from respondents if they were aware of the existence of conflict resolution mechanisms with peculiarity to the indigenous ones. Unless these respondents are knowledgeable, they will not make reference to such mechanisms.

Table 12: Awareness of mechanisms

Community A: Lokaleng		
Existing Mechanism	Frequency	Percentage
Yes	28	37.3%
No	46	61.3%
Neutral	1	1.4%
Total	75	100
Community B: Disaneng		
Yes	29	36.7%
No	47	59.5%
Neutral	3	3.8%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015.

Table 12 depicts that, respondents of Lokaleng community had knowledge on the existence of conflict resolution mechanisms in their community, which makes it easier for them to make reference to it when in cases of disputes. In Lokaleng, 37.3% of the population agreed to having such knowledge while in Disaneng community, a lower percentage of only 36 had such knowledge. The lesser knowledge of community members in Disaneng relating to conflict resolution mechanisms in the researchers opinion poses a challenge with reference to use of these mechanisms. Fewer community members will therefore make use of these mechanisms.

4.7. Conflict resolution processes

After knowing that respondents possessed knowledge on the existence of conflict resolution mechanisms, the next question posed was to get a concrete understanding of the processes of resolving conflicts.

Table 13: Resolution processes

Community A: Lokaleng		
Resolution processes	Frequency	Percentage
Arbitration	20	30.0%
Mediation	30	40.7%
Negotiation	15	16.2%
Dialogue	10	13.1%
Total	75	100
Community B: Disaneng		
Arbitration	31	35.2%
Mediation	28	30.0%
Negotiation	13	22.7%
Dialogue	07	12.1%
Total	79	100



Source: Field Research in the Selected Study Areas in the North West Province, 2015.

As displayed on the above table, a majority of respondents in Lokaleng community noted that during conflict resolution, the most used process by role players such as chiefs and family heads, in different structures during a conflict resolution process is

mediation 40.7%. Other processes included arbitration 30%, negotiation 16.2% and dialogues 13%. In Disaneng, on the other hand, the use of arbitration 35.2% in the process of conflict resolution was higher than mediation 30%, negotiation 22.7% and dialogue 12.1%. This implies that, the processes of resolving conflicts mostly involve third party involvement. As postulated by the World Bank (1998: 6), indigenous knowledge provides the basis for problem-solving strategies for local communities and it is more efficient, saves time and more users friendly.

4.8. Role players in resolution process

In the above identified processes of conflict resolution among the people of Lokaleng and Disaneng, it is important to look at the various parties or structures involved in such processes.

Table 14: Role players

Community A: Lokaleng		
Role Players in Resolution	Frequency	Percentage
Family Heads	26	34.7%
Traditional councillors	24	32.0%
Chiefs	23	30.6%
Neutral	2	2.7%
Other	0	0.0%
Total	75	100
Community B: Disaneng		
Family Heads	17	21.5%

Traditional councillors	43	54.4%
Chiefs	16	20.3%
Neutral	3	3.8%
Other	0	0.0%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015

As highlighted in the above table, the various structures involved in the process of conflict resolution in Lokaleng community is made up of family heads (34.7%), traditional councillors (32%) and Chiefs (30.6%). In Disaneng community on the other hand, traditional councillors (54.4%) had the most role to play in dispute resolution, followed by family heads (21.5%) and lastly the Chiefs (20.3%). As indicated by the above figures, most conflicts are resolved mostly by the traditional councillors and family heads. This means that, most conflicts are non-violent in nature and are also within the family and community. It is only when people in conflict are not satisfied with these structures that they can go to the chief or other non-indigenous structures.

4.9. Incorporation of both processes

With the existence of both western and non-western processes and mechanisms of resolving conflicts in contemporary South African and the world at large, it was important to get the opinion of respondents, whether both processes can be incorporated in Lokaleng and Disaneng communities in order to support the need for re-appropriation.

Table 15: Incorporation of both processes

Community A: Lokaleng		
Process Incorporated	Frequency	Percentage
Yes	48	64.0%
No	25	33.3%
Neutral	2	2.7%
Total	75	100
Community B: Disaneng		
Yes	49	62.0%
No	27	34.2%
Neutral	3	3.8%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015

As presented in the above table, a majority of respondents in Lokaleng community (64%) were of the opinion that, both indigenous and western processes be incorporated and used alongside each other. In Disaneng community, respondents view incorporation in the same light as those in Lokaleng, with a majority 62% accepting that both processes be used together. This implies that, although the indigenous mechanisms and processes of resolving conflict had been seen by some as old/local and out dated, indigenous people still wants to make use of it as supported by Eyong (2007:123).

4.10. Benefits of indigenous processes

With a majority of respondents supporting the continuous use of indigenous processes of conflict resolution alongside the western, it was imperative to know from them what benefits were attached to this process.

Table 16: benefits of indigenous ways

Community A: Lokaleng		
Benefits of Indigenous ways	Frequency	Percentage
Save time	27	36.0%
Less Punishment	28	37.3%
Cheaper	20	26.7%
Total	75	100
Community B: Disaneng		
Save time	30	38.0%
Less Punishment	19	24.1%
Cheaper	27	34.2%
Neutral	3	3.7%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015

As Table 16 displays, most respondents in Lokaleng community noted that indigenous processes of conflict resolution provide less punishment (37.3%), saves time (36%) and are cheaper (26.7) than the formal western system. Meanwhile in Disaneng community, the importance of indigenous processes was noted to be time efficient (38%), cheaper (34.2%) and lastly, less punishment (24.1%) was seen to

accrue from it. It is evident according to indigenous people from the study areas, they still make use of indigenous processes as they still have some positive impacts as corroborated by Mimiko (2010:12:34). The researcher argues therefore that there is need for encouraging the use of indigenous processes in these communities of Lokaleng and Disaneng.

4.11. Challenges within indigenous process

After discussing the positive impacts of indigenous processes on the communities, the researcher went ahead to look at the challenges that plague the process.

Table 17: Challenges

Community A: Lokaleng		
Challenges	Frequency	Percentage
Yes	54	72.0%
No	20	26.7%
Neutral	1	1.3%
Total	75	100
Community B: Disaneng		
Yes	61	77.2%
No	15	19.0%
Neutral	3	3.8%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015.

Table 17 indicates that, indigenous processes of conflict resolution in Lokaleng communities are faced with challenges. A larger number of respondents from community A (72%) accepted the existence of challenges with this process. In Disaneng community also, a majority of respondents (77.2%) also held the view that indigenous mechanism has its own challenges. This means that, even though respondents noted that there were benefits of indigenous processes of conflict resolution, this process was still faced with some challenges. It is from these challenges that improvements can be made to better indigenous processes of resolving conflicts in Lokaleng and Disaneng.

4.12. Moral values

Indigenous knowledge generally develops and grows from practices of people, not excluding the way they resolve conflicts. These developments of cultures are intertwined with the moral values of such indigenous people.

Table 18: Moral values

Community A: Lokaleng		
Moral values	Frequency	Percentage
Neutral	1	1.3%
Cooperation	9	12.0%
Respect	12	16.0%
Obedience	0	0.0%
Peace	27	36.0%
Violence	0	0.0%
Sharing	2	2.7%

Friendliness	3	4.0%
Forgiveness	20	26.7%
Disrespect	0	0.0%
Others	1	1.3%
Total	75	100
Community B: Disaneng		
Neutral	3	3.8%
Cooperation	10	12.7%
Respect	15	19.0%
Obedience	3	3.8%
Peace	20	25.3%
Violence	1	1.2%
Sharing	4	5.1%
Friendliness	0	0.0%
Forgiveness	23	29.1%
Others	0	0.0%
Total	79	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015.

Table 18 indicates that, in Lokaleng community a larger number of respondents highlighted that moral values such as peace (36%), forgiveness (26%), respect (16%) and co-operation (12%) were greatly required in the process of resolving conflicts. In Disaneng community, moral values included forgiveness (29.1%), peace (25.3%), respect (19%) and co-operation (12%). The role and importance of moral

value in indigenous conflict resolution processes has been elaborated by Omisore & Abiodun (2014:130) and also supported by Prozesky (2009:3), who described moral values as, "lived and practised beliefs about right and wrong, good and evil". It is these beliefs as expressed by respondents above that guide these processes. Besides guiding the way conflicts are resolved, moral value also stands as a conflict prevention technique instilled in community members in order to avoid conflicts. For example, respect for one another will prevent community members from insulting each other. This means that should the moral values pertaining to Lokaleng and Disaneng be taken seriously during conflict resolution processes, conflicts can be avoided.

4.13. CHAPTER CONCLUSION

This chapter looked at the socio-demographics of respondents who participated in the study. Respondents' perceptions on the knowledge of conflict were identified, respondents' views as to what conflict was, the types and causes were also dealt with in this chapter. Furthermore, respondents' views in relation to the various processes of conflict resolution, role players in conflict resolution and the need for incorporation of both processes were presented and discussed. In addition, benefits and challenges facing the indigenous process were presented and discussed. Lastly, moral values pertaining to conflict resolution were identified in this chapter with the implications of respondents' views to the study. The views of respondents were stated in this chapter regarding the above headings which, except for types and causes of conflict, are discussed in the next chapter.

After discussing the existence, types and causes of conflicts that exist in the communities of Lokaleng and Disaneng, the next chapter looks at how these

conflicts are resolved. The role players, the structures and the conflict resolution processes in Lokaleng and Disaneng communities are also discussed in the next chapter.

CHAPTER 5: INDIGENOUS STRUCTURES AND PROCESSES OF CONFLICT

RESOLUTION IN LOKALENG AND DISANENG

“Learning to forgive is much more useful than merely picking up a stone and throwing it at the object of one’s anger, the more so when the provocation is extreme. For it is under the greatest adversity that there exists the greatest potential for doing well, both for oneself and for others” Dalai Lama in (Braithwaite, 2002:3).

5.1. INTRODUCTION

Society cannot grow without resolving the problems that plague it. Practices of resolving conflicts in an indigenous manner can differ even within same communities based on the existence of different clans with conflicting cultural views and moral values. Lokaleng and Disaneng communities have designed dynamic structures based on their social, political and economic situations, and also on outside influences either from neighbouring communities or conflicting cultures as explained by Boege, (2011: 24). After discussing the existence, types and causes of conflicts that existed in the communities of Lokaleng and Disaneng communities, it was of essence to look at how these conflicts are resolved, who plays what role and what processes are being followed to attain social justice for members in the above communities.

In achieving this objective, qualitative data was obtained using focus group discussions in both communities. The benefit of using focus group discussion in this study included gaining insights into people’s shared understandings of everyday life relating to conflict resolution. The main purpose of using focus groups as already observed was to draw upon respondents’ attitudes, feelings, beliefs, experiences and reactions in a way that would not be feasible using other methods, for example

observation, one-to-one interviewing, or questionnaire surveys.(Bless *et al.*, 45; Kumar, 2011).

Focus group participants were the same as in objective one (chapter title), namely 40 respondents. This approach was used in order for the researcher to find out the past and present methods/processes of resolving conflicts in both communities in order to enable new strands of discussion to emerge (Kothari, 2006: *ibid*). Unstructured questionnaire as in ANX 1 which were self-administered questionnaires were also used for this objective and key participants comprised of a member from the traditional and local governance (1) who was involved and had knowledge on conflict traditions, a member from the traditional Council (1), Chiefs (2), Council of Elders (2), Indigenous knowledge holders (2) making a total of 8 from authorities.

This data was analysed using ATLAS.ti version 7 so as to obtain qualitative data for this objective and responses were presented as explained in chapter 4.

In this chapter, indigenous approaches to conflict resolution and peace building are discussed, supported by evidence gathered during data collection and most especially through Focus Group Discussion (FGD). Thus, the mechanisms of resolving conflicts as attained from research communities were discussed.

5.2. Role players in indigenous conflict resolution

The researcher started by trying to answer what role players for instance, chiefs and family heads, were in place when resolving conflicts. To know the role players, respondents were posed this question (who is role players) in order, to get a clearer understanding. The following table shows the response.

Table 19: Role Players in conflict resolution

Community A: Lokaleng		
Role Players in conflict Resolution	Frequency	Percentage
Family Heads	26	34.7%
Traditional councillors	24	32.0%
Chiefs	23	30.6%
Neutral	2	2.7%
Other	0	0.0%
Total	79	100
Community B: Disaneng		
Family Heads	17	21.5%
Traditional councillors	43	54.4%
Chiefs	16	20.3%
Neutral	3	3.8%
Other	0	0.0%
Total	75	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015.

In Lokaleng community as presented in table 19, family heads (34.7%); traditional councillors (32.0%) and Chiefs (30.6) make up the most active role players in the conflict resolution process. On the other hand, in Disaneng community traditional councillors (54.4%) were most active followed by family heads (21.5%) and chiefs (20.3%) in the processes of resolving conflicts. This implies that the traditional

authority, traditional councillors and family heads play a crucial role in conflict resolution. The important role played by these actors is embedded in the fact that most of the conflicts start from the family level before going to the traditional councillors and then to the Chiefs. This view is supported by Zartman (2000:43), who noted that the most important elements involved in the indigenous conflict resolution mechanism include the tradition of forgiveness, respect for elders because of their symbolic authority to enforce decisions and transfer of resource as compensation. The researcher supports the point that indigenous role players remain very essential in conflict resolution processes in Lokaleng and Disaneng communities.

5.2.1. Role players and role played in conflict resolution

The actors in conflict resolution in these communities (Lokaleng and Disaneng) depend on the social organisation of the Batswana community. These actors include the following;

5.2.1.1. Family head: At the lower family level are the *batsadi ba lolwapa* (family elders), the *batshereganyi* (headmen of record), *dikgosana* (headmen), *meomela kgosi-kgolo* (the chief's representative) and lastly, the *Kgosi-Kgolo* (paramount chief).

During the FGD's family heads were noted to be involved in dealing with conflicts that had a family nature for instance, "lobola" which is bride price negotiations upon the marriage of a female. One elder noted that, conflicts tend to arise from this because women were not often allowed to participate in such negotiations (FGD, Lokaleng, 15 October 2015) and (FGD Disaneng, 25 October 2015).

Another elder noted that, family heads depend on the structure of the family and the head of household means the father and the mother and they are the family elders.” Another elder added that, family heads included aunts and uncles but they were mostly involved in cases of marital conflicts. Usually these aunts and uncles “*borakgadi le bomalome*” are the decision makers within the family level. In the family, everything goes through them and they have to decide if it is fair before passing it to the family at large. In these cases, they will mediate and find a way of resolving disputes which arise from adultery and lack of trust (FGD Disaneng, 25 October 2015). Putnam and Alone (2000: 78), support the above assertions by noting that the institution of the elders is one of the crucial institutions for conflict resolution in most African societies. The role played by family heads according to the researcher, remain very important at the level of family conflict resolution.

5.2.1.2. Traditional Councillor: This set of role players is involved at the level of the community unlike the family heads. Traditional councillors mostly deal with cases which could not be settled at the family level and are then brought forth to the councillors who then listen to the parties involved in dispute and then mediate or arbitrate the case at hand and then come to a unanimous decision. In Lokaleng community, there are about 25 tribal councillors excluding the chief who are present during a hearing. One participant specified that the council was gender inclusive with both male and female represented and youths were not left out. *Ga re tswalle bo mme kwantle*” meaning, we don’t push women aside. (FGD, Lokaleng, 15 October 2015).

5.2.1.3. Chief: The chief is the head of the entire village and is the highest level of the tribal leadership that intervenes in violent conflicts. All cases of conflict if not resolved or if parties are dissatisfied with the outcome at the family level, they can

take their cases before the Chief. He works with the council of elders and decides cases from minor to major conflicts in their communities. He has the final say in most conflict cases and is seen as the highest authority in the land.

In Disaneng community, there is the *Radikgono-Ralekogtla* referred to as “the one born into the position of chieftaincy” who is part of the conflict resolution structure. Headmen are normally from the royal house too (born to be chiefs). The *Rehekogtla* plays the role of administrator and records down everything that was discussed during a case hearing and during normal meetings. There are also the traditional councillors comprising about 20 members from different walks of life and the Chief (FGD, Disaneng, 25 October 2015).

In Lokaleng community, this structure comprises of the traditional Councillors constituting 25 members, including a chair, secretary and the Chief (FGD, Lokaleng, 15 October 2015). Similarly, as regards the role players in a conflict case in Lokaleng community, it was further highlighted by one participant during the FGD that there are complainants and the accused with no formal representation unlike in the formal courts (FGD, Lokaleng, 15 October 2015).

5.3. Existing institutions for conflict resolution

According to the researcher, it was of essence to find out from participants if they had indigenous conflict resolution mechanisms in Lokaleng and Disaneng communities. After stating the role players and discussing the role they played in resolving conflicts, the scholar went forth to interrogate the types of mechanisms that are used for this process of resolving and maintaining peace and social justice in these communities.

Table 20: Knowledge of existing mechanisms

Community A: Lokaleng		
Existing Mechanism	Frequency	Percentage
Yes	29	36.7%
No	47	59.5%
Neutral	3	3.8%
Total	79	100
Community B:Disaneng		
Yes	28	37.3%
No	46	61.3%
Neutral	1	2.3%
Total	75	100

Source: Field Research in the Selected Study Areas in the North West Province, 2015.

As noted in table 20, a lower number of respondents had knowledge of the existing indigenous conflict resolution mechanisms in their communities. In Lokaleng community, about 36.7% of respondents had knowledge of the existence of indigenous conflict resolution mechanisms. In Disaneng community on the other hand, it was 37.3% of respondent who agreed to have knowledge on existing indigenous conflict resolution mechanisms. This implies that even though these mechanisms do exist they are still less number of respondents in both communities who have knowledge of their existence and thus less use is made of these mechanisms. Zeleke (2010: 63-64), who postulates that besides the fact that these actors and mechanisms exist, most actors in African processes of conflict resolution

are less or not trained at all, unlike actors in the western system that are educationally trained for resolving conflicts. Lack of knowledge entails that community leaders should train and make these processes known to members of Lokaleng and Disaneng communities, supporting the need for re-appropriation.

5.3.1. Existing institutions: the family and communities

In order to find out how conflict was resolved, it was necessary to know the institutions that were used for resolution and also the various processes involved. In so doing, this was achieved during the FGD with members of the traditional council in both communities. Among the Batswana's, indigenous conflict resolution runs parallel to the formal justice system. Indigenous conflict resolution in Lokaleng and Disaneng communities are based on the norms and practices of the people.

The family and the traditional court were identified as institutions for resolving conflicts in both communities.

5.3.1.1. Institution of the family

The most important and basic unit of socialisation in traditional South Africa is the extended family. Status within a given society was divided along gender and age lines, where the family unit was not only seen as a social unit but it is also a security system as almost, if not, every member of the family is dependent on lineage for socialisation. The importance of family as a mechanism for conflict resolution was further earmarked by some participants who noted that:

"...in our community, one cannot do with the family because they are the ones that uphold values and every family has its name by which its members are recognised

and in times of conflict, the elders come to look for solutions. This is in order to maintain the strength of such family” (FGD, Lokaleng, 15 October 2015).

The focus group discussion participants explained that the majority of the local community in Lokaleng use family elders to solve disagreements within families. The locally accepted elders are the main actors to solve local family conflict and the society also accepted these elders. The idea of this focus group discussion is similar to what Ewa (2006: 23), advocates that marginalized and poor people are the main users of indigenous conflict resolution mechanisms. It indicates that conflict resolution via local conflict mediators is preferable to using the formal system or court in the study areas. The researcher supports the fact that family heads, be it male or female, plays a significant role in resolving disputes.

Participants in the FGD also explained that the initial conflict and problem resolvers were the “headmen” of the lineages or the eldest son or patriarch of families in their communities. This is supported by Volker (2007: 45), who stresses the importance of headsmen in conflict resolution. In the process of using the family to resolve conflicts, one participant elaborated the process used by family heads thus:

“...they resolve conflicts by sitting on the grass together to settle disputes through restoration of social harmony; truth seeking, punishing perpetrators and compensating victims through gifts...This process uses the value of ubuntu whereby, it is assumed by family elders that if one person is not in agreement with the other, the family cannot be happy”... (FGD, Lokaleng, 15 October 2015).

The researcher notes that this process however, has as its main aim to ensure social harmony between lineages and social order in the study areas.

In the light of family disputes, one elder in council held that such disputes are resolved depending on whether it is a monogamous or polygamous family. Conflicts arising from a polygamous family are resolved by elders who are in a polygamous union. A man or women from a monogamous family cannot preside over disputes from a polygamous home because as noted by one elder, they will not understand the dynamics of a polygamous family and might tend to be biased in their judgements. Putting it in a clearer picture, one elder in Disaneng community said:

“...If a man in a polygamous home had a dispute with one of his subsequent wives, the parents of that particular wife would be asked by the elders of the family to correct their child. The rationale being that it is the subsequent wife who is at fault with the husband because he has lived peacefully with the other wives. This is also the same in a case where the wife according to the husband is at fault and has a problem with her co-wife.” (FGD, Disaneng, 25 October 2015).

In another example, one member commented that, where a man has committed adultery with another man's wife, it is the parents of the wife who would be asked to pay a penalty of a sheep to the husband's family. The essence of this process is that the wife had caused shame to her husband by sleeping with another man. The man, who committed adultery with another's wife, would also pay a fine (FGD, Lokaleng, 15 October 2015). In the case of a monogamous family, conflicts are resolved by elders of the monogamous family as it is the case of the polygamous family explained above.

Usually, as emphasised by one participant, 'the first level of dispute resolution is the family and if the dispute remains unresolved or parties are not satisfied with the



outcome, the matter can be taken to the ward leaders and their advisors. (FGD, Lokaleng, 15 October 2015).

5.3.1.2. Institution of the Traditional Leaders

Like most African countries, South Africa has a pluralistic legal system. This legal system has allowed customary law, based on practices and customs of the people, to be used in traditional courts. The main aim of the traditional court is to resolve conflicts in a manner that restores social balance and thus social justice is achieved. FGD participants explained that, the main actor in the traditional justice system was the traditional leader of the community, often known as the chief (*Nkosi*) (FGD, Lokaleng, 15 October 2015).

Historically, dispute resolution in South Africa was governed by the customs and practices of the different tribal communities before colonisation. After colonization, the white rulers enacted the Black Administration Act of 1927. This Act according to participants has been repealed several times and although it does not create a traditional court, it allows both civil and criminal powers to be vested in traditional leaders who use customary law to resolve conflicts under their jurisdiction. In order to exercise this power, the traditional leader must, however, have the Minister's authorization to resolve civil disputes. The claim must be based on customary law, the race of the parties must be African and the parties or defendants must be resident within the traditional leader's jurisdiction (FGD Disaneng, 25 October 2015).

Disputes of a civil nature that could be heard by the *Nkosi* include dowry negotiations (*lobola*) or damages in cases of adultery. In this case, one FGD participant in Lokaleng explained that, the *Nkosi* can, however, not determine divorce, nullity or separation matter but that this must go to the Magistrate court. Moreover, Chiefs,

headmen and other traditional leaders can deal with certain offences only under the authorisation of the Minister. Such exceptions (as listed in the Third Schedule to the Black Administration Act of 1927 Act) to which traditional leaders can handle include common law, statutory and customary. The traditional leaders only have jurisdiction if both offender and victim are Africans and the Leader can impose fines not exceeding R1000, death, imprisonment or corporal punishment as noted one member of the Disaneng traditional council (FGD, Disaneng, 25 October 2015).

Furthermore, participants explained that the traditional leaders may report an offender to a Magistrate Court within 48 hours and the Magistrate will order such an offender to comply. A person aggrieved by the decision of the traditional leader may appeal to a Magistrate under Section 20(8) of the Act. After a new Constitution was promulgated in 1994, the question as to whether the Constitution recognized traditional courts arose. The matter was dealt with in the Constitutional Court decision in *Ex-parte Chairperson of the Constitutional Assembly: In re Certification of the Constitution of South Africa*, where the court read the provision of sections 166(e) and 16(1) of Schedule Six of the Constitution to find that Section 16(1) included traditional courts. In spite of the recognition of this judicial power of traditional leaders by the Constitution, they still face challenges in dispute resolution. (FGD, Lokaleng, 15 October 2015). Although the Constitution delegated power to traditional leaders especially with regards to conflict resolution, their power is limited because they are not allowed to resolve all types of conflict as understood by the researcher.

5.3.2. Women's role as conflict resolution

This division presents the findings of the study on the roles played by women in non-violent conflict resolution as well as conflict transformation processes. Women form a fundamental part of the social and political structures of the Lokaleng and Disaneng communities predominantly in their individual capacities, as members of nucleus families, extended families and village community as supported by Ngongo-Mbede (2003:32). Though not as projecting as men, women also play some leadership role as well as other noticeable roles in the social and political structures of the two communities.

Inside structures derived from paternal bloodline in the communities and in exceptional cases a woman may be mounted as a village head where there is no man to take over the position in a patrilineal situation as supported by the following extract from FGD:

"...though women do not hold these major positions...they are the mothers of the community and always intervene in conflict..." (FGD, Lokaleng, 15 October, 2015).

Within the Lokaleng and Disaneng communities covered by the study, there was no female, holding any of the traditional leadership positions of traditional leader (Chief) or paramount Chief. At the extended family level, in Lokaleng and Disaneng communities, elderly women convene special mediums for females only to discuss conflicts that arise amongst the women. This was supported by the following extracts:

"...women used the forum to teach the girls values, beliefs and principles prevailing in their culture..... They could also use it to sort out any disputes arising between them...." (FGD, Lokaleng, 15 October, 2015).

“...women, too in some instances have their own meetings to discuss conflicts between women only. In such cases the elderly women assemble and facilitate a forum for all the women....” (FGD, Disaneng, 25 October, 2015).

“...elderly women convene special forum to discuss conflicts that concern women alone and resolve conflicts amongst them...” (FGD, Disaneng, 25 October, 2015). In the researcher’s understanding, women play some roles in conflict resolution at different forums as participants, conveners, facilitators, as well as overall forum leaders.

Among the Lokaleng and Disaneng communities, serious crimes like incest, taboo and adultery would not be resolved without the involvement of women in the *Lekogtla* institution. Women also mediate in the reconciliation process in relation to murder. According to research informants, this would be the case when the murderer’s family refuses to accept after five or six times of continuous going back and forth of the pleading of elders of the headmen’s (*batshereganyi*) institution. If the concerned parties accept the request of the elders in which women are playing a paramount role, they would be blessed, and if they deny, they would be cursed. Such curse or the blessing is made by the woman who is selected by the institution of *batshereganyi* and she is usually of age or elderly (menopause women) based on age. Respondents further argue that members of the *batshereganyi* institution are conferred by spiritual beliefs of the people, with the power of making blessing and cursing. Thus, the cursing of *batshereganyi* institution will be appreciated if the anxious or troubled party refuses the request of the elders (FGD, Disaneng, 25 October, 2015). This view according to the researcher portrays the importance of the institution of headmen in indigenous conflict resolution processes in Lokaleng and Disaneng communities.

However, as postulated by Mazurana and McKay (1999: 23), among the Lokaleng and Disaneng communities, who are patrilineal societies like many other African people, women play intervening roles in conflict resolution. For example, in the investigation process of wrongdoers in *the Legotla*, women have been given an equal chance to expose the suspect or be exposed when they do wrongs. In the process of oath taking, women are neither represented by their husbands nor their brothers. Instead they themselves act as chiefs in cases which directly involve them.

5.3.3. The Lekogtla system

The methods of dispute resolution commonly known by most of the above institutions at different levels include negotiation and mediation. Conflict resolution often starts at the household (lolwapa refers to husehold) and if a consensus is not reached at the level of the household, it is taken to the Kgotlana (extended family level) where elders from the extended family sit together and listen to the matter at hand. In this process of resolving indigenous conflicts, one FGD participant highlighted that:

“...the elders involved in this process of conflict resolution often emphasise the use of mediation. If the Kgotlana does not resolve the dispute, the disputants take the matter to the Kgotla, which is a customary court with its own formal court-like procedures. It consists of the Chief with its council of elders at the village level, and the paramount chief at the regional level” (FGD, Disaneng, 25 October, 2015).

The above view supports the use of traditional court systems in Disaneng.

These traditional courts according to most respondents are the main mechanism for resolving indigenous conflicts in their communities. The word Kgotla often refers to the highest public gathering, community council or traditional law court in a village. The main aim of the Kgotla is to unite, reconcile, mediate and restore people. The Kgotla is actively involved in community building, aimed at unifying its local communities. In recognising the importance of Kgotla, the government of South Africa installed customary courts, even in urban centres in order to resolve conflicts' petty offences.

The Disaneng traditional court is also known as *Batlharo Boo Thokwana Ba Ga Masibi* while in Lokaleng, the *Kgotla* also play the role of resolving conflicts in the community. The processes used by these courts are mostly dealt with using mediation and arbitration as supported by the following extract from an interview:

“....we bring together parties in conflict after which such conflict must have been looked at by family elders, especially if it is of a family nature...we listen to both the offender and the victim... then we come to a decision whereby one party apologises to the other or pays a small fine (maximum of R1000) depending on the nature of the conflict...” (Interview, Anonymous, Lokaleng, 15 October 2015).

Respondents further explained the importance of the traditional courts by stating that they follow the “*Lekgotla*” method, meaning they gather as a community together with the traditional leaders and discuss how an agreement or settlement can be achieved. The *lekgotla* method is a primary means of resolving community conflicts because of the mediation done by the traditional leader and his headsmen or elders. In the *lekgotla* the one who is wrong will be shown his mistake and the one who is on

the right will also be made known. Reasons as to why a party is pointed out to be wrong are discussed in this Lekgotla. At the end peace-building is ensured. Reconciling the two parties that have been in conflict with each other is also prominent (FGD, Lokaleng, 15 October 2015).

It was also noted in Lokaleng community that in the process of resolving conflicts, ... where peace "*Kagiso*" could not be achieved and whether parties to such a conflict liked it or not, there had to be a guilty party, so the one who was found guilty had to pay damages, because we (Legotla) do not believe in the formal prison sentencing; so a goat is paid and in other cases a cow/s are paid so that the one who was in the wrong can avoid repeating the same mistake that he did. (FGD, Lokaleng, 15 October 2015).

In Disaneng community, one participant noted that in cases of conflict they go to the tribal house, "kokgotleng" to resolve the matter. But some minor conflicts (family nature) are resolved at home with family elders (FGD, Disaneng, 25 October 2015).

The communities of Lokaleng and Disaneng maintain good relationships in their nucleus families, extended families and community as a whole by emphasising dialogue and decisions by agreement. This is supported by the following excerpts from FGD's:

"...our village headman occasionally calls for meetings for all men and women in our village to discuss arising issues after noticing strange behaviours or rising tensions in the community....For each issue discussed we agreed on way forward in form of rules which we all agree to follow so that we minimise disputes..."(FGD, Lokaleng, 15 October 2015).

“...we may differ in our opinions...argue but we believe in dealing with issues through dialogue and at the end of the day we want consensus....we may wrong each other in different ways but we believe in peaceful discussions in order to resolve our differences....” (FGD, Disaneng, 25 October 2015).

“...in our tradition if someone has wronged you do not go straight to talk to him or her; you take the issue to any elderly person who will help to sort out the problem...” (FGD, Disaneng, 25 October 2015).

The importance of dialogue is explained by the above quotes as understood by the researcher, in cases where indigenous conflict resolvers are present as facilitators in both Lokaleng and Disaneng communities.

5.4. OTHER INTERVENING STRUCTURES IN CONFLICT RESOLUTION

From within the social and governance structure discussed above, several individuals or groups of individuals assume responsibility and acceptability to intervene in conflict situations that arise in their communities. According to the understanding of research participants, there are certain factors, which qualify and legitimise different individuals or groups to effectively intervene in a particular conflict situation as outlined below.

5.4.1. Neighbours intervention in a conflict situation

Research participants understanding were of the opinion that, several factors may legitimise the neighbour to intervene in a particular conflict. Firstly, a man or woman neighbour may be allowed to intervene in a particular conflict if he or she has been called upon to assist, by one of the disputants especially one who feels hurt or threatened; as the following excerpts from FGD pinpoint:

“...a neighbour called upon to assist must be respected and accepted by both parties to the disputes...” such neighbour could be male or female approached by one of the disputants...” (FGD, Lokaleng, 15 October, 2015).

“...we may call upon friends or elders that we know will help us appropriately.....if someone has wronged you... you can take the issues to any elderly person whom you believe will help to reconcile you...” (FGD, Disaneng, 25 October, 2015).

Furthermore, if the conflict concerns a friend or any familiar person, or older person to the conflicting parties, the neighbour may intervene on his own will. The following extracts from FGD reports show this:

“...a concerned friend, older, familiar and respected person may intervene in a conflict on his/her own will....” (FGD, Lokaleng, 15 October, 2015).

“...elderly women like me have a cultural responsibility to reconcile and advise the younger women...they do not need to call us...” (FGD, Disaneng, 25 October, 2015).

“...she became totally uncontrollable with anger trying to fight back, but my friends pleaded with me to go away to prevent a violent scene, which I did...” (FGD, Disaneng, 25 October, 2015).

Besides, any male or female neighbour that the conflicting parties trust that he/she can reconcile them may be allowed to intervene; as the following excerpts from interview reports show:

“...these could be either a man or woman whom we belief can reconcile us....” (FGD, Lokaleng, 15 October, 2015).

“...we contact elderly women that we trust and know have the ability to reconcile us..... also...when I quarrel with my husband, I invite his friend who often reconciles us....” (FGD, Disaneng, 25 October, 2015).

Lastly, participants explained that nearness of the intervener is also vital. Sometimes an individual is compelled to intervene in a particular conflict because he/she is close to the conflicting parties; the following extract from FGD supports the above thus:

“...anyone who is close by such as family members, neighbours, children if the parents are quarrelling etc. may knock at the door and intervene in a conflict ...” (FGD, Lokaleng, 15 October, 2015).

“...sometimes a dispute arises amongst peers in the community who are not even related. In such cases, there is a tendency for any elderly people around to intervene....” (FGD, Disaneng, 25 October, 2015).

The researcher notes that within indigenous communities, everyone can play a role in resolving conflict. Even passer-by's can separate a street fight for example.

5.4.2. Neighbours in a conflict between husband and wife

The following factors may qualify a particular intervener in conflicts between husbands and wives. To start with, the conflicting parties must trust the intervener that he/she will maintain confidentiality as the following quotations from FGD demonstrates:

“...a husband and wife may have a grave dispute in their bedroom; yet when you visit them, they will come out of the bedroom smiling as if nothing happened because they do not want their children and visitors to know that

they are fighting....”we do not want our dispute to be the talk of the village.....”
(FGD, Lokaleng, 15 October, 2015).

“...call upon a friend or an elderly woman that we know will maintain confidentiality and help us appropriately.....elderly women that will maintain confidentiality for your family....” (FGD, Disaneng, 25 October, 2015).

In another scenario, the disputants must have assurance in the intervener that he/she will act impartially and effectively in facilitating the discussions. The following citations from the FGD provide evidence of this:

“...we must know that whoever we call has reconciliatory skills and will be able to advise appropriately, must be exemplary, one we can learn from...” (FGD, Lokaleng, 15 October, 2015).

“...she must be mature, have past the child-bearing age with a lot of experiences in facilitating discussions and have the capacity to appropriately advise us and maintain confidentiality...” (FGD, Disaneng, 25 October, 2015).

Thirdly, the intervener must have been approached by one of the disputants to assist, except for close relatives who can intervene as they see it necessary. As research participants observed:

“...otherwise, the disputing couple may say who told you we have a conflict....”
(FGD, Lokaleng, 15 October, 2015).

“.....a brother to the husband may knock at the door and try to intervene if the wife is being beaten and try to stop the fight...” (FGD, Disaneng, 25 October, 2015). In addition, “...we only intervene in family matters only if requested to do so otherwise they may embarrass you...” (FGD, Disaneng, 25 October, 2015).

The researcher supports respondent's view that neighbours play an important role in resolving conflict.

5.4.3. Neighbours in conflicts in different forums

According to the understanding of research participants, Lokaleng and Disaneng communities and, added to the factors discussed above, other characteristics qualify individuals to effectively intervene in conflict situations. These factors include: age, ability to speak eloquently, ability to ask probing questions and good character. Other forums involved in conflict resolution include, church groups and women groups added to the above existing structures. The following extracts from interview reports provide an understanding of these assertions:

"...the one must be of good behaviour, have respect for others, and be self-restraint with no criminal record..." (FGD, Lokaleng, 15 October, 2015).

"...facilitators should have the ability to ask critical questions...and added that...such intervener must be able to expressively present issues and have the ability to facilitate discussions..." (FGD, Disaneng, 25 October, 2015).

This sub-section has presented the various factors that qualify a particular individual or group of individuals to efficiently intervene in a particular conflict situation. The following sub section presents the place and role of women in Lokaleng and Disaneng to resolving conflicts in their communities.

Respondents during the FGD also added to the above other structures the following; police and courts found in Mafikeng. This meant that in Disaneng community, there is no formal High Court but in instances where there was need for referral, an Appeal letter was sent to the *Ratshidi* (High Court) issued by the *Kgotla* (Traditional Court)

within 14 days (Legotla) (FGD, Disaneng, 25 October, 2015). A respondent supported by the above discussion by noting that they follow the law strictly and thus are satisfied with their traditional system of resolving conflicts.

The Chief of Lokaleng added that, there also existed the social welfare officials who intervened in cases of child abuse and sex crimes such as rape, not excluding police authorities (Interview, Anonymous, Lokaleng, 15 October, 2015).

5.5. Processes of indigenous conflict resolution

5.5.1. Mediation

The customary mediation process found in the Kogtla is a way of achieving social justice for community members. Traditional authorities are considered as the hierarchical administrators of indigenous communities in the mediation process. Fisher (2001:4) and Leviton & Greenstone (2004:1), support the importance of mediation when they see mediation as an intervention of a skilled and impartial intermediary working to facilitate a mutually acceptable negotiated settlement on the issues that are the substance of the dispute between the parties.

In one case for instance, a participant explained the process thus:

“...If a community member in Lokaleng has stolen another’s livestock or has committed any other common theft, the owner of the livestock/item would report the issue to the headman or the chief at the kgotlana or kgotla...”

In this process, if the offender is known, he/she would be brought before the lekgotla for trial at the kgotla. In this process, the owner will make his or her case known before the lekgotla after which the accused will also narrate his or her story. If there are witnesses, they will also tell what they know about the case. Questions will be

asked by the Lekgotla during a cross-examining session for the truth. Later the Lekgotla will pass judgment and if the accused is found guilty he/she will be ordered to replace the stolen item. An example includes, a goat stolen will be paid by another goat or sometimes the offender may be ordered to pay with 2 goats depending on the length of the case. If household items are stolen one will be ordered to bring them back and consequently they will be returned to the owner. But if they are damaged the offender might have to replace them. Mostly, the emphasis is on restitution. This would be, in a way, reproaching the culprit to learn a lesson not to repeat the same act. It is of importance for the culprit to pay back because by so doing he/she shows the community that he/she is sorry and thus forgiven. The community therefore has to accept him, let things past remain in the past and not be stigmatized in any way (FGD, Lokaleng, 15 October 2015).

Disputes of a family nature were also explained by participants thus:

“Families sometimes have conflicts. It could be conflicts of child custody or relationships. The parties may want the third party intervention such as chiefs or headmen”.

One party (victim) reports the case to the chief or headman and then the chief summons the other party for the case hearing. In most instances such reported problems are addressed without public interferences (depending on the sensitivity of the issue), therefore, the chief and the headman are the sole adjudicates of sensitive matters. In addition, both parties express their part of the story and then the jury evaluates the matter and passes a judgement. Evaluation could come in the form of advice to one party or to both. If it is required that the jury has to separate people in a relationship, then the magistrate court has the mandate to do so. If that includes

extended families, they will be included in the discussion. Sometimes these extended family members will be present to get the chief's word concerning the issue or they could be told to stop their influences "lefoko la kgosi le agelwa mosako" meaning *the chief's word is noted and respected* (FGD, Disaneng, 25 October 2015).

In most cases, the Lekgotla's intervention in conflict resolution is communal in character. That is, the entire community as the jury is involved at various levels in the resolution of the conflict. The Lekgotla is both the jury and judge in most of the cases unless the chief himself wants to make an ultimate rule over a case explained FGD participant. The Lekgotla's decision in any case is final and should be obeyed. It is fundamental to note that in the kgotla or kgotlana there is no legal solicitor which is in contrast with the magistrate courts. The Lekgotla is both jury and judges in all the cases. This mechanism is similar to that employed among the Acholi community of Northern Uganda whereby, conflict resolution is the duty of the entire community. In this community for instance, the 'Muto Oput' mechanism is open to all people. The public gathering of Acholi (Kacoke Madit) investigates the victim and perpetrators, with the presence of witnesses and finally refers the case to the council of elders (Murithi 2008:23), which is in the same vein as what actually happens in Lokaleng and Disaneng communities.

5.4.2. Negotiation

This process is explained as a bargaining relationship between parties who have a perceived or actual conflict of interest. Negotiation is a much more structured and planned process. It is generally used as a neighbourhood system which is participatory, relevant and adaptable. This process, as explained by a participant, starts with discussions in the context of the circumstances at hand by parties such as

family, extended family, immediate and larger neighbourhood (FGD, Lokaleng, 15 October 2015).

Another participant highlighted that, an example whereby this process is most effective in Disaneng community is in the case of land disputes. In this type of conflict, parties are allowed to express themselves and then, the mediator (Chief) allows them (disputing parties) to agree on how to resolve the issue within a particular timeframe" (FGD, Disaneng, 25 October 2015).

The discussions as seen from the above extracts are directed towards looking for a solution to the problem at hand rather than finding fault by parties and the mediator who facilitates this process, advises on the basis of traditional norms and values. Brock-Utne (2001:34), supports the essence of this process of mediation by noting that it is very optimistic as it looks towards sustainable peace and parties involved in the dispute are responsible for the decision and its implementation. The researcher acknowledges the fact that mediation is most commonly used during indigenous conflict resolution.

5.4.3. The consensus seeking approach

During the FGD's in both Lokaleng and Disaneng communities, the consensus seeking approach was noted as a means of resolving conflict and maintaining peace with the aim of achieving social justice. The facilitators in this process try to search for consistencies in the presentations and consensus or disagreements with the evidence presented by the conflicting parties and their witnesses. In some instances, disagreements arise between conflicting parties because of the evidence presented by either party or its witnesses, which shows possibilities of cheating. Similarly, changing of statements may point to the fact that a particular party is not being

truthful. In some cases after thorough searching, the party in the wrong ends up admitting having done something wrong. The above is supported by the following statements from participants:

“...one after the other, the men and women at the forum start asking questions to both parties of the conflict and later to their respective witnesses until one party confesses to being in the wrong, or until they decide that a particular party is in the wrong as shown by inconsistencies in the facts presented by that party and its witnesses...” (FGD, Lokaleng, 15 October 2015).

“...the secretary keeps on asking questions from different directions following up on explanations by a particular party until one of the parties to the conflict admits to having done something wrong or does not have anything more to say...” (FGD, Disaneng, 25 October 2015).

According to participants, the consensus seeking approach is developed on a wider scale in search of facts surrounding the causes of conflict and it also develops a way forward from parties involved in a conflict situation. This approach was further explained to be a lengthy one which entails patience with clear set objectives. In this process, every community member plays a vital role in decision making concerning the dispute at hand. A platform for openness is established and this can only be done once the facts of the case have been established and agreed upon as supported by Boege (2011: 54).

The purpose of the consensus seeking approach and its practices as noted by a participant, is to symbolise the transformation of switch from revenge and bad blood to the reciprocity of gifts and peace. The public display of handshakes and the exchange of gifts is done to spread the news about the positive conclusion of the

dispute and also responsibility is placed by the traditional council on parties to observe the agreement. The consensus seeking approach gives community members an opportunity to assist with implementing the agreement and it is the duty of all the parties and community at large to check whether the parties keep their commitment. Without the truth coming out and being recognized, a dispute cannot be resolved as understood by participants. This consensus seeking approach was supported by Brock-Utne (2011: 34) and Boege (2011:67), who affirm that the handshake or exchange of gifts in public ranged from traditional rituals as determined by the local belief and norms of the people. (FGD, Lokaleng, 15 October, 2015 and FGD, Disaneng, 25 October, 2015).

5.5.4. Exhausting issues

Exhausting issues refers to an exercise by facilitators in a conflict resolution forum. In exhausting issues, facilitators should have checked with the disputing parties and all the forum participants if there were still some aspects that required to be discussed further. During this process, discussions on a particular conflict cause are explored before making any decision or coming to any discussion. This exhaustion of the issue is done to check if there are still some outstanding problems or areas, which need to be considered in the discussions and final decision. The basis for this practice of exhausting issues was that when the discussion was concluded no one who participated in the forum conversation would go away with some issues, complaints, or unanswered questions. In addition, this process aimed at making sure that everyone present at such forum to discuss a particular conflict situation felt part of the decisions made and consented to the outcomes of the discussions. According to research informants understanding, this practice is common in both communities. The following demonstrates the above:

“...as the secretariat to the traditional court, I make sure that I summarise the outcomes of the deliberations, verify with the parties in conflict and the forum participants whether there is still an outstanding issues before I make my decisions....I want decisions to be thorough so that everyone goes home satisfied and the conflict is closed....” (Lokaleng, 15 October, 2015).

“...the Chief asks the *Kogtla* for the conflicting parties if they have anything...he then asks each party to the conflict whether they agree with the decisions made or not...then he pronounces the final decision...” (FGD, Disaneng, 25 October, 2015).

In an effort to ensure that no issues arise among the Lokaleng community after a particular conflict has been discussed and concluded, the parties sign some documents at the end of the discussion process. Although not a traditional practice, it has been adopted over time. The following extract from FGD provides confirmation of the practice: “...when the discussion has been made final, the conflicting parties sign a document to show that the conflict is terminated...” (Lokaleng, 15 October, 2015).

5.5.5. Conducive space for discussions

This process of creating an environment conducive to discussions means the establishment of a platform. In this process, each of the conflicting parties and any other participants in a discussion for a particular conflict, feel free to talk, or present views or air-out emotions without being interrupted, or threatened. Furthermore, for those who fail to express themselves because of emotions such as anger, fear, or shyness the forum provides a suitable mechanism for obtaining their views. According to the understanding of the research participants, in Lokaleng and Disaneng communities any forum to discuss a particular conflict must have an

environment that is conducive for each of the conflicting parties to freely participate in the discussions. In the extended family forums where every individual is related to one another in one way or the other, the facilitators are expected not to side with any of the disputants. At any of the traditional leadership levels for instance, sub-village, village and paramount chief the following factors are well-thought-out when establishing a forum that guarantees a conducive environment for the conflicting parties and other forum participants to effectively discuss a particular conflict.

In the first place, if one of the facilitators is a relative, friend, or suspected to have some links with any of the conflicting parties or is feared to be operating under some influence that might affect the outcome of the discussions, a neutral individual or team is brought in to facilitate the discussion of that particular conflict. The following extracts from FGD from both communities provide proof for these claims:

“...when one of the people involved in the conflict accused the Chief of being unfair...the Chief ordered that the conflict be referred to another neutral Kogtla forum for a fair discussion...”(Lokaleng, 15 October, 2015).

“...if the village head is a drunkard, an elder or his brother takes over the leadership of the forum...the quality of such a forum is not affected in any way since there are many able people to guide the processes...” (FGD, Disaneng, 25 October, 2015).

Secondly, there are other mechanisms put in place to check corrupt practices during discussions at the different meetings as the following extracts from FGD from both communities show:

“...if there happens to be any witnesses from both sides, they are asked to leave the forum and stay somewhere where they cannot hear the proceedings

to ensure that their testimonies are not influenced by other people's presentations..." (Lokaleng, 15 October, 2015).

"...at the Kgotla forum each party to the conflict must bring elders or representatives from his/her lineage as witnesses which will guarantee or be some sort of evidence that justice has been delivered for one of their family members..." (FGD, Disaneng, 25 October, 2015).

Also, each forum has rules to protect the conflicting parties, facilitators and other participants from physical or verbal aggression and any other acts by any person at the forum that may obstruct with the discussions. The rules also guide the forum leaders and facilitators to make appropriate decisions. The following extracts from interview reports from both Lokaleng and Disaneng communities back this claim:

"...in an effort to safeguard the interests of the community, the forums have thoughtful rules, anyone breaking them or defying them pays dearly; the fine for serious offences is often a goat or a cow...in extreme cases his/ her family is secluded from the community for some particular period..." (Lokaleng, 15 October, 2015).

"...any person who breaks forum rules or acts rudely towards the chief and the forum facilitators is fined a chicken, goat or even cattle depending on the gravity of the offence or rudeness..." (FGD, Disaneng, 25 October, 2015).

To the researcher, consensus seeking is key to developing causes of conflict and determining who is right. Thus, giving a fair judgement and working towards social justice.



5.5.6. Listening to both parties to the conflict

This approach to resolving conflict refers to a situation where the facilitators of forums discuss a particular non-violent conflict. Listening to both parties in this process allows each party to the conflict to present their side of the story while the facilitators and other participants listen vigorously. In Lokaleng and Disaneng communities, any forum to discuss a particular conflict starts with each party to the conflict providing a full account of what happened, as this forms the basis for the direction of the discussions. The parties continue to make presentations of their views throughout the dialogue processes. If one party is not heard or does not make satisfactory presentation, the discussions do not proceed. The following extracts from FGD Lokaleng and Disaneng communities provide confirmation for these claims:

“...the facilitator starts by asking the complainant to narrate the whole story again the way she did when she came to present the matter to the council...and then he asks the defendant to narrate his side of the story as well...” (Lokaleng, 15 October, 2015).

“...can you report to this forum what happened...an elder asks the complainant... we have all heard what he has said...can we now hear from the you...otherwise how do we proceed?...the elder refers to the defendant...” (Lokaleng, 15 October, 2015).

“...my role as elder is to welcome the people, introduce the conflict, asked the complainant to make a presentation and then ask the accused person to make a presentation as well...” (FGD, Disaneng, 25 October, 2015).

“...the process starts with one of the elders of the *Kgotla* introducing the conflict and the parties to the conflict...he goes on to ask each party to clearly and orderly present his/her side of the story before the facilitation team starts cross examining the conflicting parties to get to the depth of the truth of the story...” (FGD, Disaneng, 25 October, 2015).

The researcher sees the process of listening to parties in conflict as a road to achieving social justice.

This sub-heading has presented the process that the four tribes being studied follow to ensure that each party to a particular conflict being discussed is heard. The next sub-section presents the process that the facilitators follow to ensure that the truth about a conflict being discussed comes out.

As presented above, the processes of resolving conflicts in indigenous communities have been characterised by different structures that play different but very significant roles in the processes. The researcher looked at the traditional court (Lekgotla) and how various mechanisms such as mediation, negotiation and consensus-seeking approaches are used in resolving conflict. The researcher went further to find out if there are other structures which played the same role. Participants were of the opinion that formal structures such as police, youths, courts, women groups and churches were also used in the communities of Lokaleng and Disaneng for conflict resolution in some instances.

5.6. CHAPTER CONCLUSION

This chapter has presented the various role players in conflict resolution situations as obtained from field work. The chapter discussed the different institutions which

take part in conflict resolution in both study areas and went further to look at the existing mechanisms which are in place for the attainment of social justice for both communities. The role players for both Lokaleng and Disaneng were family members, including nucleus family, extended family, community, traditional authority and women. The findings of the study revealed that at each of these levels there are mechanisms for dealing with non-violent conflict. The chapter has also highlighted how at different levels, individuals or groups of people intervene in different conflict situations in Lokaleng and Disaneng communities. The chapter ends by discussing the various factors which give the go ahead and make third parties legitimate to intervene in conflict situations.

The next chapter of the thesis compares the processes of resolving conflict as used by the communities of Lokaleng and Disaneng to achieve social justice and peace for the purpose of development through re-appropriation.

CHAPTER 6: RE-APPROPRIATING CONFLICT RESOLUTION PROCESSES IN LOKALENG AND DISANENG

6.1. INTRODUCTION

This chapter presents a comparative analysis of the findings of the study as presented in the previous chapters between Lokaleng and Disaneng communities on non-violent conflict resolution processes, mechanisms and the structures used in attaining peace, harmony and social justice. The chapter discusses the important aspects found during field work such as the types of conflict, the causes of conflict, the resolution processes and the governing structures or role players in the conflict resolution process.

In collecting data for this objective, same methods of collecting and analysing data as in chapter 5 were administered. The researcher further included secondary sources such as reports, minutes, documents, books, cases and legislation from departments and relevant organizations who were involved in conflict resolution. This enabled the researcher to get as much information as possible about the area under study, target group, activities and processes to attain this objective. The sources of such literature were obtained from journals, internet, published and unpublished articles.

Questionnaires were used to conduct the interviews and these were primary data, and included matters relating to indigenous conflict resolution mechanisms. A structured questionnaire comprising of close-ended questions was used to collect quantitative data. Qualitative data was collected using a semi structured questionnaire. The survey was done face to face in order to facilitate understanding

of questions presented to respondents where the need arose. A translator was also part of the study during data collection.

The chapter further presents a comparative analysis of the roles played by the various components of the governance structures between Lokaleng and Disaneng communities. The whole essence of this chapter according to the researcher is to support the need for re-claiming indigenous processes of resolving conflict in Lokaleng and Disaneng communities from the existing formal legal processes.

6.2. VIEWS OF CONFLICT IN LOKALENG AND DISANENG

This part of the study was presented as findings in (section 4.3.3 of chapter 4) and has dealt with defining conflict according to participants of Lokaleng and Disaneng communities. What needed to be added was to look at how conflict arises, respondents view of conflict from these communities and what differences existed in their view.

The basic views of conflict in both communities according to findings are the same. Failure to get along by members in a household for instance and having totally different ideas or worldviews on different aspects or issues concerning life is also added as a view of what conflict is. Conflict is further seen in both Lokaleng and Disaneng communities as a disagreement or disagreements between two or more people which results in tension that might affect their relationship. This tension usually has negative effect on parties involved. Besides being seen as disagreements, conflict was also viewed by respondents to mean misunderstandings and misinterpretations between people encountered on a daily basis. While the views of conflict presented by respondents in both communities seem to be so similar, there were variations in this regard. For instance, the cultures, attitudes, and

moral values in these two indigenous communities are different. These cultural values although they play an important part in deciding whether conflict leads to beneficial or destructive outcomes in indigenous communities, these values stand as major differences in the views and beliefs of the people on what conflict is and what conflict is not, as supported by Ngaillah (2004: 6) and (Slabbert, 2004:45). The researcher also supports the fact that conflict is viewed in relation to various factors and such factors even when similar cannot be the same for two communities because of different values, cultures and tradition. Furthermore, indigenous knowledge is the basis for a community's survival with the natural environment and indigenous knowledge expresses different views of conflict. The researcher argues that due to the fact that, indigenous knowledge systems stem from practices which belong to people in different geographical settings, this setting defines what conflict is and what conflict is not is supported by Das Gupta (2011: 2) and Ndangwa (2007:167). Conflict as defined during the study was seen as non-violent in nature as explained by participants from both indigenous communities. The researcher argues further that the importance of IK and conflict resolution processes in Lokaleng and Disaneng creates a need to re-appropriate these processes from the formal processes.

6.3. COMPARATIVE ANALYSIS ON THE TYPES OF CONFLICT

There are different types of conflicts which can be classified in various forms, depending on the moral values and views and also, on how indigenous people see conflict as explained above.

The following were stated as existing types of conflicts in Lokaleng and Disaneng communities by research participants. Boundary and territorial conflicts, succession

conflicts, quarrel over children and differences in opinions ranging from community/moral values. These types of conflict among others (as explained in sub-heading 4.4. of this thesis) show that according to research participants from the study areas or communities of Lokaleng and Disaneng are not without conflicts pertaining to them. This is further so because as purported by Darling & Fogliasso (1999: 384-523), conflict is multifaceted, diverse in nature and develops differently in respect of the circumstance which presents itself. The circumstances which prompt conflict to erupt are some the reasons why the existing views and types of conflicts are different in Lokaleng and Disaneng communities. For instance, although most of the conflict types seem to be the same, that is, non-violent in nature, yet there are some differences.

In Lokaleng community, it was noted that people often fought about issues of agriculture. This was supported by a statement made by a member of the Lekogtla who in emphasizing it explained thus, "As a matter of fact we have a case that we are handling as we speak at the moment, and it is about agricultural crop space. Two people are fighting over a big piece of land used for growing crops". While in Disaneng, even though the issue of agricultural space was not noted as a type of conflict which needed to be taken care of, the issue of bride price/dowry (lobola) negotiation was stated as a major type of conflict.

As regards similarity in the types of conflicts among both communities, in most of the types of conflicts as explained in chapter 3 of this thesis are of a similar nature. For example, the types of conflicts in both study areas range from misunderstandings and differences between community members. These two types were the main conflict types explored during the study. It was further shown that, most of the other types of conflicts such as family disputes and youth conflicts stemmed from the two

main types of conflicts as earlier stated. Tillett and French (2005: 12), Tillett (1999: 45) and Ellis and Anderson (2005:16), also noted that there are three types of conflict; interest conflicts which stem from scarcity, value conflicts which stem from cultural differences and cognitive conflicts which stem from either misunderstanding, disagreement over facts and differing world views or ideas about how to achieve results. Tillett and French (2005: 12), Tillett (1999: 45) and Ellis and Anderson (2005:16), also identify types of conflict which are determined on the basis of relationship with categories blistering out from the individual. This notion of individualism was seen in the existence of conflict types such as family problems at each other. The above authors thus, support the existence of the various types of conflicts that exist in Lokaleng and Disaneng communities. The existence of conflict, with types and causes among indigenous people supports the need for re-appropriation in Lokaleng and Disaneng communities.

Besides comparing the notion of conflict and types, the next sub-heading will analyse the similarities and differences of the causes of conflict in the study areas.

6.4. COMPARATIVE ANALYSIS ON THE CAUSES OF CONFLICT

With the existence of different types of conflicts with similarities and differences, it is of utmost importance to look at how similar or divergent the causes of these conflicts are, in both communities.

Although differences in opinions, interests, needs, language tone, and actions between two or more individuals or groups of individuals were considered as normal and part of everyday life in both study areas, the causes of conflicts were mainly seen to include: differences in people's opinion, supporting the fact that conflict is non-violent in nature. An example is seen below when participants during FGD from

both Lokaleng and Disaneng communities explained that where there are two or more individuals, such as husband and wife, men and women, there are always differences in opinions, interests and needs. This may eventually grow into conflict (FGD, Lokaleng, 15 October 2015). It was also noted by a respondent that people differ in opinions, thoughts and interests. These differences happen very often even and though they are a part of life, they may result in conflicts (FGD Disaneng, 25 October 2015).

It is thus clear according to the participant's response that, differences are a major reason for non-violent conflict to arise in their communities and as such, these differences need not be overlooked. Besides being a cause of conflict among community members, differences were also seen as an important element for positive changes to occur in their communities as supported by the following views: without the existence of differences, community members cannot change for the better (FGD, Lokaleng, 15 October 2015). Moreover, it is normal and healthy that people or parties differ because these differences bring about creativity (FGD, Lokaleng, 15 October 2015). Also, conflicts are associated with high tempers, verbal clash, quarrels and sometimes physical confrontations (FGD, Disaneng, 15 October, 2015). In addition, disputes may be associated with physical aggression for boys such as pushing or fighting with each other and sometimes parents beating their children (FGD, Disaneng, 15 October, 2015). Participants explained that, if these reasons for conflicts do not exist they will not have any need for the traditional court to exist.

Another similarity in the causes of conflicts between both communities was seen as lack of understanding. This cause was mainly the reason for non-violent conflicts arising among inhabitants of these communities, thus leading to various forms of

conflicts such as family disputes, succession conflicts and land disputes. This cause of conflict was summarised during the FGD discussion by one participant thus, “They (conflicts) are usually caused by lack of understanding, lack of brotherhood (love) because usually when one person makes a mistake, the other party does not want to listen to the explanation of the one who is wrong, they just usually attack him/her and sometimes these attacks are caused by jealousy and are mostly verbal, fueled with insults. Again sometimes the one who made the mistake does not want to accept that he wronged other people, so instead, he chooses to be in conflict with them, especially those who have a lot of money, they like to believe that they are untouchable” (FGD, Lokaleng, 15 October 2015).

Besides the fact that most of the reasons for the existence of conflict seem to be similar between both communities, some of them were found to be different. The erosion of moral values as explained by one participant during the FGD discussion in Disaneng was depicted as a main cause for conflict among community members and families altogether. He explained that moral values have been eroded with people expecting others to live in a certain manner. This tends to cause conflict when people do not agree on same values (FGD, Disaneng, 25 October, 2015). In addition, children were noted to cause conflict especially relating to issues of love *“bana bajola mme bare losa rele batsadi”* (FGD, Disaneng, 25 October 2015).

Another elder in supporting the above noted that, children are the most commonest cause of conflict in this community because they are the ones who are always on the streets and doing their things there, and when their things backfire you find that we as parents take sides and back our children not knowing if they are in the wrong and that causes conflicts between families and neighbors. This also causes conflict

between elders and most importantly, parents of these children (FGD, Disaneng, 25 October 2015).

Unlike in Disaneng, the main cause of conflict besides the ones stated in chapter 3 was seen to be disrespectfulness as explained below:

Disrespect for elders is a major reason for conflict. The people in this community do not seem to respect one another. Not being on the same page is also a challenge because in order to have an agreement and do away with conflict, people have to be on the same page, so difference in attitude causes some of these conflicts (FGD, Lokaleng, 15 October 2015). This cause of conflict also tends to cause disruptions in families, among friends, and the community at large. These differences are supported by Adedeji (1999, 364), who opines that the causes of conflicts in Africa reflect the continent's diversity and complexity while other conflict causes have a significant international dimension.

Notwithstanding these differences, African conflicts show a number of cross-cutting themes and experiences. Mengesha *et al.* (2015: 87), also explain further the causes of conflicts in indigenous communities, which do not always have a wide range of differences but tend to be very much similar in characteristics. Bujra (2002:56), observes with the various causes of conflicts existing in both Lokaleng and Disaneng when he explains that, the conditions that give rise to conflicts in indigenous communities are associated with uneven life chances leading to poverty. Also, the researcher supports the view that inequitable distribution of resources and unequal decision-making power among others remain major causes of conflict in indigenous communities. So, although there seems to be slightly different reasons for conflicts to arise, the causes of conflicts as supported by other studies tend to be much similar

among indigenous settings, as with the case of Lokaleng and Disaneng communities. Because conflict is inevitable in Lokaleng and Disaneng communities as evidenced from FGD, the researcher strongly supports the need for promoting and making use of IK in resolving these conflicts.

6.5. ROLE PLAYERS IN CONFLICT RESOLUTION

For peace and serenity to reign in any community, conflicts must be resolved and this cannot be done in a vacuum as noted by the Kgosi of Lokaleng communities in an interview on the importance of role players in the conflict resolution process. It was revealed in the findings of the study that, in the indigenous communities of Lokaleng and Disaneng role players included; men, women and older children who intervene in non-violent conflicts in different ways and in their own rights as individuals. While in other instances, they intervene on their own will and in most cases individuals are called upon to intervene in conflict resolution processes particularly within their communities on a face to face basis.

6.5.1. Role of interveners

As gathered during field work from Lokaleng and Disaneng communities it should be distinguished that individuals are recognised and invited to intervene in particular conflicts. This process is done through social networks such as friendships, blood or marital relationships, proximity and those with cultural responsibilities or duties are called to intervene. In the same light, through the same social networks individuals feel duty-bound to intervene in non-violent conflict situations either voluntarily or when called upon. This tendency to have confidence and rely on others within one's social network as well as to feel indebted to intervene in a conflict affecting others reflects Ross' structuralism perspectives (as explained in chapter 2). This theoretical

perspective that in a society, while individuals chase their self-interests and their own satisfaction, there is a strong measure of agreement among them, they do get along with each other and they cooperate with and help each other. This inclination also reflects the principles of *ubuntu* within the African culture which is a driving force to community building. According to *ubuntu* worldview, “one belongs or finds community through being a neighbour, friend, relative, clansman, a member of a tribe or nation”, as supported by Munyaka and Motlhabi (2009:68 cited in Winschiers-Theophilus, *et al.* 2012: 53). One should therefore be able to count on the support of others around and within the same community when in need (*ibid*: 71). In the same vein, living in relation with others in a social network, members of both communities are called upon to intervene in some particular non-violent conflict situations as part of social and moral roles, duties, obligations and commitments which one must fulfil (Munyaka and Motlhabi 2009:73–74). The results of the study further showed that outside these social networks, conflicting parties are reluctant to call upon individuals to intervene in their non-violent conflicts. Likewise, individuals are reluctant to intervene of their own accord in some conflict situations, as they are afraid of being rejected or ridiculed. This implies therefore that there are no appropriate mechanisms to enable individuals to safely intervene in non-violent conflicts concerning individuals outside their social network.

Moreover, within the framework of the social networks discussed above, not every individual can intervene in a particular non-violent conflict situation. The study identified factors that conflicting parties consider when calling upon or accepting a voluntary offer from a particular individual to intervene in their non-violent conflict.

Primarily, the intervener should be well-respected and trusted by both sides of the conflicting parties. This respect and trust comes from the observation that the

intervener has some attributes, which would help transform the attitudes and behaviour connected with the non-violent conflict situation at hand and restore good relationships. Some of the attributes considered by community members of both Lokaleng and Disaneng communities included the potential intervener's age, experience and history of handling similar conflicts before; or they might have heard or seen the individual do well in a similar intervention before. According to the understanding of research participants, within the framework of social networks it is easier for the conflicting parties to evaluate potential interveners as they know them and probably they have already experienced their services before.

In another instance, the third party who facilitates a conflict process is supposed to be accepted by all parties to the conflict. Differently put, the parties concerned or involved are supposed to be satisfied that the intervener will deliver. The intervener is hence supposed to be perceived as neutral, with no outstanding issues with any of the conflicting parties.

Lastly, the conflicting parties are supposed to be convinced that the facilitator or mediator will maintain confidentiality. This is particularly appreciated in conflicts between married couples. Parties in conflict do not want their conflict to be a reason to be laughed at in the village, it is embarrassing and other people particularly the younger ones will not respect them if they know the details of their problem. The important role and moral value associated with respect determines who plays a role in a particular conflict among in Lokaleng and Disaneng communities. Interveners can intervene in conflicts which arise and need immediate attention, for example, an intervener can separate two parties engaged in a road fight. This view according to the researcher, strengthens the need for re-considering making use of these role

players in the indigenous conflict resolution processes of Lokaleng and Disaneng communities.

6.5.2. Role of individuals

The results of this study revealed that individuals (men, women and children in their own right) also participate in non-violent conflict interventions through the nucleus, extended families, with uncles and aunties "*borakgadi le bomalome*" at the forefront of village forums and sometimes higher forums such as traditional leaders/*Kgosi*. Besides, the most active role players were constituted of the Chief, traditional councillors and family members in both communities. The study results show further similarities in the way individuals participate in the various conflict resolution processes in discussing nonviolent conflicts among both communities. Moreover, the leadership at the lower levels (extended family, sub-village and village levels) encourage as many men, women and older children to participate in the resolution process as possible. The justification behind encouraging these many individuals to participate is to: i) enable the individuals bear witness that justice has been done for one of them; ii) give their consent on decisions made by the facilitators and the forum leadership; iii) enable as many individuals as possible to participate in facilitating the forum discussions in order to rule out possibilities of corruption; iv) enable individuals not only children but also men and women to learn from the resolution processes.

Although for the most part, there tends to exist more similarities in the role played by different structures in the indigenous communities as discussed above, differences are not excluded. In light of the above therefore, divergences tend to occur between the two structures most particularly in their compositions as explained in paragraph 5.2.1.3 (chapter five). For indigenes of Lokaleng and Disaneng communities, the

participation of ordinary men and women in the Legotla is restricted to asking questions, making comments and giving their views in the decisions made when asked to do so. These functions are the entitlement of the forum facilitation and leadership team. From a structuralism perspective, while both communities have created forums where individuals, facilitators and leaders share roles and responsibilities in a common mechanism to deal with non-violent conflict, the actual roles played by the individuals in each forum and community might have been influenced by the moral values of the tribes resulting from diverse socialisation processes in the different communities. From an *ubuntu* perspective, the forum expresses recognition of the respect and self-esteem of the individuals and is a moral expression of mutuality (Munyaka and Motlhabi, 2009:66). By insisting that every man and woman play some roles in the forums such as giving consent to the decisions made, the forum demonstrates the value that these communities attach to the individual within the collective. Because the role played by facilitators in conflict situations cannot be over looked among the people of Lokaleng and Disaneng communities, there is need for promotion of these actors in conflict resolution.



6.5.3. Role of socio-political structures

The results of the study show that women form an essential part of the socio-political organisational structures of Lokaleng and Disaneng in their individual capacities, as members of nucleus and extended families and as members of the village as a whole. It is within the same capacities that women intervene in non-violent conflict situations arising in their communities in the same way and sometimes more than what men do. Nonetheless, though women occupy some leadership positions and in those positions, their performance is just as good as that of men, their leadership roles are not as prominent as those of men.

According to the research participants' understanding, these roles mostly relate to the socialisation of children. In this respect, women play the crucial role of shaping their children particularly the girls to enable them acquire and assume the moral values of their society. Women teach, continuously advise and monitor the behaviour of the children making sure that they have adopted the necessary moral values that will help them to live in harmony with others in the family and the community in general. In the understanding of research participants', the women are better placed to pass on moral values to girls and younger boys as they spend more time with them compared to men.

The structuralism approach explains that, individuals fulfil certain system functions by taking on various roles as means of carrying out the function of their statuses; and can help explain the roles played by women in growing up children. In this light, as the women have the primary role of bringing up children among the communities of Lokaleng and Disaneng, apart from taking care of their physical and biological needs, they also have the task of training them to respect others. According to the understanding of research participants, women help not only their biological children, but also any other girls and boys around them. The aim of the process is to enable the children adopt the moral values that would enable them live in harmony with others within their families as well as society entirely. The importance of the role played by women in bringing peace in homes and indigenous communities (Lokaleng and Disaneng) makes it necessary for conflict resolution processes to be re-claimed.

6.6. EXISTING CONFLICT RESOLUTION MECHANISMS

Findings from the study revealed that in both Lokaleng and Disaneng communities, indigenous conflict resolution runs parallel to the formal justice system. In addition to the above, most respondents (table 13) from both communities were of the view that indigenous and western conflict resolution mechanisms can be run side by side.

The study results discovered that individuals (men, women and children in their own right) also participate in violent conflict interventions through the nucleus, extended families (4.3.1). The study reveals that the composition of the nucleus families for both communities is similar to one another. One main similarity that exist is also the fact that, both indigenous communities are of a patrilineal nature, where it is the fathers of daughters who have a say in matters resulting in conflict resolution. In these patrilineal setups, the extended family encompasses mostly the nucleus families of all the men who trace their lineage through a common ancestor (man) up to three or four generation sets. It is controlled by the most senior man in terms of age in the family as purported by Volker (2007: 45).

These findings suggest that both communities have strong preference for individuals to live a communal life as within the family set up alone, an individual is part of a double layer of functional collectives, the nucleus as well as the extended family. This set up can be explained through a structuralism perspective which contends that individual human beings are connected by a definite set of social relations into an integrated whole. In this case, the individuals are associated with the nucleus and extended family structure through blood and marital relationships to form a double layer of the family collectively.

It was further revealed by the research that in both nucleus and extended families, there are mechanisms set up for intervening in violent conflict situations that aim at restoring harmony and social justice. Within the nucleus family, members both, husbands and wives facilitate discussions between members in disputes within the nucleus family. Moreover, in both communities, marriage counsellors are the main interveners in serious conflicts between husbands and wives in the nucleus family. The children, particularly the older ones, occasionally arbitrate in their parents' conflicts as well as in conflicts amongst fellow children in the nucleus family.

The insistence on members of the nucleus and extended family to participate in discussions of non-violent conflicts, which arise within the family, is a reflection of *ubuntu* principles. According to Mangaliso and Damane (2001: 24), one of the most important attributes of *ubuntu* is the high degree of harmony and continuity throughout the system. To maintain a pleasant relationship individuals have to be directly involved in social and moral roles, duties, obligations and commitments which the individual person must fulfil Munyaka and Motlhabi, (2009: 73–74). By participating in discussions of violent conflicts therefore, members of the nucleus or extended family are fulfilling these social and moral roles, duties, responsibilities and commitments.

The family set up for the communities and their respective mechanisms for intervening in violent conflicts that arise amongst them reflect a structuralism perspective, which embraces that society has a variety of institutions and means for managing tensions, diffusing and resolving conflicts and ensuring that orderly means of carrying out activities can be ensured. In this case, within both the nucleus and the extended family set up there are institutions for handling non-violent conflicts in order to maintain social justice.

Usually, as emphasised by one participant, 'the first level of dispute resolution is the family and if the dispute remains unresolved or parties are not satisfied with the outcome, the matter can be taken to the ward leaders and their advisors (FGD, Lokaleng, 15 October 2015).

In both Lokaleng and Disaneng communities, the level of the traditional leadership structures described above (Table 12) is able to intervene in a particular non-violent conflict by convening forums to discuss the non-violent conflicts with the aim of establishing social justice. One of the conflicting parties can request such forums to convene. In each community the party to the conflict that made the request for a forum to convene pays a small fee to the traditional leadership as a requirement. Some tribes argued that by paying this fee the disputant who requested the forum to convene exhibits seriousness. At the end of the forum, the person who is found to be at fault ends up covering this cost.

Different forums act as a means of intervening in non-violent conflict situations. Traditional leadership structures can be explained as one of the various institutions and means that, according to structuralisms perspectives, societies adopt this structure for managing tensions, dispersing and resolving non-violent conflicts. Traditional leadership ensures that orderly means of carrying on activities are guaranteed for its members. This standpoint however, does not explain the justification for using forums as a means for intervening in non-violent conflict situations. The predisposition to use forums in non-violent conflict resolutions is a demonstration of the *ubuntu* worldview. According to Mangaliso and Damane (2001: 26) in the *ubuntu* context, the social effect of conversation is emphasized, with pre-eminence given to establishing and reinforcing relationships. In one of their guidelines for the process of incorporating the philosophy of *ubuntu* in management,

Mangaliso and Damane (2001: 32), advise people to take time to listen with empathy, especially in non-violent conflict resolution, as being listened to is equivalent to being acknowledged. They argue that in *ubuntu*, being acknowledged is a very important first step toward agreement and cooperation (ibid, 2001:32). Forums, if properly facilitated can thereby, create environments that are conducive to conversation, listening and being listened to and can facilitate consensus and social justice.

In the views of Munyaka and Motlhabi (2009:68), the *ubuntu* philosophy holds that one cannot be a human being alone in a community. They contend that an African individual is a communal being, inseparable from and incomplete without others. Additionally, according to Mangaliso and Damane (2001:29), *ubuntu* dictates the sharing of burdens during hard times because, in so doing, the suffering is lessened. These explain why extended family members in these communities show a strong sense of caring, protection and solidarity by insisting on participating in a forum to discuss a non-violent conflict concerning one of them. Mbiti (1969; 231) in Munyaka and Motlhabi, (2009:68), expound this tendency better when they argue that in *ubuntu* philosophy, when one suffers he/she does not suffer alone but with the entire group. In addition, these practices are a means of ensuring transparency. Mangaliso and Damane (2001:32), observe that in *ubuntu*, transparency and trust replace suspicion and hostility. The existence of conflict resolution mechanisms in Lokaleng and Disaneng communities means community members can be encouraged to use these mechanisms when in conflict thus promoting community building.

6.7. Moral values in conflict as a mechanism for peace

The results and analyses of this study revealed that common among the Lokaleng and Disaneng communities are moral values, which include cooperation, respect, obedience, peace, sharing, friendliness, forgiveness and respect. These moral values contribute to prevention of violent conflict in two ways. Primarily, they augment self-restraint in individuals thereby preventing them from displaying or engaging in aggressive behaviour. Moreover, these values promote and enhance good relationships between individuals in the family set-up, as well as the community as a whole. Though these moral values are real and part of the people's lives among the Batswanas of Lokaleng and Disaneng communities of South Africa, they are threatened by the influences from other cultural systems as evidenced by some younger people not taking them seriously. Degabriele and Handmaker (2005:162), discerns that conflicts between tradition and modernism are frequent in rural communities in South Africa, particularly, where members of the younger generation are diverging from their elders' value systems and ambitions. Omisore & Abiodun (2014:130) supported by Prozesky (2009:3), describe moral values as, lived and practised beliefs about right and wrong, good and evil. They further lay emphasis on the importance of the use of these values in resolving conflicts in indigenous communities. This emphasis as supported by the researcher makes the re-claiming of indigenous conflict resolution processes in Lokaleng and Disaneng communities necessary.

Findings and analyses also showed that among the Lokaleng and Disaneng communities, there are traditional beliefs expressed in form of taboos, which serve to prevent non-violent conflict. These beliefs prescribe what individuals in the society are not supposed to do; otherwise, they would risk the wrath and punishment from

ancestral spirits. As the punishments by the ancestral spirits are respected, the researcher argues that people tend to avoid breaking the taboos and in so doing avert non-violent conflicts in general.

As moral values and beliefs continue to play crucial roles in preventing violent conflict among the Lokaleng and Disaneng communities of South Africa, mechanisms need to be put in place to preserve, promote and consolidate these mechanisms in the modern governance systems, thereby, promoting re-appropriation. There is need for interventions to preserve as well as strengthen these traditional systems. Strengthening in this context refers to adjusting them to fit the variations over time particularly by making them comply with human rights standards. The negative aspects such as lack of proper training of mediators need to be modified to enable community members to comply with human rights standards while the good sides need to be highlighted and made accessible. A way forward could be the inclusion of indigenous knowledge into the primary and secondary education system, as such re-claiming indigenous processes of conflict resolution in Lokaleng and Disaneng communities.

6.8. CHAPTER CONCLUSION

Conflict resolution must be given utmost importance as conflicts are inescapable. Although each indigenous community do have their own mechanisms, role players and processes of resolving conflict based on the moral values pertaining to them, there tends to exist similarities and differences within these processes in general. As discussed above, in Lokaleng and Disaneng communities, conflict types are more similar but with some divergences. This comparison is essential in order to determine the state of indigenous conflict resolution between these two communities

so as to recommend where necessary, the way forward. Most importantly, the need for this chapter was to compare and, stress the need for re-appropriating the indigenous processes of conflict resolution in Lokaleng and Disaneng communities from the most commonly used formal processes. It can therefore be said that, indigenous knowledge systems are generally similar and the differences come in due to the geographical setting of indigenous people. Among the Batswana's of Lokaleng and Disaneng communities, the common Lekgotla system is used as a court for conflict resolution with principles of *Ubuntu* applied. What remains different is the composition of the traditional councillors (the structure in general), the family and the procedures or processes used in the resolution processes.

The next chapter gives the researcher's general observations during the study, looks at the challenges which come with indigenous conflict resolution processes, then recommends solutions or a way forward and goes on to conclude the entire work done by the researcher.

CHAPTER 7: DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

7.1. INTRODUCTION

This chapter concludes the thesis by drawing out the key findings of the study discussed throughout the thesis. The chapter has three sections. The first section introduces the chapter, while the second explains the general observations made by the researcher. The third section discusses the challenges relating to the use of indigenous processes of conflict resolution. The third section also outlines and gives recommendations in an effort to improve and strengthen the use of indigenous conflict resolution mechanisms among the Batswana's of Lokaleng and Disaneng in particular and Africa as a whole. And lastly, a general conclusion on the entire research carried out is made.

7.2. GENERAL OBSERVATIONS

The following discussion was derived from the researcher's personal experiences through observation during field work on indigenous knowledge systems on ethics and moral values among some indigenous communities in the North West Province of South Africa.

7.2.1. Indigenous ethical protocols-Relational I/Me

The "We" as opposed to the "I" Concept

Unlike the western concept which centres around an individual (I), the African indigenous value of Ubuntu defines indigenous people as a whole group which cannot survive or succeed in any event, be it in conflict situations or in times of merriment without one another. For instance, there is a common Cameroonian saying in broken English, commonly known back in West Africa as "pidgin", which

denotes that “*one hand no fit tie bundle*”, meaning “a person cannot tie a bundle with one hand without needing the help of another person”. This means that we always need each other to make it through life. From the researcher’s experience during field work, some lessons were learnt pertaining to the ethical protocols that existed in our indigenous settings and these included the following:

- Respect for time: For example, during one visit with other researchers to Moruleng (the Bagala-Ba-Kgafela), we learnt that time is still of essence. This is precisely so because all the way from Mafikeng to Moruleng with the aim of meeting traditional leaders, we did not make it on time. This led to us being seriously warned by a knowledge holder (Mama Grace Masuku). There we were made to understand that time is still of great value in these indigenous communities.
- Dress code. This ethical protocol was of serious importance community members when they were approached for interviews. As part of the experience, if the researcher and her assistants were not properly dressed as required by the culture of the people of Lokaleng and Disaneng communities, they were not attended too.
- Space: This refers to where the research is done. Each space requires its own ritual. For instance, there has to be a connection to the living and dead. There has to be a creation of relationship before doing rituals and this process will differ depending on the space. Throwing of coins for example, was explained as a process to welcome the ancestors and ask for permission to conduct research.



- Entry into the community must include respect for traditional authorities/ and permission must be given. Permission must be taken and granted by traditional authorities and appropriate personnel before any research can be conducted in an indigenous community as was the case in Lokaleng and Disaneng.
- Age considerations/social standing: Example of the case of married and non-married people. There are traditional settings whereby, a non-married community member is not allowed to have a say and that which only the married are allowed to participate. For instance, during a mediating meeting concerning conflict resolution between married couple, only married women are allowed to participate in the mediation process.
- Reciprocity-giving back to the community after taking knowledge. Bowls are not returned empty. It is believed that through this process, a valuable space and time should have been created for knowledge to be disseminated.
- Failure to re-enforce these protocols from my Zeerust experience. Researchers were reprimanded for being late during a focus group discussion. Participants waited for over an hour, while the researchers ran late. This gives the understanding that, the indigenous communities of South and Lokaleng and Disaneng in particular, have their own ethics and protocols which are effective and still being observed.

7.3. SUMMARY OF FINDINGS

a) Defining and understanding conflict.

The term conflict has been given different meanings by respondents in both Lokaleng and Disaneng communities during FGD's. Conflict in Lokaleng was explained by a community councillor who noted that conflict actually starts within a household and spreads to neighbours and then the community at large. If a community member and his or her neighbour etc, are not getting along then that is conflict because both parties do not want to hear or listen what the other has to say.

Conflict as supported by the Chief, is a disagreement between two or more people which results in tension that might affect their relationship. This tension usually has a negative effect on such parties. (Interview, Anonymous, 2015 Lokaleng).

In Disaneng, conflict was defined as a situation whereby there was absence of peace among people and also lack of understanding between two or more people "*ke kgogakgogano magareng ga batho le go tlhoka kutlwano*". Conflict was further seen as the misunderstandings and misinterpretations that people encounter on a daily basis among themselves "*ke kgotlhang kgotsa kgoga kgogano*".

Conflict generally was defined both in Lokaleng and Disaneng communities to mean disagreements and misunderstanding between people in their communities which begin in the household and could escalate to involve even neighbors and a larger group of people. The majority of respondents from both communities also agreed that conflict existed in their environments and that they had knowledge of such non-violent conflicts. According to the researcher, conflict in Lokaleng and Disaneng communities can be defined as differences in opinion that exist between community members.

b) Types of conflicts

In Lokaleng the following types of conflicts were identified such as family conflict, conflict between lovers, resources, more especially natural and scarce resources. This was a very common type of conflict in Lokaleng community and as such caused a lot of conflict between community members. Animal trespassing into other's property, conflicts amongst neighbours, boundary encroachment, alcohol and drug abuse are also types of conflicts existing in Lokaleng community.

While in Disaneng community conflict types included neighbours quarrel over children, differences in opinions ranging from communities' moral values, family conflicts and differences in understanding. Also, disagreements in households: including parents, brothers, sisters, uncles and aunts, disputes over traditional leadership, children fights, lobola (Bride price) negotiations, boundary and farming land disputes constituted different types of conflict in Disaneng community.

It can be drawn from the above that, there exist different types of conflicts in indigenous communities and precisely in Lokaleng and Disaneng but more peculiar is the fact that, these conflict types are non-violent in nature and start within households or in most cases, these types tend to be similar across indigenous communities as is the case with the study areas.

c) Causes of conflicts

Among the people of Lokaleng and Disaneng communities, perceptions of differences in opinions, interests, needs, language tone and acts between two or more individuals or groups of individuals were considered as normal and part of everyday life. Respondents also alleged as the starting points for expressions of conflict situations that people differ in many ways; for instance in looks, opinions,

interests and their level of tolerance for one another. According to the respondents' understanding, differences or perceived differences become a major cause to worry about for individuals or a community if they are associated with uncontrolled temper or anger. If perceptions of differences are not controlled they may result in a dispute between the opposing sides. Conflicts are usually caused by lack of understanding among family members.

The researcher argues that, the causes of conflict as reported from indigenous communities by respondents tend to be similar across these various communities. Although what is conflict in community "A" might not necessarily be conflict in community "B" with respect to the moral values and ethics upheld by such community, non-violent conflicts are usually caused by lack of understanding when issues relating to different matters are raised. For example, family disputes can be caused by children's disobedience of their parents or the elderly, because as regarded by indigenous moral values, disobedience is seen as disrespect.

d) Conflict resolution processes

Indigenous processes of resolving conflict pertain to each indigenous community according to their moral values. Mediation processes which involved third party intervention were noted by respondents to be the mostly-used process in cases of seeking solutions to non-violent conflicts in Lokaleng community. Other conflict resolution processes such as negotiation, arbitration and dialogue were also mentioned as mechanisms used in resolving conflicts. In Disaneng community, arbitration, a process which also involved third party intervention, was the most common amongst indigenous people engaged in conflict resolution. Besides arbitration, were other processes such as, mediation, negotiation and dialogue. It

can be deduced from the above discussed indigenous processes that, these processes all include third parties' involvement and thereby, promote the concept of Ubuntu or togetherness.

In addition to the above, most respondents were of the view that, both indigenous and western processes of conflict resolution be incorporated in present day conflict resolution. This view of incorporation was buttressed by the fact that, people have the right to their choices of conflict resolution (whether formal or informal). Moreover, indigenous processes of conflict resolution provide lesser punishment, save time and are cheaper. Thus, the need for indigenous people to use the system they are more comfortable with and can afford, although, encouraged to make use of existing indigenous processes in their communities.

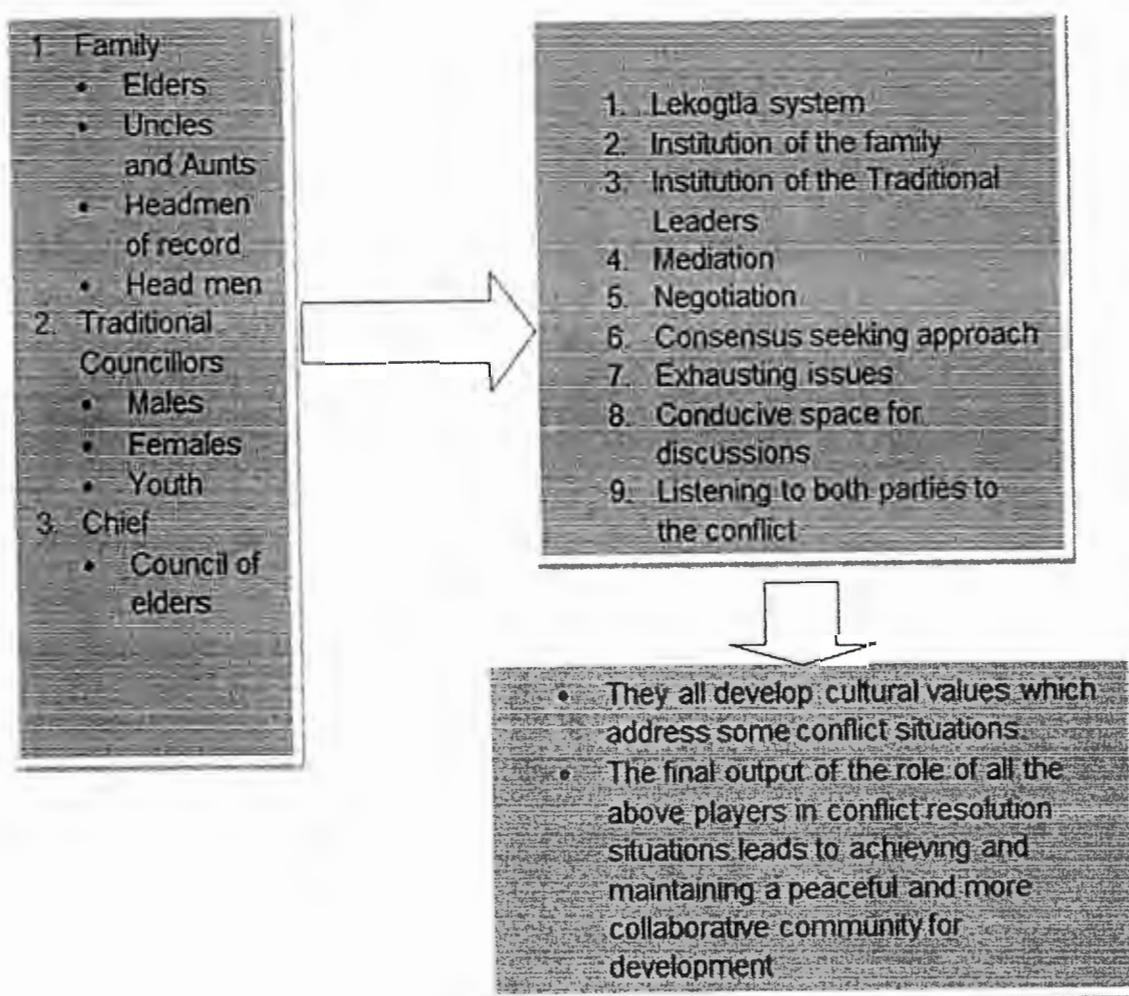
e) Role players and structures

Those who play a role in the various methods of conflict resolution cannot function in a vacuum, thus the need for structures. In the processes of seeking and providing solution to conflicting parties in cases of non-violent conflicts, role players work within different structures depending on or determined by the nature and type of conflict. In cases of family misunderstandings for instance, family elders are used to resolve conflicts. This is the case for both study areas of this thesis.

Besides the role of the family as discussed in chapter 5, the institution of traditional leadership also exists as a role player in conflict resolution processes. This authority works under the traditional court system and can resolve conflicts which could not be handled by family elders or herds men. Traditional leaders also are seen as the highest authority in their communities and are revered and referred to as the *Nkosi*. Added to the chiefs is the important role played by women in conflict resolution

process. Women are regarded as a key structure in the processes of resolving conflict among indigenous communities. Women are also known to nurture and pass on moral value to the young generation and also participate in traditional councils. The importance of these role actors in conflict resolution processes makes the need for re-appropriation inevitable in Lokaleng and Disaneng communities.

Figure 2. Summary of role players and structures of conflict resolution. Adapted by researcher.



As shown in Figure 2 in the flow chat, the role players in the process of indigenous non-violent conflict resolution include the 3 main structures made up of the family, the traditional council and the Chiefs among others, such as friends, church, social

workers and the police. While these institutions exist, they do not work in a vacuum, as such, they are the facilitators during mediation, arbitration and negotiation processes in seeking solutions among conflicting parties. The aim of these processes being facilitated by the above structures is to achieve social justice and re-integrate offenders back into their communities. Equally, it is all about developing cultural values and maintaining a peaceful community suitable for development.

d) Incorporating western Eurocentric and African indigenous processes of resolving conflict

Participants gave the following reasons to support why they thought both systems should not be incorporated or not exist side by side; they noted that use of indigenous mechanisms should be encouraged and that should both be incorporated, indigenous ways will be wiped out. Furthermore, non-incorporation will promote indigenous ways in our community and make indigenous processes to be well known in order for the younger generation to learn about traditions and encourage the use of African ways. Also, Western ways are time consuming and more expensive thus, indigenous communities should provide cheaper means for people who cannot pay court fees, therefore, no need for incorporation.

On the other hand, some participants were of the view that both processes should be incorporated because both systems complement one another. These processes individually have their own role to play in bringing peace and social justice. The two systems play different roles in the different processes and one can support the other in its weaknesses, thereby, promoting peace and a faster development of the communities. The incorporation will further promote community awareness of

indigenous ways and indigenous people will have choices to choose from. Thus, strengthening the laws of indigenous communities relating to conflict resolution.

7.4. CHALLENGES

As a starting point, research participants in both communities (Table 17) support the existence of challenges plaguing indigenous conflict resolution processes. Without these challenges, there will be no need to improve existing conflict resolution systems. During FGD's in both communities, the following were noted to comprise challenges faced in the indigenous dispute resolution processes:

1. Indigenous processes are presumed by community members to be backwards and neglected

Some of the community members in Lokaleng and Disaneng communities do not take what is said at the tribal office seriously, especially, the youth. The youth are problematic and only prefer the modern or formal ways of resolving conflict, such as police and courts systems. This is so because these youths think the indigenous ways are backward. Besides the youth, the elderly, both men and women, fail to see the decisions made at the level of traditional authorities as binding, thus, forcing the traditional council to end up sending them to the high court of traditional leadership also referred to as "Kgotla ya Ratshidi".

Indigenous ways, processes or approaches to resolving conflict which in years past belonged to indigenous communities have now in the 21st century been neglected, and the youth in particular consider these to be primitive and old. Some youths do not even know about these processes because indigenous knowledge has not been documented. In Lokaleng and Disaneng communities, in cases where the parents fail to educate the younger ones, they tend to be unaware of the existence of these

indigenous processes and even when they know about these processes, their knowledge always remains shallow.

2. Unemployment

Non-violent conflicts in Africa have compounded the problem of unemployment in the continent. Today, throughout Africa, as with the case of Lokaleng and Disaneng communities in particular, high rates of unemployment, particularly of youths, is a major cause of concern. Unemployment has been growing at an annual rate of 10% (UN: 234). In communities coming out of conflict, many young people not only lack employment, they have also been denied education and economic empowerment because of lack of educational facilities. It is helpful to note that without other means of economic support, there is a danger that unemployed youths will engage in criminal behaviour, especially within indigenous communities of Lokaleng and Disaneng.

3. Recognition of the role of traditional leaders

The traditional leaders in South Africa have been bestowed by the Constitution, with the task of resolving conflicts and promoting development. Even though this constitutional mandate still exists, these traditional authorities do not enjoy as much power as allocated to them. This can be further explained by the fact that, their jurisdiction is limited and not all cases are within such jurisdiction. In some instances, they need to refer cases such as theft to the magistrates in both Lokaleng and Disaneng communities.

4. Poverty

The effect of poverty cannot be avoided in most African countries and precisely, in indigenous communities such as Lokaleng and Disaneng. This is related to the fact

that, most indigenous households do not earn up to the minimum wage as provided for by the South African government. This has left indigenous communities unable to, train constantly those mediators who facilitate proceedings in traditional courts and indigenous CR in general within Lokaleng and Disaneng communities.

5. Poor representation of women and youths

Even though women are a part the traditional council of Lokaleng and Disaneng communities, it was noted that their representation in conflict resolution remains poor. Even when women according to some participants, play a major role in the peace-building processes of maintaining social justice in Lokaleng and Disaneng communities, yet they are undermined (poorly represented in conflict resolution processes). Fewer youths are also allowed involvement in conflict resolution processes, which also reduces the strength of these processes especially when the youth are the most active age group and affected by unemployment.

6. No respect for traditional authority

Another worrying issue which was noted to plague the indigenous processes of conflict resolution was the disrespect of traditional authorities, the Chief and his council of elders in particular. This problem of lack of respect for this institution which works to maintain a peaceful community tends to hamper the effective functioning of the authorities and thus, slowing the pace for effective resolutions to be achieved in Lokaleng and Disaneng communities.

7. Bias by role players/ facilitators in conflict resolution

Furthermore, facilitators are seen as biased especially when resolving family disputes in Lokaleng and Disaneng communities. For instance, in cases where negotiators know the parties in conflict they, in some instances, tend to take the side

of one party over the other and thus, judgments are biased due to favoritism. This problem of disrespect is further caused by the fact that, some parties in conflict do not want to listen to facilitators due to their pride especially when those presiding or mediating a case are known by the parties in conflict.

This issue of bias also affects traditional council members in passing judgments causing resolution outcomes to be questioned and thereby, reducing the effectiveness of the indigenous system in Lokaleng and Disaneng communities.

8. Lack of expertise

In addition, traditional councilors are not well trained for the task of conflict resolution as is the case with lawyers in the western or formal court system. As a result, traditional councilors do not perform particular roles like in the western courts system. This backdrop of limited role players hinders the effectiveness of the indigenous processes of conflict resolution as it becomes challenging for a role player to play the part of a mediator, arbitrator and negotiator in different instances as the need arises, without being properly trained on how to manage these different situations. Consequently, the decisions of role players in some instances are disrespected. This disrespect of decisions is caused by inefficiency especially, because the unavailability of councilors when needed remains a serious challenge for the community as a whole and conflicting parties in particular. The lack of expertise as such reduces the overall strength of the indigenous processes in Lokaleng and Disaneng communities.

7.5. THE RESULTING RECOMMENDATIONS

As a way out of the above challenges regarding non-violent conflicts that have wrecked the effective functioning of indigenous conflict resolution processes in

Lokaleng and Disaneng communities in particular, it is pertinent to offer some suggestions based on an analysis of the causes of the problems researched. In this light, two major broad solutions may be explored to bail the Lokaleng and Disaneng communities out of the recurrent non-violent conflicts.

1. Committed and sincere leadership

The indigenous communities of Lokaleng and Disaneng need committed, trusted and sincere leaders. These leaders should lead by example and act as good, responsible and responsive fathers to all the various sections and peoples in their communities. If sincere leadership is promoted, peace and harmony within the confines of their respective jurisdictions will be attained and also leaders will gain respect from community members. This can be done in a number of ways:

(i) Even distribution of resources

Traditional leaders, especially, those in Lokaleng and Disaneng communities working hand in hand with the government, must ensure an even distribution of resources among the various geographical and political zones in their communities. Marginalization of one group in either community should not be allowed by leaders. This will help leaders who engaged in conflict resolution processes to win the support and cooperation of all and avoid any feeling of alienation of parties in conflict in Lokaleng and Disaneng communities.

(ii) Promotion of rule of policy development

Traditional leaders of Lokaleng and Disaneng communities and the government as a whole, should also endeavour to promote the development of indigenous policies addressing conflict resolution processes. This involves equal access to justice by all

citizens irrespective of their status, respect for court decisions by the government and respect for conduct of free and fair periodic elections. When and where leaders in Lokaleng and Disaneng promote the rule of law as indicated above, there is a guarantee of peaceful coexistence among people and a peaceful transition of power from one government to the other. The promotion of the rule of law can also improve the creation and development of policies to promote IKS in general while protecting and promoting the role of the traditional authorities in resolving conflicts in particular.

2. Reduction of Poverty

(i) It can be said without much debate, that poverty is the root of all evils in Africa. A poor man or woman, who has been economically degraded and financially distressed may not be said to be in his right senses. Hence, it may be appropriate to observe that a hungry man is an angry man. He or she can steal, kill, harm and destroy thereby causing conflict in their community. Poverty can degrade a man or woman and affect his or her psychology adversely. Hence, a major policy instrument for peace and stability in indigenous knowledge that is impaled with non-violent conflicts is the eradication or at worst, a reduction of poverty. This can be accomplished in a number of ways as proposed below:

(i) Promote the teaching of IKS

IKS and its role in enhancing and promoting social justice should be brought to the knowledge of the younger generations through formal education curriculum. This process can be achieved through the inclusion of IKS in secondary and high schools and also within Lokaleng and Disaneng indigenous communities. It should be introduced in school curriculums with different aspects, such as conflict resolution, taught. This inclusion will minimise the presumed view of IKS as outdated. Most

essentially, programs on the upgrading of traditional leaders should also be noted. This is so in order to update traditional leaders and traditional councillors on current issues regarding the processes of resolving conflicts. It is believed that, if such is done, these authorities will not be undermined by community members and the youths who in some instances barely have knowledge on indigenous conflict resolution processes and some who also see these processes to be old and out-dated can be brought back to their roots. Furthermore, the government of South Africa can promote school programmes not only in Lokaleng, Disaneng, and the North West Province but throughout the country especially, by encouraging research through funded programmes as a long-term solution. In addition, the IKS Centre through has helped spread knowledge of the existence of IKS through its undergraduate and postgraduate programmes.

(ii) Provide employment for youths

Governments in Africa, South Africa and most particularly in Lokaleng and Disaneng communities should also strive to provide lucrative employment for all their citizens especially the youths. Industries and factories should be established to absorb the swarming graduates of higher institutions of learning in South Africa. The government should also encourage farming through mechanized agriculture in Lokaleng and Disaneng communities. Modern farm equipment's, technology and animal feeds should be provided for farmers at cheap and affordable prices. Besides eradicating the problem of hunger, providing employment for the youths will no doubt similarly augment the economic empowerment of youths and exterminate idleness. This solution will further reduce conflict in Lokaleng and Disaneng communities in the long run.

(iii) Existence of both indigenous and formal systems

Indigenous and formal processes of resolving conflict have existed alongside each other over the years, since colonisation. As such, if both systems co-existed in Lokaleng and Disaneng communities, one system would surely minimise the ills of the other, complimenting one another and thus, giving indigenous people the access to resources. This will also in future give parties in conflict the choice of system they prefer when involved in conflict in Lokaleng and Disaneng communities.

3. Training of facilitators

In an effort to minimise the ineffectiveness in the indigenous processes of conflict resolution in Lokaleng and Disaneng communities, parties in the resolution processes should be engaged in regular training on different platforms regarding issues involving the processes. Matters of ethics, protocols and cultural values should be brought to their knowledge as often as needed. This can be done with the assistance of identified knowledge holders in each community and also, through the use of workshops and conferences held within Lokaleng and Disaneng communities. If applied, it might lessen the issue of disrespect and also minimise the problem of bias during processes of resolving conflicts within these communities.

The researcher argues that should the above explained solutions to the challenges faced during indigenous conflict resolution processes in Lokaleng and Disaneng communities be applied, the indigenous processes can be improved and thus reclaimed for younger and future generations. In addition to the above, it is hoped that the Traditional Courts Bill (TCB, 2008) can be improved to make adequate and concise regulations to guide indigenous conflict resolution processes in Lokaleng and Disaneng communities. This recommendation might go a long way to set

standards that protect role players in the conflict resolution processes and thereby; support the need for re-appropriating indigenous conflict resolution processes.

7.6. CONCLUDING REMARKS

The implications of the findings for interventions on non-violent conflict prevention and resolution were discussed. On the basis of the findings, analysis and discussions, the researcher made various conclusions that include:

- Conflicts of different types exist both in Lokaleng and Disaneng communities. Some of the types of conflicts which exist are theft, dowry (*Lobola*) negotiation, family conflict, scarce resource, to name just a few. Nevertheless, the most prevalent are scarce resources and family conflicts.
- Most people in these indigenous communities consider conflict always to have negative effects in the communities. Though there were some participants who acknowledged that conflict had positive impacts, the fact is that the majority had negative attitudes towards conflict and even insisted that measures should be formulated to ensure that conflict did not exist in indigenous communities. However, whether conflict has negative or positive effects, negative effects overshadow the positive effects.

Whatever the cause or type of conflict existing in the indigenous communities, there is need for resolution. In both Lokaleng and Disaneng communities, there are role players at different levels of the resolution processes. They play different roles and where they cannot come to a verdict, the process is moved to other structures.

These processes use mechanisms such as mediation and arbitration which include third party intervention. These third parties and the entire resolution processes of

conflict in both indigenous communities rely on the moral values and ubuntu, which speak to these processes.

Indigenous conflict resolution processes in a nutshell, remain basically similar as found from both Lokaleng and Disaneng communities. The causes of conflict, the types of conflict that exist, the role players and various structures and the processes used in resolving conflict tend to have more similarities and less differences in Lokaleng and Disaneng communities. Thus, indigenous conflict resolution mechanisms or processes are determined by the moral values of each community. The inclusion of IKS generally, and conflict resolution processes in schools especially in tertiary programs with the promotion of research, is therefore of essence. In addition, there is need for the Lokaleng and Disaneng communities to make use of these indigenous processes of conflict resolution as a way of re-appropriation from the formal processes of conflict resolution.

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