

**A SUSTAINABLE FRAMEWORK FOR RESOLVING CONFLICTS INVOLVING TRADITIONAL
LEADERS AND WARD COMMITTEES IN A LOCAL MUNICIPALITY OF SOUTH AFRICA**

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DECLARATION

I, Shadreck Muchaku, hereby declare that this thesis for Doctor of Philosophy in Rural Development (PHDRDV) submitted to the Institute for Rural Development at the University of Venda has not been submitted previously for any degree at this or another university. It is original in design and in execution, and all reference material contained therein has been duly acknowledged.

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Date : 29 September 2020

ABSTRACT

In several countries, traditional leaders and Ward Committees are respected players in rural development. In light of this, the South African government made several efforts to build sustainable harmony among traditional leaders (TLs) and Ward Committees (WCs) in all local Municipalities. However, several conflicts that continue to characterize the relationship between the two leadership institutions compromise their ability to effectively contribute towards rural development. Even though this is the case, existing conflict resolution frameworks (CRFs) have failed to yield sustainable peace. This situation demands that urgent action be taken to backstop the tensions before they become widespread and more devastating. Thus, the current study was built on the premise that the leadership disputes undermine the prospects of realizing meaningful development in rural areas. The current study was designed such that it would result in a framework for sustainable resolution of conflicts between traditional leaders and Ward Committees. Following an exploratory research approach, a case study was carried out in Greater Giyani Local Municipality to develop a relevant conflict resolution framework. Respondents in the survey were selected using purposive sampling. Data on conflicts among community leadership was collected. Traditional leaders, Ward Councillors, representatives of non-governmental organizations (NGOs) and prominent people within Greater Giyani were the respondents. Desk studies, key informant interviews and focus group discussions. Thematic content analysis was used to bring the meaning to qualitative data. The qualitative data was captured and analysed using ATLAS.ti version 8. In achieving that, the first step was to ascertain the nature of conflicts between traditional leaders and Ward Committees. Secondly, this study aimed to determine the major causes and consequences of conflicts between TLs and WCs. Thirdly, suggest applicable conflict resolution framework between traditional leaders and Ward Committees. Lastly, develop a framework for resolving conflicts between traditional leaders and Ward Committees that would contribute to achieving sustainable peace. Thus, this study offered an evidence-based assessment on the existing conflict resolution frameworks (CRFs) within the broader framework of co-operative governance and social reconstruction efforts. The findings of this current study reflected that non-violent conflicts were common between TLs and WCs in Greater Giyani local Municipality. However, there were isolated reported cases of violent conflicts. Respondents during key informant interviews (KIs) and focus group discussions (FGDs) indicated that several conflicts were caused by power contestations, cultural factors and allocation of land among others. All the communities that experienced community leadership conflicts were concerned that community members were highly polarised, their property damaged and in some cases lost human lives.

Interviews contacted revealed that the existing conflict resolution frameworks lacked inclusiveness, and that institutions dealing with conflicts were perceived to be biased. Therefore, present study provided a conflict resolution framework that can be used in influencing agenda setting, informing interventions, advocating for programs and policies that promotes peace building and co-operative governance. This assists decision makers to make pre-informed decisions before providing support to local Municipalities on resolving conflicts and peace building. The use of participatory research methods in the present study helped to ground the work in conflict resolution and peacebuilding; thus, contributing to community engagement practices. Considering the nature and scope of conflicts between TLs and WCs in Greater Giyani local Municipality should utilise, an all-stakeholder inclusive framework to arrest conflicts. An expansion of this present study to cover other rural areas with different cultures might be a valuable avenue for future studies. Lastly, the practicality of the framework makes it easier for key peace stakeholders and other practitioners to use in future.

Key words: community development, community leader, local Municipality, rural community, traditional leaders

To my family which had a dream of me accomplishing this academic level since my boyhood

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ABBREVIATIONS

ANC	African National Congress
ADR	Alternative Dispute Resolution
CONTRALESA	Congress of Traditional Leaders of South Africa
COGTA	Department of Co-operative Governance and Traditional Affairs
CRFs	Conflict Resolution Frameworks
LG	Local Government
NGOs	Non-Governmental Organizations
PPNT	Permanent Peace Negotiation Team
PRA	Participatory Rural Appraisal
SADC	Southern African Development Community
SALGA	South African Local Government Association
SALII	South African Legal Information Institution
TLS	Traditional Leaders
TLGFA	Traditional Leadership and Governance Framework Act
VIDCO	Village Development Committee
WADCO	Ward Development Committee
WCs	Ward Councillors
ZANU-PF	Zimbabwe African National Union: Patriotic Front

CHAPTER 1 INTRODUCTION

1.1 Background

There is growing interest in the dual government system that embraces traditional leadership and elected representatives of people such as Ward Committees (WCs). This is due to the system's identification with benefits such as public participation, responsiveness, effectiveness, and stability (Linde, 2015). Yet, turf contests between traditional leaders (TLs) and WCs over the administration of rural communities threaten the full actualization of the dual system of governance. The contests manifest in various forms including rage, rifts, wars, public insurrections, and assaults (Ajayi, 2014). In view of the rainbow nation mantra, South Africa has often been described internationally as one of the most democratic and peaceful countries in Africa (Francis, 2006). However, conflicts that continue to re-emerge in local Municipalities mar this image as a beacon of peace. Shades of conflicts between TLs and WCs are witnessed throughout the country. Notable among them are conflicts recorded in recent times that included the wrangle over land allocation in Giyani (Hlatshwayo, 2007). The endemic nature of the disputes has even made Ajayi & Buhari (2014) paper entitled "Methods of Conflict Resolution in African Traditional Society" thought-provoking. It is against this background that Greater Giyani Municipality was purposively selected for the study underpinning this thesis. In the study, the objective was to ascertain the views of stakeholders about the most sustainable framework for resolving conflicts between TLs and WCs.

Although some efforts have been made to invalidate traditional leaders (Sithole & Mbele, 2008), there is a growing focus on the importance of co-operative governance in promoting service delivery in rural areas (Kamara, 2017). While Omisore & Abiodun (2014) view conflicts as health and inevitable, persistent conflicts denote failure to work together. Maluleke (2015) defines co-operative governance as the act of steering co-operatively owned enterprises towards economic, social, and cultural success. Despite the initiatives that various African governments have introduced to enjoy the benefits of the dual system, the relationship between TLs and WCs remains strained.

To date, many countries, for example, Ghana, South Africa, and Zimbabwe have formally reinstated traditional leadership institutions in their democratic systems of governance but with limited success (Ayee, 2013; Chigudu, 2015). This might be emanating from weak policies adopted to promote co-operative governance. In South Africa, Local Municipalities are facing numerous challenges that include leadership-embedded conflicts. In general, conflicts are undesirable. They divert human and material resources away from development initiatives (Kim & Conceição, 2010). Thus, unresolved conflicts between TLs and WCs are likely to hinder or retard development. For instance, Madumo (2015) reveals that WCs identify

development projects that traditional leaders reject for no clear reasons at times. This is not sustainable and militates against development.

Efforts to link traditional and elected leaders so that they lead development in harmony are widespread in the international community (Armitage, 1995). However, pragmatism and organic democracy schools of thought underpin the debate relating to whether TLs and WCs should coexist. Roberts (2001) posits that when competing for customary and modern powers coexist within a defined government system; conflicts lead to insecurity about which source of authority should prevail. While there were calls to abolish traditional leadership, it continues to persevere and resist validation (Mashau *et al.*, 2014; Chigudu, 2015). In this regard, it is worth noting that Canada, Ghana, and Zimbabwe have been forced to re-recognize traditional leadership after realizing that it was impossible to increase community-based participation in development and governance without its involvement (Chigudu, 2015). It can be argued that this highlights why co-operative governance is vital in modern societies.

In South Africa, the hybridization of traditional and elected leaders in the post-1994 period ushered in a new era in local governance. Local Municipalities are expected to anchor local government in promoting rural development. Attempt to integrate WCs and TLs was set in motion when the White Paper on Local Government was adopted in 1998 (Branson, 2016; Mathonsi & Sithole, 2017). The Constitution of the Republic of South Africa requires TLs and WCs to work together in Local Municipalities (South Africa Local Government Association: SALGA, 2013). Government enacted the Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003) to give clarity on the functions and roles of traditional leaders that were overlapping. The Municipal Systems Act of 2000 entrusts Ward Committee members with the responsibility of meeting community members to update them on development programs and projects. Municipal Structures Act (Act No. 117 of 1998) provides for the participation of recognized traditional leaders in Municipal Councils. Through this integrated approach, community leaders are expected to work together. Each group of people, race, or identity group resolves conflicts in its own way (Ajayi & Buhari, 2014). Even though greatly variable across ethnic groups, the methods applied in traditional African societies include mediation, adjudication, and reconciliation (Waindim, 2019). During pre-colonial times, for example, the police in Europe was an agency of crime detection compared to African societies that relied on oath-taking and divination (Jenkins, 2010). These approaches fail to yield the desired results when applied to conflicts in more democratic rural communities (Bikam & Chakwiriza, 2014; Dubazane & Nel, 2016; Bukari *et al.*, 2017). Despite this, there is still no specific context-based conflict resolution mechanism that ensures that solutions are arrived at amicably. Moreover, there have been limited systematic attempts to develop more sustainable conflict resolution frameworks among community leaders (Roberts, 2001; Wertheim *et al.*,

2006; Bramsen, 2017). The current study aimed to address this by developing an appropriate framework for resolving conflicts, taking Greater Giyani Local Municipality as the case study area. Vilalta (2010) postulates that conflict resolution frameworks are meant to address an identified problem. Such methods yield agreements but are inappropriate because they fail to resolve conflicts amicably because they merely reflect or perpetuate the common win-lose pattern of interactions (Govier, 2008; El-Bushra *et al.*, 2013; Waindim, 2019). The situation prompts the need to formulate context-based conflict resolution that addresses the fundamental causes of the problem. Thus, it is crucial to answering the question: What type of a framework would ensure that TLs and WCs co-exist, integrated, harmonised, and pro-development?

Pre-independence, TLs played all-inclusive roles for their communities and were chief custodians of citizen values in rural societies (Meer & Campbell, 2007; Bikam & Chakwiriza, 2014; Mafunisa, 2019). After colonization, the government introduced a new veneer of power that either eliminated or diluted these approaches. Branson (2016) suggests that the introduction of elected leaders usurped most of the duties of traditional leaders and trimmed their powers. It is believed that tensions develop as TLs feel that their territory has been encroached on given those grassroots communities that were entirely under their custodianship now officially fall under Local Municipalities. Consequently, the conflicts incapacitate community leaders and fail to take advantage of potential synergistic effects between elected and traditional leadership systems of local governance to promote development. The longer the conflicts remain unresolved the more likely they destabilize governance in rural localities. A framework that can be applied in attempts to resolve the conflicts more efficiently and effectively is required.

In Canada, it was demonstrated that traditional leaders were central to service delivery in their rural societies, especially if they worked co-operatively with elected leaders (Ray *et al.*, 1997). There were instances when the Canadian government handed over control of some functions to TLs in rural communities (Armitage, 1995). Parlee (2015) suggests that TLs in several rural areas represented their communities successfully in engaging the state. Yet, in most rural areas the relationship between the Aboriginal population and Canadian government has been antagonistic. Although negotiation has been tried to address the situation, compromise, and agreement have failed to yield any substantial solution (Spear, 2014). This reflects that the current frameworks are failing to ensure peace in fragile dual systems. Given the substantial conflict resolution challenges, it was vital to develop a framework that resolves leadership disputes more amicably.

In Africa, efforts to harmonize the relationship between TLs and WCs have achieved little success. In West Africa, for instance, the Ghanaian government formed a Permanent Peace Negotiation Team whose mandate was “to investigate on the root causes of the conflicts between elected and traditional leaders” (Carscious, 2013; Tieleman & Uitermark, 2019) and make recommendations for interventions that might resolve them to the government (Lesengei & Gitonga, 2017). However, state peacebuilding efforts adopted a top-down approach and focused on high-profile leaders. It failed to resolve the conflict amicably. Scholars such as Angelis et al. (2016) argue that the commission’s carry out a post-mortem to conflict but the cost and duration of a public inquiry must be weighed against social advantage. Even if a public inquiry is appropriate, the exorbitant costs and the importance of preserving public confidence in the procedure applied dictate that not every conflict is a candidate for inquiry (Ajayi & Buhari, 2014; Lesengei & Gitonga, 2017). Even though this procedure has the potential to attract good publicity, it’s reactive nature is problematic. Given the scope and nature of most conflicts in rural communities, there is a need to craft more sustainable conflict resolution approaches.

In pre-colonial South Africa, various principles were used to guide conflict resolution in traditional societies. Mathonsi and Sithole (2017) note that Africans had their peculiar ways and manners of affecting peace-making, peace-building, and confidence-building such as mediation and supernatural arbitration. External factors such as colonial forces and democracy undermined the mechanisms of resolving conflicts (Williams, 2010). Existing frameworks in most cases have not been mindful of the need to create a positive environment for resolving conflicts that yield comprehensive agreements. Accordingly, current leadership conflicts are difficult to resolve using current approaches.

South Africa enacted legislative frameworks intending to harmonize the relationship between TLs and WCs (Murray, 2004; Dubazane & Nel, 2016). Traditional leadership and Governance Framework Act (TLGF), No 21 of 2003 obliged the state to support the institution of traditional leadership (Republic of South Africa, 2003). In some isolated cases, commissions that were set up to help ease these tensions took long to make recommendations to the government (Department of Co-operative Governance and Traditional Affairs, 2017). This threatens the prospects of attaining peace and creates an environment that escalates the conflict. Given the extraordinary range of rural experiences and institutional differences, there is also a growing awareness that deepening the scope of dealing with conflicts between TLs and WCs is not justified.

Analysis of the overlapping roles of TLs and WCs are beyond the scope of the current study. However, better insights on how the overlap of roles cause tensions and affect the

implementation of grassroots community development projects. Also, clashes between WCs and TLs are contributing to the poor delivery of basic services.

A key question facing co-operative governance in existing democracies is how best to eliminate the legacy of past colonial and apartheid systems whilst facilitating sustainable development. Furthermore, how can conflicts that often characterize the dual system of governance be addressed? To overcome the limitations of the existing conflict resolution frameworks, alternative ones that address them amicably should be developed. Unlike interests, power, or other rights, needs cannot be traded or suppressed. Currently, there is no widely accepted resolution mechanism to ensure that conflicts are eliminated. The existing frameworks seem not applicable to the existing conflicts between TLs and WCs. Increasingly, the accepted wisdom is that the best resources and solutions to the many seemingly intractable dilemmas of a sustainable way of resolving conflicts lie within the communities themselves. Thus, the current study sought to develop a context-based framework between TLs and WCs that eliminates conflicts more amicably and sustainably.

1.2 Statement of the Research Problem

In Local Municipalities of South Africa, numerous conflicts existing between TLs and WCs threaten the success of the dual system of governance. Despite government efforts to entrench the dual system in rural areas (Mafunisa, 2019), community leaders continue to face protracted conflicts. If these conflicts continue unabated, they undermine the respective roles of the two leadership institutions (Rautenbach, 1999; Tshitangoni & Francis, 2015; Mafunisa, 2019). The clashes that occur between TLs and WCs take various forms, including violent and non-violent conflicts (Mafunisa, 2019). Rural development projects identified by WCs fail to get support from TLs (Madumo, 2015). It is important to understand and note that peace enables successful project implementation and sustainable development. Although existing frameworks have managed to reduce the level of conflict between the institutions (Linde, 2015), the conflicts that continue to exist between TLs and WCs suggest that there is a missing link.

Past studies detected that conflicts existed in Greater Giyani Local Municipality. For instance, Dubazane & Nel (2016) report that there is evidence of conflicts among the community leaders in the Greater Giyani Local Municipality. Despite this acknowledgment, little has been documented concerning conflict resolution frameworks that take the local context into account. It appears this is the case throughout the country. In Figure 1.1, the factors perpetuating the problem are presented. This situation motivated the current study designed to develop a sustainable framework for resolving conflicts between TLs and WCs. To achieve this goal, the

root causes of conflicts were identified, possible consequences were uncovered and existing mechanisms were examined.

1.3 Justification/Rationale of the Study

This current study was deemed important because of its focus on developing a framework that would be an integral part of managing the relationships WCs and TLs as community leaders. Conflict resolution promotes consensus-building, social bridge reconstruction, and the re-enactment of order in society (Ajayi & Buhari, 2014). Its importance should also be viewed in the context of the framework's utility, namely centrality to peacebuilding, maintenance, and social cohesion. Ultimately, it creates an enabling environment for rural community development to flourish. There is evidence of this in other parts of this thesis.

1.4 Research Objectives

The aim of the study was to develop a sustainable framework for resolving conflicts involving Traditional Leaders and Ward Committees in a Local Municipality of South Africa through active involvement of diverse interest groups. In doing this, the specific objectives were to:

- a) ascertain the nature of conflicts between traditional leaders and Ward Committees over administration of affairs of rural communities;
- b) determine the major causes of conflicts between traditional leaders and Ward Committees;
- c) analyse the major consequences of lack of harmonious co-existence between traditional leaders and Ward Committees; and
- d) suggest an applicable conflict resolution framework for disputes between traditional leaders and Ward Committees.

1.5 Research Questions

The following are specific questions:

- a) What is the nature of conflicts between traditional leaders and Ward Committees?
- b) What are the major causes of conflicts between traditional leaders and Ward Committees?
- c) What are the consequences of disharmony between traditional leaders and Ward Committees?
- d) What are the strengths and weaknesses of the existing conflict resolution frameworks between TLs and WCs?

- e) What mechanisms effectively resolve conflicts between traditional leaders and Ward Committees?

1.6 Theoretical Framework of the Study

In the current study, the Human Needs Theory (Burton, 1997) and the ground theory were used to build an understanding of the conflict resolution.

1.6.1 The Grounded Theory

1.6.2 The Human Needs Theory used to Anchor Current Study

The Human needs theory was adapted as the theory that guided this study as shown in fig 1. The theory presents a crucial understanding of how conflicts can be resolved in local Municipalities. The current study utilised a hybrid theoretical framework that is based on the theories discussed above. The Human Needs model provides a vital starting point for the present study. Central to this approach is the assumption that when dealing with conflicts, one needs to understand the underlying factors (Christie, 1997). In the context of community leaders, underlying factors based on this theory include, identifying the root causes, understanding the nature of conflicts, and ultimately addressing their causes becomes critical in attaining peace. Danesh (2011) further stipulates that all humans have certain universal needs and if these needs are not met, conflict is likely to occur.

Drawing lessons from the above mentioned theoretical foundations, the present study developed a framework for conflict resolution based on defining the conflict (identifying root causes and the manifestation of conflicts) and cooling off period (fostering relations). Furthermore, Burton in his book 'Conflict: Human Needs Theory' states that the nature of human needs remains constant and finds their air under the changing environment (Burton, 1990). Therefore, the understanding that human needs such as the need for power are constant was used to model a resolution framework based on past experiences. The approach was useful in identifying common causes of conflict between TLs and WCs and classify them according to rights, interest, or power. Burton (1990) also identifies a set of needs, which he considered to be universal in their occurrence but with no hierarchical significance.

It is further argued that conflict and even violence are inevitable because human needs are non-negotiable, while human interests are open to negotiation and compromise. Therefore, a categorization of human needs and human interest can determine the appropriate approach

when dealing with conflicts. This framework is people-centered and utilised the participatory approach in developing a framework for resolving disputes.

The framework considers that when building peace, the outcome of conflict resolution frameworks must be a win-win solution. Thus the framework assumed that win-lose conflict resolution frameworks trigger conflict as the conflict parties may seek retributive justice (El-Bushra . 2013). It also included a broader interpretation of conflicts which cognates on human needs, rights, interest, and power. In turn, these factors inform the choice of a conflict resolution framework. (The refined framework suggested in this study was utilised just as an entry point. The theory helped as a guide for understanding the occurrence of conflicts in various societies and suggest ways to get solutions and elected leaders. The important assumptions in designing the conceptual framework used in this current study presented the following: conflict resolution in Greater Giyani must seek to end conflict and peacebuilding. Furthermore, conflicts among community leaders must be ended before they escalate into a major conflict.

The models also assisted in developing a conflict resolution framework appropriate to deal with these conflicts and promote co-operative governance. While human needs theory is accepted as a valid and useful model for understanding some of the fundamental aspects of human behavior, there are nevertheless significant questions that remain to be answered. How can we define human needs? Are human needs universal or cultural? How can we distinguish between human needs and human interests? These questions concerning needs, interests, and conflict require a better understanding of the manifestation of conflicts nature of human conflicts and their genesis. Human needs theory is, in sum, focuses on the source of the conflict, promotes understanding from a base of our common humanity and it highlights the distinction between negotiable and non-negotiable issues in a conflict (Avruch & Mitchell, 2013).

From a conceptual basis, this study systemized our understanding of conflict resolution. It also stimulated a more thorough analysis filling the gap between our knowledge and the realities of conflicts within local Municipality of South Africa. As argued by Mathonsi & Sithole (2017) conflict between the elected and traditional leaders have become prevalent and only when they are dealt with amicably can then sustainable development be realised.

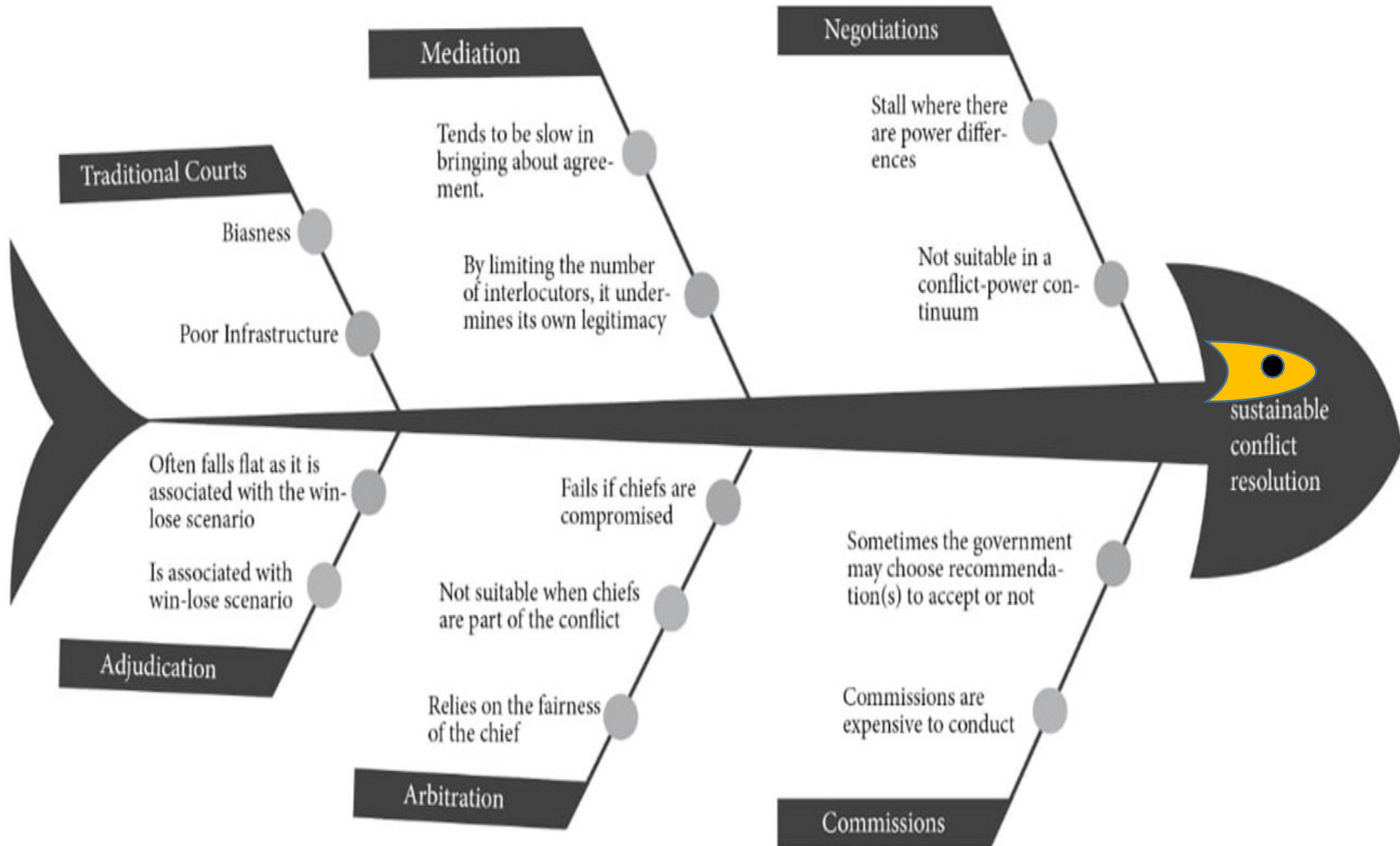


Figure 1.1 Conceptual Framework: Fish bone diagram depicting problems, issues and mechanisms of resolving conflicts

1.7 Operational Definitions of Key Terms and Concepts

Conflict occurs when two individual or more have incompatible interests or goals (Sabir *et al.*, 2017)

Conflict resolution is a process of finding a solution to dispute between or among contending parties (Zahed, 2013)

Framework is a set of ideas, rules and beliefs from which something is developed, or on which decisions are based (Mitsuhari (2012)

Municipality refers to the smallest administrative subdivision to have democratically elected representation. In this study, Greater Giyani Municipality which was proclaimed in terms of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998), was the area of focus.

Rural community: area located outside towns and cities (Ntsebeza, 2007)

Traditional leaders refer to Chiefs, headmen and village heads.

Ward Committee is made up of members representing various interests within a ward and chaired by a Ward Councilor

1.8 Outline of the Thesis

This thesis comprises eight chapters, each with an explicit theme. The Dissertation used the same data sets and presented in the form of individual papers. The first chapter is a detailed background of the study, which leads to the formulation of the problem. The overarching aim, objectives, and research questions are in cooperated in the first chapter. The theoretical framework and significance of this present study are also explained. The literature linked to this study is reviewed in chapter two. The major issues discussed are aligned with the study objectives. This offers theoretical perspectives and a deeper understanding of the study focus. A comprehensive review of current frameworks used for conflict resolution is also presented. The third chapter of this thesis provided the procedural and methodological approaches employed in the entire study. Thus, the description of the study design, study area, population, data collection and, analysing tools, and ethical issues considered in this study as presented. Chapters four to eight are written in paper format, consisting of the main themes: the abstract, introduction, methodology, presentation of

findings, discussion, conclusion and recommendations, and references. The nature of conflicts between TLs and WCs is covered in chapter four. These included the major types of conflicts between traditional leaders and Ward Committees in local Municipalities. Chapter five is a paper focusing on the major causes of conflicts among community leaders. The consequences of leadership conflicts are covered in chapter six. The strength and weaknesses of the existing framework are presented in chapter seven. This chapter discussed the strengths and weaknesses of using existing frameworks in resolving conflicts between traditional leaders and Ward Committees. Chapter eight is the concluding chapter. This chapter presents a developed framework for conflict resolution framework among community leaders of the Greater Giyani community. Conclusions and recommendations are distilled in this chapter based on the research findings.

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CHAPTER 2 LITERATURE REVIEW

Abstract

Lack of a sustainable framework to deal with conflicts between traditional leaders(TLs) and Ward Committees(TLs) is still a challenge in several local Municipalities of South Africa. In this chapter, both classical and contemporary literature on leadership conflicts, including resolution frameworks is reviewed. Existing literature on conflict resolution was gathered through document analysis. Newspapers, government published documents, journal articles and books were the main source of the literature on current conflict resolution frameworks. The data provided with essential background on the global, regional and national perspective of conflicts between traditional leaders and elected leaders. Literature review highlighted that conflict resolution is evolving from just ending disputes to attainment of peace and peace building. Thus, there is a growing need to understand the underlying factors when dealing with conflicts. Furthermore, there is no universally agreed framework to resolve leadership conflicts amicably. The current frameworks present different strength and weaknesses. While conflict resolution previously put emphasis on ending disputes, contemporary discourse has narrowed the discussion to addressing the underlying causes. This emerges from the idea that rural areas have diverse cultures, thus, respond differently to covariant state policies. It also emerged that conflicts between traditional leaders and elected leaders impact negatively on rural development. If these conflicts are unresolved, they reemerge at a wider scope. One of the important conclusions that can be pulled out of the literature studied is that there lacks a context based conflict resolution framework. Therefore, it is essential to search for a conflict resolution framework that resolves conflict sustainably and amicably. This information assists responsible stakeholders in formulating policies that are committed towards ending conflicts and promoting co-operative governance.

Key words: Development, framework, Municipality, peace building

2.1 Introduction

This chapter is a review of literature on the evolution of traditional leadership institution and characterises the relationship between traditional and elected leaders. The first part of this chapter provides a global, regional overview of the conflicts between elected and traditional leaders. The major types of conflicts and their perceived consequences in various local Municipalities is then presented. Frameworks that were introduced to mitigate disputes within the dual system of governance are critically discussed. However, this start by outlining the Legislative frameworks governing the co-existence of traditional authorities and Ward Committees in South Africa. Reviewing these aspects provides a multi-scholarly understanding of the past and current knowledge on this topic. Conflicts can be defined as disagreements on the course of action to be taken (Mostert, 2009). These sources vary from one community to another (Dorcy & Riek, 1987). Numerous frameworks have been suggested in the past in response to these conflict. However, tensions are recurring in different forms and scope. The words such as disputes, tensions clashes, conflicts and rifts are used to refer to conflicts. Other terms are only utilised if appropriate to the literature used. Hundreds of years ago, the security of a nation primarily and sometimes exclusively concentrated on managing the military affairs (Lesengei & Gitonga, 2017). With the emergence of a dual system of government in local Municipalities, African governments have been confronted with a new conflict challenge. Henceforth, an all-inclusive approach has emerged as a response to the failure to cope with the ever sprouting conflicts and the new security challenges. If unabated, these security threats threaten as much, and over time perhaps the existence of the dual system.

2.2. Global Overview of the Conflicts Between Elected and Traditional Leaders

This section reviews literature from the following continents: Americas, Asia and Africa. This section discusses conflict experiences between elected leaders and traditional leaders within selected countries. Common causes, manifestation and strategies to resolve these conflicts in the selected countries are also expanded. ATLAS.ti 8 software was utilized to analyze literature from a minimum of 30 articles across the selected countries. ATLAS.ti 8 network diagram analysis tool was employed to present the major themes, scholars and relationships among various pieces of literature within the same context. Key findings from different scholars are also highlighted in the network diagrams. The section begins with discussions on the causes of conflicts in dual systems of governance. Figure 2.2 is a diagrammatic presentation of the conflicts between the government and TLs.

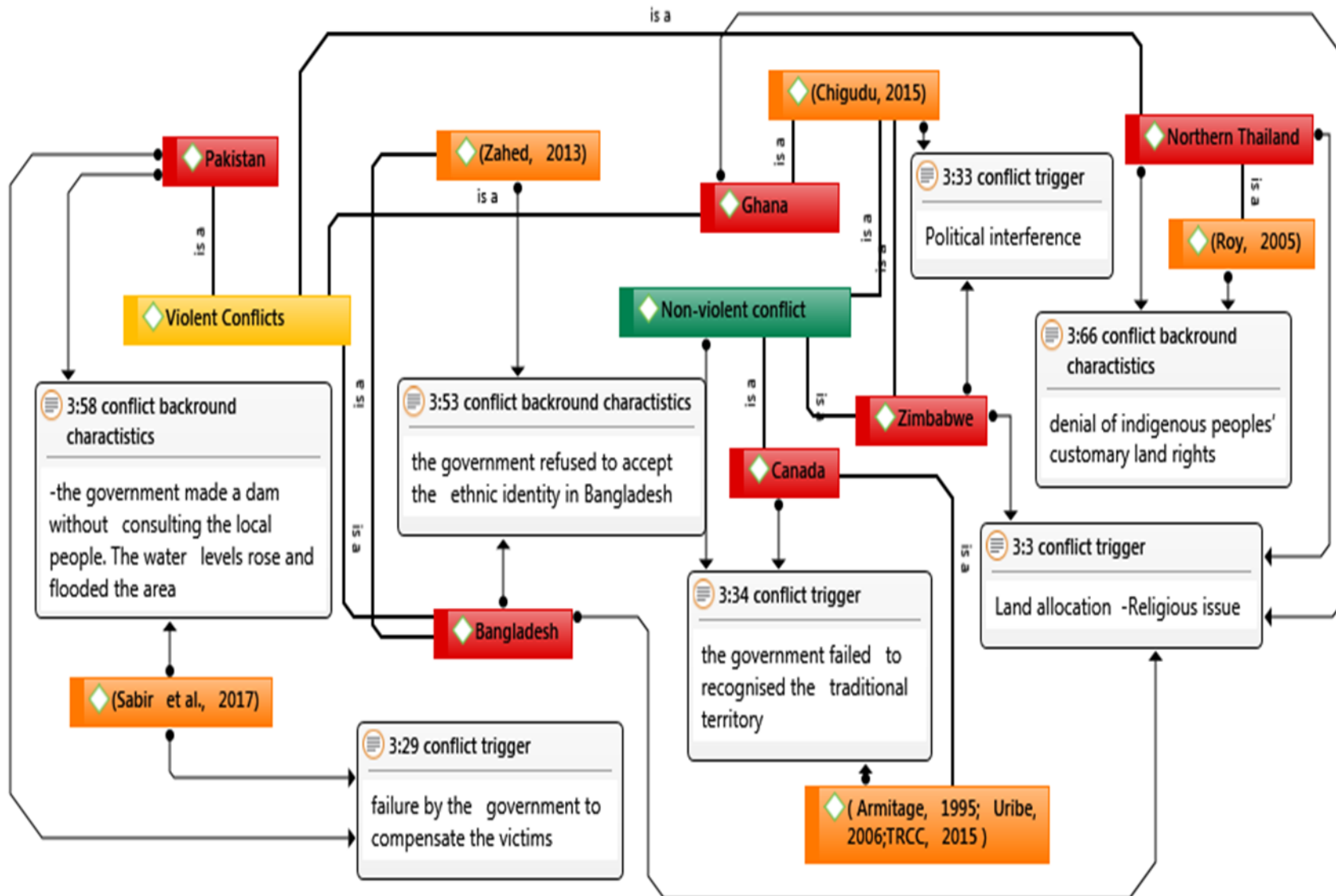


Figure 2.1 Conflict background characteristics and associated causes

2.2.1 Root Causes of Conflicts Among Community Leaders in Asia

Dual systems of governance are struggling to work co-operatively. This is owing to numerous factors ranging from socio-economic to political factors. Conflicts between TLs and WCs arise from mutually exclusive or opposing actions, thoughts and opinions (Huber, 2018). In view of the above, scholars such as Kriesberg (2006) suggest that conflicts may be ascribed to varying sources such as scarce resources, structural functions and role differentiation. In Pakistan, government's failure to consult traditional leaders triggered a violent conflict (Sabir *et al.*, 2017). The cause of the conflict is attributed to land allocation. The government's failure to compensate victims of conflicts also triggered the re-escalation of conflict (Sabir *et al.*, 2017). The Northern Thailand experience indicate that traditional leaders and elected leaders clashed over allocation of land (Roy, 2005). Similarly, in Malaysia, violent conflicts occurred over land issue (Yong, 2014) In light of the above, conflict erupted as the indigenous peoples' felt that they were being denied their customary land rights. Similar experiences occurred in Bangladesh when the state authorities refused to accept the ethnic identity in Bangladesh (Zahed, 2013). In what started as a cultural issue it became complex and land rights took centre stage. Without being exhaustive, land allocation, religious factors and lack of consultation are common triggers of conflicts. Therefore, there is need for paying attention to interface between traditional leaders and WCs. Figure 2.1 is an extract from ATLAS ti 8 that diagrammatically presents the above discussed examples.

2.2.2 Consequences of Conflicts Between Elected Leaders and TLs in Asia

The reasons accounting to poor rural development of most local Municipalities are centered on community leadership conflicts (Zahed, 2013; Sabir *et al.*, 2017). This attest to the fact that early conflicts damages property, drive away investors, and delays completion of development projects. The above mentioned consequences have impacted negatively on rural development. Roy (2005) suggest that, conflicts between state and the endogenous people has led to forced migration and displacement. More so, is has resulted in loss of human life and damage to property. Sabir *et al.* (2017) also claim that, these conflicts leave community members highly polarised. In similar studies carried out in japan, Mitsuari (2012) posit that clashes between the state and the indigeneous people after passng the Land Expropriation Act left community members displaced.

In some cases, these disputes occur within a community and are largely non-violent. Worryingly, the burden of these conflicts on community development is not well documented. This is due to the fact that; most studies tend to focus on widespread violent conflicts. The fact that, these conflicts are impacting negatively on rural development calls for context based studies in order to understand the specific conflict consequences aspects. The following section discusses frameworks that are currently utilized to address leadership conflicts among selected Asian countries.

2.2.3 Conflict Resolution Frameworks Employed in Asian conflicts

Numerous conflicts between traditional and elected leaders have prompted researchers to start focusing on sustainable peace and peace building. Frameworks developed in the past decade are well documented as shown in figure 2.2. Foremost, it is important to highlight that very few researches have focused on resolving conflicts between traditional leaders and elected leaders. Literature reviewed indicates all conflicts were violent. It clearly indicates that similar approaches were used in resolving these conflicts in all the selected countries. For instance in Bangladesh, after lengthy period of negotiating they signed a Peace Accord in 1997 (Zahed, 2013); however, their peace initiatives were not realistic and professionally sound. Roy (2005) similarly reports that lengthy negotiations were used in attempt to resolve violent conflicts in Northern Thailand. This is a clear indication that, it took long to resolve conflicts. The Pakistani experience indicates that, strategies such as public education, commissions play a key role in achieving sustainable peace (Sabir, *et al.*, 2017) Given this insight, it can be concluded that, the use of generic less binding conflict resolution frameworks is not effective. Despite the availability of literature on resolution framework in Asia, Beheshtifar & Zare (2013) lament that there is very little information on resolving disputes between TLs and WCs in several local Municipalities. More so, current frameworks have failed to arrest conflicts amicably in rural areas. This limits the understanding of how sustainable peace can be resolved those between TLs and WCs can be resolved.

2.3 Root Causes of Conflicts Between Traditional and Elected Leaders in Americas

As illustrated on figure 2.2, control over land had a huge bearing on the relationship between elected and the elected leaders. In most recent times, Canadian experience indicates that the relationship between Aboriginal peoples and the state deteriorated (Armitage, 1995). The Canadian experience indicates that traditional leaders are an essential asset in improving service delivery, if they work co-operatively with the elected leaders (Ray *et al.*, 1997). In particular clashes were attributed to the failure by the government to recognize the traditional territory

(Uribe, 2006). Armitage (1995) argue that violent confrontation started over the decision by the state to develop a golf course on Mohawk burial grounds. The conflict started as a peaceful act of resistance before taking a violent turn. In light of the above, the conflict causes are multi-faceted. Thus, it was triggered by cultural factors and the need to control land. Given the numerous clashes, it is paramount to pay attention to the entire conflict resolution process in order to attain sustainable peace.

2.3.1 Consequences of Conflicts Between Elected Leaders and TLs in Americas

TRCC (2015) hints that, conflicts between elected leaders and the aboriginal peoples of Canada left them highly polarised. Furthermore, mistrust between the crown and the Aboriginal peoples developed. As a result, social cohesion remains under threat from these conflicts. The violent conflict also resulted in railways being closed down (TRCC, 2015). In addition, cultural genocide has left deep scars on the lives of many aboriginal peoples. Similarly, in Oceania, the British establishment recognised other chiefdoms in Fiji, lowering the number of active chiefs into district, provincial and divisional level (Pauwels, 2015). The decision to alter the representation further divided the people of Fiji. As illustrated above, most studies tend to focus more on violent conflict. In doing so, dominant and non-violent conflicts are ignored. In some instances, this narrow understanding of conflict dimension has led to use of ineffective frameworks that yield very little success in resolving conflicts. This calls for separate studies that are context specific that to develop frameworks that resolves conflict amicably.

2.3.2 Frameworks Utilised in the Conflicts Between Elected Leaders and TLs in Americas

Several approaches to conflict were employed to resolve these conflicts in countries such as Canada. In 2010 adopted the rights of the indigenous peoples as a legal document. However, the government was reluctant to operationalize the declaration (TRCC, 2015). Conflict between the two institution recurred. The Canadian churches urged the government to implement it. As a result, it is critical to clearly understand that less binding approaches to conflicts fail to resolve conflicts. Few years later, the Canadian supreme court ruled that the aboriginal people be granted land rights. Worryingly, (Ajayi & Buhari, 2014) posit that outcomes of modern courts are less unifying. Similar studies in Oceania negotiations could not yield that desired results. Ademowo (2015) cautions that is the current frameworks still largely fails to deal with conflicts amicably and sustainably. This attest to the need for studies that focus on most applicable frameworks between TLs and WCs. Negotiations have been used as an approach to accommodate the competing interests of neighbours, to settle disputes, and to end or prevent physical violence (Spear, 2014).

However, some conflicts could not be resolved through compromise and agreement. The reason for this is simple: some things are unacceptable. Thus, Aboriginal peoples still suffer conflict within their relationships with settler states (Schulze, 2008)

2.4 Clashes Between the Government and Traditional Leadership in West Africa: Ghana's Experience

The constitution of Ghana (1992) recognises the institution of traditional leadership. Traditional leaders are expected to contribute to traditional leadership, judicial adjudication, and social cohesion (Mohammed, 2015). However, the relationship between TLs and the state remain strained. The institution of traditional leadership in Ghana, demonstrated profound resilience and remain relevant in governance today (Hagg & Kagwanja, 2007; Mohammed, 2015). While the whole of Ghana is susceptible to civil strife, the northern half of the country has been the main hotbed of conflict that often pivot around land ownership and chieftaincy (Ayee, 2013). Aapengnuo (2010) reiterates that continued interference by elected leaders in traditional leadership matters has inflamed the tensions. Understood in this light, several supports that central government's interference in chieftaincy by replacing the 'royal once with the loyal ones'. Omagu (2013) claims that the current chieftaincy conflict could be traced to the situation described above.

2.4.1 Conflicts Resolution Experience in Ghana

While some frameworks have managed to end conflicts between in several African countries, they have failed to attain sustainable peace. This is an indication that the current frameworks are not applicable. In April 1994, the Ghanaian government formed a Permanent Peace Negotiation Team (PPNT) whose mandate was 'to delve into the root causes' of the conflict and make recommendations to the government (Lesengei & Gitonga, 2017). State strategies focused on the suppression of violence, targeted a limited number of actors, and sought to achieve a cease-fire agreement. However, state peace building efforts, particularly the PPNT, adopted a top-down approach and thereby focused their initiatives on high-profile leaders in the region hence could not resolve the Inter-institutional conflict. Consequently, there is need to identify key players in resolving conflicts.

Apart from the traditional methods stated above, there are several traditional practices that play significant role in resolving conflicts in Ghana. For example, Awedoba (2010), argues that supernatural arbitration provides the avenue for reconciliation among members of communities engaged in a feud. The essence of resolving conflicts through supernatural arbitration is to heal

the wounds of the victims, restore self-confidence and avoid unbridled private revenge in case victims get tempted to take justice into their own hands (Ademowo, 2015). However, the practice is undemocratic and may be resisted in communities that do not ascribe to the same religious sect.

Ghana's legal system remains an important mechanism for resolving conflict in the country. Mohammed (2015) observes that more and more chieftaincy disputes are being sent to the courts. Nonetheless the litigants and their community's lack of understanding of the legal principles accounts for unwillingness to prefer court rulings. This confirms emic theorist's point of view that neglecting cultural categories of a people presents difficulty in resolving cultural based conflict (Yahaya, 2016). Despite the setbacks mentioned above, the courts still retain a role in the management of chieftaincy disputes in Ghana.

Several committees and commissions of inquiries are taken evidence and make recommendations for resolving a conflict. For example, in the case of the Dagon conflict, several committees and commissions were set up such as the Wuaku commission (Yahaya, 2016). Although, commissions are effective for peace building, they are reactive rather than proactive in approach. Consequently, commissions are set up to do a post-mortem. It must be also realised that sometimes the government may choose recommendation(s) to accept or implement. There exists a gap which needs to be filled, which is whether it is the case that the committees do not do their work well or that the parties do not want to end the inter-institutional conflict. Finding a lasting solution to the conflict in Northern Ghana has proven largely futile (Ahorsu & Gebe, 2011). Given the fact that commissions are expensive, it became imperative to probe perceptions from participants' experience on frameworks that require less resources.

2.4.2 Clashes Between the Government and Traditional Leadership in West Africa: Nigerian Experience

In the face of the arising conflicts, particularly violent ones, there have been debates on the effectiveness of the current CRFs. The above explanation supports the view that there is need for a context based framework to resolve these conflicts. Oyedele (2007) argues that despite their occurrence, there does not exist a clear headed, long term perspective within which conflicts can be compounded. Furthermore, lack of appropriate conceptual framework developed for preventing them and dealing with them when they occur.

2.4.3 Frameworks Used in The Nigerian Conflicts

Literature reviewed shows that in most cases, the TLs put a lot of effort through various tactics to help the government to control crisis (Adebayo & Oriola, 2016). They use traditional methods of conflict resolution which are basically two. Firstly, the elders' council is associated with the customary system of governance. El-Bushra *et al.* (2013) elaborate that traditional leaders target and achieve compensation, restitution and reconciliation. The intervention of the supernatural power is second form of traditional method of conflict resolution. Traditional and religious belief are still strong in Nigeria. The settlement terms agreed upon this form of conflict resolution are generally accepted and obeyed for fear of negative sanctions such as deaths or affliction with bad and incurable diseases from the spirit world (Ademowo, 2015). However, this practice is incompatible with several democratic rights, thus they these frameworks offer very little in the resolution of conflicts in democratic societies. Furthermore, much of this literature has been generally concerned with questions about how the interface of traditional and elected leaders affect governance. However, these issues raise questions about peace and stability. One such question is, why current framework has managed to resolve some conflicts in other parts of Nigeria (Armitage, 1995), while in several traditional societies are characterise with fragility and conflict (Wehrmann, 2017). This fact is further supported by Ayedele (2007), who argues that, there does not exist a clear headed, long term perspective within which conflicts can be compounded. Thus, increasing attention has to be devoted to developing an appropriate conceptual framework for preventing and dealing disputes when they occur.

2.5 Traditional Leadership in Southern Africa: Zimbabwe's Experience

In the post-colonial period, the government tried to dismantle, the inherited legal dualism to create what was described as a non-traditional nation (Chigwata, 2016). However, the institution resisted invalidation and was forced to incorporate them into the democratic government system. Thus, their judicial powers and political functions were trimmed and were given to district administrators and councillors. The 2000 constitution amendment allowed political parties to contest for parliamentary seats in parliament. However; in the new constitution of Zimbabwe amended in 2013, TLs are expected to be nonpartisan as they operate alongside modern state structures (Chigudu, 2015). They have been clashes with elected leaders over traditional leaders' involvement in politics. Several TLs where been accused of siding with the ruling party (CCMT, 2014). Chigwata (2016) hints that calls for TLs to be nonpartisan is resisted. Opposition leaders normally resort to courts to force chiefs to comply with the law, however lack of legal support

make courts unsustainable. Consequently, community leaders several rural areas resort to violence. In so many ways, the prevailing situation gave rise to systematic conflicts between the state and traditional leaders and models of conflict resolution that are alien to African customs. The current study therefore focused on developing a framework on resolving conflicts between TLs and WCs in local Municipalities of South Africa.

2.6 Overview of the Co-Existence of Traditional and Elected Leaders in South Africa

Traditional leadership is the oldest form of societal organisation that preserved culture, traditions and customs of African communities (George & Binza, 2011). It is needless to mention that traditional leaders always played a critical role in rural societies of South Africa. However, one reform after the other continues to come, bringing changes and withering the powers of the TLs. These changes brought so many consequences on peace making and conflict resolution. To some extent, the changes affected the local potency. This is clear in the situations where conflicting parties take their cases to conventional institutions such as courts even if the case would take month or years to settle. Although the constitution of South Africa promotes co-operative governance, numerous conflicts exist between the two leadership institution. Bikam & Chakwiriza (2014) claim that tensions between TCs and WCs sprung from the powers and functions of TLs that overlap with those of supposedly to be exercised by the WCs. In a much broader way, the conflicts generate as traditional leaders feel their powers were usurped by WCs (Chigudu, 2015). The introduction of the wall to wall Municipalities across South Africa stripped off the executive and legislative powers of traditional leadership institution It is not therefore surprising that Ncapayi & Tom (2015) note that the introduction of democracy had an impact on powers of traditional leaders. Although government needs to be applauded for its effort in clarifying roles, more is required to ensure all issues relating to roles struggle are dealt with more amicably.

2.6.1 Legislative Frameworks Governing the Co-Existence of Traditional Authorities and Ward Committees in South Africa

In the context of participatory government, the constitution laid foundation for inclusive governance. The legislative frameworks such the Traditional Leadership and Governance Framework Act 41 of 2003 grappled with issues confronting the sector (George & Binza, 2011). This in the main was trying to promote co-operative governance within local Municipalities. These legislations and their influence in shaping up local governance system are much discussed in detail in the succeeding sections.

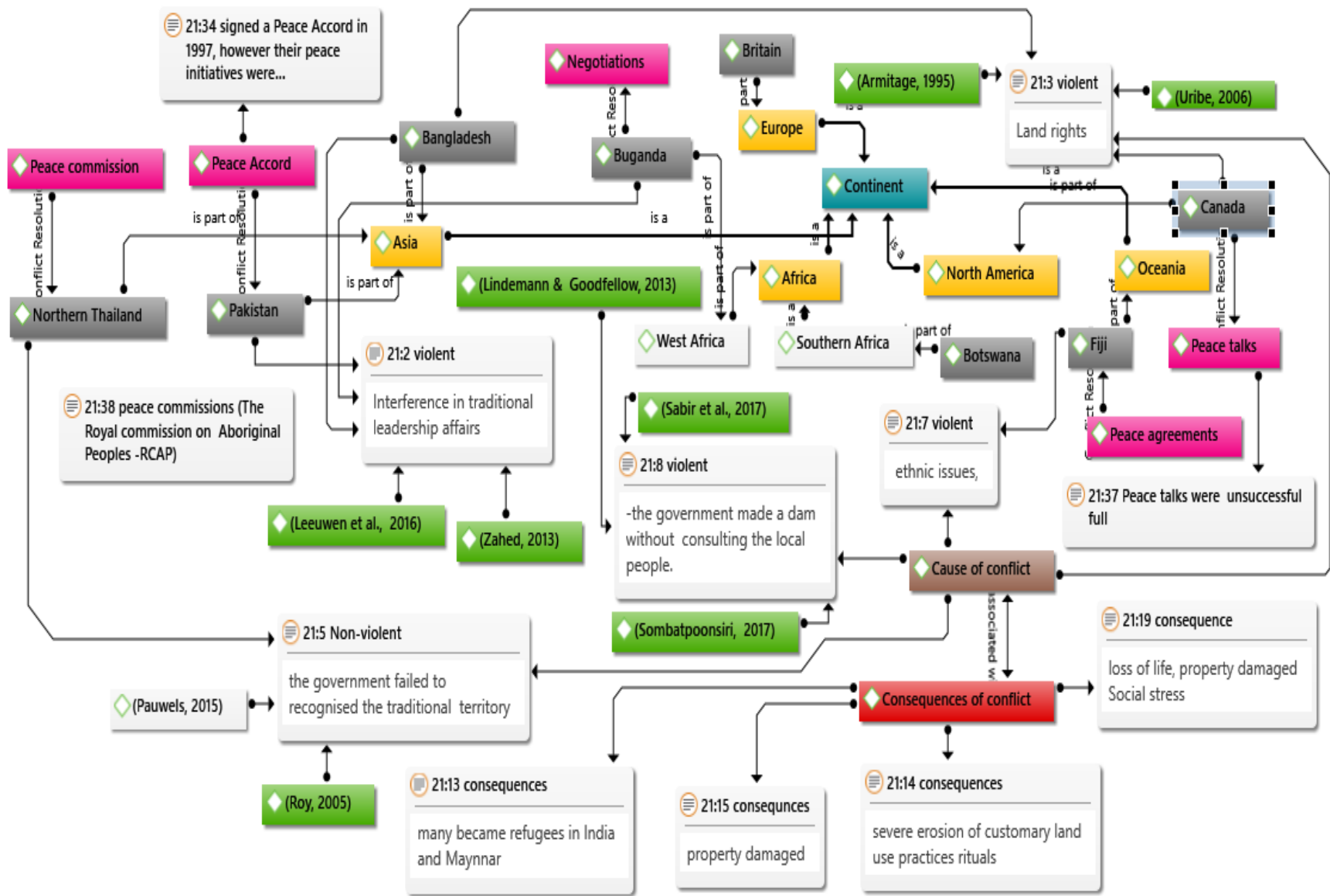


Figure 2.2 Nature, causes and ways of resolving conflicts among elected and traditional leaders

2.6.2 Constitution of the Republic of South Africa, 1996.

The constitution of the Republic of South Africa, 1996 acknowledges the existence, roles and the status of the institution of traditional leaders in the modern day South Africa (Branson, 2016). The section requires traditional authorities to transform in observing their customary law so that is it consistent with the supremacy of the constitution (George & Binza, 2011). Although the constitution recognises the existence of the traditional leadership institution, the roles and functions are not clearly stated (Hamusunse, 2015). From the above constitutional provisions, it can be deduced that the government endeavors to promote rural development through a leadership hybrid. However, literature reviewed indicates that clashes hinder government to follow its envisioned rural development trajectories.

2.6.3 The Municipal Systems Act 32 of 2000

Section 151(1) (2) (3) of the constitution of South Africa provides for the establishment of Municipalities for the whole of South Africa in the local government (Koma, 2016). This is further elaborated by SALGA (2011) that the Act provides for WCs to focus on developmental duties of local government set out in the constitution. Taking the above facts into consideration, WCs are champion service delivery through an integrated approach. Despite all these efforts, community leaders continue to clash. Therefore, the question is: Are traditional leaders still promoting social cohesion? If conflict arise, are they able to resolve their disputes amicably? In practice, do elected leaders and traditional leaders recognise their roles and impact of their conflict on development?

2.6.4 Traditional Leadership and Governance Framework Act 41 of 2003

The Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003) elaborates on the functions and roles of traditional leaders in the administration of rural areas. Most significantly, Ward Committees and traditional authorities are expected to work together to develop their rural communities. In this instance, the two leadership institution are expected to partner other stakeholders like the community development workers, business people, community-based organisations and sector departments from other spheres of government in promoting rural development. The Traditional Leadership and Governance Framework Act 41 of 2003, aligned the previous statues with the principles of democracy that were not very elaborate. It recognised, gave give clarity to the roles and affirms the functions of traditional leadership in communities of the traditional leaders (Chigudu, 2015). This helped in clarifying roles and functions of traditional leaders who had no clear mandate. The legislation also promoted co-

operative governance between the two institutions. Specifically, section 5 (1) compels both national and provincial governments to promote partnership between Municipalities and Traditional leaders. However, with Ward Committees possessing powers and functions that largely overlap with those of that are purportedly to be exercised by the traditional authorities (Bikam & Chakwiriza, 2014), their relationship has been characterised by conflict. In addition, the act does not adequately capture the inherently participatory features of customary systems.

2.6.5 National House of Traditional Leadership act 22 of 2009

It was enacted to provide for the establishment of the National House of Traditional Leaders, to support Municipalities in identifying community needs and to determine the responsibilities of TLs. Traditional leaders secured the ability to attend and participate in local council meetings as non-voting members but were not allowed to exceed more than ten percent of any one council (Williams, 2010). This can be interpreted to mean that not all chiefs would be able to participate and could not influence decision as they were with no voting powers. However, TLs feel they are the rightful custodians of rural communities; thus, they continue to resist invalidation. Despite the legislative frameworks and constitution provisions that require all parties to co-operatively work together, TLs and WCs the struggle to control rural areas continue unabated.

2.6.6 Sources of Conflicts Between Traditional and Elected Leaders in South Africa

In most cases, the conflict evolve precisely from different perceptions on who holds power (Tshitangoni & Francis, 2017). Literature reviewed that there is evidence of resistance in several Municipalities where a headmen blocked Ward Committees from holding meetings in his area. For example, according to Ncapayi & Tom (2015), the headman from Tsengiwe village in Sakhisizwe Local Municipality wanted the Ward Councillor to seek permission from him before holding the community meetings. However, the Ward Councillor refused to seek permission, feeling that his election gave him a mandate to operate in the area. The headman's stance can be viewed as a demand for the WCs to account to TLs. Thus, the stand-off between the two leaders negatively affects community members who are unable to meet ward committee members to raise issues on service delivery. These are not isolated cases. Literature also shows that similar cases have occur in other parts of South Africa. For instance, in the Nkonkobe Local Municipality ,WCs refused to attend meetings held at hosted by traditional leaders (George & Binza, 2011). The above stand-off between the two leadership institutions have negative effects on rural development.

The tensions reflected above must be understood within the context of widespread concerns from traditional leaders about the perceived limitation by elected leader of the powers of traditional leaders who were previously responsible for the administration and development of their respective areas. This is supported by SALGA, which points out that, 'since its recognition into the democratic local government system, the role and place of the institution of traditional leadership in Municipalities has been fraught with tension, confusion and contradictory practices' (SALGA, 2013). These examples illustrate how the contestation blurs the separation of powers between the two often competing institutions, leaving communities unclear about who to deal with to get their needs addressed. Root causes of conflicts between TLs and WCs in is one of the under-studied aspects that require attention.

2.6.7 Consequences of Conflicts Between Traditional Leaders and Ward Committees

Assessing consequences of conflicts is an exciting but difficult task. Available literature reveals that conflicts are undesirable in their most forms, they divert human as well as resources away from development. Tshitangoni & Francis (2017) highlight that conflicts reduce the ability by TLs and WCs to meaningfully contribute towards rural development. For example, consequences triggered by overlapping function roles between traditional and elected leaders, as a result struggle to identify leader to approach in fear of being marginalised by the other. Thus, tensions among community leaders tend to retard developments if unresolved.

Available literature demonstrates that conflicts result from mistrust, social disintegration (Barsky, 2014). Conflict can exacerbate contentious issues between institutions if not dealt with. If conflicts remain unabated, they are not only associated with under development but they have potential to escalate in scope and nature of conflict. Taking into consideration that non-violent conflicts turn violent if unresolved violent conflicts result in loss of life South Africa's local Municipalities grapple with the attempt to improve the socio-economic welfare of their nationals through co-operative governance. Scholars such as George & Binza (2011) suggest that local governance systems are confronted with numerous conflicts. In light of this situation, clashes between these key stakeholders in rural development compound government's desire to nation building in South Africa. Koma (2016) posits that conflicts contribute to the accentuation institutional consciousness, animosity and antagonism, which ultimately hamper leadership integration.

Available literature reveals precious energies and time that could be utilized on viable economic activities are wasted in the communal violence. In this respect their ability to contribute towards development is compromised. Alongside the loss of human lives was the loss of material property.

Literature also shows that property such as houses, physical cash, motor bikes, bicycles and vehicles, among others, belonging to both factions are burnt or looted during conflicts (Mbowura, 2014). Thus, conflicts retards development and if not dealt with have a devastating impact on the social well-being of the people.

In the wake of these insecurities, schools and other business are temporarily closed. This view is supported by scholars such as Mbowura (2002) who further suggested that conflicts destabilises academic calendar and jeopardized academic aspirations of pupils and students. Hence have a domino effect spilling over to people who may not be directly involved in the conflict. Furthermore, affected areas may have secondary conflict consequences such as low literacy rate and less productive generation.

2.6.8 Traditional Approaches to Conflict Resolution

There is no gainsaying to the fact that before the advent of slave trade and colonialism, African societies had well-established mechanisms for resolving conflict; peace-making; peace education, peace building, conflict monitoring and conflict (Ademowo, 2015). These institutions and methods were well valued and their resolutions were obligatory on all the parties concerned. Literature from scholars such as Rukuni *et al.* (2015), have consistently shown that the methods of performing conflict resolution generally involve mediation, adjudication, reconciliation, arbitration and negotiation. Thus, primary role of TLs was not only to resolve conflict but also to predict and arrest conflicts. Similarly, the essence of conflict resolution frameworks is to eliminate the root-causes of the conflict; reconcile the conflicting parties genuinely and make the conflicting parties happy.

Angelis *et al.* (2016) posit that traditional resolution frameworks are different from what does today's frameworks where nobody cares about the truth. If Africans must put the falling apart together, her original values must be revisited. While the western world placed emphasis on a judicial system presided over by lawyers and judges; traditional Africa uses council of elders, king's court, peoples (open place) assemblies, for dispute settlement and justice dispensation (Ajayi & Buhari, 2014). These peculiar and very effective methods have today been wiped out by the forces of colonialism, including psycho-war forces.

Modern blended approaches to conflict have proven futile in many conflict prone societies. It is argued that these methods are not compatible with democracy (Awedoba, 2010). This results in uncertain and retarded development. In democratic It also includes employing extra-judicial

devices and usage of legal maxims to persuade or convince the disputants about the implication or otherwise of their behaviour. Thus, normative approaches are thus gradually giving in way to a more realistic, empirically based assessment of the potential role of traditional mechanisms within the broader reconciliation and transitional justice police framework. Therefore, the current study sought to develop the most applicable frameworks in local Municipalities.

Traditional courts continue to be preferred for resolving conflicts and have potential to propel the force for unity among community leaders in matters of community development. This view is supported by Mathonsi & Sithole (2017) who suggest that, rural communities have always had strong trust in traditional leadership system. Thus, traditional courts are at the heart of conflict resolution in rural areas and are therefore essential in harmonising of relations in local governance system. One factor that significantly influences process frames is whether conflicting parties classify their dispute in terms of interests, needs, rights, or power. These frames indicate various ways to approach a conflict: reconciling the interests or needs of the parties, assessing who is right, or determining who is more powerful. Irrespective of the nature and scope of conflict, the repercussion of conflicts rarely ends with the termination of overt hostilities. Thus, whether the dispute is classified as dominant or recessive, solvable or irresolvable, violent or non-violent, there is need for a careful study on what could have caused the conflict when dealing with it. The following approaches are used to classify conflicts and help in informing methods to resolve conflicts. The nature of the process used to resolve a dispute depends; on the way in which the conflict is framed.

2.7.1 Interest-based Approach

Interests are the needs, desires, concerns, and fears that underlie people's positions (Coldberg *et al.*, 2017). Reconciling interests involves discovering parties' deep-seated concerns, devising creative solutions, and making trade-offs and concessions in cases where their interests are opposed (Fisher *et al.*, 1991). Insofar as they frame the problem in terms of interests, parties are likely to see their dispute as a mutual problem that they must work together to solve. Some common procedures for reconciling interests are negotiation and mediation (Ajayi & Buhari, 2014). Although these approaches are associated with win-win situation, they are normally accompanied with high financial cost and sometimes takes long to finally arrive at an agreement. Given the numerous conflict situations that continue to characterise the rural community systems, such an approach may not yield the desired results.

2.7.2 Needs-based Approach

One common framing problem is the assumption that conflicts are caused by a conflict of interests, when it is a conflict of fundamental needs (or a conflict of interests and needs taken together). While some conflict theorists blend the concepts of interests and needs together, human needs theorists distinguish between the two (Bartos *et al.*, 2002). They maintain that while interests are tangible things, such as land, money, or jobs that can be traded and compromised, needs are intangible things, such as identity, security, and recognition, that are not for trading (Avruch & Mitchell, 2013). This is particularly apparent, perhaps, in the Israeli-Palestinian (state-state) conflict. The Palestinians feel they are being denied their legitimate national identity, while the Israelis feel a need to prevent the formation of a Palestinian state because they see such a state as a threat to Israeli security (Pappe & Hilal, 2012). However, much of the effort to resolve that conflict has been based on compromises over tangible things such as land. If fundamental needs remain unmet, violent conflict is likely to resurface, even if it is no longer manifest.

2.7.3 Rights-based Approach

Rights are independent standards of fairness or legitimacy that are either socially recognized or formally established in law or contract (Dowding *et al.*, 2004)). Such standards include reciprocity, precedent, equality, and seniority. One very common rights-based procedure is adjudication. Disputants present arguments and evidence to a third party who hands down a binding decision. Public adjudication is provided by courts and administrative agencies, while private adjudication is provided by arbitrators or private judges. In getting disputes resolved, Bartos *et al.* (2002) contend that reconciling interests typically costs less and yields better results than determining who is right or more powerful. This is because a focus on interests can help to uncover hidden problems and resolve the issues underlying the dispute more effectively than can the other two approaches. However, reaching agreement based on rights is often difficult, parties typically turn to a damaging property in the process to decide who is right. This dispute resolution approach is associated of framing conflict involve transaction costs and possible benefits. Such costs include the time, money, and emotional energy devoted to the dispute as well as the opportunities that are lost.

2.7.4 Power-based Approach

Finally, power can be understood as the ability to coerce someone into doing something he would not otherwise do (Barsky, 2014). There are power-based negotiations, which involve an exchange

of threats, and power contests, in which parties take actions to see who will prevail. However, focusing on who is right or more powerful usually imposes higher costs on one or both parties. It is vital to understand that there are different rights at stake in a case, reaching agreement can often be difficult, especially where the outcome will determine who gets what. Also, when the emphasis is on winning and losing, relationships are likely to become more adversarial. Opponents who frame their conflict in terms of rights or power typically interact in a legalistic, accusatory atmosphere where it is difficult for them to really listen to those from the other side and gain an understanding of their perspective.

2.7.5 Mediation

Mediation is an old method of conflict resolution surrounded by secrecy. It involves non-coercive intervention of the mediators(s), called third party either to reduce or bring conflict peaceful settlement. Mediators, are normally respected elders considered as trustworthy sought from within the communities or societies of the parties concerned (Ajayi & Buhari, 2014). There are two types of mediation; the indigenous and the official mediation. In democratic systems, official mediation has been used to accommodate the competing interests of all parties (Spear, 2014). For instance, official mediation successfully brought harmony after protracted communal clashes between Ikurav-Tiev community over the boundaries along the Kungwa Jov river (Murithi & Murphy, 2004). Both sides were sending raiding parties to carry out killings and destroy property. However, while official mediation processes limit the number of interlocutors to protect a process and encourage expediency, it thus, undermine their own legitimacy. In contrast, indigenous processes are more inclusive, and tend to be slow in bringing about agreement. Will a hybrid approach, which might incorporate elements from indigenous and official processes root out these limitations of inclusion and time while maintaining the efficiencies?

2.7.6 Adjudication

Adjudication involves bringing all disputants in the conflict to a meeting usually in the chambers or compounds of family heads, quarter heads and palace court as the case maybe. Dialogue was linked with the adjudicatory processes in traditional societies (Ademowo, 2015). The advent of Africa's colonization, conflict resolution was not a problem to the elders because traditional oaths administered on culprits had irreversible fatalistic consequences on liars. Oaths were a deterrent to impunity and recurrence. For the fear of death when one tells lies on oath, land disputes, love-gone-sour complaints amongst others took shorter time to dispose of in the village

tribunals than in conventional courts where statutory oaths have no effects on false testimonies. These are no exaggerations.

The approach, however, often fell flat as it is associated with the win-lose scenario in settlement of disputes. The win-lose scenario has potential to exacerbate tensions among disputants. Consequently, arbitration is not appropriate for all dispute resolution scenarios. Sometimes the differences separating the parties' positions on key issues may be so great that neither would agree to allow an arbitrator to select the other side's final offer. Other times, so many issues may separate the two sides that arbitration is impractical. Still, in many cases, particularly when agreement is blocked by disagreement on just one or two issues, you'd do well to consider a provision for final-offer arbitration, perhaps with an opt-out clause, in the event of impasse. In addition, before Law courts recognise the traditional oaths but do not believe that they can be used for the common good or could be complimentary. If conflicts are not dealt with, rural communities are confronted with formidable transition agenda. This raises intricate problems of prioritizing sequencing. When the conflict has not ended yet, as in northern Uganda whether it will be peace first or justice instead.

2.7.7 Reconciliation

This is the most significant aspect of conflict resolution. It is the product of adjudication. After the disputants, have been persuaded to end the dispute, peace was restored. This restoration of peace and harmony was always anchored on the principle of give a little and get a little (Huyse & Salter, 2010). This idea buttresses the idea of the disputing parties to give concessions. A feast was usually organized to confirm the readiness of the conflicting parties towards reaching points of compromise (Olaoba, 2005). Although. Much about this framework is generally been concerned about ending conflict. However, its objectives and execution also raises question about peace building. It seems it has made more success on ending conflicts over social cohesion.

2.7.8 Negotiation

Negotiation endeavours to restore harmony and integrity of the community, as the assertion of value consensus and social cohesion, so that the management of the conflict favours the concerns of both parties. Thus, negotiation as an approach to conflict seeks to harmonize the interest soft he parties concerned. However, in Africa, conflict takes various forms and dimensions. Itis worthy to note that conflict does not have a single definition from African perspective. It could be a kind of social unrest or relationships, whether positive or negative.

These kinds of conflict are widespread in traditional African societies. Hence; a sustainable conflict resolution framework between key development institutions in rural communities TCs and WCs remain understudied and under-theorised.

Having presented literature on different continents, it is imperative to provide a comprehensive analysis of the overall processes particularly on frameworks on conflict resolution across continents. It was observed that, while approaches to conflicts are similar across continents (negotiations, commissions, adjudication), others differ with continents and countries (supernatural adjuration). However, in existing literature across continents, there is very little mention of conflict frameworks that can be used to resolve conflicts between TLs and elected leaders. This is a major concern, given that TLs and WCs are considered vital for economic development, social cohesion and peace building in rural areas. The above mentioned knowledge gap informed the need for documenting context based frameworks. Studies on root causes of conflicts between TLs and WCs are also very scarce across the globe. Existing literature put emphasis on the two general triggers of conflicts, that is, power contestation and land allocation without particular interrogating underlying factors. This has limited the understanding of conflict complexities. In most cases this has led to the application of generic frameworks and thus failing to resolve disputes amicably. Given this weakness, the present study sought to develop and document a context based framework that can be utilised to resolve conflict between TLs and WCs. Available literature indicates that there are gaps in rural researches focusing on conflicts within local Municipalities. Considering that rural spaces now covered by local Municipalities, attaining peace between TLs and WCs becomes imperative. Yet, a sustainable conflict resolution framework still lacks in those areas. In light of this Lekhanya & Mason (2013) proposes that the extension of empirical studies to rural areas of South Africa. Considering the above recommendation, this present research focused on developing a sustainable conflict resolution framework between TLs and WCs. It is driven by the fact that TLs and WCs are important in achieving sustainable rural development.

2.8 Conclusion

Available literature reveals that government of South Africa endeavors to promote co-operative governance in local Municipalities. Other countries such as Canada have relatively succeeded in integrating traditional leaders and the elected leaders. There is partial success in cooperative governance in local Municipalities of South Africa. This chapter has discussed a comprehensive review of literature on conflict manifestation, underlying factors, consequences and the strength

and weakness of the current conflict resolution frameworks in selected countries. Literature study highlighted that conflicts in local Municipalities poses a great threat to rural development and co-operative governance. The tension between TLs and WCs manifest as violent or nonviolent conflicts. However, to date, suggested frameworks have failed to attain sustainable peace. In this respect rural development suffers. Although several frameworks have been suggested before, conflicts continue to dominate the relationship between TLs and WCs. Studies carried out have been focusing on armed conflicts and at national level. Understanding these conflicts is a pre-requisite when developing a conflict resolution framework. Thus, it is difficult to resolve these conflicts in local Municipalities without local specific data. Furthermore, conflicts in several rural communities have re-emerged and re-escalated. It is important to understand that the juxtapositioning of traditional and elected leaders has attracted the attention of many scholars. In all the four countries considered in this study much of the literature have generally been concerned with roles and functions of the two leadership institutions. The underlying causes of these conflict are mostly issues around legitimacy; overlapping roles; and ethnocentrism. Existing literature is not clear on the manifestation and the major consequences of these disputes. Despite all the alluring offers of traditional approaches to conflict resolution in African rural communities, the reality today is that these frameworks have proven futile.

Literature approaches to conflict resolution consistently show that CRFs fail to deal with conflicts within dual systems of governance. Existing frameworks varies in terms of approach, biasness, costs, biasness, and inclusiveness. Methodologies used to develop frameworks for conflict resolution also differ. The complexity of conflicts in local government system make it difficult to develop universal conflict resolution. In this respect, this study proposed a context-based conflict resolution framework that specifically deals with conflicts between WCs and TLs. To date manifestation of conflict between TLs and WCs are partially defined and understood. This makes it difficult to estimate a suitable conflict resolution framework that instantaneously offer customised solutions. The current study focused on providing a conceptual understanding of nature and root causes of conflicts while developing a framework for resolving conflict between TLs and WCs. Common aims of the current frameworks are the ability to predict, avoid and cooling off were used to guide this study. Today, rural societies are so complex that some of the institutions and approaches are either comatose or, out rightly, dead. The obvious way forward is an abridged conflict resolution technique that is an amalgam of the past and the present, and which can handle conflict with profits. Whether the traditional leadership is legitimate, the institution system is recreated (reformed under democratic constitution of their countries) or a new political system is

created (possibly as a hybrid), the fact remains, conflict among community leaders need to be understood, managed, and dusted off. Certainly, literature revealed provides an invaluable source of data to this study. Literature reviewed shows that the existing frameworks are more concerned with ending conflict rather than attaining sustainable peace and promoting social cohesion.

Most of the existing typologies of conflicts shows weaknesses in the field of exhaustiveness, mutual exclusiveness of categories, semantic consistency and neutrality. Due to the complexity and dynamic of the conflict, they are hardly even mono-casual. In this regard, it would in most cases be misleading to label them, for example ethnic, religious, ideological or economic conflict. Amicable resolution of conflicts does not necessarily mean ending conflict. Literature revealed indicated that an amicable resolved conflict is said to be sustainable when the outcome of the process is durable. The lack of durability of many peace agreements has led to relapse of such conflict resolutions in many instances. Failure of frameworks leads to reprisals and reescalation of conflicts. The succeeding chapter focuses on the methodology of this current study.

Table 2.1 Global and Regional Overview of Conflicts Between Traditional Leaders and The Government

Asia					
Type of conflict	Source	Conflict's background characteristics	Causes	Consequences	Conflict resolution strategy
Violent conflict	Zahed, 2013	Bangladesh -it started after the construction of the Kaptai hydro- electric dam -the government refused to accept the ethnic identity in Bangladesh -the government could not acknowledge the indigenous people's legal and self-government system	-Land allocation -Religious issue	-many were displaced and lost resources -many became refugees in India and Maynnar	-signed a Peace Accord in 1997, however their peace initiatives were nor realistic and professionally sound
Violent conflict	Roy, 2005	Northern Thailand denial of indigenous peoples' customary land rights	land allocation	-severe erosion of customary land use practices rituals -large numbers of the indigenous peoples were relocated since land was declared to be state property	-Negotiations
Violent conflict	Sabir <i>et al.</i> , 2017	Pakistan- Violent conflict -the government made a dam without consulting the local people. The water levels rose and flooded the area	failure by the government to compensate the victims	-loss of life -property damaged -the government failed to compensate the victims	peace agreements.
Violent	Tønnesson & Bjarnegård, 2015; Sombatpoonsiri, 2017	Malaysia- violent conflict occurred over land allocation and cultural factors. the race riots became wide spread , the indigenous people (Orand Asli) took land reserved for development and were arrested by the state security	Land issue, ethnic issues, latent racial issues were used to legitimize restrictions on democratic expressions.	More than 2000 deaths, unjust arrest of community members	Peace talks were unsuccessful full
North America					
Begun as peaceful and took a violent turn	TRCC, 2015; Armitage, 1995; Uribe, 2006	Canada -begun as a peaceful act of resistance and took a Violent turn -violent confrontation over the town's plan to develop a golf course on Mohawk burial grounds -failed to recognised the traditional territory	-the government failed to recognised the traditional territory -	-broken the trust between the crown and the Aboriginal peoples.	-public education -dialogue -peace commissions (The Royal commission on Aboriginal Peoples -RCAP)
Oceania					
Violent	Pauwels, 2015	Fiji- dormant conflict between traditional leader Cakobau and the government administrators favored Eastern chiefs, Conflicts were hugely dominant	Land rights Interferences in internal matters of traditional leaders	Wars Coup government Loss of human life	Commissions,
West Africa					
Violent	Manyak & Katono, 2010; Lindemann & Goodfellow, 2013; Leeuwen <i>et al.</i> , 2016	Buganda – the relationship between TLs and elected leaders moved from alliance to political; violence. The recognition of TLs was received with jubilation. However, the government's relationship deteriorated dramatically	Interference in traditional leadership affairs, Traditional leaders clashed with the government over its model of decentralization Government prohibited the traditional leaders to collect taxes revenues	-loss of life, property damaged Social stress	Negotiations

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CHAPTER 3 RESEARCH METHODOLOGY

3.1 Introduction

In this chapter, the methodology employed in this current study is outlined. The research methods are often confused with research methodology, which implies the scientific analysis of the research methods, so as to find a solution to the problem at hand. Thus, it is apt to clarify the differences between research method and research methodology in this section. Research method is the 'doing' part of a study such as sampling, setting, ethics, data collection and data analysis (Creswell, 2009). Detailed information on the study area is presented first. The design and methods used in this study are discussed. In addition, the population and study participants are identified and are linked to data collection method to be utilised. Subsequently, the data collection methods, tools and techniques applied for the study in relation to the objectives of the study is presented. Included in the description are the ways in which validity and reliability is ensured in the study. Ethical consideration and procedures to be followed are also summarised.

3.2 Description of the Study Area

This current study covered the rural part of the Greater Giyani Local Municipality in Limpopo province, South Africa (Figure 3.1). The district has a population of almost 250 000 and consists of a semi-urban concentration (known as Giyani town) (SALGA, 2013). The study is found within a local Municipality which is in Category B of South African Municipalities. It is one of five Municipalities in the district. It was established in terms of the Constitution of the Republic of South Africa of 1996, the Municipality Demarcation Act of 1998, and Section 12 Notice issued in terms of the Local Government: Municipal Structures Act of 1998 (SALGA, 2013). It is the administrative and commercial centre of the Mopani District and also the former capital of Gazankulu. Giyani is located approximately 185km from Polokwane (previously Pietersburg), 100km from Thohoyandou, and 550km from Pretoria. The Municipality covers approximately 2967.27km² area with only one semi-urban area being Giyani (Greater Giyani Municipality, 2008). Its eastern section borders on the world-famous Kruger National Park. The Municipality is demarcated into 31 wards and has 62 Councillors (Greater Giyani Municipality, 2017). It has 10 traditional authority areas comprising of 93 villages all being Tsonga. Ward boundaries and traditional community boundaries do not coincide. Each village holds community meetings under the leadership of local headmen where local development issues are discussed and local conflicts are managed.

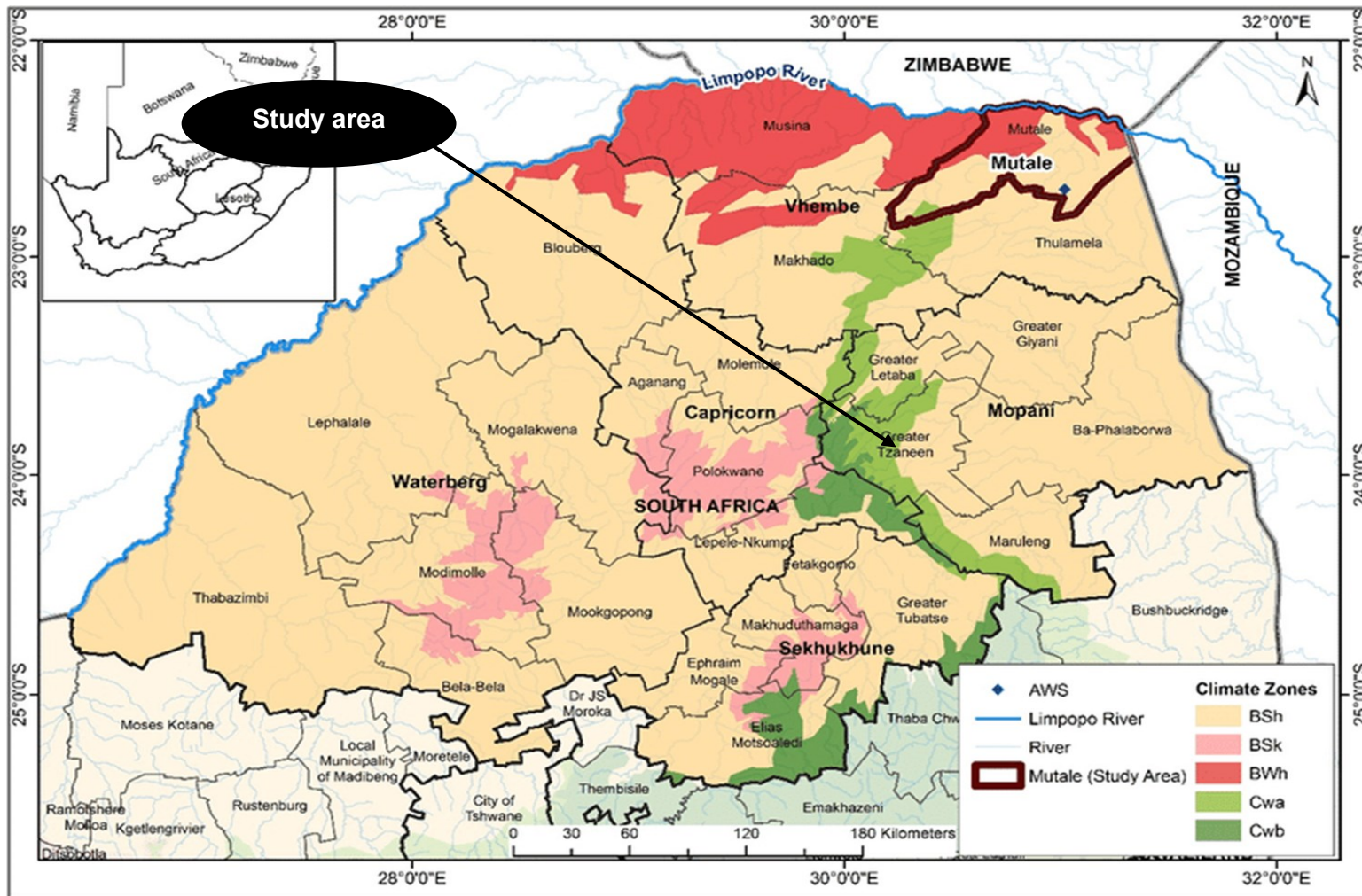


Figure 3.1: Map of South African Municipality showing the location of Greater Giyani Municipality of Limpopo Province

Traditional leaders in Greater Giyani Municipality are represented in the Local House of Traditional Leaders which is linked to the provincial House. The traditional community has its traditional council in terms of the Traditional Leadership and Governance Framework Act (TLGFA). The Municipality has limited reach into the community, largely due to long distances and limited resources. The strained relationship between Ward Committees and traditional leaders is exemplified by their reluctance to collaborate, for example, although the Municipality has a legal mandate overall land under its jurisdiction, it took years for negotiations to convince the Mabunda community to release some of its lands near the Giyani business center for the use of residential development by the Municipality (Mengistead & Hagg, 2017). A significant area of land owned by the state is under the custodianship of traditional authorities. The CBD is situated within the traditional authority land. Thus, the study seeks to develop a conflict resolution framework between Ward Committees and the traditional leadership institutions.

3.3 Research Design

According to (Burns & Grove, 2001) research design helps the researcher to plan and implement the study to obtain the intended result. This increases the chances of obtaining information that assists in responding to research questions posed in the study. Given the fact that the nature of the phenomenon that was under study was complex and closely aligned with norms and beliefs, a qualitative approach was useful towards data collection and analysis. This helped to generate deeper insights on the nature of conflicts between traditional leaders and the Ward Committee, on the causes of conflicts and the effectiveness of the existing frameworks.

Several factors were considered that led to the selection of the Greater Giyani Municipality as the study area for this research. The use of a case study was preferred because it permitted investigating and understanding the underlying causes of conflicts within the leadership context. The study employed a mixed-method approach during data collection, mixed in the sense that, it combined empirical information and secondary data instead of relying on such tools in isolation. One important feature of the mixed-method approach of its integral strength of guaranteeing an enhanced appreciation of issues through mixing the merits of each approach (Eisenhardt, 1989; Wittink *et al.* 2000). Published articles from accredited journals and government department published on causes of conflict, nature of conflict among community leaders, as well as existing conflict resolution frameworks literature was reviewed. Two phases were designed and carried out for this current study.

The first phase was mainly explorative to get insights on conflict confronting community leaders and existing conflict resolution frameworks. During this phase, key informant interviews and focus group discussions were carried out. Primary data collection was done in four wards from two selected traditional authorities of the Greater Giyani Municipality. After the first phase results, collected data was captured, analysed, and used during the second phase to develop a major conflict resolution framework. Participants of phase one were selected to continue giving knowledge-based opinions during phase two. The criteria were desirable due to its strength in necessitating true reflections on the current CRFs. During phase two, a feedback workshop was contacted with KIs to develop a framework from the results found in phase 1. During this phase, stratified random sampling was employed. Key informants were divided into five clusters. Focus groups were made up of Key Informants (elected leaders, traditional leaders, women, and youths) and interviewed. Results from the first phase, that is, the responses that are obtained from primary and secondary sources were synthesized to develop a framework for conflict resolution.

3.4 Formalisation of the Study and Community Entry

The research proposal was submitted to the University of Venda Research Ethics Committee for consideration to be approved. Subsequently, after obtaining ethical clearance letter from the University of Venda Research Ethics Committee, community entry activities were done. The initial stages of this study in community entry involved making contacts with community leaders and study participants. Permission to carry out this current study was sought from the community leaders. Saunders *et al.* (2019) state that “it is important to make sure that all official channels are cleared by formally requesting permission to conduct a study”. This was achieved through various community entry activities.

Given the fact that, investigating leadership conflicts, traditional leadership internal issues and conflict resolution frameworks can be a very sensitive topic for discussion and may leave the community members highly polarised. It was vital for this present study to appreciate the background in which TLs and WCs resolved their conflicts. Knowledge of the culture of the community members in the study area was acquired before data collection. Gearheard & Jamal (2006) suggest that a good community-researcher relationship is important when gathering sensitive issues such as leadership conflicts.

Table 3.1: Tabulated research methodology of the exploratory mixed research approach utilised in the study

Objectives	Design	Population and Sampling	Data Collection techniques	Tools	Data Analysis
a) ascertain the nature of conflicts between traditional leaders and Ward Committees over the administration of rural communities;	Phase one: Case study- (explorative approach)	Phase one: Multi-stage sampling Purposive & random sampling Purposive sampling to select two tribal authorities out of ten, out of the two tribal authorities four wards were randomly selected (three villages per tribal authority) Key Informant Interviews Elected leaders: two chairpersons of WCs randomly selected from the sampled four wards, Traditional leaders: two chairpersons of traditional leaders were randomly selected from each of the sampled four wards, two representative of youth, and two representatives of women purposively sampled from the two selected traditional authorities, two pastors randomly sampled (one from each sampled traditional authority), Two Business people randomly sampled (one from each of the sampled the traditional authority), Municipal official purposively sampled Focus Group Discussions Elected leaders: two chairpersons of WCs randomly selected from each tribal authority, Traditional leaders: four chairpersons of traditional leaders were purposively selected from the sampled four wards, Prominent people: six representatives of youth and six women representatives from each of the sampled four wards, randomly select six pastors and six business people from four wards, One public participation manager Key Informants will be further subdivided according to gender using cluster sampling technique	Phase one: Interviews of Key Informants Focus groups of Key Informants -Ward Committees -traditional leaders -prominent people	Phase one: Objective one Primary data semi-structured Interview Guide	Phase one: Thematic Content Analysis-using ATLAS.ti 8
b) determine the major causes of conflicts between traditional leadership and Ward Committees;	Phase one: Literature Review (Desk Study)	Phase one: Articles from accredited journals -Government Department Data, books, news papers	Phase one: data bases, search engines (Google scholar)	Phase one: -Internet	Phase one: secondary data analysis, Thematic Content analysis, ATLAS.ti 8
c) analyse the major consequences between traditional leaders and Ward Committees;	Phase one : Case Study	Phase one: same as in objective one	Phase one: same as in objective one	Phase one -Pairwise ranking -Semi-structured interview guide	Phase one -Thematic Content, Analysis, Pairwise ranking -ATLAS ti 8
d) suggest applicable conflict resolution framework between traditional leaders and Ward Committees; and	Phase one : Case Study	Phase one: same as in objective one & three	Phase one: same as in objective one	Phase one -matrix scoring -Semi-structured interview guide	Phase one -Thematic Content Analysis -Matrix Scoring -ATLAS ti 8
e) propose a framework for resolving conflicts on the administration of rural communities between TLs and WCs.	Phase two: Case Study	Phase two Respondents in phase one will be selected for this phase	Phase two: Focus groups (two) of cohorts of Key Informants	Phase two: Voice recorder	Phase two: Thematic Content Analysis-using ATLAS.ti 8

Research Design

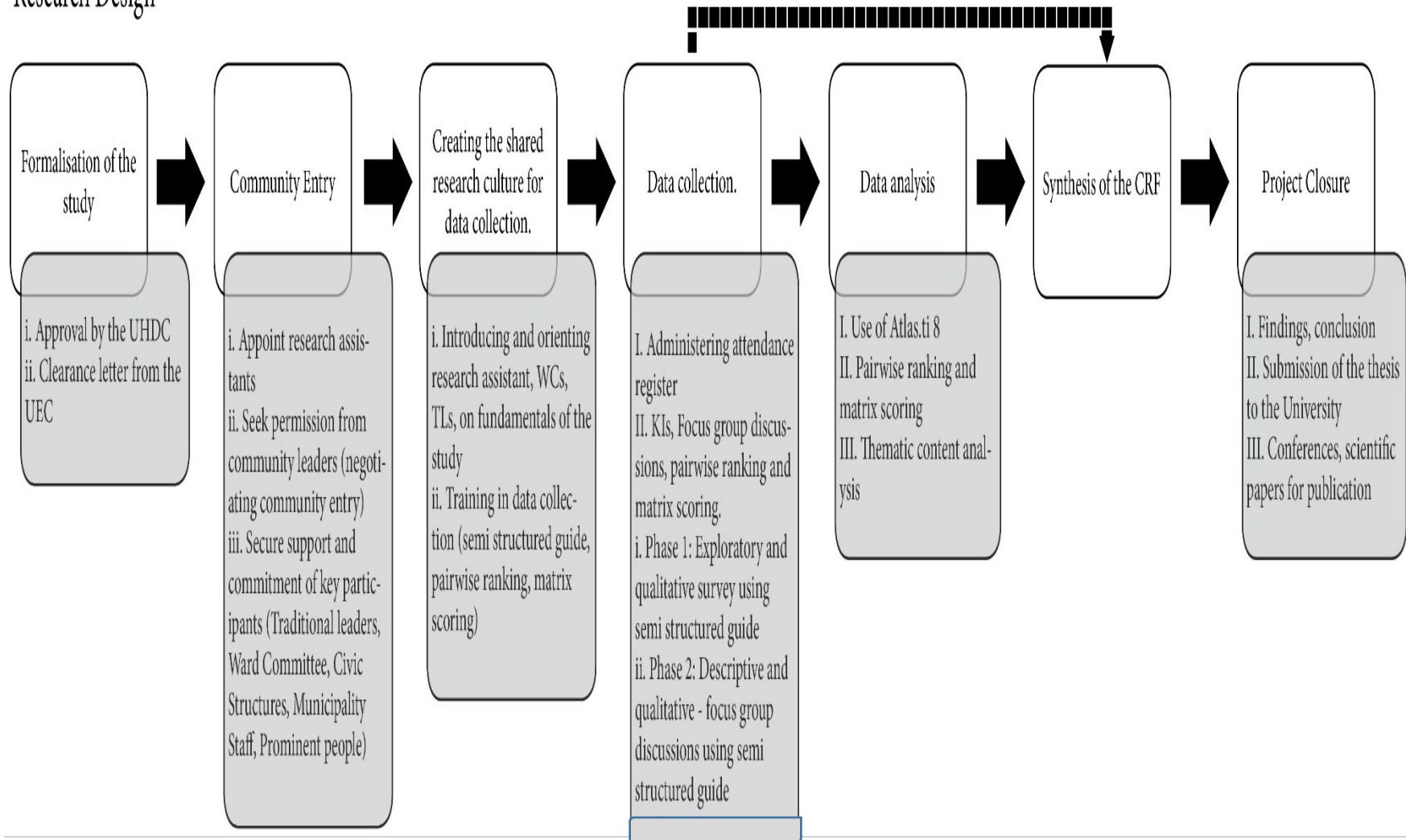


Figure 3.2 Diagrammatic representation of the research design

Community entry for this current study was done end of August 2019, and data collection was done between September and October of the same year. This was achieved through the triangulation of entry activities. The second step in community entry involved a community visit that superseded the refining of study focus. This aimed at formally introducing the focus of the study and requests permission to work with key informants. The researcher and the research assistants were granted permission to contact the study and to attend their meeting held once in forty-eight. During the first chief's court meeting attended by the research team, time was given to formally present the focus of the study to community members who had attended. The purpose of this exercise was to establish a community-researcher relationship with the help of community leaders. The researcher and the research assistants also listened to the chief's arbitration process. The court processes allowed the researcher and the assistants to gain insights into how conflicts were being resolved in traditional societies.

3.4.1 Population and sampling procedures

This current study targeted people from the rural areas of the Greater Giyani Municipality. Babbie & Mouton (2010) define a target population as all the members who meet the particular criterion specified for a research investigation. The population comprised of traditional leaders, Ward Councillors, prominent people, council officials of Greater Giyani Municipality. The above participants were carefully selected to provide comprehensive and relevant information on the nature of conflicts, causes, and consequences of leadership conflict and ways to resolve leadership linked conflicts.

Due to the nature of the study topic, non-probability sampling methods were ideal because information relevant to the study could only be derived from a specific sample. As a result, purposive sampling (judgemental sampling) was the most appropriate technique to identify respondents across the Greater Giyani Municipality. In this form of sampling, the investigator relies on his or her expert judgment to select units that are representative or typical of the population. According to Neuman (2003), this method is used in exploratory research to select a sample that is informative and knowledgeable on the research topic. Thus, participants who were sampled had the required information, for example, knowledge on how conflicts among community leaders were resolved in the Greater Giyani Municipality.

While other respondents were selected based on their knowledge of the research subject, others were identified because of the positions they hold in the study area such as the representative of youth and women. In the case of the Municipality; the local Ward Councillors and municipal officials were identified. Greater Giyani Municipality has 31 Wards and 93 villages. Purposive sampling was used to select two traditional authorities out of the 10 traditional authorities in Greater Giyani Municipality. These traditional authorities were selected based on the incidence of leadership conflicts in the area. Out of the two traditional authorities, four wards were selected (two wards per traditional authority). Selecting two traditional authorities was necessary to determine how the two communities differed on the causes and conflict resolution frameworks.

The data were collected from 33 a sample of participants (21 males and 12 females). The sample was further classified into Prominent people that include six pastors, six representatives of youths, six representatives of women, six business persons, public participation manager of Greater Giyani Municipality, and four chairpersons of traditional leaders (two from each traditional authority) and also four Ward Councillors from each traditional authority were selected by the researcher (judgment sampling) in the Municipality for FGDs.

Of the 33 respondents, 13 participants were purposively sampled for key informant interviews. A suitable sample of participants was made up of two Chairpersons of traditional leaders, two Ward Councillors, two representatives of youths, two representatives of women, two business people, public participation manager, and two pastors were purposively sampled for KIs. Chairpersons of traditional leaders were drawn from the study area because of their key role in facilitating conflict resolution procedures. Thus, they have vast experience and knowledge of dealing with conflicts at the local level. To ensure diverse ideals from respondents, prominent people were also considered key because of an influential role in resolving conflicts. The sampling procedure is clearly shown in the diagram below (Figure 3.3).

3.5 Data Collection

In the case of this current study, triangulated data collection techniques were employed in the sense that it combined interviews and literature review instead of relying on one of the tools alone. Heale & Forbes (2013) explains that triangulated data collection techniques involve using more than one technique to gather data, such as interviews, observations, questionnaires, and documents. An extensive study and analysis of secondary literature was done to complement primary data. The use of mixed techniques in this present study helped to develop a

comprehensive understanding of phenomena (Patton, 1999). Furthermore, mixed techniques ensured that a key informants provided the data which informed the findings of the present study.

3.5.1 Primary Data Collection

In this present study, primary data comprised of different types of conflicts, root causes, common consequences and strength and weakness of the current frameworks. The data was collected between August and October 2019. For primary data, key informant interviews and focus group discussions were used to collect data. Focus group discussions and key informant interviews involved community leaders, prominent people, pastors, representative of women and youths, business people and Municipality official. A semi-structured interview guide (Appendix 5) was used to follow track of the discussions and interviews. Questionnaire of Likert type scale was administered to participants for ranking. This was done using the pairwise ranking and matrix scoring tools. Data collected using key informant interviews provide clear understanding of the conflict situation and current frameworks used to address conflicts between TLs and WCs in South African Municipalities.

3.5.2 Pretesting of Data Collection Instruments

The semi-structured interview guide was administered to six respondents separately. The purpose of pre-testing was to assess the clarity of the questions and suitability to the participants. Presser & Blair (1994) define pre-testing as a range of testing techniques aimed at identifying non-sample errors and to suggest ways to improve or minimize the occurrence of these errors. Few question errors and questions that made respondents uncomfortable and/or confused because were screened. Pretesting was done in two ways. Firstly, after the design of the data collection instruments, the promoter critically examined them. This was done to ensure that appropriate questions that did not carry emotions and biases of the researcher were asked. This exercise ensured that double-barreled questions were checked and ambiguities in the phrasing were removed. After pilot testing, it was learned that no substantial changes were necessary, save the fact that there were a few items that were vague and repetitive. The changes and exclusions that were made enabled the researcher to readjust maximum time for questioning one participant to 45 minutes. The data collection tools were revised and the exercise was followed by the roll-out of data collection phases. Data collection was done in two phases. The first phase used a semi-structured interview guide while phasing two employed a questionnaire of Likert type scales such as pairwise ranking and matrix scoring. Participants who participated in the pilot study were not involved in the actual study.

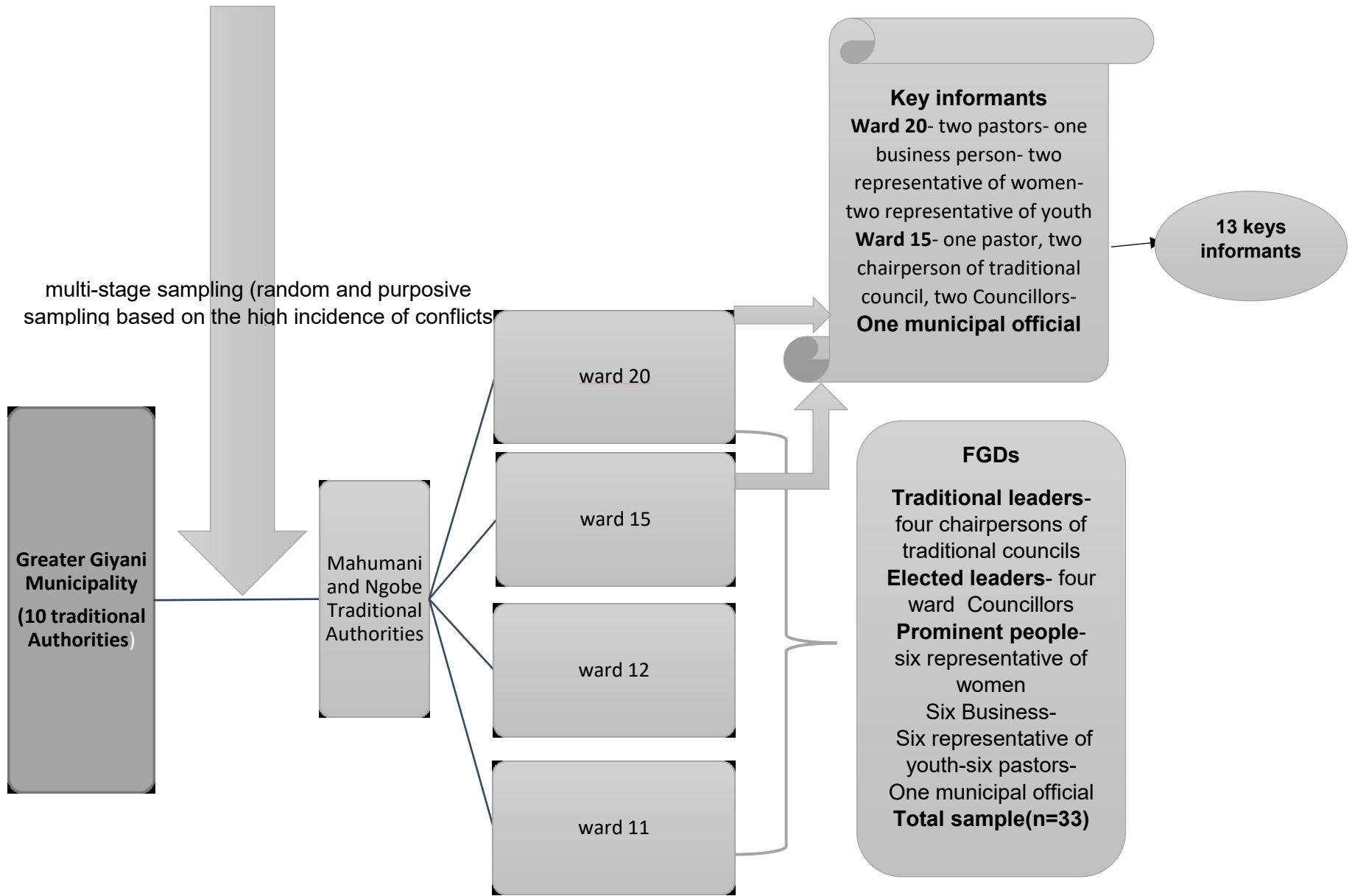


Figure 3.3 The step-wise sampling procedure used to select respondents

3.5.3 Secondary Data Collection

Secondary data were obtained from various sources including journals, books, research publications, government documents, and reports, as well as credible sources on the Internet. The secondary data were selected based on their orientation to conflicts between state and traditional leaders. The above sources were used for literature, to deepen understanding of the effectiveness of existing frameworks on resolving conflict, and to develop a conflict resolution framework between TLs and WCs.

3.5.4 Data Collection Procedures

Key informants constituted the main participants of this present study. Key informants were invited to a neutral venue for a discussion meeting done through the use of interview schedules. Participant's responses were recorded in the interview schedule. Rankings were done using the pairwise ranking and matrix scoring tools. Features ranked comprised of the common type of conflicts, major causes, and preferred conflict resolution frameworks (appendix 6).

3.5.5 Procedure Followed for Focus Group Discussion

Participants were assembled at a neutral venue to participate in focus group discussions. Two university students were recruited to serve as research assistants and the objectives of the study explicitly explained to them. These students also helped in translating English questions into the local languages and vice versa when necessary. One traditional leader gave opening remarks before introducing the researcher and two research assistants. According to Creswell (2013), interviews provide an in-depth and reliable measure of how categories of people feel and are likely to react to specified situations. Respondents were informed about their right to withdraw and the permission to voice record and take pictures was sought.

To ensure that those people who tend to dominate discussions give others a chance to contribute, focus group discussions were facilitated by the researcher so that one person speaks at a time. Participants who were reserved were also be encouraged to give their views, this was done to ensure maximum participation during focus group discussions. During this case study, a semi-structured interview guide with a predetermined sequence of questions with options for probing was utilized to generate data for empirical study. Opportunities were given throughout the interview for participants to add comments on aspects of their participation that had not been addressed in the questions the interviewer asked. Open-ended questions were used, to avoid

restricting the respondents' answers and to give respondents control over what they wish to say and how they wish to say it.

The use of interviews was necessitated by the need to elicit data from respondents based on conflict experience, their assessment of the existing conflict resolution mechanisms, and their expectations for resolving the conflicts. A flexible semi-structured interview guide helped capture these perceptions, feelings, and expectations than a structured questionnaire. Participants were put in groups according to their age, gender, and position held in their communities. However, in one of the FGDs attended by one female youth, a conclusion was made to combine her with male youths. All FGDs were facilitated by the researcher. Additional information on the process was done simultaneously with the delivery of stationery. Responses from the groups were transcribed by the research assistants.

Data collection in phase two was done with respondents who participated in the first phase. Before data collection in this phase, a feedback session was held with all participants presenting the findings of the research from phase 1 and to verify if the information harvested was accurate. This also gave the respondents an opportunity to add some omitted information as well as subtracting or correcting misinterpreted data. This ultimately ensured accuracy and validity in interpreting the collected data. To collect data, the study used focus groups and made use of semi-structured questions. Also, open-ended questions were used to allow KIs to express their views openly and widely on the subject. The elderly and those who were not able to read or write had interviews in local languages by research assistants.

3.6 Data Analysis

Data analysis is a practice in which raw data is ordered and organized so that useful information can be extracted from it (Creswell, 2009). It involves analyzing participant information and is an ongoing process during research. Data were collected and analyzed concurrently thereby forming a mutual interaction between what is known and what one needs to know. Both secondary and primary data analysis was contacted. This study relied primarily on the qualitative method of analysis. Facts were presented through words (qualitative). More generic steps include organizing and preparing the data, an initial read through the information, coding the data, developing a description from the codes, and thematic analysis.

Coding was done to analyze and make sense of the data collected. Moreso, during coding data, was refined and chunks of texts were organized in order to categorize it according to particular

themes. Data was also presented in tables, and figures amongst others. According to Creswell (2009), data analysis involves interpreting data in the light of personal lessons learned, comparing the findings with the past literature and theory, raising questions, or advancing an agenda for reform. Peer reviews were done involving the promoter who is suitably experienced researcher independently reviewing and exploring data analysis and emerging themes helped to guard against the potential for lone scholar bias.

Qualitative data were tabulated, coded, and organized into themes using the ATLAS.ti 8 software and pairwise ranking. The ATLAS.ti 8 software helps to uncover and systematically analyze complex phenomena hidden in text and multimedia data (Manen *et al.*, 2009). Matrix ranking was used to analyze and facilitate discussions during focus groups when choosing the best cost of action. This program provides tools that help locate, code, and interpret findings in primary data material, weigh and evaluate their importance of findings, and visualize complex relations among the findings. Therefore, data on the conflicts between traditional TLs and WCs and existing resolution frameworks were analyzed and interpreted in order to assess their effectiveness. Although it is difficult to maintain confidentiality in qualitative data collection, comments from the interview respondents were presented anonymously.

3.7 Ethical Considerations

Some respondents are sensitive enough to not engage or participate in the interview if certain ethics are not met given that, the researcher made sure all ethical issues were considered. In When ethics are not observed in a study, this presents the study results as invalid and unreliable for academic. This section summaries ethical considerations which were considered in this study.

3.7.1 Respondent's letter of Consent

After getting approval from the community leadership to conduct the study, the purpose of the study was further clarified and how results will be used. This helped in securing informed consent of the key informants to participate in the study. In adherence with informed consent, a written consent form that explained the study focus of both prominent people and community leaders as well as their rights was given to respondents (Appendix 2). A signature on a consent form was obtained from all participants. Participants were also informed of their right to withdraw themselves and their information from the research at any stage without being forced to offer any explanation. Contact details of the researcher were also made available to participants to ensure smooth communication. This enabled the researcher to carryout research in the area ethically.

3.7.2 Respondent's Right to Confidentiality

In the case of this study, confidentiality was carefully respected. Participants were informed of the researcher's confidentiality before the interviews. It was recognised that respondents can only share their experiences in an environment they feel that all aspects of their participation will be treated with the strictest confidence. Thus, they were assured that whatever information collected from them through interviews will be kept confidential. Rubin and Babbie (2008) define anonymity as "...the moral principles that shield the participants to remain unknown and their recognition is protected from disclosure...". This was done with the hope that this would promote trust between the researcher and the respondents. The researcher also informed participants that the information collected from them was used for academic purposes only. Participants were not linked to the information. This was done through excluding their names from the questionnaire and response sheets. Data was also kept safely and away from public viewing to maintain confidentiality.

3.7.3 Right to Privacy

Privacy is the right an individual has to determine the time, extent and general circumstances under which personal information will be shared or withheld from others (Kumar, 1999). In this study, the researcher ensured that the participants do not lose their dignity, friendship, employment or suffer embarrassment and shame. During interviews, participants were made aware of the use of audiotape so that they could stop the tape if they feel the information that they want to disclose should not be recorded. Participants' right to control the amount of information they reveal about them was respected.

3.7.4 Right to Protection from Harm

The right to protect from discomfort and harm is based on the ethical principle of beneficence, which holds that one should do good, and above all, no harm (Babbie & Mouton, 2010). The researcher ensured that participants are comfortable by selecting suitable venues and times for interview. The researcher guarded against embarrassing the participants during the interviews so questioning and probing was done cautiously. During the interview, the researcher was observant, accessing the participant's discomfort and researcher determined whether harm intentional invoked is justifiable in terms of the benefits of the study or other research methods could be used to obtain to obtain information without causing harm.

3.7.5 Validity and Reliability

Considering that the current study utilised qualitative method, it is crucial to discuss validity and reliability of the study. Reliability concerns the extent to which a measurement of a phenomenon provides stable and consistent results (Hamed, 2016). Furthermore, Lincoln and Guba's model comprising of four criteria to measure trustworthiness of the findings namely credibility, dependability, applicability, and neutrality was applied. This ensured that there was validity and reliability of results from the respondents. And validity of the study explains how well the collected data covers the actual area of investigation (Ghauri & Gronhaug, 2005). Although reliability was important for this study, it was not important unless combined with validity. To ensure reliability and validity, this study considered certain precautionary steps. During in-depth interviews with key informants, reliability was achieved through connecting with participants which built trust between the researcher and the participants.

Trust enhances credibility of the responses given by the participants (Nick, 2010). Furthermore, Lincoln and Guba's model comprising of four criteria to measure trustworthiness of the findings namely credibility, dependability, applicability, and neutrality was applied. This ensured that there is validity and reliability of results from the respondents. People with diverse backgrounds and viewpoints were contacted to review the survey before it is administered. This was done to check if each item is clearly and easily stated, if they interpret each item in the intended way, if the items have an intuitive relationship to the study's topic and goals, and if the intent behind each item is clear to colleagues knowledgeable about the subject (Boulcher *et al.*, 1987; Bray, 2009). Considering these principles, this current study had the proposed questionnaire reviewed by a panel of experts. The following chapter focuses on the types of conflicts that characterizes the relationship between traditional leaders and Ward Committees.

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CHAPTER 4: NATURE AND MANIFESTATION OF CONFLICTS BETWEEN TRADITIONAL LEADERS AND WARD COMMITTEES

Abstract

In local Municipalities of South Africa, elected leaders and traditional leaders have co-existed for decades. However, this co-existence has often been characterized by numerous conflicts. These conflicts take different forms and scope making it crucial to understand why in some communities they become violent while in others they do not. Therefore, in this current study, the nature of conflicts was investigated. Purposive sampling was used to select 33 participants in Greater Giyani Municipality that comprised of four members of traditional leaders, six representatives of youth, four Ward Committee Chairpersons, six representatives of business people, six Council of Churches Chairpersons, six chairpersons of women and one public participation manager from the Municipality. Key informant interviews and focus group discussions were employed to describe the nature of conflicts that exist between the two leadership institutions. A grounded theory approach to data analysis was implemented where a thematic content analysis was undertaken in ATLAS.ti 8. Concepts and themes were drawn from the narratives given by the community members and key informants. While existing conflict resolution frameworks have been applied to deal with these conflicts, there has been a general failure to sustainably resolve them. This study concluded that the existing conflict resolution frameworks pay more attention to active conflicts than to embedded conflicts. Unless peace institutions in rural areas pay attention to all forms of conflicts, conflicts in local Municipalities will persist. Furthermore, this present study revealed that conflicts between traditional leaders and Ward Committees were both violent and nonviolent. In general, the findings obtained through focus group discussions and key informant interviews were the same. However, the following notable differences were observed: focus groups showed that several violent conflicts were done clandestinely. These research findings pointed to the need for state and non-state actors to pay attention to all forms of conflicts. Furthermore, efforts directed towards addressing violent conflicts should emphasize on cultural issues.

Key words: active conflicts, manifest, nature of conflicts, peace institutions

4.1 Introduction

Traditional and elected leaders have the potential to work together in Local Municipalities. Researchers and practitioners contend that cooperative governance is vital for achieving sustenance rural development. Bikam & Chakwiriza (2014) similarly opine that several legislative frameworks such as the Traditional Leadership and Governance Framework Act 41 of 2003 and the Municipal Structures Act of 1998 were enacted to promote cooperative governance. However, the co-existence of traditional leaders (TLs) and Ward Committees (WCs) is often threatened by various conflicts. Instead, the government has made more success on institutional multiplicity over institutional hybridity (Dubazane & Nel, 2016). These conflicts manifest in various forms that make them difficult to resolve using the existing frameworks (Sithole & Mbele, 2008). By identifying different types of conflicts among community leaders, this study contributes to an understanding of how conflicts between TLs and WCs manifest and highlights the magnitude of the common types of conflicts. Thus, in shaping up the rural landscape, it is imperative to resolve all forms of conflicts amicably. Therefore, the intuition that drives this study is that there is logical leverage in developing conflict resolution framework after understanding different types of conflicts.

A limited but increasing number of studies indicate that conflicts between TLs and WCs manifest in various forms. Bramsen & Poder (2018) posits that conflicts can be classified as dominant or recessive, solvable or irresolvable, violent or non-violent. These conflicts range from minor annoyances to outright violence. Recent studies are acknowledging the essence of understanding the nature of conflicts in resolving disputes. Thus, the focus is being shifted from just ending conflicts to acknowledging the attainment of sustainable peace. It is important to note that, nonviolent conflicts may turn violent if they are not dealt with (Govier, 2008). In the past, conflict resolution placed emphasis on violent and active conflicts while paying little or no attention to other forms of conflicts (Bottazzi et al., 2016; Wehrmann, 2017). As a result, resolving conflicts should be built upon all types of conflicts rather than violent forms. This chapter addressed fundamental questions such as first, what type of conflicts are common between TLs and WCs? Second, are TLs and WCs in all instances engaged in violent conflicts? And third, are there cases where TLs and WCs co-exist, cooperate, and are in fact, cultural neighbors?

Greater Giyani is one of the local Municipalities confronted with various forms of leadership conflicts. Yet, there are insufficient studies in the Greater Giyani Municipality that describe how conflicts between TLs and WCs manifest and how they are resolved. The presence of conflicts in

local Municipalities can no longer be understood as the absence of CRFs but rather a result of failure to arrest all forms of conflicts. Thus, this research fills the gap in previous studies by narrowing the study to a specific local Municipality. Also unlike other studies, this study specifies the level at which these conflicts occur that affect rural development.

4.2 Methodology

This chapter follows the methodology which is detailed in chapter three. Study area (figure 3.1), respondents, and methods of data collection were carried out in the manner as stated in the sections discussed hereto. Information was collected using key informant interviews and focus group discussions as spelt out in the methodology chapter. Purposive sampling was employed to select respondents from the study population. Furthermore, data collection tools used to contact interviews are well stated in chapter three. The analytical techniques used are explained in chapter three. Network diagrams generated using matrix scoring and ATLAS.ti 8 were utilised to present the key findings. Respondents from two traditional authorities within Greater Giyani Municipality were selected to gather diverse and rich data on nature of conflicts. Key informants were classified according age, gender and role in the community. The analysis was based on both empirical information and literature reviewed in this study. The figure 4.1 shows nature of conflicts.

4.3 Results

4.3.1 Summary of background characteristics of keys informants in GGM

Table 4.1 summarizes a selected set of background characteristics of key informants who participated in the study. The table shows that 12 of the participants interviewed were females and 21 were males. The reason for the active participation of the male respondents could be that majority male occupy key positions in Greater Giyani local Municipality. Twenty participants were in the 46-65 age groups with only 13 being in groups of participants below the age of below 45 and above 66 years. Therefore, the age group 46-55 and 56-65 years dominated the study with 20 participants constituting 60.6% of the total sample. It is not surprising that respondents' years of experience in conflict resolution varied from less than one year to more than seven years. Twenty of the participants attained secondary education. Only four key informants had tertiary qualifications. Four participants did not have any formal education but could read and write.

Table 4.1 Participant biographical information

Background characteristic	Specific attribute	Overall sample (n =33)	Survey areas			
			Ngobe traditional authority		Mahumani traditional authority	
			Ward 11 (n = 8)	Ward 12 (n =9)	Ward 15 (n = 8)	Ward 20 (n = 8)
Sex	Male	21	5	6	5	5
	Female	12	3	3	3	3
Marital status	Married	20	4	5	6	5
	Widowed	7	2	2	1	2
	Single	6	2	2	1	1
Age	>45	6	2	2	1	1
	46-55	10	2	2	3	3
	56-65	10	2	3	2	3
	≤66	7	2	2	2	1
Conflict resolution experience	>1	4	1	1	1	1
	1-3	7	1	1	2	1
	4-6	8	3	2	2	1
	≤7	14	3	5	3	3
Educational level	No formal education	4	-	2	1	1
	Primary schooling	5	-	1	1	3
	Secondary schooling	20	7	3	6	4
	Tertiary	4	1	1	1	1
Position held	Traditional leaders	4	1	2	1	-
	Ward Councillors	4	1	1	1	1
	Pastors	6	2	1	1	2
	Rep of Youth	6	1	2	1	2
	Rep of Women	6	2	1	1	2
	Municipal staff	1	-	-	-	1
	Business people	6	1	2	2	1

4.4.1 Conflict Resolution Experience of Key Informants

Conflict resolution experience varied across the four wards and also from participant to participant. Most of the youth and women who participated in this study had little or no experience in resolving conflicts reflecting that most of them were excluded from the traditional conflict resolution systems. However, all the key informants from Ward 11 and 12 had experience with conflict resolution reflecting that their traditional authority was more inclusive. Traditional and elected leaders all had the experience of dealing with conflicts as they are key members of the traditional courts. Prominent people had at least one-year of experience, they are invited to assist during courts to influence the decision on conflict resolutions in their respective wards

4.4.2 Key Informants' Perceptions on the Nature of Conflicts Between Traditional Leaders and Ward Committees in Giyani

Participants' experiences and views about the nature of conflicts between TLs and WCs in Greater Giyani local Municipality were gathered. Key informants who took part in the initial interviews considered conflict as a situation where goals between TLs and WCs are incompatible. Non-violent conflicts were common between TLs and WCs. During these interviews, respondents stated that conflicts manifest in various forms and scope. Although respondents had diverse perceptions on manifestation of conflicts, violent, nonviolent and dormant conflicts were homogeneous in both KIs and FGDs.

4.4.3 Inter-coder Agreement on the Nature of Conflicts for FGDs and In-Depth Documents

Ten themes on the manifestation of conflicts reviewed from literature and themes from in-depths and FGDs were too compared to ensure validity and reliability of data. An Inter-code agreement for in-depth and FGDs agree seven out of 10 times, so percent agreement was 70% (Table 4.3). The benefits of percentage agreement are that it can be used with any type of measurement scale. The table showing the compared documents is presented in Table 4.3.

Table 4.2: Inter-coder agreement on the nature of conflicts for FDGs and In-depth documents

Document	1	2	3	4	5	6	7	8	9	10
Code 1 KIS	1	0	1	1	1	0	1	0	0	0
Code 2 FGDS	1	0	0	1	1	0	0	0	0	1

4.5.1 Respondents' Biographical Information

The consolidated matrix scoring was utilized to determine the common types of conflicts between TLs and WCs in the Greater Giyani Municipality. Focus group discussions with the guidance from the researchers, constructed a scoring of what they imagined was the most common conflict, in the area. The scoring was initially drawn on the flipcharts. To gauge the degree of prevalence, respondents in groups were asked to rank each type of conflict from one to twenty, with one indicating very less common and twenty indicating high prevalent.

To ensure the reliability of the information, each group was asked to discuss and agree on the criteria they would use to score each type of conflict. Interestingly, important issues sprung out of each group regarding their expectations in relation to the common type of conflict. All the groups raised some common indicators expected of a common conflict. These included the following: conflicts that are widespread, likelihood of being reported to authorities, likelihood to occur during meetings and chances to recur.

As presented in Table 4.3, the matrix scoring showed that out of a total score of 20, harsh verbal exchanges scored total of 14. A score of four accounted for chances to recur, chances of being reported to authorities (two), Widespread (four) and likelihood of occurring during community meeting (four). This showed that boycotts were the commonest type of conflicts in the Greater Giyani Municipality. However, despite being the commonest type of conflict, they were likely not to be reported to authorities.

Dormant conflicts were considered less prevalent than nonviolent conflicts. The total average score of 12 was the second highest. The likelihood of this type of conflict to be reported to the authorities was (1), widespread (4), likelihood to occur during meetings (4), and chances to occur (4). This reflected that, whilst dormant conflicts are widespread, they are rarely reported or resolved. Thus, they present a threat to sustainable peace.

Violent conflicts were the least common type. However, results indicated that attacks on human lives ranked high in cases that were reported to authorities for intervention (4). The chances to recur was (3), widespread (2) and the likelihood to occur during meetings (1). Results generally indicated that, whilst were not prevalent, they are reported to authorities to be resolved. Thus, attention was given to violent conflicts than nonviolent conflicts. The matrix scoring, illustrating the commonness of conflicts in the Greater Giyani Municipality, as calculated from focus group discussions are presented (Table 4.3).

Table 4.3: The regular scoring, illustrating the commonness of conflicts in Greater Giyani Municipality

Conflict type	Conflict dimension	Cost variable associated with conflict type	Likelihood score
Non-violent conflict	Harsh verbal exchanges	Chances to recur	4
		Likelihood of being reported to authorities	2
		Widespread	4
		Likelihood of occurring during community meeting	4
	Issue of threats	Chances to recur	3
		Likelihood of being reported to authorities	3
		Widespread	3
		Likelihood of occurring during community meeting	2
	Boycotting	Chances to recur	3
		Likelihood of being reported to authorities	2
		Widespread	2
		Likelihood of occurring during community meeting	-
Violent conflicts	Feast fighting-	Chances to recur	2
		Likelihood of being reported to authorities	4
		Widespread	2
		Likelihood of occurring during community meeting	2
	Burning of property	Chances to recur	4
		Likelihood of being reported to authorities	4
		Widespread	1
		Likelihood of occurring during community meeting	-
	Attack on human life	Chances to recur	3
		Likelihood of being reported to authorities	4
		Widespread	2
		Likelihood of occurring during community meeting	1
	Blocking access to services	Chances to recur	2
		Likelihood of being reported to authorities	3
		Widespread	2
		Likelihood of occurring during community meeting	1
Dormant conflicts	passive resistance	Chances to recur	3
		Likelihood of being reported to authorities	1
		Widespread	4
		Likelihood of occurring during community meeting	4

The aim of matrix scoring was to test whether all conflict dimensions were prioritized in conflict resolution processes. This was ideal for determining if there were significant differences in priority between active and inactive conflicts. Matrix scoring was performed for all conflict dimensions (Table 4.3). Results indicated that, there was a significant association between the type of conflict and the likelihood to be reported. In this current study, on the likelihood of being reported to authorities, dormant (inactive) conflicts had a score of one, and an average of three for violent conflicts. This meant that dormant conflicts are not reported to authorities at all, while non-violent conflicts are less reported than violent conflicts. This corroborates findings that suggest that existing conflict frameworks focus more on violent conflicts than inactive and non-violent conflicts (Leeuwen et al., 2016).

4.5 Non-Violent Conflicts Between Traditional Leaders and Ward Committees

This section comprises of results on the non-violent conflicts between TLs and WCs. Key informant interviews and focus group discussions classified non-violent conflicts into verbal exchanges, boycotting of meetings, demonstrations, leaders unwilling to consult, resistance to change. A comprehensive presentation on forms of non-violent conflicts identified is provided in the form of a network diagram (Figure 4.1)

4.5.1 Harsh Verbal Exchanges

Exchange of harsh words was another perceived form of nonviolent conflicts. In-depth interviews revealed that use of harsh words during meetings was not only a common practice, but a way to generate diverse ideas. Results showed that although harsh verbal exchanges can be neutral, the practice was not acceptable in rural societies. The difference is whether the exchange is managed or not. However, results highlighted that despite harsh verbal exchanges helping leaders reflect on their performances, the practice was considered shameful and disrespectful. One respondent described how harsh verbal exchanges could generate into a violent conflict:

“People are different, holding equal positions does not mean seeing things the same way. Although this type of conflict can help leaders do self-introspection, the practice is obviously the most shameful way of correcting each other. If poorly managed harsh words may mark the beginning of a violent conflict.”

(Representative of youth, KIs)

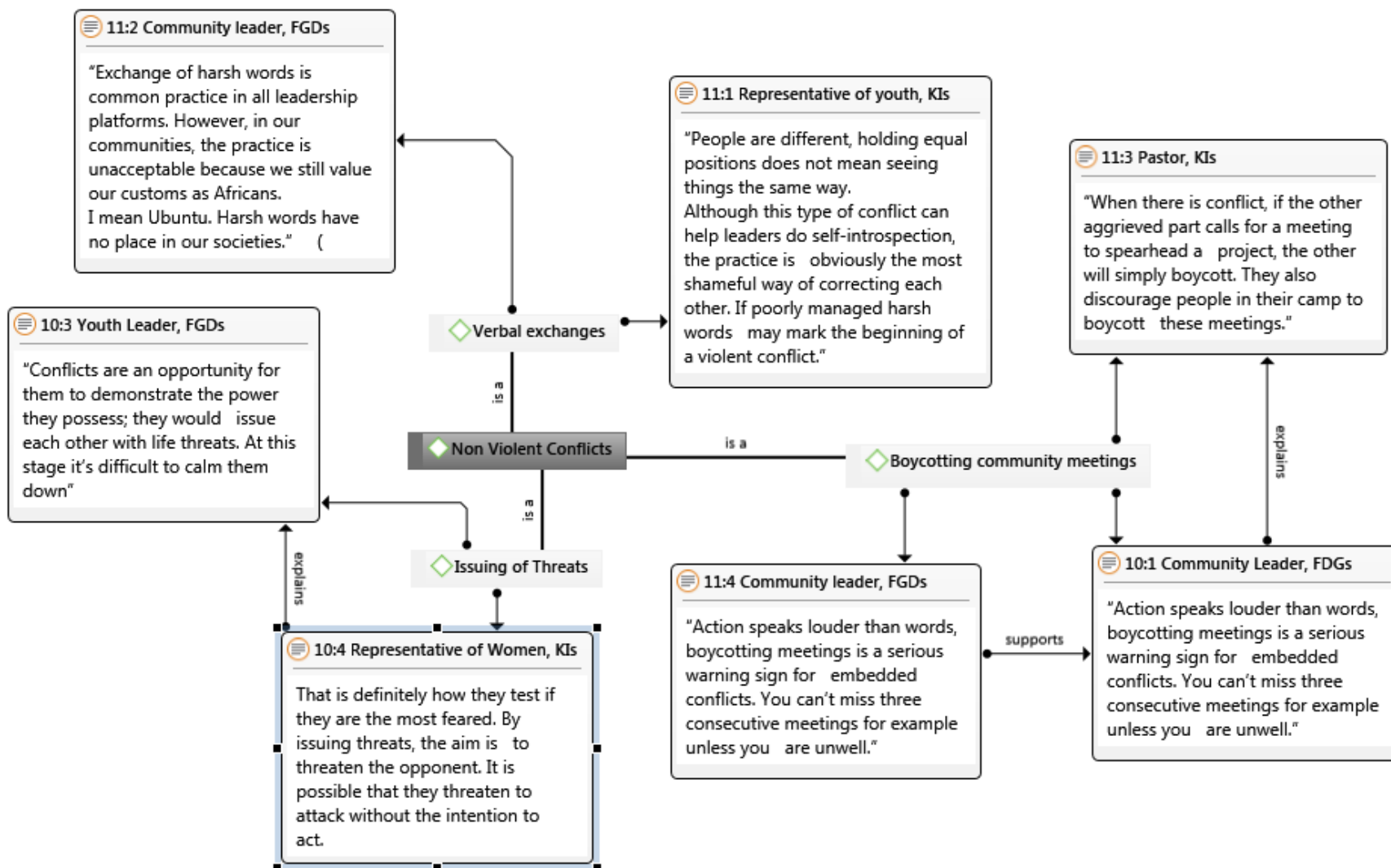


Figure 4.1: A comprehensive presentation on forms of nonviolent conflicts

Contrary to perceptions highlighted during KIs, participants during focus group discussions unanimously agreed that verbal exchanges were not constructive. The findings suggest that communities should strive to understand leadership conflict in all its various forms. The above mentioned view was well articulated by one group of community leaders in the following quotation:

“Exchange of harsh words is common practice in all leadership platforms. However, in our communities, the practice is unacceptable because we still value our customs as Africans. I mean Ubuntu. Harsh words have no place in our societies.”

(Community leader, FGDs)

4.5.2 Boycotting of Meetings

Boycotting of meetings was widely endorsed as a way conflicts at leadership level manifest. Key informants also suggested a weak link between non-violent and violent conflicts. Respondents indicated that boycotting likely to turn violent and confrontational if fundamental issues remain unresolved. The significance of boycotting meetings represented conflict avoidance, suggesting that leaders avoid confrontation. Thus, conflict patterns among community leaders are difficult to detect and directly impact development. In support of the above views, one of the key informants narrated that:

“When there is conflict, if the other aggrieved part calls for a meeting to spearhead a project, the other will simply boycott. They also discourage people in their camp to boycott these meetings.”

(Pastor, in-depth interviews)

“Action speaks louder than words, boycotting meetings is a serious warning sign for embedded conflicts. You can’t miss three consecutive meetings for example unless you are unwell.”

(Community Leader, FGDs)

Responses in both KIs and FGDs were similar. The account above implies that although conflicts are very common between TLs and WCs, community leaders avoid confrontation. Hence, community leaders in some circumstances decide not to attend developmental meetings in protest to the convener. Thus, it important to understand why in some countries communal land disputes become violent while in others they do not.

4.5.3 Issuing of Threats

During FGDs, participants indicated that the two leadership institutions issue each other with threats. Focus group discussions highlighted that threats vary depending on the influence of the players involved corroborating findings of KIs. The above-mentioned view was well articulated by one group of youth in the following quotation:

“Conflicts are an opportunity for them to demonstrate the power they possess; they would issue each other with life threats. At this stage, it’s difficult to calm them down”

(Youth Leader, FGDs)

Furthermore, results also centered on the efficacy of issuing threats by leaders to threaten their opponents. Respondents concurred that the issuing of threats was quite risky as the aggressor could be attacked while threatening. In support of the above views, one key informant stated the following words.

“That is definitely how they test if they are the most feared. By issuing threats, the aim is to threaten the opponent. It is possible that they threaten to attack without the intention to act.”

(Representative of Women, KIs)

Responses in both KIs and FGDs were similar. The aggressor Issue threats to put fear in the perceived opponent. For example, threaten to destroy crops, burn the car, and destroy business properties. However, contrasting views between in-depth and focus group discussions are also noted. Focus group discussion revealed that issuing of threats is a consequence of a protracted conflict, this view was not raised during in-depth interviews at all.

4.6 Violent Conflicts Between Traditional Leaders and Ward Committees

This section presents the identified forms of violent conflicts common among community leaders. The link between the nature of conflict and its escalation path was also discussed. Violent conflict was widely defined as a dispute between two or more parties involving physical force. During FGDs, it was collectively agreed that blocking access to services, damaging of property, attacks on human life, and feast fighting were most common forms of violence. A comprehensive presentation on forms of violent conflicts identified is provided in the form of a network diagram (Figure 4.2)

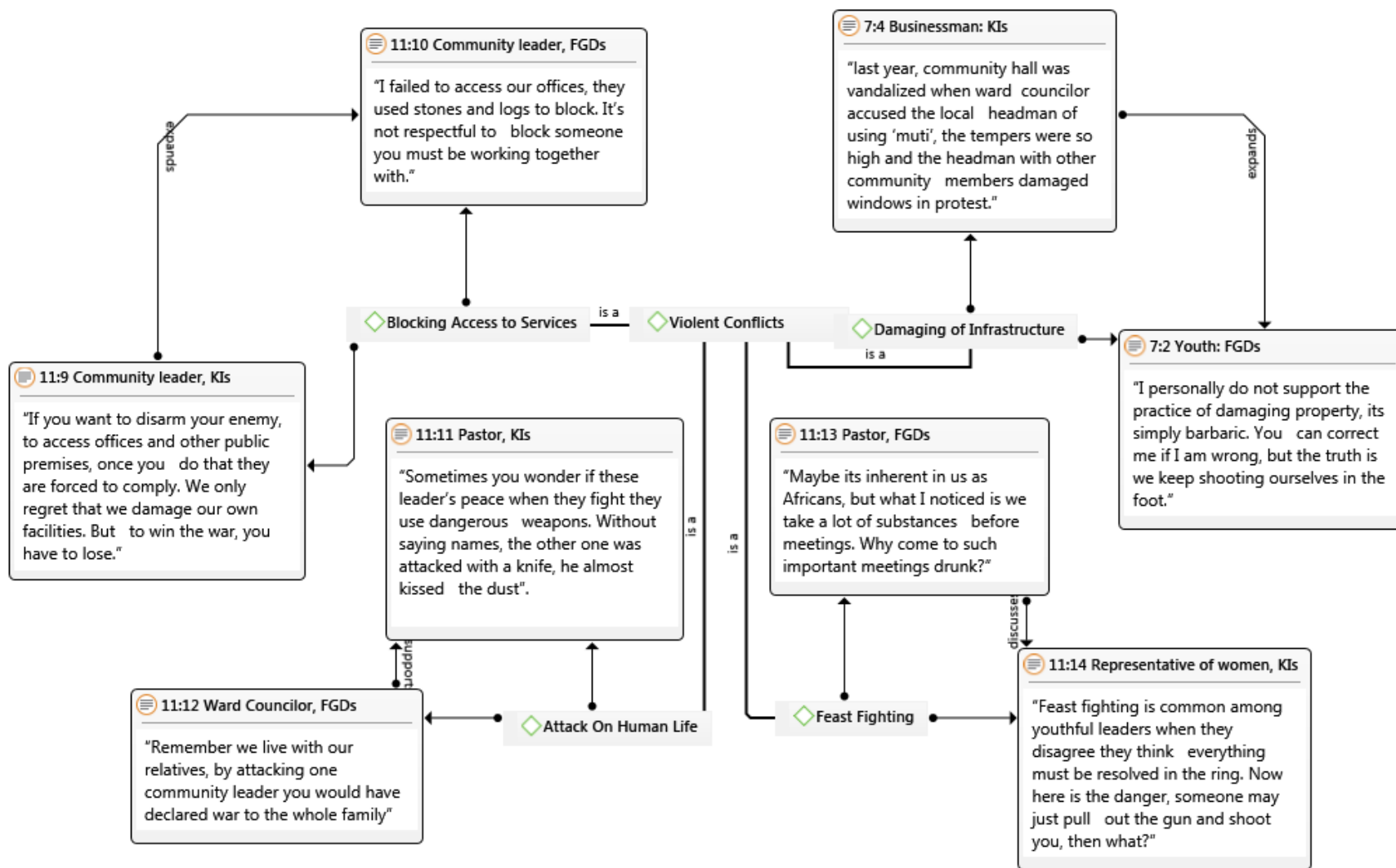


Figure 4.2: A comprehensive presentation on forms of violent conflicts

4.6.1 Damaging of Infrastructure

Respondents during FGDs, concurred that most violent conflicts involve damage to the property of the rivalry part. Considering this challenge, respondents were asked to rank causes which likely leads to violent conflicts. The matrix scoring tool was used to rank the causes that were likely to result in a violent conflict.

“last year, the community hall was vandalized when ward Councillor accused the local headman of using ‘muti’, the tempers were so high and the headman with other community members damaged windows in protest.”

(Businessman: KIs)

“I personally do not support the practice of damaging property, it’s simply barbaric. You can correct me if I am wrong, but the truth is we keep shooting ourselves in the foot.”

(Youth: FGDs)

Key informant interviews and focus group discussions stated that community precursors to violent conflicts included cultural factors, interferences religious matters, and allocation of resources such as land. Respondents also indicated that if community leaders accuse each other of witchcraft, the matter is high sensitized and considered criminal. The perceptions and experiences of the respondents in the study area were similar.

4.6.2 Blocking Access to Services

Results revealed blocking access to service as a form of violent conflict. This was done by taking down the road signs or physically damaging roads. Results also indicated that this form of conflict is provocative. Below are some of the verbatim words by selected respondents who articulated the above facts:

“If you want to disarm your enemy, to access offices and other public premises, once you do that they are forced to comply. We only regret that we damage our own facilities. But to win the war, you have to lose.”

(Community leader, in-depth interviews)

“I failed to access our offices, they used stones and logs to block. It’s not respectful to block someone you must be working together with.”

(Community leader, FGDs)

4.6.3 Attack On Human Life

Attack on human life was another perceived nature of the conflict. During FGDs, this form of conflict was widely endorsed as a common conflict between TLs and WCs. Two groups of community leaders also highlighted that this form of conflict makes use of objects such as knives, knob carries and stones with the intention to injure and kill. The view is well articulated in the following statement:

“Sometimes you wonder if these leader’s peace when they fight they use dangerous weapons. Without saying names, the other one was attacked with a knife, he almost kissed the dust”.

(pastor, in-depth interviews)

“Remember we live with our relatives, by attacking one community leader you would have declared war to the whole family”

(Ward Councillor, FGDs)

4.6.4 Feast Fighting

During KIs respondents stated that feast fighting emerged as one of the common forms of conflicts. The findings indicate that feast fighting is common among youthful leaders during community development meetings. The emphasis that feast fighting was common among youthful leaders suggested youth leaders had lost connection with traditional values and lacked leadership qualities. Thus, youthful leaders were not only perceived as violent but incapable of resolving their differences through dialogue. In support of this view, one participant said the following words:

“Feast fighting is common among youthful leaders when they disagree they think everything must be resolved in the ring. Now here is the danger, someone may just pull out the gun and shoot you, then what?”

(Representative of women, KIs)

“Maybe its inherent in us as Africans, but what I noticed is we take a lot of substances before meetings. Why come to such important meetings drunk?”

(Pastor, FGDs)

It was apparent that community meetings needed to be well facilitated in order to avoid conflicts. Key informant's interviews and focus groups revealed that feast fighting can easily escalate to other forms of violent conflict. Thus, feast fighting was analogous to other violent disputes such as the attack on human life. Furthermore, the overriding desire to thwart and silence the rival party would result in feast fighting escalating into more violent conflict. Hunger was analogous to physical hunger in the sense there was an inner need that required filling, which also links into the following theme.

4.7 The Link Between Nature of Conflict and its Escalation Path

Figure 4.3 illustrates the link between the nature of conflict and its escalation path. Results revealed a significant link between nonviolent conflicts and violent conflicts. Key informant interviews and focus group discussions indicated that community precursors to violent conflicts included dormant (inactive) and active nonviolent conflicts. Respondents indicated that dormant and nonviolent conflicts lead to violent conflicts if they are not dealt with. This means that nonviolent conflicts have the potential to escalate into a violent conflict. Thus, the longer the conflict takes unresolved, the greater chances for turning violent conflict. This phenomenon was aptly explained by one of the respondents during deliberations:

“If non-violent conflicts persist for some time unsolved, the community is simply inviting bigger and violent conflicts. My experience tells me that, communities are slow to handle conflicts and sometimes matters are postponed.”

(Youth leader, FGDs)

The transcript above implies that the longer the conflict take before it is resolved, the greater the likelihood of escalating into a violent conflict. These results validate Mafunisa (2019) who suggests that if unresolved conflicts continue to threaten the success of cooperative governance. Thus, resolving conflicts help promote cooperative governance and social cohesion. In terms of policy implementation, institutions within rural communities should be supported by appropriate extension support to cooperative governance and conflict resolution. Figure 4.3 shows link between nature of conflict and its escalation path.

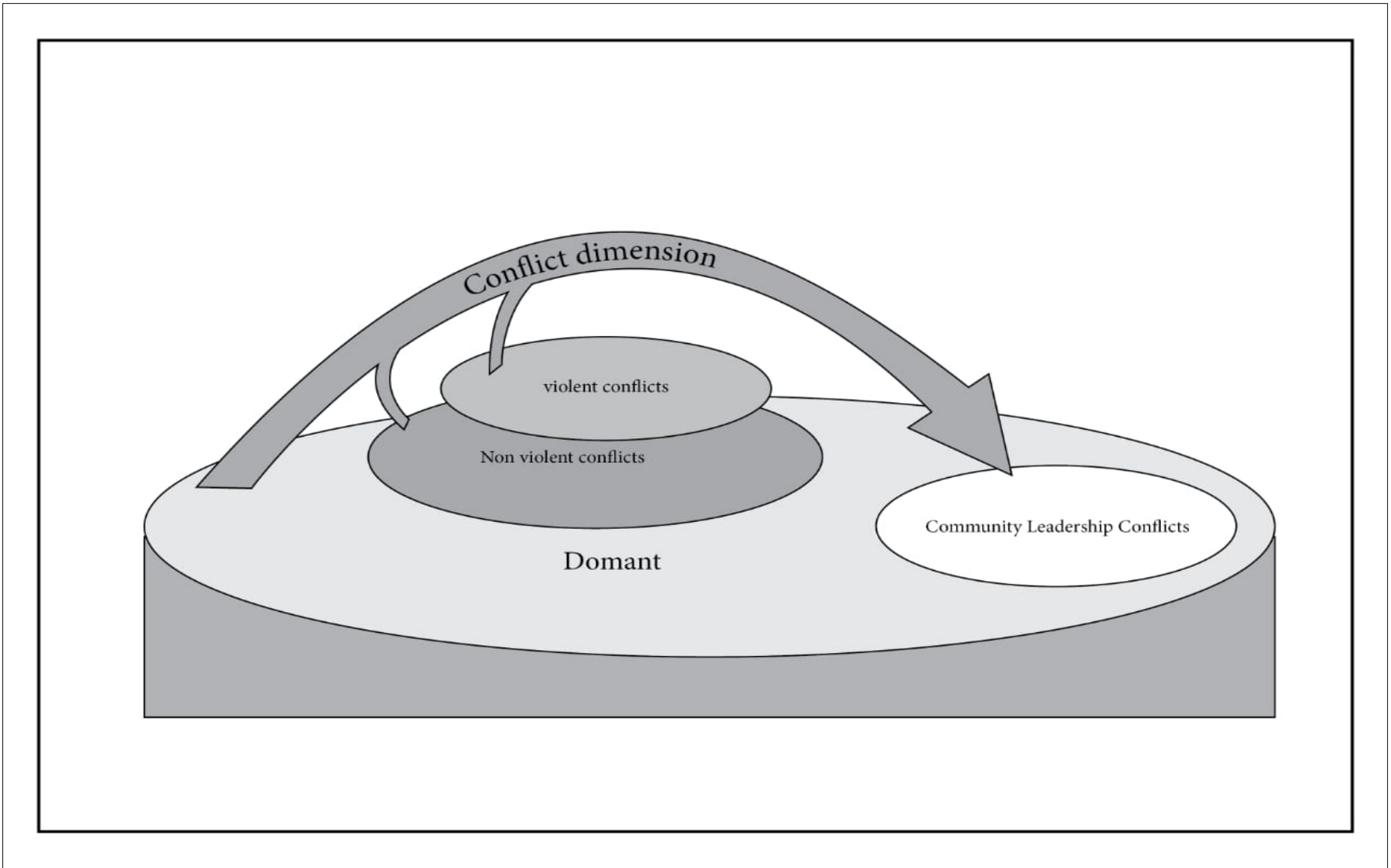


Figure 4.3 The link between conflict dimension and its escalation

4.8 Discussion

Analysis of interview and focus group data clearly indicates that South Africa is not in danger of exploding into widespread violent conflict. Nevertheless, overall results endorse largely that tension dynamics between TLs and WCs have the potential to break out into sporadic violence. This study confirms (Eck, 2014) who noted that non-violent conflicts have the potential to escalate to entrenched forms of violence like a civil war. Thus, all forms of conflicts deserve immediate attention. These findings expose the devastating effects of conflicts on conflict both the dual system and rural development in the Greater Giyani Municipality. The findings from both KIs and FGDs show that most conflicts are non-violent. These non-violent conflicts are also confirmed in other studies in Namibia (Bonta, 1996) and Botswana (Osei-Hwedie, 2010). Without a sustainable conflict resolution framework, the dual system of governance continues to be imperiled by community leadership conflicts in the Greater Giyani Municipality.

The subsequent deliberations among respondents as to what score to give to each type of conflict, based on the criteria established, was quite revealing, as they debated with each other with examples as to why a certain score should be given. Consequently, this instrument was found to be very effective in generating deeper insights from respondents during information gathering. The regular scores, illustrating the commonness of conflicts, were calculated from the various FGDs. An average matrix score affirmatively confirmed that nonviolent conflicts were widespread. These findings reveal that numerous conflicts that characterize the relationship between TLs and WCs in Giyani are nonviolent

Unlike previous studies, this present study provides a context-based and an objective view of the manifestation of conflict. This current study maintains that understanding the nature of conflicts is a step closer in an attempt to bring institutions in conflict to enduring peace. Furthermore, as presented in this chapter, the current study maintains that tension between TLs and WCs manifests in various ways. This understanding is vital as it increases awareness of problems that exist and provides the reason for finding a better way forward. As previous studies have shown, peace is crucial for development (Osei-Hwedie, 2010; Bikam & Chakwiriza, 2014), similarly, arresting all forms of conflicts promotes rural development. Although it was previously discussed in fiscal federalism literature, but is largely missing in empirical studies, despite its importance.

Although previous research has examined forms of conflicts between elected and traditional leaders, these studies emphasized on violent conflicts, thus failing to deal with all forms of conflicts. Additionally, given that nonviolent and latent conflicts have been neglected by fiscal

federalism studies, this research allows us to examine all forms of disputes among community leaders, thus creating an environment for development of a sustainable conflict resolution framework. Furthermore, findings of this present study showed that if nonviolent conflicts are undealt with, they escalate into wider conflicts and turn violent. Thus, conflicts between TAs and WCs that manifest nonviolently have not been getting adequate attention. This, in some cases, has contributed to violent conflicts between TAs and WCs. Secondly, these results have shown that although these conflicts rarely receive national and international attention, their consequences are devastating to both the economy and social lives of many community members. Instead, the consequences of these conflicts are huge and often downplayed due to the lack of literature evidence.

There is consensus in the literature that conflicts that exist between TAs and WCs negatively affect development in rural communities. Much of the studies reviewed in this chapter were conducted in other African countries, which have similar practices with the South African government systems in many ways, including socioeconomic status, political background, and availability, and administration of community resources. It was revealed that conflicts between WCs and TAs in the Greater Giyani Municipality in most cases are nonviolent owing to several factors such as land allocation, resource allocation, lack of transparency, cultural factors. Although it is obvious these conflicts do not result in loss of life and damage to property, the impact on development in rural areas. These conflicts have been persistent in several rural areas of South Africa. Indeed, these conflicts are not dealt with, they have potential, subsequently of morphing into violent and major conflicts impacting hugely on development. Yet, the core of the dual system of governance remains in the cooperative governance realm, where TAs and WCs work together in achieving sustainable rural development.

There is no rational reasoning why nonviolent conflicts TAs and WCs should always generate into major conflicts or persist if there is a sustainable conflict resolution framework in place. Conflicts are highly unlikely if there is no attempt by both institutions to usurp the roles and functions of the other and if disputes are thoroughly investigated before being resolved. As already alluded to, conflicts between TAs and WCs (whether violent or nonviolent) have the potential to destabilize local rural governance. Thus, there is an urgent need to deal with these conflicts that continue to characterize the dual system of governance. A sustainable conflict resolution framework to offer a sustainable response that resolves conflicts amicably remains crucial. In addition, to underscoring the importance of different types of conflicts in understanding community leadership disputes, the findings of this study also contribute to the burgeoning study of conflicts in local

governance. Different forms of conflicts can include a variety of conflict behavior, from boycotting meetings, ethnic riots of the type that bedevil Nigeria and India (Wilkinson, 2004) to armed conflicts.

4.9 Conclusion

In this chapter addressed the question of what is the nature of the This conflict between TAs and WCs in local Municipalities across South Africa. This present study argues that understanding the nature of conflicts between TAs and WCs is central to understanding the need for a sustainable conflict resolution framework. The present research argues that the nature and scope of conflicts cannot

be disregarded in their function as barriers conflict resolution. This current study also posited that when nonviolent conflicts are not dealt with, they have the potential to escalate into a violent conflict. The use of the law courts in most rural communities has been few. Despite the challenges faced by local Municipalities in dealing with consequences of conflicts, non-violent conflicts are rarely reported if at all. This chapter included the review of literature on the nature of conflicts, causes of conflicts, consequences, and different ways that conflicts have been resolved. The existing frameworks of resolving conflicts were also discussed and their weaknesses were also highlighted. Finally, this study provides a new data-rich context on conflict resolution that has been limited to violent conflicts. Overall, this present study identified three main types of conflict. These were violent, non-violent, and dormant conflicts. Chapter four of this thesis focuses on the major causes of conflicts among community leaders.

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CHAPTER 5: THE CAUSES OF CONFLICTS BETWEEN TRADITIONAL LEADERS AND WARD COMMITTEES IN GREATER GIYANI MUNICIPALITY

Abstract

South Africa's local governance system has been confronted with numerous leadership conflicts emanating chiefly from power contestation between two leadership institutions. South Africa has a total of 257 Municipalities, comprising 8 metropolitan, 44 district and 205 local Municipalities across many parts of the country (LGSETA, 2019). Despite the constitutional requirement to promoting cooperative governance, the government has struggled to get TLs and WCs working together. In the selection of co-operative governance, the adoption of TLs in democratic space is said to have triggered contestation of power which is largely responsible for many conflicts in various rural areas. Using a qualitative methodology, this chapter examined in detail the causes of conflicts between TLs and WCs in Greater Giyani Municipality of South Africa. It focuses on the challenges that the hybrid system of governance has struggled to maintain peace and avoid conflicts. The section also ranks causes of conflict in relation to their possible consequence. Thus, conflicts among community leaders must be qualified not merely as a contestation for roles and functions but as complex intolerance directed at leadership of different institutions.

Key words: Co-operative governance, Municipality, peace, South Africa

5.1 Introduction

Community leadership conflicts have a long history throughout South Africa, where the traditional leaders (TLs) and Ward Committees (WCs) have periodically clashed around issues of development in areas they control. Amid these conflicts, social cohesion is compromised and rural development slowed down. In attempting to understand the effectiveness of the existing conflict resolution frameworks among community leaders, one must examine the major causes of these conflicts. Indeed, in most recent studies, arguments suggest that endogenous conflict resolution systems needed to transform to be compatible with democratic institutions. As such, it is not surprising that efforts to arrest conflicts have focused more on understanding the root causes between the leadership institutions. It requires that the major causes of these conflicts are understood to inform approaches to dealing with them. The important questions are: What are the majors of causes of conflicts between TLs and WCs? Do key stakeholders agree on the major causes of these clashes? The purpose of this chapter is therefore to identify the major causes of conflicts between TLs and WCs from key stakeholders' perspectives. Thus, in this chapter a variety of variables perceived to be contributing towards a bruising relationship between TLs and WCs are reviewed.

While much of the debate has been focused on the need for a sustainable conflict resolution framework (CRF), this section addresses the causes of conflicts between traditional authorities and ward committees. With the government's support of cooperative governance, traditional leaders and Ward Committees are expected to work together in development of rural communities (Bikam & Chakwiriza, 2014; Mashau *et al.*, 2014). Thus, much attention has been devoted to the way the institutions can work together harmoniously in improving service delivery in rural areas. This is in line with Putzeland & Di John (2012) assumption that regardless of the government's intent, widespread conflicts in several rural areas remains a major challenge that characterizes the dual system of governance.

Despite numerous examples of conflicts, there are instances of great benefit for cooperative governance in other parts of the world. For instance, in Canada and Australia one can find examples that traditional leaders are an essential asset in improving service delivery, if they work cooperatively with the elected leaders (Ens *et al.*, 2017; Peters & Oksana, 2005). In South Africa (Department of Co-operative Governance and Traditional Affairs, 2018; Mashau *et al.*, 2014) it is similarly found that despite several clashes, TLs and WCs still engage in social and economic

cooperation. Thus, there is need to promote relations between these institutions and find a sustainable conflict resolution framework to deal with the conflicts they continue to face.

Several scholars reviewed in the literature exhibit indirect questioning of the compatibility of the traditional leadership institution as a system of governance with democracy (Meer & Campbell, 2007; Murray, 2004). However, upon critical examination all it suggests is that it is not the relevance of these institutions that ultimately explains these tensions. There is far more to the situation and understanding the tangled causes of conflicts and government's subsequent failure to tackle leadership conflicts in rural communities is critical. Land allocation is one of the main causes of these conflicts (Dubazane & Nel, 2016), along with power struggle exacerbated by overlapping roles, legitimacy, and cultural factors (Mashau *et al.*, 2014). Yet, vital questions persist: what are the causes of conflicts that frequently occur between TLs and WCs? And, is it possible for TLs and WCs to work together amicably in administration of rural societies? Lastly, are there instances where TLs and WCs co-exist, cooperate and are living in harmony?

5.2 Methodology

This chapter follows the methodology which is explained in Chapter 3. Study area, participants, study design and data collection methods were carried out in the same manner as described in that chapter. Data was collected through KIs and FGDs. Thematic content analysis was used to analyse information collected through interviews using ATLAS.ti 8. Causes of conflicts were ranked and presented using descriptive statistics. Matrix scoring and pairwise ranking was used to determine major causes of conflicts that were likely to lead to violent confrontation. Data were collected on cross-cutting issues, including how causes influence conflict dynamics.

5.3 Results

5.3.1 Major Causes of Conflicts Between Traditional Leaders and Ward Committees

Table 5.1 shows the public opinion on the causes of conflicts between TLs and WCs. Five major causes were extracted from the findings based on the feedback from participants interviewed. In this current study, major causes of conflicts were determined by participants using the pairwise ranking tool during FGDs. Factors that had the potential to cause violent conflict or escalate to involve other villages were considered major. Those factors included control over land, allocation of resources, cultural factors, lack of consultation, and corruption among leaders.

Table 5.1 Ranking the causes of conflicts between TLs and WCs

Conflict dimension	Cost variable associated with conflict type	Likelihood score
Allocation of land	May grow and widen into civil resistance	3
	unresolvable	3
	Likely to recur	2
	severe negative psychological effects	2
	loss of human life	2
Cultural factors	May grow and widen into civil resistance	3
	unresolvable	3
	Likely to recur	2
	severe negative psychological effects	2
	loss of human life	1
Mistrust	May grow and widen into civil resistance	3
	unresolvable	2
	Likely to recur	2
	severe negative psychological effects	2
	loss of human life	1
Power contestation	May grow and widen into civil resistance	2
	unresolvable	2
	Likely to recur	2
	severe negative psychological effects	1
	loss of human life	1
Lack of consultation	May grow and widen into civil resistance	2
	unresolvable	1
	Likely to recur	1
	severe negative psychological effects	1
	loss of human life	1
Interferences on institutional administration	May grow and widen into civil resistance	2
	unresolvable	1
	Likely to recur	1
	severe negative psychological effects	1
	loss of human life	1
Lack of transparency	May grow and widen into civil resistance	1
	unresolvable	1
	Likely to recur	1
	severe negative psychological effects	1
	loss of human life	1

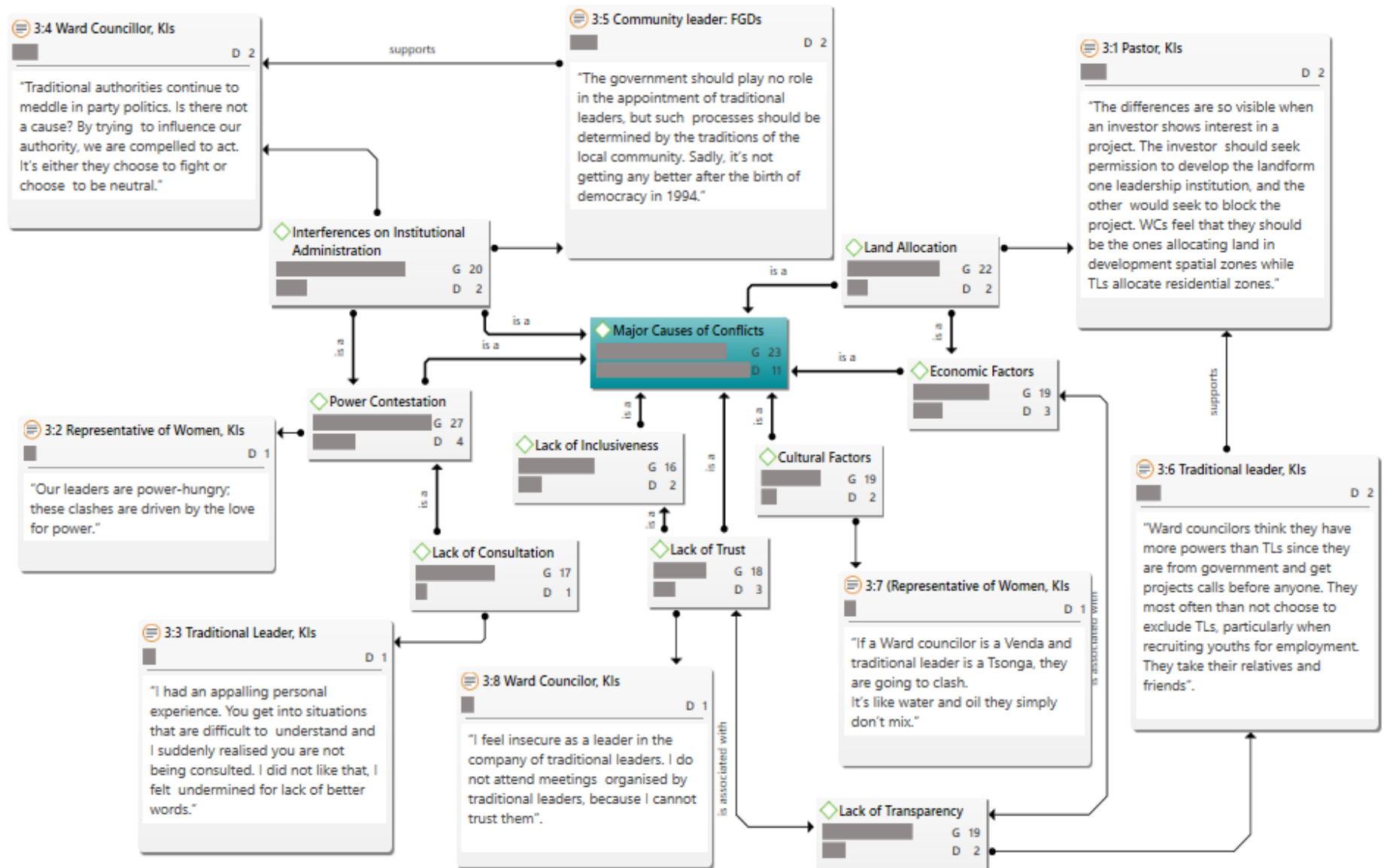


Figure 5.1 participants' perceptions on the causes of conflicts between TLs and WCs

5.3.2 Allocation of land

Contestation over power to allocate land was perceived to be a trigger of conflicts between TLs and WC. Allocating land not only influenced the approval of development projects but also the authority of a leader. Some of the respondents during KIs revealed that traditional leaders claim that, under the traditional system, land is owned by the royal family. The significance of ownership of land by the royal family represented a major challenge, suggesting a clear conflict of interests. One of the participants who had attended a land dispute meeting between a WC member and another traditional leader pointed out that:

“The differences are so visible when an investor shows interest in a project. The investor should seek permission to develop the landform one leadership institution, and the other would seek to block the project. WCs feel that they should be the ones allocating land in development spatial zones while TLs allocate residential zones.”

(Pastor, KIS)

Lack of transparency in land allocation was widely recognized as a precursor to conflicts between the TLs and WCs. Interviewees opined that there appear to be no obvious criteria for land allocation decisions, so it is difficult to clarify how decisions are made on matters of development. Owing to this reason, workshops on the roles of the two leadership institutions are required to root out potential clashes over overlapping roles.

5.3.3 Power Contestation

Power contestation was widely endorsed as a precursor to conflicts in dual systems. It pitched community leaders against each other and itself become a cause of conflict. Results indicated that TLs feel that WCs are taking their roles. Within the same line of thinking, Dubazane & Nel (2016) also reiterate that conflicts between TLs and WCs revolve around granting permissions to projects set for development between TLs and WCs, which is closely linked to power contestation. Below are the exact words of one participant during in-depth interviews:

“Our leaders are power-hungry; these clashes are driven by the love for power.”

(Representative of women, KIs)

This implies that conflicts in local Municipalities are centered around power. Thus, attempts to resolve conflicts will not yield desired results until the issue of roles and functions is spelt out. Understanding roles as required by the constitution is therefore critical.

5.3.4 Lack of Consultation

The third perceived cause of conflicts between TLs and WCs was attributed to a lack of consultation. Leaders' failure to consult each other on development matters generated tensions. These findings agree with Ntonzima & Bayat (2012) who also suggest that TLs routinely complain about lack of adequate consultation; this is despite the requirement that local authorities need to work together with TLs in rolling out development projects. The following quote offers an explanation on how lack of consultation triggers conflicts between TLs and WCs:

“I had an appalling personal experience. You get into situations that are difficult to understand and I suddenly realised you are not being consulted. I did not like that, I felt undermined for lack of better words.”

(Traditional Leader, KIs)

The emotional feeling of being excluded provided some sense of being undermined. It is clear from the above verbatim quote that lack of consultation generated several questions. For example, why exclude a key development stakeholder, especially when you are required to work together? Is it necessary to consult or its merely procedural? Consultation is used as a tool to express togetherness and respect. The meanings attached to lack of consultation in development processes provided a rich set of enduring misconceptions that respondents suggested widened the gap between the two leadership institutions.

5.3.5 Interferences on Institutional Administration

The findings showed that emerging disagreements and confrontations are consequential with some TLs members meddling in internal affairs of WCs. Respondents indicated that elected leaders were not expected to influence the succession matrix within the royal family for partial gains. Thus, the institution of traditional leadership and its independence should be protected through the framework defined in the constitution. These findings corroborate much empirical research (Chigwata, 2016 & Rukuni *et al.*, 2015) which adds that elected leaders blame traditional leaders for meddling in party politics. Below are verbatim words of one of the key informants in the articulation of the above view:

“Traditional authorities continue to meddle in party politics. Is there not a cause? By trying to influence our authority, we are compelled to act. It's either they choose to fight or choose to be neutral.”

(Ward Councilor, KIs)

This explanation showed that two leadership institutions need to respect the independence of their institutions. The above-noted facts are illustrated in the quotation below:

“The government should play no role in the appointment of traditional leaders, but such processes should be determined by the traditions of the local community. Sadly, it’s not getting any better after the birth of democracy in 1994.”

(Community leader: FGDs)

Responses from KIs and FGDs reflected significant contrasting views. The different perceptions on the causes of conflicts between the two leadership institutions indicates the complex nature of conflicts. Generally, results showed that there is a need for both institutions to respect independence and rules governing them. The contestations around the appointment of a TLs member in Dumazi village in 2019, is illustrative of this. However, participant’s narratives suggest that political interferences in the administration of TLs used to be minimal during the apartheid era compared to what they are today. This raises questions about the policy implications of the administration of the two community leadership institutions in South Africa.

5.3.6 Lack of Transparency

A common grievance articulated by interviewees is the corrupt nature of community leaders. It was noted during FGDs, that South Africa’s endemic corruption problem was finding its way into the local government peace-building efforts. Participants revealed that lack of transparency in the administration of community projects has deepened mistrust between the TLs and WCs. Furthermore, key informant interviews also revealed that a lack of transparency by community leaders results in a lack of trust. These complex and multiple administrative challenges in rural communities begs the question on the leadership abilities between TLs and WCs. The following quote explains why lack of transparency triggers conflict:

“Ward Councillors think they have more powers than TLs since they are from government and get projects calls before anyone. They most often than not choose to exclude TLs, particularly when recruiting youths for employment. They take their relatives and friends”.

(Traditional leader, in-depth interviews)

Despite several areas in which community leaders cooperate, participants concurred that lack of transparency among community leaders aggravate tensions between the two leading institutions. A greater number of participants in the Giyani Municipality had been victims of corrupt activities by either of the two leadership institutions.

5.3.7 Cultural Factors

Key informant interviews revealed that most conflicts in Giyani are usually mingled with cultural issues and predominantly between TLS and WCs. The use of cultural derogatory words such as mu Tshangani or false accusation similar to ‘...*you are a witch.*’ presented immense challenges. One participant said that:

“If a Ward Councillor is a Venda and traditional leader is a Tsonga, they are going to clash. It’s like water and oil they simply don’t mix.”

(Representative of women, in-depth interviews)

The cases showed that the question of diversity remains central to the attainment of peace between the TLs and WCs in South Africa. These findings further indicate that; many conflicts are reflective of the number of tribes or clans within an area. The study findings also revealed that cultural factors such as accusing someone of witchcraft, looking down upon one’s culture have the potential to erupt into a violent conflict.

5.3.8 Lack of Trust

Participants during key informant interviews reported that mistrust creates an environment for disputes. This was in line with findings by interviewees during FGDs that cited a lack of trust between TLs and WCs as a key challenge in attaining peace in local Municipalities. Participants during FGDs concurred that community leaders who trust each other will not fight even when they disagree in opinion. One community leader argued that the two leadership institutions remain suspicious of each other and do not attend each other’s social functions. During a Key informant interview, the community leader retorted that:

“I feel insecure as a leader in the company of traditional leaders. I do not attend meetings organised by traditional leaders, because I cannot trust them”.

(Ward Councillor, in-depth interviews)

The exposition above implies that traditional leaders and ward committee members have negative perceptions of each other. Therefore, policy insight deduced from these findings point to the need for reciprocal relations (exchange, friendship, visitations) and effective communication in building good cooperative interactions. This current study revealed that media has a critical influence on attitudes and perceptions around conflicts and often contributes to the development of a culture of empathy and mutual understanding. However, many participants described the media as

contributing to hate fora. The probable explanation is that the media may be inclined towards one actor or exaggerate conflict situations.

Table 5.4 Major causes of conflicts between traditional authorities and ward committees

Causes	Violent	Non-violent	Dormant	Widespread
Land allocation	5	3	2	5
Cultural factors	4	3	3	4
Mistrust	3	3	4	3
Power contestation	3	3	4	3
Lack of consultation	2	5	3	2
Interferences on institutional administration	2	4	4	2
Lack of transparency	1	4	5	1

As presented in Table 5.4, seven causes that include cultural factors; land allocation; resources allocation; lack of consultation and lack of transparency were linked to the nature of conflicts. During focus groups, matrix scoring conducted showed a link between the common causes and the likely nature of conflicts. The most common cause of conflict was land allocation due to high combined scores on the following: widespread (5) and active conflicts (8). The second common cause was scored as cultural factors. The total score for both active conflicts and widespread was 11. The third scored cause of conflict was mistrust with score of six on active conflicts and three on scope.

5.4 Discussion

Gaps in understanding the root causes of conflicts between TLs and WCs, combined with ineffective frameworks in resolving disputes underpinned the rationale for this study. The aim was to qualitatively investigate a sample of key informants' perceptions about significant causes of causes of conflicts. The results found that causes of leadership disputes are multi-layered, with allocation of land at the centre spiraling to other factors such as culture and political interference. Thus, this current study sought to gain a better understanding of perceptions relating to root causes of conflicts and explain why they manifest, thus guiding future intervention strategies. Cultural factors, land allocation, resources allocation, lack of consultation, lack of trust, power contestation and lack of transparency emerged as the seven important themes. Testimonies from participants during both KIs and FGDs indicated that the abovementioned themes had a devastating impact on cooperation between the two leadership institutions. Given this insight, the present study sought to understand conflict dimensions that are relative to conflict causes.

Given the embeddedness of these causes and the dysfunctional conflict resolution strategies, it explains why these conflicts frequently escalate. The oddity is that while several communities have been characterised by tensions, available literature have steadfastly refused to acknowledge the unique causes of the perennial disputes within the dual system of governance. These causes determine conflict dynamics and trajectories that have the potential to erupt into widespread violence. Hence, there is a need for deepened community consultations regarding root causes of conflict to inform the development of a sustainable framework.

That conflict causes can be attributed to institutional challenges whilst others are due to constitutional deficiencies, was not of course a new finding. But, the importance of this present

study is in documenting the context-specific causes between elected leaders and traditional leaders. It also brings it to the attention of decision-makers, some of whom had not before realised the complexity of issues that triggers conflicts. This underscores the fact that, although conflicts between TLs and WCs have become numerous in local Municipalities, scholars have only recently begun acknowledging the challenges within the dual system of governance.

Participants in both KIs and FGDs believe that cultural factors are the most significant factor generating community leadership disputes. Whilst cultural rights account for this in some people (Carscious, 2013; Emmanuel *et al.*, 2016), trading of culturally derogatory words were offered by respondents of this study. For example, having to undermine someone's culture implies an emotional explanation for overriding dignity cues, whereby doing so is analogous to disrespect. These findings support studies by Kuusaana & Bukari (2015) who suggest that conflicts in Agogo of Ghana were embedded in ethnicity. Furthermore, Dary *et al.* (2017) argue that cultural, religious, and ethnic differences between different groups trigger conflicts by creating misunderstandings, suspicion, hostility, and prejudices. The fact that cultural factors are taken seriously, disputes culturally linked are considered criminal and are referred to the police.

In summary, then, how did literature review enable this present study to 'translate' local knowledge into research design? Literature review identified the main factor underlying conflict in local Municipality of South Africa to be the need to control resources and cultural factors. Empirical data revealed that traditional leaders' access to land and Councillors' access to funds create friction and lead to power struggles thereby delaying rural development. Ward Committees feel that they should be allocating land for development project and also be granted the powers to issue proof of resident letters in the same line of thinking, Chigwata (2016) and Amanor (2012) also highlights that the enmity between TLs and WCs has is to do with perceptions by TLs that WCs are usurping their power by allocating land Consistent with previous research suggesting several conflicts between TLs and WCs sprung the need to have more power (Rautenbach, 1999). However, ground-truthing this analysis through local-level studies demonstrated the many different factors underlying conflicts within the dual system, and the need for an inclusive approach that would give a fair chance to all stakeholders in conflict resolution process. However, the results also indicate that contestation of power normally lead to nonviolent conflicts.

Participants perceptions also including some members' TLs on the government payroll, and made them account indirectly to local government officials who are predominantly from the ruling party. In this regard, chiefs meddle in party politics rather than be apolitical. The marginalization of the

other leadership institution by another in execution of leadership roles has been a central factor to the protracted conflicts between the traditional and the elected leaders. Thus, the dual system not only failed to foster a culture of cooperative governance but to practice basic principles of 'Ubuntu'.

Overall the results endorse largely root causes as a determinant to nature of conflicts between TLs and WCs, focusing around several interdependent social and cultural factors. Consistent with previous research suggesting a link between root causes and nature of conflicts (Bottazzi *et al.*, 2016), respondents in this present study highlighted that cultural factors such as, labeling someone a 'Witch' are likely to result in a violent conflict. Therefore, one of the major ways to avoid these disputes from re-emerging and re-escalating is through understanding and addressing their root causes.

The aim of this chapter was not to draw conclusions regarding causation of causes of conflicts in dual systems of governance, rather explore perceptions on causality. In most cases, causes such as lack of trust, interferences in internal matters and lack of consultation have been proposed as potential causes of conflicts. Cultural factors are generally found to lead to violent conflicts than other factors. Given the level of complexity indicated by this current study, how do you prevent idle conflicts from escalation and promote peace in a dual system? Thinking about the issue could help identify individual factors contributing to disputes or explain barriers to conflict resolution, and thus promote behaviour change. Furthermore, exploring individual explanations for causes of disputes between TLs and WCs could form a useful contribution to conflict resolution.

5.5 Conclusion

This chapter provided an overview of the community perceptions on the causes of conflicts in South Africa. The chapter focused on collecting perception data because it is largely people's perceptions that drive dynamics related to conflict and peace. The analysis was based on both empirical evidence and theoretical models underpinning this study. In the study, findings, conclusions and recommendations gleaned from this perception data in a subset of awards are presented. A discussion of the conflict escalation provided a context in which to discuss how or why nonviolent conflicts turn out to be wider and violent. It also highlighted how other factors like culture are associated with violent conflicts. This chapter also provided a discussion of the diverse perceptions on the causes of conflicts between TLs and WCs. This showed that several

intertwined factors contribute to the increasing levels of leadership conflicts in rural areas. Most of these conflicts are emotionalized as power-linked conflicts. But this study revealed that cultural factors and political interferences are among the major causes of the conflicts. They are further aggravated by individual leadership incapacities of working in a team and respect for others. Firstly, the chapter showed that power contestations are at the heart of several disputes. Thus, conflicts that may arise from disputes over allocation of land may have occurred along power contestations. This, in some cases, has contributed to numerous conflicts among community leaders of different institutions, which also explains the widespread disputes in the country following the inclusion of TLs in local governance. Secondly, the findings of this study have shown that cultural factors are likely to cause most of the violent conflicts and often conflicts that arise from cultural factors are considered criminal rather than civil. The subsequent chapter in this study, Chapter 6, presents an overview of consequences of leadership conflicts in rural areas of South Africa. Several factors were reported, including lack of trust, lack of transparency, and land allocation of land; the consequences of these conflicts is more thoroughly examined in a later chapter. At this time, the available data suggest that violent conflicts may be more likely to escalation of non-violent conflicts and cultural factors than to major causes. Causes of conflicts have implications on how the conflict manifests and consequences of the conflict. The succeeding chapter focuses on the strength and weakness on the current CRFs.

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CHAPTER 6 CONSEQUENCES OF CONFLICTS BETWEEN TRADITIONAL LEADERS AND WARD COMMITTEES IN GREATER GIYANI MUNICIPALITY

Abstract

In post-apartheid South Africa, traditional leaders and Ward Committees are expected to work harmoniously in provision of services to citizens of heterogeneous cultures. Consequently, conflicts between traditional leaders (TLs) and Ward Committees (WCs) are undesirable, as these impact negatively on rural developments. Therefore, resolving conflicts amicably remains crucial in attaining sustainable rural development. This explains why several conflicts resolution frameworks have been suggested. Unresolved conflicts among community leaders have generated several development challenges in various communities and threaten the existence of the dual system of governance. It is against this background, that an exploratory study on the negative impact of leadership conflicts on rural communities was conducted in Giyani Municipality. Key informant interviews and focus group discussions were used to collect data from 33 purposively sampled participants. Thematic content analysis and ATLAS ti 8 were used to analyse data which revealed several consequences of leadership conflicts. The results revealed that conflicts between TLs and WCs lead to high incidence of poverty, damages to property, severe negative psychological effects, poor economic development, increased hostility and divisiveness and poor investment in these societies. These findings pointed out the need for an urgent sustainable conflicts resolution framework to help deal with the disputes. Therefore, the scope of this current study was to develop a sustainable framework to resolve conflicts between TLs and WCs and provide recommendations to policy makers on conflict resolution.

Key words: Consequences, implications, property, resolution, sustainable

6.1 Introduction

Socio-economic challenges that confront societies experiencing leadership disharmony have been forcing local Municipalities to become more adaptive to the detects of the dual system. Although tensions between TLs and WCs in South Africa have remained moderately recessive, many disputes are dotted across the country. Although, none of these conflicts has generated into civil war, but the pressure they generate is visibly felt. Due to these conflicts associated with the dual system of governance, several societies have been confronted with challenges to create societal harmony and cohesion. Generally, conflicts that draw our attention are those that involve loss of life or property. Consequently, disputes that silently break communities never get mentioning. That is not to say that this happens in all conflicts. Consequential to the spiral of disagreements between the two leadership groups is loss of life through proxy attacks, and poor development as resources that could have been utilized in meeting developmental needs are rechanneled towards conflict resolution.

Conflicts between TLs and WCs are unique in that they have stand-alone aspects relative to other inter-institutional conflicts. It is therefore important to note that, no other disputes in South Africa have so passionately and negatively impacted on rural development as community leadership conflict. Today, the elected leaders and traditional leaders are expected to work together harmoniously in local Municipalities. However, conflicts between the two-leadership institutions have become widespread. Increasingly, the spate of clashes and reprisal actions between the two leadership institutions in many local Municipalities of South Africa have been accompanied by huge social and economic implications.

Community members suffer from a variety of ills, such as the failure of CRFs to deal with conflicts amicably. Thus, many conflicts are never resolved, and many people are deprived of their rights by the unchecked illegal actions of others. Indeed, it remains an open question as to whether the conflict resolution institutions engender variation in efficiency, and the extent to which the performance of these institutions affects social unrest and violent conflict.

6.2 Methodology

This chapter follows the methodology, which is explained in Chapter 3, study area, participants, data collection and data analysis. Given the distance and accessibility of the study area, the investigation was accomplished over a 30-day timeframe. It is important to note that the findings in this chapter are based on the available data obtained through KIs and FGDs. This study endeavored to understand and collect the diverse perceptions from representatives of

communities that are often untapped for data gathering. Data collected was then triangulated, and key findings were integrated. To rapidly synthesize significant amounts of perception data collected across participants, this study employed the systems of critical thinking analysis. The core themes discussed in this chapter emerged as the most outstanding impact of leadership conflicts on rural development. These themes provide a framework for articulating consequences linked with leadership conflict dynamics.

6.3 Results

Several negative consequences were raised during FGDs. The consequences grouped into the following: (a) economic; and (b) social challenges. Discourage investment, damage to property, slow-downs completion of projects, high incidence of poverty, increased hostility and divisiveness, damage to social ties and lack of trust were the specific consequences of conflicts. These consequences are comparable to those found in other empirical research (Chigwata, 2016; LGSETA, 2019).

6.4 Major Consequences of Conflicts Between Traditional Leaders and Ward Committees

Table 6.1 shows the public opinion on the impact of conflicts between TAs and WCs in Giyani Municipality. Six social and economic challenges were revealed from the findings based on the feedback from participants. Other challenges are interlinked and were put under one name. Without considering the intensity of the challenges, the results also show that leadership conflicts have more social than economic challenges.

6.4.1 Impact of Conflicts on Investment

Focus group discussions revealed that leadership disputes create an environment of insecurity and fear. This was in line with findings from in-depth interviews, which hinted that investors are discouraged by disputing leaders as this imposes high political risk; often kickbacks are demanded, and other conditions are set before projects are approved. This explains why conflict environments have predominant financial insecurities. Participants noted that, due to conflict, leaders boycott crucial investment meetings. This delays project implementation while assessing the business environment. These key conflict risks on investment are comparable to the assumptions made by Bray (Bray, 2009) who suggests that conflict risks apply equally to both domestic and foreign investment. Humphreys (2002) corroborates these findings by suggesting that investments are rechanneled to more peaceful areas if conflicts persist in an area. During focus groups, one of the participants said:

Table 6.1: Evaluation of consequences of conflicts in Greater Giyani Municipality

Conflict type	Conflict dimension	Selected verbatim quotes	Cost variable associated with conflict type	Likelihood score
Non-violent conflict	Boycotting	"Although boycotting is a peaceful act, you lose more in the process. Commercial and social relations are lost during boycotts".	may grow and widen into civil resistance	3
			discourage investment	3
			Increased hostility and divisiveness	2
			high incidence of poverty	1
			severe negative psychological effects	0
			loss of human life	0
	Word exchanges/ want"	"When elephants are fighting don't expect minor bruises. Their threats are most often than not real. They threaten to cause harm or trouble if the opponent do not do what the aggressor want".	may grow and widen into civil resistance	3
			discourage investment	1
			Increased hostility and divisiveness	2
			high incidence of poverty	1
			severe negative psychological effects	2
			loss of human life	1
	Issue of Threats-	an occasion when a group of people march or stand together to show that they disagree with or support something or someone	may grow and widen into civil resistance	3
			discourage investment	3
			Increased hostility and divisiveness	2
high incidence of poverty			1	
severe negative psychological effects			0	
loss of human life			0	
Violent conflicts	Feast fighting-	(of a person) tending to the use of violence, esp. in order to injure or intimidate others	may grow and widen into civil resistance	4
			discourage investment	3
			Increased hostility and divisiveness	3
			high incidence of poverty	3
			severe negative psychological effects	3
			loss of human life	4
	Burning of property	"To tell the truth properties are burnt to ashes, and sometimes the intention is to damage the infrastructure and kill people inside".	may grow and widen into civil resistance	4
			discourage investment	4
			Increased hostility and divisiveness	3
			high incidence of poverty	3
			severe negative psychological effects	3
			loss of human life	4
	Attack on human life	"A few years ago, the other Councillor clashed with the headman that was ugly to be honest. They were using weapons fighting one another usually overnight".	failure to complete projects	4
			discourage investment	3
			Increased hostility and divisiveness	3
high incidence of poverty			3	
severe negative psychological effects			3	
loss of human life			4	
Dormant conflicts	passive resistance	"For me this is how most conflict starts; it sets everyone's nerves tense".	may grow and widen into civil resistance	3
			discourage investment	1
			Increased hostility and divisiveness	2
			high incidence of poverty	2
			severe negative psychological effects	1
			loss of human life	0

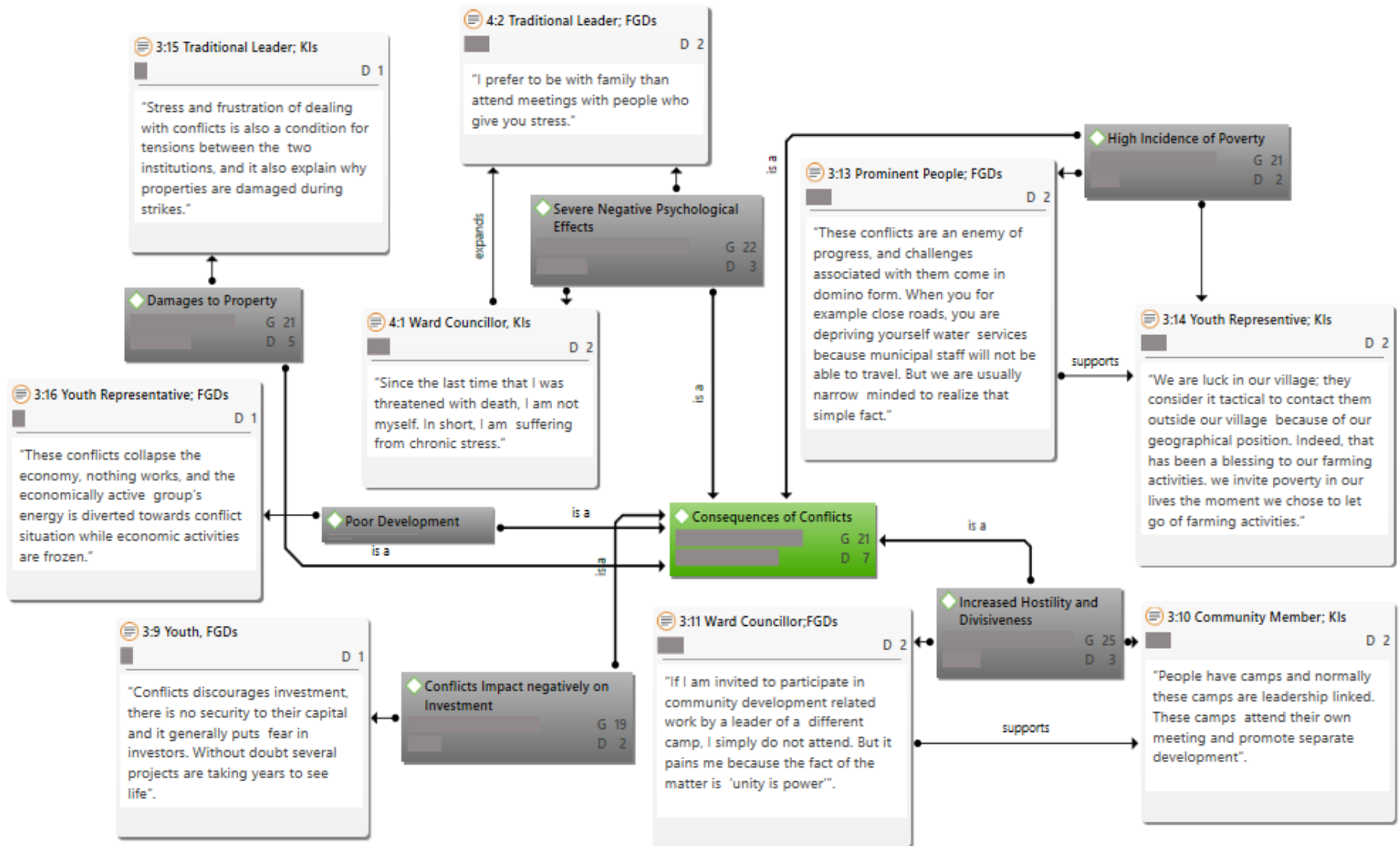


Figure 6.1: Network diagram showing the effect of community leadership conflicts on rural development

“Conflicts discourages investment, there is no security to their capital and it generally puts fear in investors. Without doubt several projects are taking years to see life”.

(Youth, FGDs)

This information suggests that disputes among community leaders discourage investment in the rural areas and slows down the pace of development. Thus, conflicts destroy ‘investor confidence’ as investors fear uncertainty. Furthermore, disputes also pose a threat to the development in rural communities of South Africa. These findings concur with former American President Barak Obama’s sentiments on conflicts that they are destructive forms of responding to disputes (Cloke, 2008). Furthermore, these conflicts ruin prospects of achieving cooperative governance as desired by the national government. Yet, real development involves cooperation of all stakeholders to achieve community goals. These findings corroborate Hammill *et al.* (2016) who stated that any investor would abandon projects if unhealthy relationships exist in the area. Therefore, this study concludes that disputes inhibit or delay completion of projects as things that could be done within a short time go through lengthy time frames or may be abandoned before completion.

6.4.2 Increased Hostility and Divisiveness

Conflicts can further entrench ethnic animosity and make disputes even more intractable (Kristine, 2014). The gravity of conflict is witnessed by the level of hostility and divisiveness in society. Interviewees reported a deteriorating in relationships among community members. Participants revealed that emotions are often triggered during conflict situations and the emotions are divisive. Additionally, the conflict affected social cohesion and community mobilization. Comparable findings by Botchwey (2006) in Ghana, shows that bitter exchanges between the disputants were a consequence of conflict. Like other studies that followed (Mahama, 2003; Bukari *et al.*, 2017), this study also concludes that conflicts create camps among community leaders. Thus, the relationship between them may grow bitter to the extent that they do not want to associate with each other. These conditions leave community members highly polarised. The presented view is well articulated in the following statement by one participant during in-depth interviews who retorted that:

“People have camps and normally these camps are leadership linked. These camps attend their own meeting and promote separate development”.

(Community Member; KIs)

Focus group discussions revealed that conflicts are associated with factions among community members. Considering this, one participant mentioned that:

“If I am invited to participate in community development related work by a leader of a different camp, I simply do not attend. But it pains me because the fact of the matter is ‘unity is power’”.

(Ward Councillor; FGDs)

Respondents revealed that a community working cooperatively has more gains than a divided society. These results are supported by the group work model that suggests that if a heavy burden is carried by many people, it becomes lighter and manageable than if carried by an individual (Gödek, 1997). However, there are some critics of teamwork through their proverbs such as, ‘Too many cooks spoil the broth’. This might seem a convincing argument, but when interrogated further, it is apparent that the idea behind such a proverb was never intended to discourage teamwork. What was discouraged were large teams without a common goal and not the concept of teamwork per se. Thus, policy insight derived from these findings point to the need for the creation of activities and pressure groups that promote social cohesion.

6.4.3 High Incidence of Poverty

Respondents mentioned that conflicts linked to land allocation, particularly near watershed areas, has drastically reduced the viability of agricultural and fish farming. The FGDs revealed that some areas of Greater Giyani experienced a series of demonstrations between 2010 and 2019. Participants further added that the strikes and demonstrations hugely impact on water provision as council staff fails to report for work and roads blocked. Thus, conflicts cripple the local economy through declining business and other livelihood activities such as farming. The probable explanation is that most rural economies are agriculture-based, this has the potential to cause a high incidence of poverty. Francis & Tomoyato (2013) opines that conflicts could reduce agricultural productivity by 17%. The above-noted facts are illustrated in the quotation below:

“These conflicts are an enemy of progress, and challenges associated with them come in domino form. When you for example close roads, you are depriving yourself water services because municipal staff will not be able to travel. But we are usually narrow minded to realize that simple fact.”

(Prominent People; FGDs)

On the contrary, for the few participants that came from a village that was not affected by strikes, this study clearly demonstrates the significance of having peace in the administration of rural communities in Greater Giyani Municipality. One participant who dependent on farming pointed out that:

“We are luck in our village; they consider it tactical to contact them outside our village because of our geographical position. Indeed, that has been a blessing to our farming activities. we invite poverty in our lives the moment we chose to let go of farming activities.”

(Youth Representative; KIs)

Though the majority of people are expected to participate in community strikes, interviewees indicated that in areas that are less affected by demonstrations, they carry on with their activities. Very few participants reported abandoning their farming activities to attend community strikes unless their villages were affected. In this respect, dealing with leadership conflict may reduce government spending on poverty alleviation.

6.4.4 Damages to Property

Results highlighted that in some isolated examples magistrate court intervened because properties were damaged, which falls outside the authority of the chief. Yet, another challenge is that infrastructure of a rural community can easily degenerate due to conflicts.

“Stress and frustration of dealing with conflicts is also a condition for tensions between the two institutions, and it also explain why properties are damaged during strikes.”

(Traditional Leader; KIs)

The above findings show that disputes between TLs and WCs pose a threat to property. Thus, conflicts should be dealt with before they intensify. The cases in Nkomo and Xhivulani and other examples in South Africa indicate that the current disputes between the two leadership institutions lead to damage to properties. This finding corroborates scholars like Wehrmann (2017), who suggest that conflicts often have extensive economic negative effects such as damage to property. Thus, the conflict paves the way for their destruction of property. These findings also validate scholars like Issifu (2015) who reiterates that conflicts leave infrastructure in a bad state. The magnitude of these consequences indicated by this current study, inevitably invites questions on how to prevent idle conflicts from escalation and how to promote peace in a dual system?

6.4.5 Poor Development

Conflicts between TLs and WCs pose several developmental challenges to many local communities in Giyani. Participants revealed that conflicts impact negatively on community members in many ways ranging from a decrease in capital investments, underutilization of resources (for example, the land being left idle), and development of ghost industries. Participants recounted conflicts that resulted in communities missing out on development opportunities. These cases indicate that conflicts between TLs and WCs cripple development efforts. These results concurred with the findings of Botchwey (2006) that the ultimate cost of conflict makes community members unable to function and thus paralyze it. In support of this view, one participant from Dumazi village said the following words:

“These conflicts collapse the economy, nothing works, and the economically active group’s energy is diverted towards conflict situation while economic activities are frozen.”

(Youth Representative, FGDs)

Participants indicated that conflicts are undesirable for economic development. Thus, various forms of conflict situation deny community members the ability to conduct their day to day business. Focus group discussions exposed that communities prosper during peaceful periods and struggle during conflict times. Thus, policy insight derived from these findings point to the need to promote public participation.

6.4.6 Severe Negative Psychological Effects

Involvement in intractable conflicts has severe negative psychological effects. Numerous studies show that prolonged exposure to a violent conflict may lead to severe psychological distress, manifested as continuous emotional and physiological arousal including heightened anxiety, reduced sense of safety, posttraumatic stress symptoms, and a subjective sense of insecurity.

“Since the last time that I was threatened with death, I am not myself. In short, I am suffering from chronic stress.”

(Ward Councillor, KIs)

Focus group discussions revealed that it is however difficult for one to know and understand if a fellow leader is stressed. This apathy is to some extent reported to be a manifestation of clashes at leadership level. In light of this, one respondent pointed out that;

“I prefer to be with family than attend meetings with people who give you stress.”

(Traditional Leader; FGDs)

Comparable studies in Ghana by Issifu (2015) argue that conflicts also affected health care delivery and education adversely (Kim & Conceição, 2010), and that the health cost of the violent clashes included psychological disorders among the residents. On a positive note, some scholars found distress to be associated with more favorable attitudes toward peace (Bizumic *et al.*, 2013).

6.5 Discussion of results

While the magnitude of implications of the current “unrest” on local governance is debatable, scholars and respondents agree that the phenomenon is nonetheless important to study because these conflicts lead to the underdevelopment of rural areas. Although respondents had varied experiences with respect to conflicts and consequences, they shared the same sentiments on the socio-economic impact on the livelihoods of community members. The differences in perceptions show a diverse understanding of conflict implications. The findings show that conflicts between the TAs and WCs compounded the difficulty in South Africa’s attempt to improve social welfare in local Municipalities. The above findings validated Fusch & Fusch (2015) who suggest that unresolved conflicts lead to a drop in organizational productivity. This means that participants understood the socio-economic implications of leadership conflicts.

The findings of this study clearly show that conflicts contribute to the accentuation of ethnic consciousness, animosity, and antagonism, which ultimately impede efforts for cooperative governance. These conflicts are curtailing the livelihood activities of community members. This presented a genuine opportunity to identify a sustainable way of dealing with these recurring conflicts. In the case of Ghana, for example, internal security experience shows that peacekeeping in conflict-torn areas has been the burden of the state (Ayee, 2013). It can be concluded from the various consequences revealed that leadership conflicts are undesirable and costly. Therefore, policy intervention should address cultural diversity and approaches to social cohesion.

The results exposed that in some isolated examples these conflicts may end with the loss of human lives. This study corroborates much empirical research (Bukari *et al.*, 2017; Chakma & Maitrot, 2016) which argues that if conflicts are not dealt with they result in loss of human life. Apart from the loss of human lives, essential resources that could be used on viable economic activities are lost during conflicts. The arguments in favor of peace rely on the assertion that government spending against possible conflict, crowds-out investment in more productive activities (Kim & Conceição, 2010). Mbowura (2014) correctly points out that property belonging

to both factions is burnt or looted in the wake of a conflict. This situation of wanton destructions to properties poses a severe challenge to both local and national development. Thus, the government should come up with targeted interventions that deal with conflicts before they turn violent.

The findings indicate that conflict also results in low farming production as farming activities ground to a halt during strikes and demonstrations. These results validate Mbowura (2014), who suggests that farming is negatively affected during conflicts because of the insecurity in the area. Thus, peace and harmony within a rural community enhance farming productivity. In terms of policy implications, stakeholders should continue to support policies of cooperative governance to promote the dual system of governance within the local government.

The results of this present study also show that conflicts increased hostility and divisiveness among community members. Awedoba (2009) argues that conflict is a serious obstacle to local and national integration. The results are in sync with other similar studies Bukari *et al.* (2018) that suggest that negative social and psychological implications for children caught in-between (leadership wrangles) are not hard to fathom. The finding corroborates the importance of attaining peace. Thus, promoting peace and conflict avoidance strategies are an important factor for social cohesion and in uniting community members.

To reduce clashes between TAs and WCs at the local level, especially, the government should first address the weaknesses in the implementation of constitutional laws and policies. The existing local government policies should be translated into the local languages and made available to the local communities to help them understand the laws in place. Policies should also create favourable conditions to reduce uncertainty. As a means of finding a lasting solution to leadership wrangles in local Municipalities of South Africa, the government should enable community leaders to handle disputes at a local level.

6.6 Conclusion

This chapter looks at consequences of leadership conflicts within a local Municipality on community development. It explores the effect that both violent and nonviolent conflicts in the Greater Giyani Municipality are having on the livelihoods of the community members. This present study reveals that conflict, with its impact on investments in the study area, were triggered by financial insecurities, as investors fear the risky environment. Conflicts between TLs and WCs have negative consequences on agricultural production which range from damaged water supply systems, land left fallow, and damaged crops.

There is consensus in the literature that conflicts that exist between TLs and WCs negatively affect development in rural communities. Most of the literature discussed focuses on the challenges faced when dealing with conflicts using existing frameworks. Much of the studies reviewed in this chapter were conducted in other African countries, which have similar factors as the South African government systems in many ways, including socioeconomic status, political background, and administration of community resources. This chapter also discusses the perception that social relationships had been progressively weakened by conflict and violence, in some cases breaking down altogether. Conflicts resulted not only in poor service delivery, but also in slow development, curtailed social relations, and psychological stress and trauma. It seems the government has had more success in institutional multiplicity over institutional hybridity. After analysing the effectiveness of the current frameworks, the next chapter focuses on the proposed strategies for an applicable conflict resolution framework for disputes between traditional leaders and Ward Committees.

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CHAPTER 7: STRENGTHS AND WEAKNESSES OF THE EXISTING FRAMEWORKS FOR RESOLVING CONFLICTS BETWEEN TRADITIONAL LEADERS AND WARD COUNCILLORS

Abstract

Current frameworks of conflict resolution have experienced partial success. Several conflicts experienced in local Municipalities reflect the need for context-specific frameworks that backstop leadership conflicts while building peace. Therefore, the present study focuses on ascertaining existing and potential strategies for resolving all nature of conflicts identified in Chapter 4. A qualitative approach was employed. Purposive sampling method was used to select 33 respondents from Greater Giyani Municipality. Data were collected using semi-structured interview guides and matrix scoring from key informants and focus group discussions. ATLAS.ti 8 software techniques (code primary document tables and networks) were employed to analyse data. Results revealed current frameworks that included direct negotiation, facilitated negotiation, adjudication and chiefs' arbitration. Proposed strategies encompass inclusion of women, modernising court facilities, provision of training and inclusion of law students. Therefore, consultation and public participation must be at the heart of conflict resolution. This can only be achieved through the community wisdom approach that aims to understand area-specific needs.

Key words: Community wisdom, framework, resolution, sustainable

7.1 Introduction

Existing conflict resolution frameworks continue to demonstrate a failure to arrest conflicts between traditional leaders (TLs) and Ward Committees (WCs) in local Municipalities. This is why given the existing conflict resolution framework (CRFs), numerous conflicts continue to recur and re-escalate. Apparently, there is no clear-cut formula regarding the resolution of conflicts between TLs and WCs in rural areas. This has triggered a debate among scholars such as Shanka & Thuo (2017) who argue that effective conflict resolution cannot be confined to just ending the conflict. Correspondingly, this view is shared by some prominent international organizations including the UN, the World Bank, and USAID. For this reason, there is a need to develop a context-based framework that integrates conflict resolution and broader peace-building strategies.

A key objective of this study is to develop a context-specific framework that deals with leadership conflicts in a dual system. The endogenous conflict resolution models remain relevant not exclusively to South Africa but in other traditional societies of Africa, Asia, and Australia. Despite the general acknowledgment that traditional authorities continue to play a vital role in resolving conflicts (Rukuni *et al.*, 2012), there has been no consensus on a framework that can resolve conflicts amicably. As a result, these conflicts have been escalated by the lack of sustainable CRFs.

Although traditional courts are meant to solve local conflicts through arbitration, the Council of Churches is a neo-traditional institution superficially created to help handle religious matters and conflicts among community leaders (Cunningham, 1996). No doubt, the two are therefore distinct manifestations of a genuine attempt to conveniently and amicably resolve conflicts in rural areas. Nevertheless, this collaborative approach to conflict resolution suffered a still birth. Wherefore, if these tensions remain unresolved, they can develop into enduring rivalries and destructive hostilities.

Much has been suggested about resolving these conflicts; as proposed by Cunningham (1996), Fashagba & Oshewolo (2014), and Rautenbach (2014). Nonetheless, discourses and public opinion have focused on ending conflict without delving into the root causes of conflicts leaving the conflicts susceptible to regenerating into another conflict. This section is written from the perception that the attainment of peace is dependent on conflict resolution frameworks. Mashau & Mutshaeni (2014) noted that since the introduction of the dual system in local Municipalities, more and more rural areas are hard-hit by community leadership conflicts. Unquestionably, a

sustainable CRF is vital in attaining local economic and social development in local Municipalities.

Recently, the need to backstop threats to peace have gained prominence. The existing literature on conflict resolution contains many useful frameworks for ending conflicts; however, they are unable to bring sustainable peace. The debate in this study, however, is on whether traditional elements of these methods can be borrowed, or whether certain elements of contemporary western-style courts should be coopted. The debate is premised on the fact that most rural areas are traditional and conceivably still wedded to community leadership conflicts.

After attaining independence, conflict resolution procedures in most traditional societies have changed a great deal and contemporary approaches are inadequate (Aiyedun & Ordor, 2016). While frameworks that existed before the dawn of democracy were rooted in endogenous practices of the time, today more democratic frameworks dominate the arena of conflict resolution in rural communities. Key elements to the way conflicts were handled appear to have been abandoned in favor of democratic principles (Fashagba & Oshewolo, 2014). However, the effectiveness of these frameworks, as well as the capacity of the community leadership institution to respond to leadership linked conflicts, is often queried.

Literature reviewed indicates that conflicts between TLs and WCs are on the rise in local Municipalities. Scholars such as Mashau & Mutshaeni (2014) contend that South Africa is faced with the challenge of getting traditional leaders to work cooperatively with Ward Committees. In some cases, these frameworks have become instruments of propagating individual interest (Rautenbach, 2014). In fact, with the existing frameworks failing to cope with the diverse conflicts, conflict continues to re-escalate every day. It is within this context that the need for sustainability and effectiveness of the existing frameworks become not only apparent but also imperative.

Amicable resolution of conflict does not necessarily end the conflict, but the end of conflict is possible when the process is durable. However, as already revealed, a critical examination of the existing frameworks shows that they have not been able to resolve disputes amicably. whereas, the reason why conflict resolution models fail is varied, chief among them is their failure to understand the nature of conflicts and investigate extensively.

7.2 Methodology

This chapter follows the methodology which is explained in Chapter 3. Sampling, data collection and analysis were carried out as spelt out in the methodology chapter. Data were collected through key informant interviews (KIs) and focus group discussions (FGDs). The preference ranking and pairwise comparison was used to determine the challenges faced in achieving durable peace within the existing conflict resolution frameworks (CRFs) in Giyani Municipality. All participants were requested to list all the existing CRFs and structures in Giyani Municipality. The identification, discussion and recording of preferred CRFs and structures dealing with conflicts were the majors activities carried out during Phase Two. Data was also presented using ATLAS.ti 8 tables.

7.3 Results

This present study presents how rural communities in Greater Giyani local Municipality (GGLM) deal with conflicts. It also presents how leaders in playing their roles as arbitrators, were, in most instances, the cause and the solution to the ensuing conflicts in the various communities. Results revealed various frameworks that were employed to resolve conflicts between TLs and WCS (Figure 7.1). Key informant interviews and FGDs expressed that there are multiple frameworks employed by community leaders in Greater Giyani Municipality. The results revealed that direct negotiation, facilitated negotiation, arbitration and adjudication as popular frameworks.

Figure 7.1 below shows ATLAS.ti 8 table of major strength and weaknesses of the existing conflict resolution frameworks. Respondents indicated that all civil matters involving community leaders are expected to be resolved through the Chief's Court or the Council of Churches. However, the victim will first look to the wrongdoer for satisfaction by direct negotiation. Should this fail, then the matter proceeds to the local court, and if necessary, through the hierarchy to the chief's court. Unlike the other traditional courts in Africa like the Tswana chiefs court which handles criminal cases (Schapera, 1995), participants in Giyani indicated that all criminal cases were handled by the magistrate court.

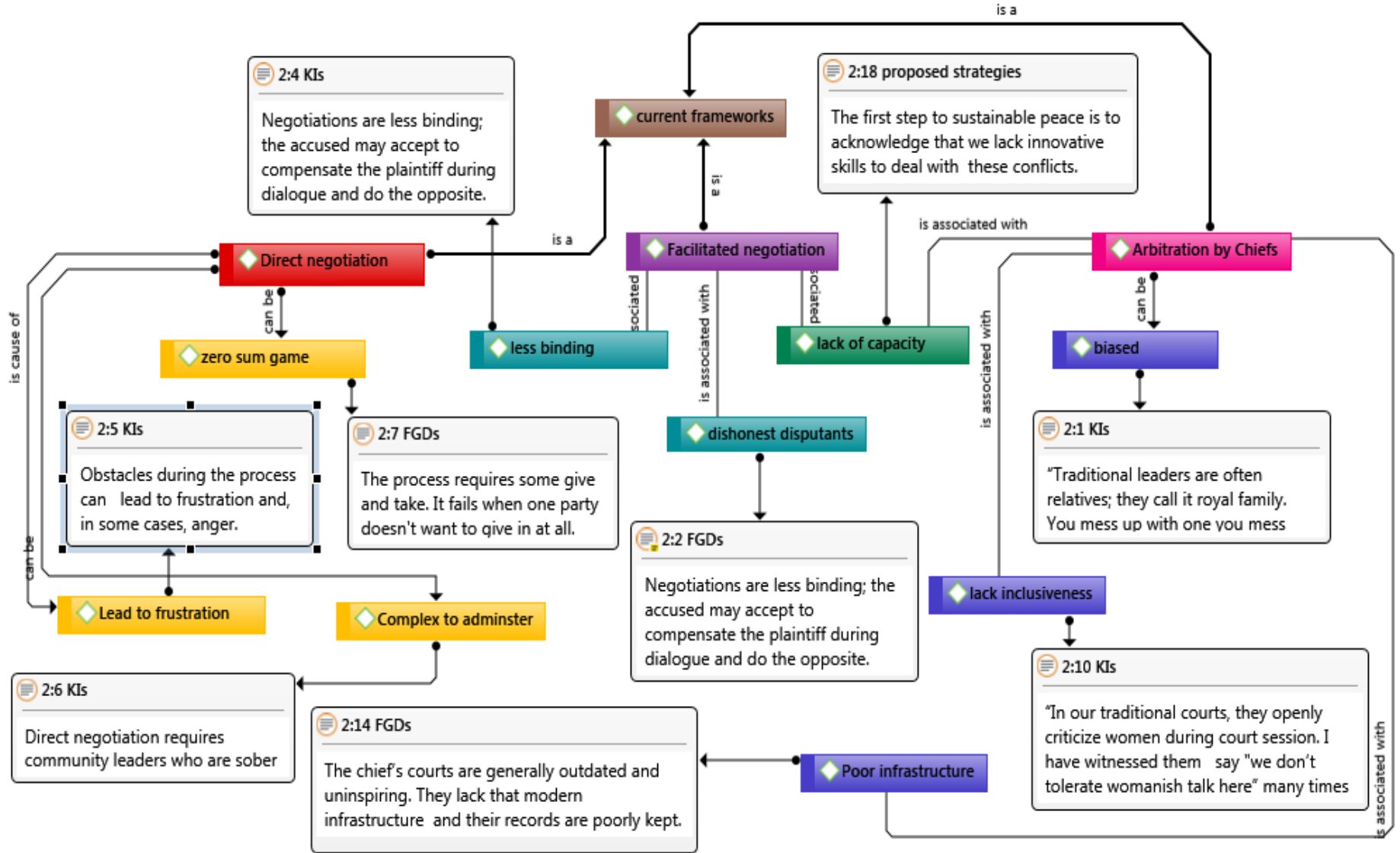


Figure 7.1 Strengths and Weakness of the Current frameworks for Conflict Resolution

7.4 Current Frameworks used to Resolve Disputes in Greater Giyani

7.4.1 Chiefs as Arbitrators of Leadership Conflicts (Framework 1)

Arbitration by the chief is an endogenous conflict resolution mechanism used to resolve conflicts in traditional societies. Key informant interviews revealed that chiefs through traditional courts are directly involved as arbitrators of conflicts in the Greater Giyani Municipality. However, key informants expressed their concern over bias towards traditional leaders. The probable explanation is that the chief's independence and evenhandedness are compromised by virtue of their social linkages. These findings were also confirmed by participants during focus group discussions who indicated that the chief's decisions sometimes are inclined towards fellow traditional leaders. One key informant retorted that:

“Traditional leaders are often relatives; they call it a royal family. You mess up with one you mess up with all. This is so evident during the chief's court; the chief will simply take side.”

(Youth Representative; KIs)

Participants agreed that the chief's courts were vulnerable to biases and manipulation from elites. These findings concur with Soyapi (2014) who is of the opinion the justice delivered by the traditional courts is not wholesome, because there is no legal representation. Furthermore, KIs and FGDs concurred that during the arbitration process by chiefs, youth and women were not considered as key stakeholders. These results also align with Osuchukwu & Udeze (2015) and Shulika (2016) who contends that women were excluded in endogenous systems of conflict resolution. Thus, the patriarchy and marginalization of women quite in evidence unquestionably impede their peacebuilding efforts.

7.4.2 Direct Negotiation (Framework 2)

This is another strategy used by parties to resolve conflicts in various communities. According to key informant interviews, direct negotiation is mostly used when both actors are influential parties in a conflict situation. For example, traditional leaders can negotiate issues of conflict directly with Ward Committees, because they all possess influence. Therefore, a chairperson of the Traditional Council can call to speak to the Ward Committee member directly. For example, in Dumazi village, a ward Councillor who is battling with the headman over recruitment of youths in a community project has opted for direct negotiation. In light of this one participant retorted that:

“The process requires some give and take. It fails when one party doesn't want to give in at all.”

(Pastor, KIs)

Key informant interviews revealed that obligations under the direct negotiations are more likely to be fulfilled than obligations imposed by a court. One community leader pointed out that:

“Direct negotiation requires community leaders who are sober. Obstacles during the process can lead to frustration and, in some cases, anger. I rather opt for a facilitated negotiation through the Council of Churches.”

(Community leader, FGS)

Participants indicated that they resolve their conflicts through negotiation. This conflict resolution approach was suggestive of the desire to settle disputes by reaching a consensus. During FGDs, direct negotiation was mentioned as an approach to resolving leadership conflicts. Also, one key informant reported that direct negotiations understanding of the basic interests can lead to a win-win result. However, negotiations may turn sour, and ultimately lead parties to argue with one another, aggravating tensions between disputants. For example, informants recounted that a failed negotiation over-allocation of resources usually resulted in the re-escalation of cultural conflicts. These findings agree with other studies by Alfredson & Cung (2008) which shows that negotiators should be aware ‘winning’ all you can from a negotiation regardless of the resulting satisfaction of other parties, can be a poor long-term strategy. Thus, if it means that the other side will lose its will, or ability to maintain its side of the negotiated agreement, the conflict will reemerge. During FGDs, participants concurred that direct negotiations do not apply to all forms of conflicts. It was a typical example of how current frameworks exposed community leaders to further severe conflicts, with respect to seeking peace.

7.4.3 Facilitated Negotiations by the Council of Churches (Framework 3)

When a matter among the community leaders has been reported to the Council of Churches, it is the pastor who in his capacity as the chairperson of the council who invites the aggrieved parties for negotiations. In this case, the pastor acts as the principal negotiator. The plaintiff is asked by the negotiator to state the value of compensation he would want from the accused. The principal negotiator then enquires from the accused if he pleads guilty before he is given room to negotiate for a lesser punishment. Thus, compensation payment is an admission of guilt. During key informant interviews, participants indicated that facilitated negotiations were not suitable for

parties of different power and resources. The probable explanation is that the process might result in an inequitable settlement as the less-well positioned party is overwhelmed and unprotected. These findings were also confirmed during focus group discussions which revealed that facilitated negotiation is fraught with disputing claims and counterclaims. One key informant stated that:

“Negotiations are less binding; the accused may accept to compensate the plaintiff during dialogue and do the opposite. Sometimes the negotiator may be forced to summon the accused again. Conflicting parties are usually not honest during negotiations; they position themselves to gain more from the negotiation process.”

(Representative of Woman, KIS)

This exposition shows that the decision of facilitated negotiations is likely ignored if the actors feel they stand to benefit less from the decisions. Thus, its success relies on the cooperation of both parties. These findings validate scholars such Radford (2001) who note that the process of facilitated negotiation can fail if the parties involved aren't able to compromise. Key informant interviews also indicated that the process is often length due to many stakeholders that are involved such as ward committees, Council of Churches, and formal institutions. These findings are also confirmed by Vettori (2015) who posits that the facilitated negotiation process is tedious and time consuming.

7.3.2 Challenges of Using the Existing Conflict Resolution Frameworks

According to the findings of this study, Traditional Courts, Council of Churches, and the Modern Courts are the current institutions that resolve conflict in the GGLM. Despite the multiplicity of channels, traditional courts continue to be the preferred institutions for resolving conflicts in most rural communities. Unlike previous studies, this study offers a more complete and context based framework. By drawing data from key stakeholder, this current study is able to show that public participation matters in conflict resolution.

Participants also indicated that a Ward Committee member or a lower rank traditional leader usually report the conflict issue to the chief through the chairperson of traditional council. Although the use of negotiations as a tool to resolve the issue is preferred, lower ranked actors in the conflict-power continuum are likely to choose mediation. When the aggrieved person is not satisfied, other alternatives are then explored. Participants revealed that when the actors lose confidence in getting justice from all of the endogenous justice institutions, they resort to taking their “own action”, which includes destruction/seizure of property, access restriction, fighting, invocation of a curse or ignoring the outcome. For example, in Nkomo village, one community

leader who refused to be relocated continued to cultivate his land and cleared all crops that were planted on the land. He was reported to the police and was arrested.

Table 7.1 below shows the public opinion on capacity of endogenous institutions to resolve conflicts between TLs and WCs in Giyani Municipality. Five associated characteristics of an effective conflict resolution system were revealed from the findings based on the feedback from participants. Other characteristics are interlinked and were put under one name. Results indicated that Traditional Courts are the most preferred conflict resolution structure with a total score of 15. However, a matrix score of 2 on integrity of the court indicates that the endogenous conflict resolution systems can easily be externally manipulated. Almost all groups agreed that Modern Courts are credible even though more intimidating than the other courts. Traditional Courts (4), are more accessible to both TLs and WCs than Modern Courts (1) and Council of Churches (1). Focus discussions revealed that modern courts with a score of (1) are less unifying than the Traditional Courts (3) and the Council of Churches (3). Generally, the above results indicate that Traditional Courts and Council of churches are preferred respectively than modern courts as conflict resolution structures.

7.5 Proposed Strategies for a Sustainable Conflict Resolution Framework

7.5.1 Inclusion of Women and Youth in Conflict Resolution Decision Making

Traditional authority as an institution is still male dominated. Consequently, it is a rarity to have a female serving as a chief. Respondents from the study area indicated during interviews that no women have ever served as a chief in the entire history. Participants revealed that youth and women play minor roles in mediating conflicts, if at all, only within their circles. For example, participants in Nkomo village stated that women in leadership position in various organisations successfully mediated quarrels between members. Yet only a small number of women were mentioned as operating within the mainstream traditional institutions. The same was true of young people; young women were hardly ever represented in community conflict mediation forums. Participants through key informant interviews indicated that although indigenous judicial institutions were inclusive of women, they were not expected to oppose what elders suggest. These findings validate Soyapi (2014) who noted that males are considered to be superior to women. During in-depth interviews one community leader retorted that:

“In our traditional courts, they openly criticize women during court session. I have witnessed them say “we don’t tolerate womanish talk here” many times. I hope our societies will start to appreciate women”
(Ward Councillor, KIs)

Table 7.1 Perceptions on the current conflict resolution structures (CRS)

Institutions resolving conflicts	Associated elements	Matrix Scores		
		Yes	Not sure	No
<i>Traditional Courts</i>	Have the capacity	3	1	1
	Unifying decisions	3	1	1
	They are convenient	4	1	-
	Requires less time	3	1	1
	Integrity	2	-	3
	Total Score	15	4	6
<i>Council of Church</i>	Have the capacity	3	1	1
	Unifying decisions	3	-	2
	They are convenient	1	2	2
	Requires less time	1	1	3
	Integrity	4	1	-
	Total Score	12	5	8
<i>Modern Courts</i>	Have the capacity	3	1	1
	They are convenient	1	1	4
	Requires less time	1	1	4
	Unifying decisions	1	1	3
	Integrity	3	1	1
	Total Score	9	4	12

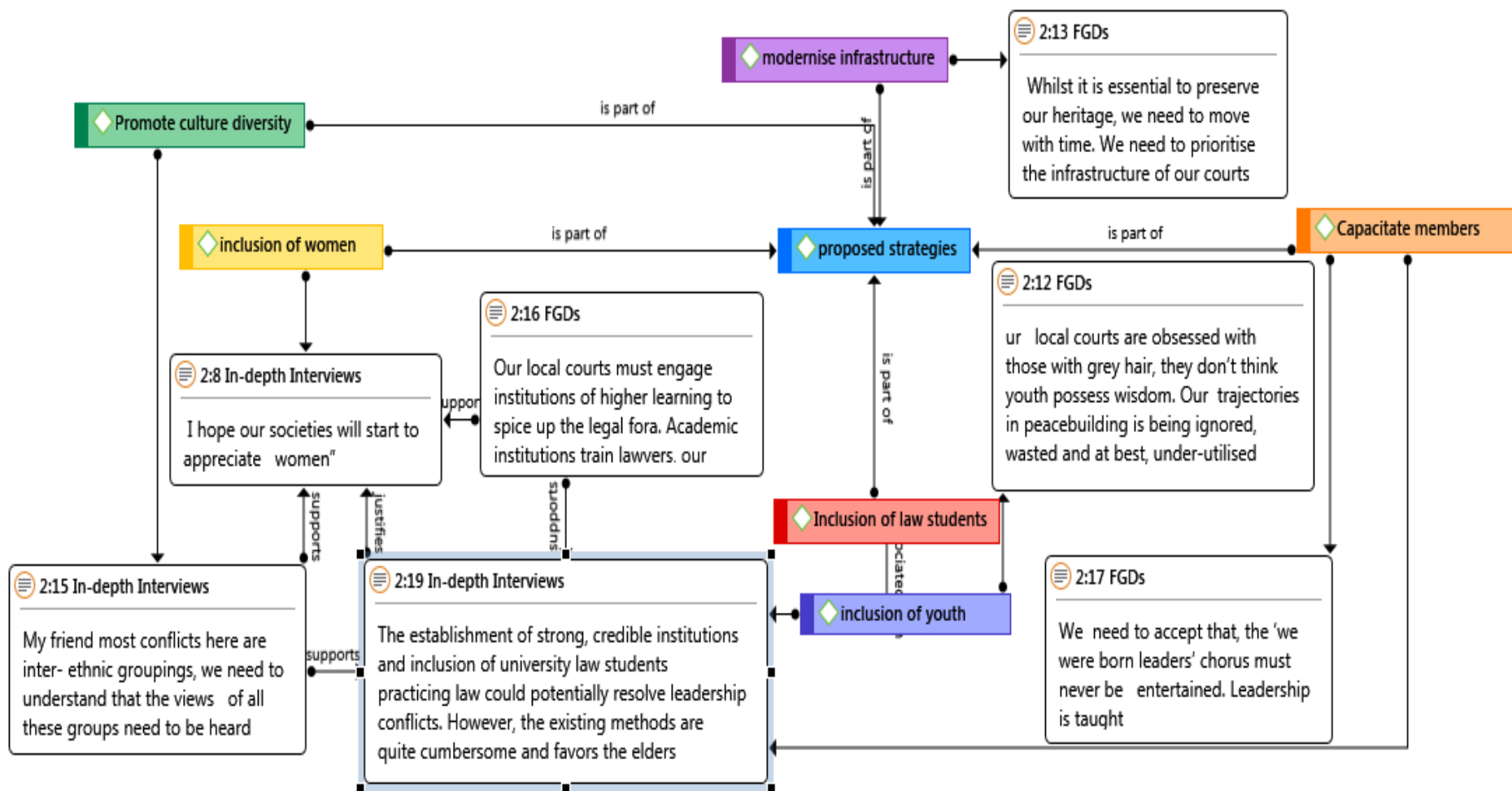


Figure 7.2 Proposed Strategies for a Sustainable Conflict Resolution Framework

The probable explanation for these findings is that women were unable to contribute meaningfully during conflict resolution. These findings contradict studies in Nigeria by Osuchukwu & Udeze (2015), and in Liberia by Shulika (2016) who discovered that women's overall peacebuilding ability emanates from their innate peace-loving nature. The majority of the participants also indicated the lack of involving young people in conflict resolution activities. Upon requesting the degree of access the youth have in conflict resolution, one youth representative retorted that:

“Exclusion of youth in traditional courts is quite in existence and these challenges which are unquestionably in continuity in the contemporary hinder youths in contributing toward peace. Our local courts are obsessed with those with grey hair, they don't think youth possess wisdom. Our trajectories in peacebuilding is being ignored, wasted and at best, under-utilised”

(Representative of Youth, KIS)

The current study revealed that youth participation is key to attaining peace. This finding validates Cursi (2017) who highlighted that youth were excluded in the policymaking and planning of peacebuilding processes. In stark contrast to these findings, other studies in Kenya (Prisca *et al.*, 2012) stated that local peace committees in Kenya are composed of young people and that the government intends to empower women in the areas of peace-building and long-term mitigation of conflict.

7.5.2 Modernising Traditional Peace Institutions

In most villages contacted, including Nkomo and Dumazi, key informants indicated that although rural communities are largely traditional, the composition of community members is Europeanised to the extent that there were two groups of community members, traditional and modern. The probable explanation for these findings is that while some appreciate indigenous laws, others are embracing a western type of judicial system. Also, participants indicated that sections of the elected leadership appear to be reluctant to utilise traditional courts and most ward Councillors turn instead to the Council of Churches, and perhaps increasingly, to other more drastic forms of self-interest and violence.

Key informant interviews revealed that traditional approaches to conflicts appears to resonate less with the modern societies. Focus group discussion concurred with the view, participants highlighted that dilapidated infrastructure for traditional courts needed to be modernised. These

results agree with Tshehla (2005) who suggests that there is need to improve accessibility and infracture of traditional courts. One community leader echoed that:

“The chief’s courts are generally outdated and uninspiring. They lack that modern infrastructure and their records are poorly kept. Whilst it is essential to preserve our heritage, we need to move with time. We need to modernize the infrastructure of our courts otherwise we will be considered kangaroo courts forever.”

(Traditional Leader, KIs)

The probable explanation is that traditional courts need to demonstrate more innovative approaches when dealing with conflicts. Also, this suggest that community courts are no longer appealing and that they have since been diminished with the emergence of legal courts. Thus, while traditional courts are rural-based and recognised by the constitution, the absence of other initiatives to modernize their courts and move with time raises questions about community leadership’s commitment towards conflict resolution. These findings contradict Rautenbach (2014) who suggests that although traditional courts are informal, they are substantially less intimidating compared to modern courts.

7.5.3 Promote Culture Diversity and Tolerance in Conflict Resolution Institutions

The equal representation of all ethnic groups in conflict resolution processes was proposed by one participant during FGDs. The study revealed that local peace institutions were not sensitive to ethnic diversity. Inclusion of all ethnic groups in conflict resolution committees was reportedly effective in resolving conflicts in rural areas. Thus, ethnicity was suggested to be considered a requirement for membership of a committee. Below is what one respondent said:

“My friend! Most conflicts here are inter- ethnic groupings; we need to understand that the views of all these groups need to be heard.”

(Businessman, KIs)

7.5.4 Remove Undesirable Disrespect in Jurisdiction

Focus group discussions revealed that traditional courts enjoyed a junior status in relation to magistrates’ courts. It was suggested that conflict resolution at community level required less time than pursuing the matter through the modern courts. Participants recommended that university

law students should be allowed to do internships at tradition courts while serving as advisors to arbitrators of traditional court matters. One participant retorted that:

“Our local courts must engage institutions of higher learning to spice up the legal fora. Academic institutions train lawyers, our courts must then give these students an opportunity to practice law as interns.”

(Representative of Youth, KIs)

These findings reflect that involvement of law students will bridge the divide between customary and democratic laws. Thus, the independence and democratic function brought by law students can help remove the undesirable disrespect or abandoning of traditional court processes in favor of the magistrate courts. These finding concur with Fitzsimmons (2006) who suggests that the undesirability of this overlap in jurisdiction could lead to ‘forum-shopping’ and actions being removed from a wrong court to the correct forum, with consequent loss of time and money. Thus, the paradox of the duplication of the roles by mere availability of modern courts and the overlapping in jurisdiction seems to undermine the existence of traditional courts.

7.5.5 Build Capacity Among Members on Conflict Resolution

Most of the discussions pertaining to chief’s courts also concerned member’s capacity to fairly resolve conflicts. Participants proposed that government needed to build the capacity of members of local courts to engage in conflict resolution. Thus, participants argued that the ability to sustainably resolve conflicts is dependent on the capacity by members to resolve conflicts. One community leader during FGDs indicated that:

“The first step to sustainable peace is to acknowledge that we lack innovative skills to deal with these conflicts. We need to accept that, the ‘we were born leaders’ chorus must never be entertained. Leadership is taught.”

(Community Leader, FGDs)

The above findings show that capacity building has a significant positive impact on the effectiveness of conflict resolution frameworks. Focus group discussion also revealed that capacity building empowers court members to make independent and fair judgements. This is probably because conflict resolution in the contemporary world has become so complex and necessarily requires skills acquired through formal education. Thus, capacity building can help local peace institutions during conflict mitigation processes. These findings corroborate Kansiiime

(2019) who posits that strategies that complement one another, enable members to promote and protect the interests of the kingdom. One youth leader during in-depth interviews recounted that:

“The establishment of strong, credible institutions and inclusion of university law students practicing law could potentially resolve leadership conflicts. However, the existing methods are quite cumbersome and favors the elders.”

(Representative of Youth, KIs)

7.6 Discussion

7.6.1 Current Conflict Resolution Systems

The results of this present study highlight that traditional conflict resolution mechanisms were preferred in all of the communities. Alemie & Mandefro (2018) similarly emphasise that endogenous conflict resolution mechanisms are preferred because they are more flexible than the formal court procedures. However, they were vulnerable to manipulation by the elites. It was, therefore, desirable for chiefs' courts to be more inclusive. Their susceptibility to bias also required inclusion of more independent actors such as NGOs and university law students to be reconsidered as credible. Arbitration emerged as the commonly utilised strategy.

Chiefs courts are striving to impose order at the local level during times of disputes and disruption. This concurs with Uwazie's (2018) suggestion that the institution produces a final decision that the parties are encouraged to respect. Waindim (2019) also highlights that, African traditional mechanisms of conflict resolution are largely binding on all parties. However, because of overlapping jurisdiction, several decisions by endogenous systems are taken over by modern courts. This exposes the flaws of the endogenous court systems. And yet viewed in comparison to the accessible peace institutions, the endogenous courts still emerge as the most accessible.

Direct negotiation, facilitated negotiation and adjudication were singled out as common CRFs in Greater Giyani Municipality. Alemie & Mandefro (2018) concurrently discovered that Indigenous conflict resolution mechanisms have great untapped potential in maintaining social solidarity among a multiethnic and multicultural society. However, the absence of clear policy direction in the application of endogenous CRFs is a limiting factor. While the current frameworks have managed to end conflicts, they have failed to ensure long term peace. Apart from that, of the existing frameworks, none of them are context based.

This current study revealed that generalization and misrepresentation of the nature of conflicts make conflict resolution complex. Abiodun & Omisore (2014) similarly emphasize that it is necessary to be able to recognize the source of the conflict, to view its constructive as well as destructive potential. As shown in Table 7.3, respondents proposed various strategies for enhancing conflict resolution and peace building. The potential strategies presented here are also well illustrated on figure 7.3. Inclusion of women and youth in conflict resolution was ranked top with a total score of seventeen.

Seven strategies are identified in Table 7.2 as having the potential to enhance conflict resolution and peace building. Inclusion of youth and women in processes designed to resolve conflicts was the most frequently cited strategy. The next commonly cited potential strategies were promotion of social cohesion (16), developing the capacities of members of traditional courts (14) and investing in promotion of cultural diversity and tolerance (13) removal of undesirable overlaps in jurisdiction between traditional and modern courts (11), modernising traditional courts facilities (10) and conducting thorough investigation on the causes and nature of conflicts (10).

7.7 Potential Strategies for Sustainable Conflict Resolution and Peace Building

Prospective strategies mainly include modernizing traditional court facilities, women and youth inclusion, involving law students, capacity building and investigating root causes and the nature of conflicts. Exclusion of key stakeholders was one of the serious threats to sustainable conflict resolution. Community leadership's failure to approach other stakeholders could limit vital information required to resolve conflicts. It was suggested that communities must enable fora for consensus building, that are based on open discussion and the exchange of information on conflict resolution matters. It was, therefore, desirable for women and youth to be included in conflict resolution processes. Cursi (2017) adds that, a deep reflection on the sheer number of youths alone justifies the inclusion and consideration of youth in policymaking and the planning of peacebuilding processes.

Existing infrastructure in endogenous court facilities such as court buildings and roads also require upgrading in order to improve accessibility. Charman *et al.* (2012) highlights that innovation allows creativity in terms of marketing strategies, management. Therefore, endogenous court systems should have infrastructure that matches that for modern courts. Members of traditional courts and the Council of Churches also require relevant conflict resolution knowledge. This includes customised capacity building workshops and creation of knowledge exchange platforms with professionals with legal qualifications.

Table 7.2 Potential strategies for enhancing conflict resolution and peacebuilding

Potential strategy	Frequency
Inclusion of women and youth	17
Promote social cohesion	16
Capacitate members on conflict resolution	14
Promote culture diversity and tolerance	13
Remove undesirable overlap in jurisdiction	11
Modernise traditional court facilities	10
Investigate causes and nature of conflict	10

It was revealed that causes of leadership disputes are very diverse and location dependent; thus, there is the need to investigate the nature of conflicts before attempting to resolve them. In view of the above inquiry, scholars (Misore & Abiodun, 2014; Albin, 2019) agree that opposing notions concerning the cause of conflict frequently contribute to the complexity of conflict and its resolution.

Traditional institutions in Giyani, as in many regions of South Africa, are composed largely of elderly, senior men. Participants during key informant interviews indicated that women of all ages are excluded, and so too are young men in conflict resolution forums. Excluding women and young men naturally tends to limit the information these senior men consider. It is also probable that they are at times limited in their ability to bring the main actors in a conflict to the table because of the gradual erosion in their authority.

It reveals how traditional authorities are both the cause and solution to the ensuing conflicts in the various communities. There have been obvious conflicts of interest, in that the chieftaincy institutions are blamed in these conflicts and are also the traditional arbitrators of the ensuing conflicts. The study also reveals that; the Council of Churches has served as an alternative mechanism in dealing with community leadership conflicts. Although there is dwindling confidence in the endogenous conflict resolution institutions, participants revealed that these institutions are still preferred to modern courts. The probable explanation is that modern courts often depend purely upon the judge's discretion and opinion, thus creating a balance of power that can lead to "unfair" results. Thus, there is need to transform the institution and involve independent bodies to booster the credibility of the institution. There is a strong conviction that the existing frameworks offer dangers of too much and too little criminal justice, that in most circumstances one tool alone would not suffice.

Attaining sustainable peace between TLs and WCs is still a challenge in South Africa. A sustainable conflict resolution in traditional societies must be born of a public participation approach. This chapter highlights the gaps in existing conflict resolution frameworks and thus, the need for a sustainable conflict resolution framework which allow for amicable resolution of conflicts while enhancing social cohesion. This chapter shows that existing frameworks are imbued with complexities and constraints that mainly reflect the operational borrowed nature of conflict resolution frameworks. Thus, to have a conflict resolution framework is only part of the story; the framework must also be effective and sustainable. The chapter notes that existing

frameworks and local institutions offer some hope in resolving local-level disputes through the application of cultural practices and indigenous laws.

There is no certainty about how conflict resolution can exclude women and youths without compromising the values of the traditional courts in the local context. Indeed, some informants hoped that the state would officially transform traditional institutions to root out customs that are inconsistent with democratic principles. In harmonising the relationship between traditional authorities and ward committees in matters of development, the two institutions should value the important contribution made by each partner. Most of the literature discussed focuses on the challenges faced when dealing with conflicts using the existing frameworks. This current study argues that existing frameworks have failed to sustainably resolve conflicts between TLs and WCs. Though some traditional approaches to conflict resolution such as negotiation have many democratic elements, they have failed to sustainably resolve conflicts.

7.8 Conclusion

This present study investigated the most applicable conflict resolution framework between traditional leaders and ward committees in Greater Giyani local Municipality. Current and potential strategies for conflict resolution were determined. The current frameworks were in response to leadership conflicts. Participants concurred that the frameworks were not sustainable due to the emergence of more formal and well-resourced structures that tended to overshadow most traditional practices used to mitigate and resolve conflicts in Giyani Municipality. Nevertheless, similarities in chief's arbitration and adjudication reflected gradual ideological diffusion through government efforts for transforming traditional leadership institutions. It was apparent that while existing frameworks managed to end conflicts, they are unable to guarantee peace in the long run. Strengthening the positive identified frameworks is, therefore, crucial for resolving conflicts and peace building.

This study argued that existing frameworks responding to conflicts are not effective, as conflicts keep recurring. Furthermore, this study sees the core issues (integration of customary law and democratic principles) as still unresolved, since the major causes of disputes amongst TLs and WCs are narrowly understood. The findings also highlight the need to move from a de facto dichotomy (impunity or trials) to multiple conceptions of justice and reconciliation. Thus, the argument is that traditional and modern justice systems may be adapted to develop an appropriate response to institutional conflicts. This invites the need for a context-based comprehensive and sustainable conflict resolution framework.

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CHAPTER 8: SYNTHESIS OF THE STUDY FINDINGS

8.1 Introduction

Despite various approaches that have been suggested in desperate attempts to solve conflicts between traditional leaders (TLs) and Ward Committees (WCs), disputes continue to dominate local Municipalities. Thus, the government's goal of promoting cooperative governance through a dual system is yet to be realised (Maluleke, 2015). Dzansi (2016) illustrates that these conflicts expose a community to malfunctioning, underdevelopment of democratic governments and poor service delivery. Reports of conflicts in around the globe that have accompanied institutional multiplicity and hybridity of different local Municipalities. These conflicts stem from several sources and manifest in numerous forms. Over the past decades, several conflict frameworks were devised to deal with conflicts (Reddy, 2018). This was in response to numerous conflicts between people, institutions, or within institutions. Despite the success achieved by these frameworks in resolving conflicts, conflicts in local Municipalities are persisting (Mashau & Mutshaeni, 2014).

The greatest challenge affecting local Municipalities is the need to get traditional leaders and elected leaders working together. Maluleke (2015) opines that several legislative frameworks such as the Traditional Leadership and Governance Framework Act 41 of 2003 and the Municipal Structures Act of 1998 were enacted to promote cooperative governance. Instead the government has made more success on institutional multiplicity over institutional hybridity (Dubazane & Nel, 2016). The consequences of failure of conflict resolutions leads to reprisals of conflicts. Moreover, context-based frameworks for resolving these conflicts do not exist. Therefore, the current study was undertaken to develop a sustainable framework for resolving conflicts involving Traditional Leaders and Ward Committees in a Local Municipality of South Africa.

Conflicts expose the rural communities to unprecedented levels of under development. Peace agreements in the past resulted in conflicts re-escalating. This has given rise to debates suggesting that existing conflict resolution frameworks are widening tensions among community leaders (Beheshtifar & Zare, 2013). Thus, the existing frameworks have failed to fairly deal with conflicts. In numerous occasion, these conflicts have re-surfaced more deepened and more severe.

It is vital to note that conflicts underlines government efforts to attain sustainable development (Adebayo & Oriola, 2016). As such it was imperative to develop a sustainable conflict resolution framework to deal with these conflicts. In addition, understanding causes, nature of conflicts,

strength and weaknesses of the existing frameworks is vital. Such information assist to make appropriate decisions in the light of the turbulent circumstances. Understanding this contributes making appropriate decisions towards developing a framework that resolves conflicts amicably. A sustainable and amicable CRF provide a mechanism for viewing and understanding conflicts and its characterisation. Moreover, studies in the past focused on ending conflicts in a short term without investigating conflicts and sustainability of the peace agreements. Understanding the effectiveness of community based CRF is important for attaining sustainable peace. Thus, the current study is unique in that it was fixated on the flip side of the argument, community stakeholders coming up with a preferred framework in addressing conflicts in their areas.

The main aim of this study as revealed in chapter 1 was to develop a sustainable conflict resolution framework between TLs and WCs in a local based Municipality of South Africa. This was done through; a) to ascertain the nature of conflicts between traditional authorities and ward committees over the administration of rural communities, b) to establish the strengths and weaknesses for using the existing frameworks in resolving conflicts between traditional leadership and ward committees, c) to determine the major types of conflicts between traditional leaders and ward committees, d) to establish the most applicable conflict resolution framework between traditional leaders and ward committees and e) to develop a framework for resolving conflicts on the administration of rural communities between TCs and WCs. Data on conflict resolution between TLs and WCs in Giyani had not been gathered before this current research, with chapters 4 and 6 showing evidence of devastating conflicts. Thus, the information gathered in this study can be utilised to design programs that foster cooperation among community leaders and policies that help in attaining sustainable peace in rural areas. The findings of this study help fill the gaps in literature regarding conflict resolution, promoting social cohesion and strengthening cooperative governance in a dual system. The findings of this study assist Greater Giyani Municipality, NGOs and community members in dealing with conflicts in the study area.

The findings of this study provide deeper insights into the implications of conflicts within local government system on rural development. While conventional conflict resolution frameworks may indeed be inappropriate to the complexities of conflict context, it is essential to understand that it is not simply carrying out a study that is important. Thus, this study's conflict resolution framework will be as desired by those involved in resolving conflicts in Giyani local Municipality. It unravels the nature of conflicts and their causes. Government policies are important in promoting social cohesion (Ratcliffe & Newman, 2011). This can only be possible if there is a clear understanding of the problems inhibiting attainment of sustainable conflicts resolution framework. Such evidence

helps in the crafting of well-informed policies that can be implemented in support of the practice. Moreso, the Information also warrants that there is proper targeting of improvement strategies and probably enhances existing CRFs.

In this section, a synthesis of the whole study is provided to present a clear comprehensive work. The methodology utilised and major findings are presented in relation to the study's objectives set. Strengths and weaknesses of the developed framework are outlined. The contributions of the study, recommendations for policy, practice and further research are also discussed. The current study provided a ground breaking contextualised framework for resolving conflicts between TLs and WCs. Furthermore, the framework provided essential elements needed for resolving conflicts between TLs and WCs in a local Municipality. Consequently, it is a key framework for resolving conflicts between traditional leaders and Ward Committees.

8.2 Methodological Imperatives

A sequentially integrated mixed approach was used to develop a framework for conflicts resolution between TLs and WCs in Greater Giyani Municipality. This current study was grounded on the qualitative research model and triangulation of data collection methods. Jones & Barran (2016) posits that triangulation is employed to combine strength of both methods. Creswell (2013) also proposes that each approach offers specific advantages as well as disadvantages. This current study was divided into two phases with the initial phase being descriptive and qualitative in nature, with the results feeding into the successive phase. This research plan was appropriate for this current study because the researcher strived to obtain an in-depth understanding the strengths and weaknesses of the conflict resolution frameworks between TLs and WCs in Giyani. Data was also gathered on cross-cutting issues, including the nature of conflicts and exposed the consequences of conflicts on rural development. This study was premised on collecting perception data because it is primarily people's perceptions that determine changing aspects associated with conflict and peace. Primary data was collected through key informant interviews and reflection cycles. A total of 10 key informants took part in this study. Reflection cycles comprised men, women and youth. All participants contributed during reflection cycles in plenary sessions giving imperative opinions and clarifications. The gaps identified in the desk study and information collected from interviews were utilised to design tool for phase two.

Data collected from two tribal authorities informed the assessment findings, conclusions, and recommendations. The Municipality is demarcated into 31 wards and has 62 Councillors and 10 traditional authorities (Great Giyani Municipality, 2018), meaning that the assessment represents

dynamics in (fraction of the total) of greater Giyani Municipality. To rapidly synthesize significant amounts of perception data collected across key informants, this present study applied systems thinking analysis, using feedback loops to identify causal relationships among various factors that contribute to conflict dynamics. The core themes articulated in this study emerged as the most salient and prevalent causal relationships. These themes provide a framework for articulating cross-region and region-specific conflict dynamics. The findings, conclusions and recommendations offered by this current study were based on how people in the study perceive their reality, which is inherently subjectively linked to their identities.

8.3 Summary of Study Findings

8.3.1 Realisation of Study Objectives

This current study was driven by need for a sustainable conflict resolution framework among community leaders. Reviewed frameworks on conflict resolution proposed in literature reflect that existing frameworks were more concerned with ending conflicts rather than solving. What is challenging is also that traditional courts are expected to apply custom laws, yet some of the practices are considered undemocratic, for example the patriarch laws (Fashagba & Oshewolo, 2018). This had created a huge gap prior to this current study, considering current expert unanimity on study priorities for conflict resolution (Zartman, 2000; Fashagba & Oshewolo, 2014; Uwazie, 2018). Consequently, requirements for sustainable conflict frameworks cannot be met by universal approaches. For this reason, a sustainable framework for resolving conflicts between TLs and WCs developed here reflected the views of key stakeholders in Greater Giyani Municipality. It contributes to the existing frameworks by revisiting the strengths and weaknesses of the existing frameworks. However, the framework can be used as a point of reference in resolving conflicts in similar dual systems of governance in South Africa and beyond.

As illustrated in Figure 8.1, the framework comprises three main attributes (detection, resolution and Cooling off period) as proposed in the framework. It also reflects the imperatives of resolving conflicts in African traditional societies as proposed by (Kaplan *et al.*, 2017). The value tree approach was utilised to develop the attributes in the framework. The framework was based on three central assumptions. Firstly, youth and women inclusiveness enhances the ability by conflict resolution institutions on how to deal with conflicts. Secondly, that a clear understanding of the nature and causes of conflicts informs development of customised conflict resolution approach. The third assumption was that, sustainable conflict resolution depends on the options available to peace institutions within the six major pillars (independence, inclusiveness, awareness,

capacity building, modernising and cooling off). These opportunities epitomize a pre-condition for a sustainable CRF that deals with conflicts within local Municipalities more amicably. However, as indicated in the literature reviewed, noted by Bene *et al.* (2012), culture and practices of a society are not static and thus, the six pillars of sustainability in resolving conflicts established in the present study can change with time as culture is dynamic.

Proposed conflict resolution framework knowledge of the different sources of conflicts and the different basic mechanisms is essential but not sufficient for resolving conflicts. Because conflicts often have several interrelated sources, individual basic mechanisms do not suffice. Moreover, basic mechanisms have to be applied in practice before they become operative. What is needed, therefore, is an understanding of the different practical conflict resolution methods and procedures that can address the different sources simultaneously. Figure 8.1 presents a proposed comprehensive model on conflict resolution that can be used to resolve conflicts amongst community leaders in a dual system of governance and for guiding further studies. The framework is based on the participants' feedback from key informant interviews and reflection cycles and combines numerous methods found to help overcome the weaknesses of the approaches in isolation.

The use of modern courts by people in these communities' relative to arbitration by chiefs is increasing. This necessitate the need to capacitate chiefs court members with essential knowledge and abilities needed to resolve conflicts. To this effect conflict resolution is a process that span from understanding the causes and nature of conflicts. Results also illustrated that, community wisdom as a pillar to conflicts resolution defined above allows peace institutions to perform conflict detection, conflict resolution and cooling off in order to attain sustainable peace. In this regard, the techniques utilised by peace institutions to detect, resolve conflicts and peace-building determine sustainability of resolving conflicts.

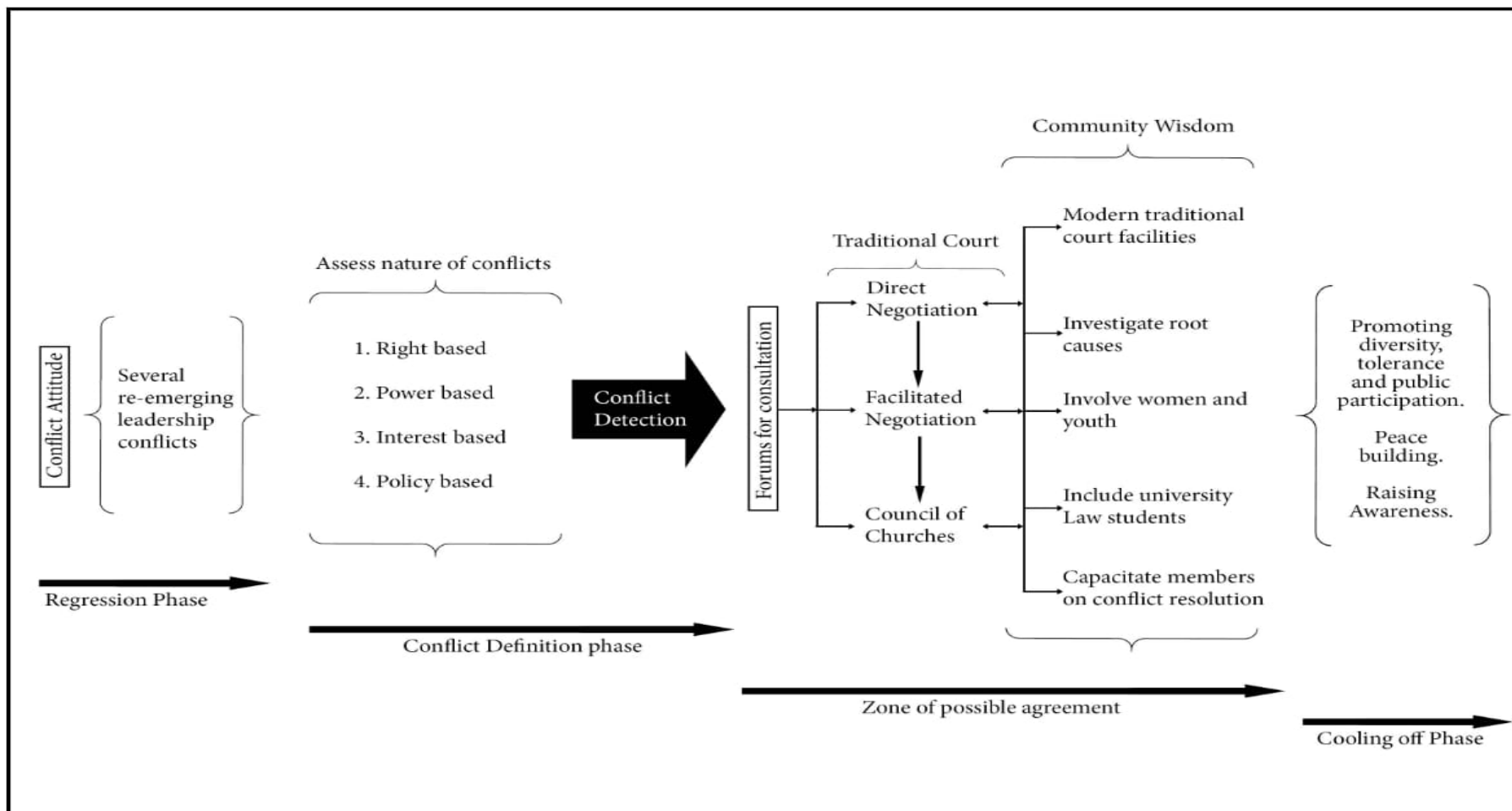


Figure 8.1 Conceptualized framework for resolving conflicts between traditional leaders and Ward Committees

It should be noted that the framework embraces the idea of community wisdom in resolving disputes. This provided a benchmark upon which traditional courts can be constituted and administered. When resolving conflicts, traditional courts should be more inclusive to all stakeholders to ensure disputes are resolved amicably. In support of such elements, Osuchukwu & Udeze (2015) notes that women put in so much in preventing, stopping and recovering from conflict with the strong desire to protect their children and ensure security for their families. The assumptions are congruent with those made by Awofeso & Odeyemi (2014). In this respect, elements of community wisdom become basic fundamentals rather than absolute determinants of conflict resolution.

The current elements could be ideal in useful conflicts between TLs and WCs in a local Municipality. The developed framework is diagnostic in nature. As such it is ideal for resolving conflicts among community leaders amicably. A number of frameworks deliberately attempt to compensate the victim, while endeavor to end conflicts forms basis to which peace-building initiatives can be achieved. This current framework will do a better job because it explicitly offers itself to both resolving conflicts and peace-building. Therefore, the framework is a guideline for defining conflicts, recommending required conflict resolution intervention strategies and peacebuilding in local Municipalities of South Africa. This assists conflict resolution practitioners and policy makers to make informed decisions about leadership conflicts and peace-building.

8.4 Contribution to Scholarship

Studies undertaken at Doctoral level are expected to significantly contribute towards scholarship. According to Boyer (1990) scholarship knowledge acquisition involves four main categories that include scholarship of discovery, integration, application and teaching. Therefore, the major contribution of this study was a sustainable conflict resolution framework to consider when dealing with tensions between traditional leaders and Ward Committees. The framework was co-generated from synthesis of data gathered from the representatives of both institutions. This thesis contributed broadly to each of the above mentioned aspects of scholarship as detailed in the sections below.

8.4.1 Contribution to discovery

The scholarship of discovery involves generation of new knowledge through inquiry-based research. Scholar such as Boyer (1990) explains that scholarship through discovery is hinged on creation of original work. The major outcome of this study was a context based framework that can be utilized to sustainably resolve inter-institutional conflicts and peacebuilding in local

Municipalities. Elements of community wisdom were distinct from those found in existing frameworks across fields. Review of literature consistently highlighted the marginalization of women and lack of expertise in resolving conflicts in most traditional societies. Therefore, the current framework is a new discovery that advances sustainable conflict resolution knowledge among community leaders in local Municipalities. The process followed in developing the framework will also be a blueprint for future studies in the field.

8.4.2 Contribution to integration

Integration scholarship seeks to find meaningful patterns within isolated facts and fragmentary knowledge (Boyer, 1990). Thus the scholarship of integration is multidisciplinary in nature. Although PhD work should be narrow and deep (Boyer, 1990), it is imperative to understand that specialization without understanding the broader context compromises perfectionism. In the context of the current study, efforts were made to understand the meaning of conflicts and approaches to conflict resolution in diverse fields such as intra-institutional, inter-institutional and regional conflicts. This offered a broader understanding regarding the contextual and methodological gaps in the studies aimed at developing frameworks conflict resolution. After a careful study of common challenges associated with generalized conflict frameworks, the current study developed a contextualized approach that reflected the perceptions of key participants. The current study however borrowed elements of conflict resolution from existing framework. Integrating approaches such as negotiation in traditional courts and university law students' expertise helped to integrate traditional practices and modern legalities in local Municipalities

8.4.3 Contribution to Practice

The scholarship of practice relates to the application of knowledge to consequential problems at the level of individuals, institutions, communities, and society (Boyers, 1990). The framework for resolving conflicts sustainably developed in the present study is well connected to the imperatives of cooperative governance. Cooperative governance in South Africa includes seeks to promote rural development in local Municipalities. This is broadly achieved through provision attaining peace among community leaders. This study provided local and customised conflict resolution models such as conflict avoidance and facilitated negotiation. The approaches, therefore, becomes a vital tool for rural development. At a national level, South African policies seek to promote cooperative governance. Examples of such legislations include the Traditional Leadership Framework Act, 2003 and the Municipal Systems Governance Act of 2003.

8.4.4 Contribution to Community Engagement

The present study contributed to community engagement in a number of ways. The use of Key informant interviews, focus group discussion, use of pairwise ranking and matrix scoring were meant to promote public participation on conflicts resolution framework that benefits them. During data collection, use of these participatory methods showed genuine commitment to community engagement practices that are recommended for researchers at higher learning institutions. Moreso, community recommendation to have law students contributing to conflict resolution is significant because it strengthens relevance and engaged nature of University. Given these insights, the current study provided direction on how to actively engage the public particularly on conflict resolution. Therefore, the proposed framework for resolving conflicts between TLs and WCs reflects practical realities. The active participation of community leaders, prominent people, and representatives of key institutions in the development of the framework instilled a sense of ownership and understanding of its use.

8.5 Theoretical Implications of the Study

As detailed in the literature review chapter, context specific framework for resolving conflicts do not exist in in local Municipalities. Additionally, frameworks for resolving conflict between TLs and WCs are evidently limited. The current framework provided a theoretical framework that guides rural communities in dealing with leadership conflicts. The road map followed in designing the framework included methodological approaches and analytical techniques that also provided direction for future replication in related studies.

8.6 Recommendations for Policy and Practice

Given the study findings of this current study, the following recommendations for policy and practice are suggested.

1. Failure to modernise traditional courts infrastructure has raised questions on the commitment to end conflicts. Due to poor records keeping, and dilapidating court resources court processes are difficult to execute especially during unfavourable weather conditions and external noise. Hence, resolving conflicts amicably depends on the conduciveness on the court environment. Modernising infrastructure such as sound, recorders and chairs is also an urgent measure for policy consideration.
2. This current study revealed that disregard for trained law personnel by traditional court's impact negatively on its capacity to fairly and independently deal with conflicts in

democratic society. This means substantial intervention efforts are required to promote inclusion of law university students on internship basis in proving impartiality and credibility of these courts. Furthermore, the outside intervention should be trained to understand and respect certain practices, or else, the external interventions undermine leadership authorities, thus, creating environment for potential multi stakeholder conflicts.

3. Policies and practices that promotes the spirit of Ubuntu, discouraging tribalism should be put in place. This will embrace culture diversity through 'Africanicity' among community members and mutual respect amongst community leaders of diverse backgrounds.
4. Considering that traditional courts are more accessible and less intimidating, instead of replacing or usurping the jurisdiction of these courts, these courts must be resourced to enhance their visibility.

8.7 Limitations of the Study

In addition to the usual concerns and limitations with key informants interviews and group reflections as data collection methods, the use of multi-phase in data collection has specific concerns as to timeframe (Almeidai, 2018). The research study design had both researcher-originated limitations and site-produced limitation. The research was self-funded, and it restricted the data collection activities as well as the amount of time to pursue the study. Given these limitations, the study was limited to a 4-week period. Future research should address time limitations by expanding the research design to at least 1 year in the field.

8.8 Recommendations for Further Research

The study findings consider several areas for further research. Further research may necessitate gathering of more in-depth results than those illustrated by this current study. To ascertain that, the use of triangulation (multiple sources of data) will help ensure enhanced reliability of results (Aastrup & Halldorsson, 2013). This current study developed a framework for conflict resolution between traditional authorities and ward committees in a local Municipality of South Africa. The specific objectives were to 1) To ascertain the nature of conflicts between traditional authorities and ward committees over the administration of rural communities, 2) To establish the strengths and weaknesses for using the existing frameworks in resolving conflicts between traditional leadership and ward committees, 3) To determine the major types of conflicts between traditional leaders and ward committees, 4) To establish the most applicable conflict resolution framework

between traditional leaders and ward committees, 5) To develop a framework for resolving conflicts on the administration of rural communities between TCs and WCs. However, this current research did not exhaust all issues linked to conflict resolution in South Africa. This is because the nature, causes, consequences maybe context specific.

While this current study responded to the need for a sustainable conflict resolution framework, additional questions were raised in the process. Thus, this current study submits the following areas for further research.

1. This current study was carried out in Greater Giyani Municipality of South Africa; henceforth, the findings are not illustrative of conflict resolution across the country. This is due to variations in cultural practices among different tribes within South Africa. Consequently, investigations in different provinces of South Africa are a significant avenue for further studies.
2. Are there significant differences in the structures that deals with conflicts in various rural communities? In Greater Giyani Municipality, the chiefs court and the council of churches are the most common structures. Hence, studies on conflict resolution between TLs and WCs in areas with different structures and cultures is necessary in south Africa.
3. What are the areas of cooperation between traditional and democratic courts?
4. What is the impact of intra-institutional conflicts on inter-institutional relations?

8.9 Conclusion

Overall, the current study has suggested a sustainable framework for resolving conflicts between TLs and WCs from community members' perspectives. This study presents a context based conflict resolution framework for community leaders that encompasses and incorporates other the diverse and often partial methods common in traditional societies. When resolving, conflicts real sources and the context of the conflict should be well understood. Ignoring the causes of conflict and its context may result in the failure to resolve conflicts. The framework presented here purports to be one such approach Factors like time taken to resolve conflicts, cost involved, credibility of chief's courts was central in developing this framework. Borrowing vital elements from existing frameworks, this current study expands methods of approaching conflicts to the two feuding community leadership institutions that are constantly engaged in different levels of hostility. This current study is the first that explicitly investigates ways to resolve conflicts between

TLs and WCs in a sustainable way in South Africa. It calls for a “hybridity of approaches” through improved efficiency, credibility, recognition of differences, and convenience. A lateral approach to social cohesion could help ease TLs-WCs conflicts through local forms of dispute resolution. Furthermore, this current study revealed that traditional authorities have played an important role in resolving conflicts and maintaining peace. They stated that institution of traditional authorities remains an important player in matters regarding dispute settlement. Unlike other communities where TLs themselves are undemocratic institution, participants in Greater Giyani Municipality revealed that community members respected the TLs’ decisions.

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Annex 1. Conflict Resolution Framework (CRF): Semi-structured interview guide

Length: 30-45 minutes

M / F

Community / community member / prominent person

Age

1. *Qualitative interview introduction*

Invite interviewee to briefly tell me about him/herself: General information about background... mostly about experiences and perspectives on issues surrounding CRF.

2. *Verbal consent*

Would you like to participate in this interview?

Verbal Consent was obtained from the study participant

Verbal Consent was NOT obtained from the study participant

3. *Background Information*

Overview: Probe 1. Traditional leaders and elected leaders are incompatible in democratic South Africa.

- *How do you react to this?*
- *What do you understand by conflict?*

4. *Nature of conflicts*

1. Describe the nature of conflicts between traditional authorities and Ward Committees?

[PROBES: In your opinion, what are their origins/ causes? How do they manifest? Do these conflicts occur in almost every village? What are the consequences of conflicts?]

5. *Existing conflict resolution frameworks*

Are you aware of the ways used to resolve conflicts? What kinds of CRF exist in your South Africa? What are the strength and weaknesses for using existing frameworks in resolving conflicts between traditional authorities and ward committees?

[PROBES: Can you give us any examples of when you were asked by community leaders to participate in resolving conflicts? What kind of framework have you found able to resolve conflicts? How long did it take to resolve the conflict? What sort of changes do you think are needed to these conflict resolution frameworks to make them more sustainable?]

6. Prevention – for PWID

What are the type's conflicts between tribal authorities and ward committees with potential to lead to an unresolved dispute?

[PROBES: Do you think escalation of conflict can be avoided?

7. Suggested mechanism that maybe sustainable

If you had a magic wand, what would your ideal way for conflict interventions? How best can they be operationalised? Will the mechanism convenient in your South Africa?

- Where?
- required resources?
- Accessibility, cost?
- Sustainability of the framework?

8. Overview of the interview session

What comments or questions do you have for me? Is there anything you would like me to explain? What would you like to tell me that you've thought about during this interview?

Appendix 2: INFORMED CONSENT DECLARATION

In terms of the ethical requirements of the Research Ethics of the University of Venda, I now invite you to complete this form as an indication of your permission to voluntarily participate in this research project.

I, hereby confirm that I have been fully informed about the purpose, procedures, and activities of the research project. The right of participants has also been fully explained to me. I was given full opportunity to ask questions and I understand that participants can withdraw from the project at any stage and time, without giving any reason.

I, therefore, hereby freely **give** my consent to voluntarily take part in the project as outlined.

Tick

I, therefore, hereby freely **do not give** my consent to voluntarily take part in the project as outlined.

Tick

Signature:

Researcher's Name: Muchaku Shadreck

Signature 

Date:

Appendix 3: Registration of the Project with the University

UNIVERSITY OF VENDA

OFFICE OF THE DEPUTY VICE-CHANCELLOR: ACADEMIC

TO : MR/MS S. MUCHAKU
SCHOOL OF AGRICULTURE

FROM: PROF. J.E CRAFFORD
DEPUTY VICE-CHANCELLOR: ACADEMIC

DATE : 22 JULY 2019

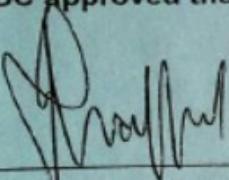
DECISIONS TAKEN BY UHDC OF 22nd JULY 2019

Application for approval of Thesis Proposal Report in Agriculture: S. Muchaku (11576140)

Topic: "A framework for sustainable Conflict Resolution between Traditional Authorities and Ward Committees in Local Municipality of South Africa."

Promoter	UNIVEN	Prof. J. Francis
Co-promoter	DEA	Dr. M. Tshitangoni

UHDC approved the Thesis proposal



PROF. J.E CRAFFORD
DEPUTY VICE-CHANCELLOR: ACADEMIC

Appendix 4: Application for Transport for Data Collection

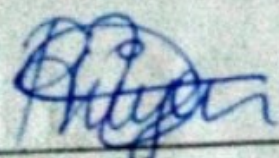
To	MUCHAKU SHABECK
Department	L.R.D.
From	MIYEN MR
Department	TRANSPORT
Date	20/09/2019

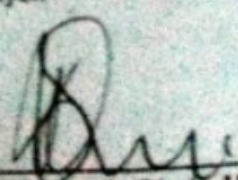
Re : APPLICATION FOR TRANSPORT

We hereby regret to inform you that Supply Chain Management : Transport Department will not be able to supply you with a vehicle for your trip scheduled from 23/09/19 to 23/09/19

You are advised to make use of own transport or engage with the Chief Demand and Acquisition for assistance with vehicle hire in case you are unable to use own vehicle.

The Chief Demand and Acquisition can be contacted on X 9042.


 Chief of Transport
 M R Miyen


 Head Of Supply Chain Management
 X Ben Mazwi
 Approved / Disapproved

Scanned by TapScanner

Appendix 5: The University of Venda Research Grant Letter

Office of the Director

Memorandum
 To: Director- Finance
 Cc: Mr. S. Muchaka
 School: Agriculture
 Department: Institute for Rural Development
 Date: 02 September 2019

Application for Student project registration and post graduate funding support	
Project number: SARDF/19/IRD/07	Cost Centre Number: G610
Degree: Doctoral	Institute: UNIVEN

The Research and Publication Committee has approved R74 820.00 funding for Mr. Muchaka (Student No: 11576140).

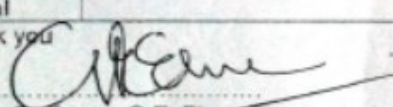
Project title: A Framework for Sustainable Conflict Resolution between Tribal Authorities and Ward Committee in Local Municipality of South Africa.

Kindly transfer the amount of R40 000.00 from Account number 3593 into his newly generated cost centre G610 for now the remaining funds will be given on satisfactory progress and financial reports.

+Project Budget:

Account	Cost Centre Description	Amount	Amount to Transfer
3505	Research Assistance	R9 500.00	R4 500.00
3525	Research Running Expenses	R00.00	R00.00
3520	Research Travelling Expenses	R19 800.00	R8 500.00
3520	Subsistence	R33 840.00	R20 500.00
3512	Printing and Stationery	R11 680.00	R6 500.00
Total		R74 820.00	R40 000.00

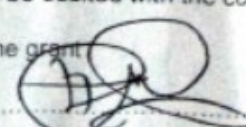
Thank you



 Senior Professor G.E. Ekosse
 Director: Research and Innovation

N.B: This grant is subject to the following conditions. The grantee shall:

- Provide the RPC with a quarterly (End March, June, September, December) progress report and financial balance sheet
- The grantee shall on completion of the research project complete a final progress report and financial balance sheet
- The grantee shall before graduation submit proof that a manuscript for publication has been sent to an accredited journal.
- The student's account will be debited with the costs if conditions are not complied to.

I understand the conditions of the grant

Signature of the Recipient:  Date: 17 Sept.



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 Email: research@univen.ac.za

"A quality driven, financially sustainable, rural-based comprehensive University"