

**CHALLENGES FACING VILLAGE LAND COUNCILS IN
MANAGING LANDS DISPUTES:
A CASE STUDY OF GIRANGO DIVISION
RORYA DISTRICT – MARA REGION**

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MANAGING LANDS DISPUTES:
A CASE STUDY OF GIRANGO DIVISION
RORYA DISTRICT – MARA REGION**

**By
John Marwa**

**A Dissertation Submitted in Partial Fulfilment of the Requirements for the
Award of Master of Science in Human Resource Management (MSc – HRM) of
Mzumbe University
2015**

CERTIFICATION

We, the undersigned certify that we have read and hereby recommend for acceptance by the Mzumbe University, a dissertation entitled challenges facing village land councils in managing land disputes. A case of Girango Division in Rorya District in partial fulfilment of the requirements for the award of the degree of Master of Science in Human Resource Management (MSc – HRM) of Mzumbe University.

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Accepted for the Board of Public Administration and Management

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I, John Marwa, declare that this dissertation is my own original work and that it has not been presented and will not be presented to any other University for a similar or any other degree award.

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DEDICATION

I dedicate this dissertation to my lovely wife, children and parents.

ABBREVIATIONS AND ACRONYMS

CRO	-	Customary Rights of Occupancy
DLD	-	District Land Department
DLHT	-	District land & Housing Tribunal
LDC	-	Land Disputes Acts
LDHC	-	The Land Division of High Court
RPF	-	Rwanda Patriotic Front
SRO	-	Statutory Rights of Occupancy
TANAPA	-	Tanzania National Parks
TANROADS	-	Tanzania National Roads Agency
USAID	-	United State Aids
URT	-	United Republic of Tanzania
VA	-	Village Assembly
VC	-	Village Council
VLC	-	Village Land Councils
VLR	-	Village Land Register
WT	-	Ward Tribunal

ABSTRACT

The study was guided by the following specific objectives: to find out the causes of land disputes among the villagers, to identify types of land disputes which exists in Girango division, and to identify the challenges that face VLC in managing land disputes.

The study was conducted in Girango Division – Rorya District using a case study design. It involved both quantitative and qualitative approaches. A total number of one hundred and thirty one respondents were included at the study sample. The data gathering was done through questionnaire, interview and documentary review by collecting both primary and secondary data. Quantitative data collected from questionnaire were analyzed and presented in tabular form with frequencies and percentages. On the other hand, the qualitative data were edited, coded summarized and presented through direct quotations.

From the findings, the data revealed that the VLC were facing the following challenges in managing land disputes: Low level of knowledge and awareness on land matters, poor support from the government (Ministry of land and District Council), Lack of training and seminars to the members of VLC, scarcity of / lack of resources such as offices, stationeries, money, lack of court power for VLC, poor land use planning as well as lack of allowance (Money) to the members of VLC.

The study recommends the following: To provide knowledge and create awareness in the community on land matters, implementation of effective land use plan at different levels, VLC should be provided with adequate resources, to educate people on family planning for the purpose of having people that match with available resources (land) and the government (Central level and District Council) should provide support to rural community on matters related to managing land disputes at the village levels.

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CHAPTER ONE

BACKGROUND TO THE PROBLEM

1.1 Introduction

This chapter provides background information of the research report. It states the background to the problem, statement of the problem, objectives of the study, research questions, significant of the study, scope of the study, limitations of the study and organization of the research report.

1.2 Background to the Problem

The management of land is one of the big challenges facing developing countries including Tanzania. Mismanagement and misuse of land specifically in African countries including Tanzania causes the frequent outbreaks of land conflicts among the citizens. The United Nations, (2012) stated that, the management of land and natural resource is one of the most critical challenges facing developing countries today. The exploitation of high-value natural resources, including oil, gas, mineral and timber has often been cited as a key factor in triggering, escalating or sustaining violent conflicts around the globe”.

Many people in Tanzania who reside in rural areas are farmers and pastoralists who depend much on land for the production of variety of food and cattle grazing. Due to the importance of land, it is difficult for them to obtain food and pasture for grazing cattle without land.

Takeuchi and Marara (2011) stated that, the majority of African population in rural areas is made up of farmers who depend on the land as their means of production. It is impossible for them ensure food security without land. In rural areas of most Sub-Saharan Africa, Land is not only the primary means of generating a livelihood but often a main vehicle to invest, accumulate wealth and transfer it between generations. The importance of Land resources makes its management critical for agricultural production for development in general. This includes the way in which access to Land is regulated, how rights to it are defined and conflicts around land

ownership and use are resolved (Kironde, 2009). Generally, land has both social and economic importance for residents and its importance has led to land conflicts among land users.

Due to the high demand and importance of land, Tanzania has experienced massive land disputes from different areas and most of the disputes are between farmers and pastoralists. Land disputes in Mvomero and Kilosa districts in Morogoro Region, Kiteto District in Manyara Region and Ngorongoro district in Arusha are good examples of large land disputes which happened in Tanzania and caused not only property damages but also death of people. Also, land conflicts between the investors and the citizens in the areas concern. For example, the land conflicts between Barric gold mine (Currently Accacia) and the citizen in Nyamongo, the citizens and Geita Barric Gold Mine in Geita, land conflict between an investor and the small Miners in Nzega District.

In order to improve capacity for land management and disputes prevention, the government of Tanzania established various institutions at different levels and empowered by land laws in managing land disputes in their areas of Jurisdictions. These institutions includes; the Court of Appeal(CA), The Land Division of High Court(LDHC), The District Land And Housing Tribunal(DLHT), Ward Tribunals(WT) and Village Land Council (VLC)..

In managing land disputes / conflicts, in 1999 the Government of Tanzania enacted land laws Acts (Village Land Act No. 5 of 1999 and The Land Act 1999 No. 4 of 1999) which empowered VLC to manage and administer land conflict within the village boundaries. Also, for the purpose of managing land disputes, the Land Disputes Court Act, 2002 (LDC ACT), enacted. The LDC Act established composition of VLC, its functions and powers. Section 5 (1) state that, The VLC shall consist of seven members of whom three shall be women and each member shall be nominated by the village council (VC) and approved by village Assembly (VA)

Section 7 of LDC Act, 2002, established the functions of the VLC as follows:-

- (a) To receive complaints from parties in respect of land
- (b) To convene meeting for hearing of disputes from parties
- (c) To mediate between and assist parties to arrive at mutually acceptable settlement of disputes on any matter concerning land within its areas of jurisdiction.

But before enactment of land laws Act in 1999, the land disputes were resolved in courts, party machineries and administratively by government organs from village levels.

The village land council is one among the mechanisms that established by LDC Act of 2002 in resolve land conflicts that operate at local level (village). Other mechanisms are Ward Tribunal, District Land and Housing Tribunals, The High Court Land Division and Court of Appeal (Myenzi, 2011). Pedersen (2010) added that, the VLC which is not, however a court. Its jurisdiction is limited and according to the Act, it only functions as mediating body among the conflicting parties.

Table 1:1 Institutions with jurisdiction to hear and determine land Disputes

INSTITUTION	JURISDICTION
The Village Land Council	This is not, however a court; its jurisdictions is limited and according to the Act, it only functions as a mediating body.
The Ward Tribunal	It is empowered to mediate and determine in all disputes concerning land in the area. It is only allowed to accept cases involving property valued less than 3 million Tshs and advocates are not allowed before the tribunal
The District Land and Housing Tribunal	This is the first land court body in which a professional lawyer appointed by Minister of Land, can be found along with the assessors. The Tribunal is restricted to cases involving property valued less than 40-50 Million Tshs.
The High Court (Land Division)	This receives cases involving property valued more than 40-50 Million Tshs and receives appeals from both Ward And District Land and Housing Tribunals.
The Court of Appeal	It is the supreme court in Tanzania and its decisions are final.

Source: Pedersen, (2010)

The VLC has not given power by the Land Laws Acts to order the recovery of possession of land, make order in the nature of an injunction both mandatory and

prohibitive, award compensation and order the payment of any costs and expenses incurred by a successful party or his witnesses. Larsson (2006) added that, VLC has been established as a kind of informal land disputes tribunal, to help villagers resolve their land disputes at the village level. The VLC has no formal legal power, other than the power of persuasion and negotiation.

The administration of the village land, the village council has been authorized by VLA 1999 to manage and administer land issues. It's efficient, transparent and participatory as possible. The VC is required to establish a proper village land register (VLR), in which to keep records of all land being certified in the village to resolve their land disputes on their village level. (Larsson, 2006).

A part from that, the Land Act, 1999, No.4 of 1999, section 167 (1) stated that the following court are hereby vested with exclusive jurisdiction subjective to provision of this part to hear and determine all manner of disputes, action and proceeding concerning land, that is to say: - The village land council (VLC), The Ward Tribunal (WT), The District Land and Housing Tribunal (DLHT), The High Court (HC) (Land Division) and the Court of Appeal (CA).

In general, the village councils were given powers to manage and administer land in their boundaries through VLC which were established by land laws to settle disputes within their areas of jurisdiction.

Despite the establishment of VLC and powers conferred on it by various land legislations. Still yet there were frequent outbreaks of land conflicts (disputes) among villagers in Girango Division, Rorya District. Some of land disputes involve family members. Some of disputes caused fighting, property damages and even blood shedding. Many village land councils failed to manage and settle land disputes among village members despite the powers and authority that were given by the various land legislations. Many land disputes reported in the District Commissioner's Office as complaints and disputes, other reported in the Land Disputes Courts and

some of these involve village members (villagers) and other involve family members. Let us examine few cases of land disputes from Girango division.

Case 1

X and Y were brothers, they were live together in their father's land (deceased) peacefully but after the death of x (y's brother) the land dispute started between Y and X's wife who is sister in law of Y. Due to their customs Y wanted to inherit the X's land. The X's wife sent the case before the ward tribunal and X's wife was given the right of owning that piece of land.

Case 11

Mr PK of Ikoma village was given a piece of land in 1987 by village council for cultivation. In 1996, the village decided to build a school to rescue the children of Mbera Kitongoji from walking long distance to school. The village council saw that PK land was suitable for school construction. Without informing Mr PK or compensate him, they started to build a school. The village land council failed to settle the dispute because it was part of it. As a result Mr PK sent the dispute to ward tribunal for settlement. (Source: Complaints received in the District Commissioner's Office).

1.3 Statement of the Problem

Land has both social and economic importance in African and Tanzanian both urban and rural societies. The majority of African and Tanzanian population in rural areas is made up of farmers and pastoralists who depend much on land as their means of production. It is impossible for them to ensure food security and pastures for cattle without land in rural areas. Its importance has often led to disputes among societies. (Takeuchi and Marara, 2011).

Most of residents in Rorya District are engaged in mixed farming in small scale (crops cultivation and animal keeping). Girango Division was one among four divisions located in Rorya District which was suffering from land disputes. Land conflicts (disputes) in Rorya District specifically Girango Division was caused by the increase of populations, scarcity of land which led to high demand of land among

village members for cultivation and cattle grazing and poor land planning. For example, in Girango Division, the population was increased from 56,747 in 2002 to 68 873 in 2012 as shown on the table below, while the Division has a total area of 493.360 Square Kilometers.

Table 1.2: Population Distribution in Girango Division

S/NO	WARD	POPULATION 2002	POPULATION 2012
1.	Roche	6847	8728
2.	Kitembe	8575	9845
3.	Mirare	10574	12416
4.	Goribe	8851	9915
5.	Ikoma	8105	10397
6.	Koryo	6063	7652
7.	Bukwe	7732	9920
TOTAL		56747	68873

Source: Population and Housing Census 2002 and 2012

In Girango Division, disputes over land fall into three main categories as follows:-
 Boundary conflicts between individuals (Villagers) and between administrative units (villages). The second is ownership land conflicts:- This happened when two or more people claimed ownership over the same piece of land; each claiming to be rightful owner. The third category is Inheritance land conflicts within family members or between clans. For example, In Utegi Village-Koryo ward, there were inheritance land conflicts within Igogo clan. The said Igogo who was the grandfather of the disputants had many wives. The grandsons of the Igogo (disputants) were everyone trying to have the right to land hence land conflicts occurred. In 2013, the case was sent to Village Land Council but was not resolved until when the case was sent to DLHT.

Source: District Commissioner's office records (2013).

In order to manage land disputes at the village levels, the Government empowered the village land councils to manage land disputes in the village boundaries. . In the village levels, the village land Act No. 5 of 1999 gave power to village land

councils to manage and administer land disputes within village levels. Also, the Land Disputes Courts Act, (2002) provides the functions of village land councils in section 7 (a, b, c) as follows:-

The functions of the village land council shall include:-

- a) To receive complaints from parties in respect of land.
- b) To convene meeting for hearing of disputes from parties
- c) To mediate between and assist parties to arrive at a mutually acceptable settlement of the disputes on any matter concerning land within its areas of jurisdiction.

Despite the establishment of village land councils and the powers that were conferred on it by the various land laws and regulations, still yet there were frequent outbreaks of land disputes among villagers in Rorya District, specifically Girango Division. Some of Disputes involve family members. Some land disputes caused fighting among village members, property damages and in some places led to blood shedding. Therefore, there was need to investigate the challenges that were facing the Village Land Councils in managing land disputes in their village boundaries.

1.4 General objective of the study

The general objective of the study was to investigate on the challenges facing Village Land Councils in managing land disputes at the village levels.

1.5 The Specific Objectives of the Study

The specific objectives of this study were to:-

- i. Find out the causes of land disputes among the villagers.
- ii. Identify types of land disputes which exist in Girango Division.
- iii. Identify the challenges that are facing village land councils in managing land disputes within the villages' boundaries.

1.6 Research Questions

The study was guided by the following research questions:-

- i. What are the causes of outbreaks of land conflicts among villages in Girango Division?
- ii. What are the types of land disputes occurring at the village levels?
- iii. What are the challenges that are facing VLC in managing land disputes in Girango Division?

1.7 Significance of the Study

The study is significant in view of the following:-

- i. The study contributes towards understanding on the causes and types of land conflicts existing in the case study area as well as challenges facing village land councils in managing land disputes at village levels.
- ii. The study adds knowledge on management of land conflicts and challenges associated with it at the village levels.
- iii. The study recommends measures that should be taken to address the challenges on management of land conflicts at the villages.
- iv. The study is important as it is a partial requirement for an award of Master of Science in Human Resource Management of the Mzumbe University.

1.8 Scope of the study

The study focused on the challenges facing village land councils in managing land disputes at the village levels. It covered the land disputes which occurred within a period of three years from 2012 to 2014. Only Girango Division was involved in the study and the area was chosen due to the following reasons: The Division was experiencing frequent outbreaks of land disputes at the villages. Also, many complaints on land disputes from the Division were reported in the District Commissioner's Office.

1.9 Limitations of the Study

In conducting this study, the researcher encountered the following difficulties:-

- i. Some respondents were reluctant to provide information at the right time either by fear of results. Some approaches were used to address these limitations; first, the purpose of the study was clearly explained to the

respondents in order to encourage their participation. Second, the respondents were promised that their responses would keep with secret and would be used for research purpose only.

- ii. Insufficient time and budget constrains for conducting the study. To address these problems, the study was conducted only in three selected wards and six villages two from each ward within Girango Division.
- iii. Language barriers were also a limitation. Most of respondents were not able to fill questionnaires written in English because they were standard seven leavers. To solve this problem, the researcher changed some questionnaires into Kiswahili language, but after the collection of data, the analysis of responses was done in English.

1.10 Organisation of the Dissertation

The dissertation is organized in five chapters. The first chapter presents an introduction, background to the problem, statement of the problem, the general objectives of the study, specific objectives, research questions, and significance of the study, scope of the study, limitations of the study and the organization of the study. The second chapter reviews theoretical and empirical literature focusing on the challenges facing village councils in managing land disputes. It also presents conceptual framework of the study and research gap. The third chapter provides the methodology of the study. It consists of procedures and methods that employed / used in conducting the research. The fourth chapter presents the data collected and discusses the findings and chapter five provides the summary of the research, conclusion and recommendations.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

According to Nkpa (1998) Literature review is a systematic study of all existing work that is relevant to the research. It concerned locating, reading, evaluating and citing reports of related research. Msabila and Nalaila, (2013) defined literature review as the systematic identification, location and analysis of documents containing information related to the research problem being studied. Also, Ndunguru, (2007) added that, the Literature review gives a theoretical and empirical literature review on the problem area including finding by others.

The purpose of this chapter is to provide an overview and critical evaluation of body of literature relating to the challenges facing village land council in managing of land disputes. The chapter also aids in formulation of conceptual framework which consists of concepts that are placed within logical and sequential design. The chapter presents the theoretical literature review, empirical literature review conceptual framework and research gap.

2.2 The Concepts of conflict

Conflict can be defined as a process that begins when one party perceives that another party has negatively affected, or is about to negatively affect something that the first party cares about, (Robbins and Judge 2008), (Hampton, 1986). Holt (1993) define conflict as an effort by one party to purposely interfere with another's ability to perform or attain objectives, thereby creating tension and discord. Gupta (2012) added that, conflict exists in all organizations and it can take many forms. It may mean disagreement, hostility, contradiction or incompatibility between individuals and groups in the organization. It may also imply policy differences or scarcity of resources.

Warioba (2008) defined conflict as disagreement of ideas or interests, value and beliefs that occur between one individual and another, one group and another or even one institution and another. Also, conflict refers to misunderstanding, disagreement,

or divergence of ideas, which result into hating each other and when management is delayed, it can lead to coercive measure that suggest forceful victory on either party (King 2013).

UN (2012) stated that, conflict arises when two or more groups believe their interests are incompatible. Conflict becomes problematic when societal mechanism and institution for managing and resolving conflict breakdown, giving way to violence. Societies with weak institutions, fragile political systems and divisive social relations can be drawn into cycles of conflicts and violence. Hampton (1986) added that, conflict can occur within a person, between two persons, two groups, one person and group, or one person or one group (or more) versus an organization. Also, Holt (1993), supported by presenting four types of conflict as shown below:- conflicts within individual, conflict between individuals, conflicts between individual and groups and conflicts between groups. Gupta (2012) presented three types / source of conflict which are intra-personal conflict, interpersonal conflict and inter group conflict. On the other hand, land conflicts can be defined as a social fact in which at least two parties are involved, roots of which are different interests over the property rights to land, the right to use land: to generate an income from land to manage the land, to transfer it and the right to compensation for it, (Wehrmann, 2008).

In rural areas land is a primary asset not only for survival and development of people but also it supports the livelihoods of most of people in rural areas. This is due to the fact that most of residents in rural areas are farmers and pastoralists who depend entirely on land for crops cultivation and cattle keeping. The importance of land for both social and economic activities led to conflicts among land users in rural areas.

Land include the surface of the earth and earth below the surface and all substances other than minerals and petroleum forming part of or below the surface, things naturally growing on land, building and other structures permanently affixed to land, (Land Act, 1999, No. 4 of 1999). Also, the United Nations (2012) defines land as the surface of the Earth, the material beneath, the air above and all things fixed to the

soil. Land therefore, includes houses, building and other improvements to the Land, and it includes both rural and urban areas.

2.3. The Causes of Land Conflict

Different Authors wrote about the causes of land disputes between land users in both urban and rural areas. Takeuchi and Marara, (2011) stated that, due to complexity in the value of land, the causes of land conflicts tend therefore to similarly complex, such causes may be economic, political, symbolic or combination of these. They grouped the causes of land conflicts into two main groups as follows.

2.3.1 Family and Inheritance

Inheritance is an official occasion to confirm an individual's right to land, which constitutes the most important assets for ordinary rural households. In Rwanda, it is therefore quite natural that disputes relating to this asset tend to occur within families at the time of inheritance (Takeuchi and Marara, 2011). They added that, the fundamental rules for inheritance are not complicated in Rwanda customary law where sons have equal rights to acquire inherited land from their father and the inherited land is regarded as familial property.

2.3.2 Influence of Political Change

Political change is one among the factors which cause land conflicts in developing countries including Tanzania specifically in rural areas. In Rwanda, For example, the two revolutionary political changes (the "social revolution" and the victory of RPF) had tremendous impact on land tenure. The victory of the RPF in 1994 and subsequent massive return of old case refugees brought about a number of land conflicts (Takeuchi and Marara 2011).

2.3.3 Improper Work of Institutions of Land Market

According Wehrmann (2008), two main types of institutions can be distinguished constitutive and regulatory institutions. Constitutive institutions are needed to enable an economically efficient land market to work, and include such fundamental elements as land rights, land registration and the rule of law. Regulatory institutions

on the other hand, provide the ingredients necessary to make the land market socially sustainable and environmental sound such as land management and ethical principles. But in most developing countries and transitional economies, many constitutive and regulatory institutions have significant functional deficits. Land rights are most often characterized by fragmented or overlapping legislation or legal pluralism. This results in unclear property rights and consequently conflicts over land ownership. Land administration authorities dealing with land registration, land information system, land use planning and land development often lack trained staffs.

2.3.4 Demographic Causes

The natural increase of population cause high demand of land which scarce and limited for both social and economic gain. The high demand of land due to the natural growth of population cause high price of land and as a result land conflict. For example, in Girango Division, Rorya District, the population was increased from 56,747 in 2002 to 68,873 in 2012; this led to high demand of land for cultivating food for feeding the increased population, hence land conflicts among land users.

2.3.5 Unfair Distribution of Land

Inequality or unfair distribution of land among the society is also contributed to land conflicts in both rural and urban areas. Wehrmann (2008) stated that, inequality or unfair distribution wealth (land), voice and power in a given society, and / or the discrimination against certain group, such as women or ethnic minorities. United Nations (2012) supported that land and natural resources issues are almost never the sole causes of conflict. Land conflict commonly become violent when linked to wide process of political exclusion, social discrimination and economic marginalization.

2.3.6 Legal and Juridical Causes

This cause land conflict between land users when there is legislative loopholes, contradictory legislation, legal pluralism traditional land law without written records or clearly defined plot and village boundaries and insufficient establishment of rule of law principles (Wehrmann, 2008). In general, despite its scarcity, land itself is not

the main causes of land disputes among land users in the society. The above mentioned are contributing factors for land conflicts among the land users.

According to Myenzi (2011) most land conflicts are resources based conflicts i.e. parties compete over resources like land, water, and grazing pastures. Most land conflicts are rural and peri-urban, that is where resources endowment is land the quality of resources governance is poor. Also, he added that, most land related conflict involves power relations between those who have access and control means to resources and those who are struggling to snatch the opportunities.

Myenzi (2011) identified types and causes conflicts as follows:-

- Peasants against pastoralists fight over common resources like land, water and grazing pastures.
- Small farmers versus large scale farmers for access of land for cultivation for both food crops and cash crops.
- Boundary conflicts between villages.
- Villages against reserve land authorities for example: TANAPA or TANROADS where the authorities expand their land to villages or villages expand their land to reserve land.
- Artisan miners against large scale investors on mining where investors invade on artisan miners land.
- Lack of participation of people in decision making regarding land and other resources they depend for their livelihoods as well as lack of legal knowledge / public awareness on land matters.

USAID classified broadly, the most common causes of disputes are (1) competition for natural resources such as water and minerals (2) conflicts over land uses such as grazing versus cultivation (3) demarcation of village boundaries and allocation of common resources and (4) adoption of land use plans that deny local communities access to land and natural resources needed for livelihoods. Sackey (2010) added

that, the main causes of land disputes can be attributed to many factors of which the following are prominent in Tanzania.

2.3.7 Population Increase

Increase in population increases the demand of land although is fixed in supply. With the fixed supply of land and the high demands for independent use, people compete for land and these results in conflicts. Emergence of monopolist element in ownership of land among landholders can also result into land crisis. This is because some will be holding big pieces of land while others do not. The ownership can be due to economic position or inheritance.

2.3.8 Maladministration

Maladministration is a situation where land administrators do not play their roles well and cause disputes (Sackey, 2010). Land disputes arise due to irresponsible actions such as poor record keeping, unnecessary bureaucratic and double allocation. There is lack of land register to show who owns what and where.

2.3.9 Invasion in Conflicting Land Use

This occurs when individual with power politically or economically enter into undeveloped plots of other people. Invention usually occurs when there is increase in the demand for land. Some people decide to invade lands which have been left vacant by their original owners or demarcated for social services such as school, hospitals, playgrounds and open spaces.

2.3.10 Increase in Land Values

Most sources of land conflicts have to do with value of land. Before 1996, land had no value and only an exhausted improvement on land i.e. Crops, building and structures but not the land itself. In 1995, the land policy declared land to have value (value at market price). Land increase in value due to a number reasons which include accessibility, technological and economic changes. These causes' increases in value/price of land and demands for land hence causing land disputes.

2.3.11 Unclear Boundaries

Unclear boundaries are another cause of conflicts particularly in the unplanned areas. Unsurveyed plots normally do not have clear boundaries and may lead to land disputes. In such areas, people indicate these boundaries with land marks such as stones and growing trees. After sometime these marks get destroyed or transferred and it result in boundary disputes. In planned areas, some people claim ownership of portions they have encroached.

2.4 Types of Land Conflicts (Disputes)

Different Authors wrote about the types of land conflicts/disputes that exist between land users in both rural and urban areas. Sackey (2010) stated that, land conflicts fall into the following categories.

2.4.1 Ownership

This happens when two or more people claim to ownership over the same piece of land, each claiming to be the rightful owner. This leads to land disputes between parties concerned.

2.4.2 Encroachment

This is happen when one part takes a portion or whole of the land belonging to another and the latter realizes that his/her land has been taken, upon realization that his/her land has been encroached, then there arises a land disputes between the parties.

2.4.3 Trespass

Trespass is entering one's land without his permission. In most cases trespass arises out of boundary encroachment due to unclear boundaries of the individual farmers and villages and greediness of some people. She argued that, trespass is quite often seasonal in nature for rural lands. In some incidence, due to unclear boundary marks one trespass into another's land.

2.4.4 Conflict between customary and statutory laws on land

There are several instances where one can find the existence of two types of rights to hold land namely: Statutory rights of occupancy (SRO) and Customary rights of occupancy (CRO) on the same piece of land particularly in peri-urban area. Both holders may be legally recognized but in most cases SRO override CRO. Whatever side that is favoured, the other side that the decision is made against aggrieved leading to disputes between the parties.

Myenzi (2011) identified the following types of land disputes:

- Peasants against pastoralists fight over common resources like land, water and pasture.
- Small farmers versus large scale farmers
- Boundary conflicts between villages
- Villages against reserve land authorities (e.g. TANAPA), TANROADS) where the authorities expand their land to village and vice versa.
- Artisan miners against large scale investors on mining where investors invade on artisan miners land.
- Communities versus large scale investors for not paying full, prompt and fair compensation.

Wehrmann (2008) added that disputes over land fall into the following types: Boundary conflicts, inheritance conflicts, ownership conflicts due to legal pluralism, ownership conflicts between state and private/common/collective owners and violent land acquisition, including clashes and war over land.

2.5 Challenges Facing Village Land Council in Managing Land Dispute in Village Level

Different authors wrote about the challenges that are facing village land councils in managing land disputes in the village levels. They pointed out the weakness that facing VLC in resolving land disputes in their administrative areas. According to Pedersen (2010), the purpose of Tanzania's Land Acts was to decentralize responsibility for management of land to existing local governments and institutions

in the villages. This approach was thought to make implementation easier at the local level, but has proven to be problematic. According to him, the following are challenges if the reform is to be implemented countrywide.

2.5.1 A changing legal framework

Laws and procedures have been changed since the passing of village land Act. For example, the Legal framework for land use plans has been changed several times causing delay and confusion.

2.5.2 Restricted access to information

Ministry of Land possess know-how about how to implement correctly, but the information is difficult to access to citizens and stakeholders hence the implementation become difficult in the lower levels specifically at the village level.

2.5.3 Poor involvement of ministry of land for implementation

Ministry of land sees itself as a body for policy making not for implementation; however, without the ministry's engagement, implementation has proved difficult. In other words, the engagement of ministry of land in implementation of reform is important for successful results.

According to Mugabi (2013), despite that Tanzania has the National Land Policy that aims at promoting harmonious land ownership in the country's rural areas; there exist numerous challenges as land ownership is concerned. These challenges include:

- ❖ Conflicts on land use in rural areas especially between farmers and livestock keepers.
- ❖ Persistent land disputes resulting from rapid expansion of town encroaching on surrounding farming areas.
- ❖ Absence of adequate and coordinated land information. This is mainly manifested in the lack of awareness about land information amongst the people. Such problem as created enormous poor planning for land utilization and it has eventually led to the building of houses without planning especially in the villages.

- ❖ Land insecurity amongst small land stakeholder farmers especially women.

Larsson (2006) stated that, the management of land disputes at the local levels faces the following challenges:-

- **Lack of integration**

Between the villages council which is isolated out of the countryside and the ministry of land situated downtown in Dar es Salaam. That is to say: lack of integration lead to poor coordination and implementation from the top level (ministry) to the lower level (villages) hence poor management of land disputes among village members.

- **Abuse and corruption:** Larson (2006) argues that the village land Act will have difficulties to curb infringements like speculation and corruption. Even though there are legal control mechanism, speculation will be hard to check and the policing resources checking on corruption behavior will most likely continue to be insufficient.
- **Lack of Resources:** In implementation of the 1999 Land Acts, the financial conditions seem to be what challenges the new legislation and the whole land reform. The constraints of the whole implementation to be shortage of resources of all kind including finance, lack of skilled staff of different professions and physical resources such as offices.

Also, Msuya (2009) said that, village land council jurisdiction has limited some cases related to land sharing arrangements with other villages. The VLC has given power by the land Acts to mediate between and assist parties to arrive at a mutually acceptable resolution on any matter concerning village land and not given court powers.

Verplanke and McCall (2004) added that, land planning (LP) in Tanzania is for a large part the responsibility of laws government. District and village authorities

together develop plans for the management of their natural resources and economic development. Spatial information about land ownership (deeds and records) of natural resources on these lands is only scarcely available at district level and even less at village. Village authorities therefore lack the necessary information to monitor local developments and cannot effectively manage their lands resources.

Myenzi (2011) stated that, the challenges of land conflicts managements system included the following:-

- Village land council not established every village and where established not functioning properly, so justice delayed;
- Resources constraints: that is when the councils lack facilities to run offices, corruption prevail, interference of the VLC by Village government and low public awareness on the conflict management machineries such as Village land councils, Ward tribunal, DLHT as well as High Court.

2.6 Empirical Literature Review

Various studies related to the challenges facing village land council in managing land dispute were conducted by different researchers. Most of the study investigated on the land conflict between the farmers and pastoralists in different areas in Tanzania.

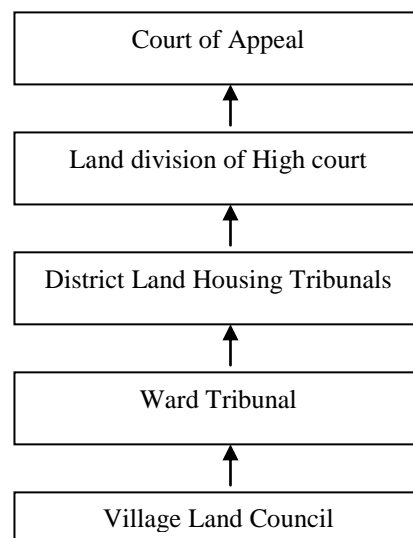
Msuya (2009) conducted a research on “Analysis of pastoralists and farmers in northern part of Tanzania from land administration respective” The study revealed that there were conflicts between farmers and pastoralists in Ruvu Ward. These conflicts occur at the livestock crossing corridors that crosses the farmlands, inside the farmlands and inside the grazing areas. The study showed that, conflicts occur when the large numbers of herds step over the farmlands due to small width of corridors and hence destroy crops and irrigation canals.

In managing land conflicts in Ruvu ward, each village established VLC which operated under the village councils which dealt with all land related disputes where conflicting parties were mediated so as to reach mutual understanding and if no

mutual understanding is reached at that level, disputes were forwarded to the WT for further actions.

Sackey (2010) also conducted a research on investigating justice system in land conflict resolution, a case study of Kinondoni Municipality. In her finding, the researcher stated that, Kinondoni Municipality like other areas in Tanzania, was legally established system of courts for land disputes settlement. These courts are in hierarchical order as shown figure No. 2:1 below.

Figure 2.1: Hierarchy of Land Courts



Source: Sackey, (2010)

The research discussed the operations and functions of WT and DLHT. The data revealed that, in formal justice system, people prefer to use the DLHT to the WT. Disputants preference is basically based on the fact that the processes adopted by the DLHT were based internationally accepted principles of justice systems, including impracticality, fairness, equal justice and consensus.

On the other hand, the data revealed that justice delivery at the WT was based on customary norms and it aimed at securing peace and harmony between parties in the ward. The study showed that, the WT justice delivery system offers several

advantages including familiarity to the public, easily accessibility and minimal cost lodging a dispute.

Also, the research revealed that, despite these advantages, many people received the WT system as old and unsuitable for modern land service delivery because it was based on customary norms.

Onesmo (2009), conducted a study on resource based conflicts in Northern Tanzania, The study focused on the historically confrontations between the Sonjo and the Maasai in Ngorongoro District. The findings revealed that, the conflicts between the Sonjo and the Maasai had many causes as follows:- The poor Management and administration land ethnic hatred, scarcity of land population growth, diversification of livelihoods and the role of politicians and government bureaucracy.

The study recommended that a way of addressing the conflicts in Ngorongoro was the establishment of a District wide conflict management framework which incorporates all the major stakeholders, especially central and local government traditional leadership and institutions, and civil society.

2.7 Synthesis and Research Gap

Researches by other researchers that were reviewed above mainly focused on the land conflicts between the farmers and pastoralists in different parts in Tanzania. Other researches / studies discussed the powers and functions of different government institutions (according to Land Laws Acts) which including the president, the commissioners, and the minister for lands, District Councils and Village Councils in managing land disputes. They did not focus on the challenges that are facing village land councils in managing land disputes in the village levels.

Msuya (2009) conducted a study on Analysis of pastoralists and farmers in northern part of Tanzania from land administration perspectives in Ruvu ward. The study revealed that, there were conflict between farmers and pastoralists in Ruvu ward. In managing land conflict, the study discovered that, in each village in Ruvu ward, the

VLC were established and operated under village councils, and VLC concerned with all land related disputes between parties.

Sackey (2010) also conducted a research on investigating Justice System in land conflict resolution at Kinondoni Municipality. The findings discovered that Kinondoni Municipality has legally established system of courts for land disputes settlements as shown in figure No. 2.1. The study discussed the powers and functions of WT and DLHT. The study discovered that, despite the advantages that WT had, which included familiarity to the public, easily accessibility and minimal cost lodging a disputes, people prefer to use the DLHT based on the fact that, the process adopted by the DLHT were based internationally accepted principle of justice systems. However, Sackey (2010) did not tell us about the functions of VLC and its challenges in managing land conflicts. Therefore, this study aims bridging the gaps existing in other studies that were reviewed by assessing the challenges facing village land council in managing land disputes at the village levels using Girango division in Rorya District as a case study.

2.8 Conceptual Framework

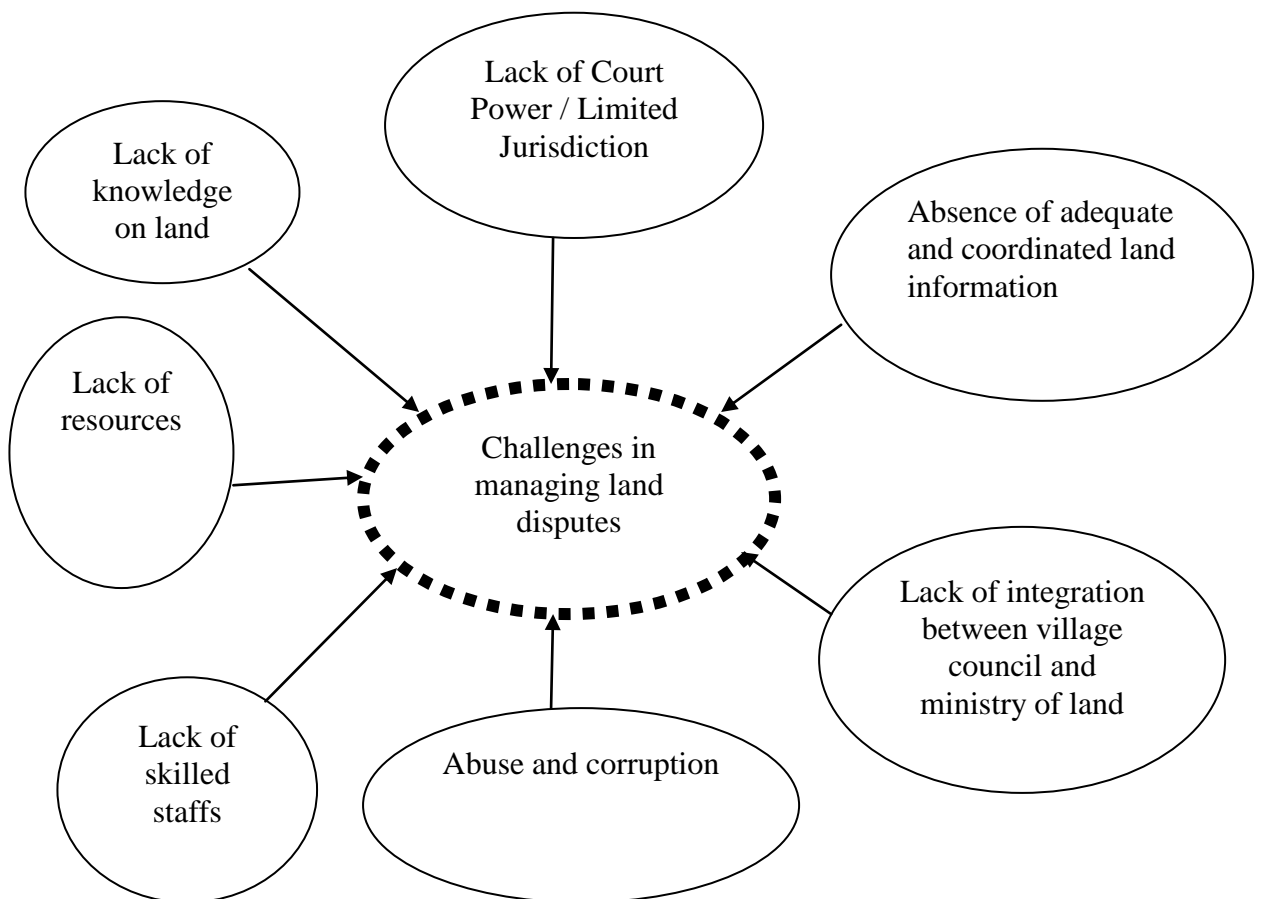
There are many ways to define a conceptual framework. It can be defined as a set of coherent ideas or concepts organized in a manner that makes them easy to communicate to others, (Msabila & Nalaila 2013). Kothari, (2004) added that, conceptual framework is an analytical tool with many variations and contexts used to make conceptual distinctions and organize ideas.

There were a number of factors that were associated with challenges in managing land disputes in local levels in different areas in Tanzania. These factors include poor involvement of ministry of land in implementation, changing of legal framework, absence of adequate and coordinated land information, lack of integration between the village councils on the one hand and ministry of land on the other, abuse and corruption, lack of skilled staff, lack of resources including financial constraints and physical resources problem such as shortage of offices and limited jurisdiction are termed to be Independent variables because in one way or another may lead to



challenges in managing land disputes at the village levels. (Pedersen, 2010, Mugabi, (2012) and Msuya (2009).

On the other hand, challenges in managing land disputes are termed to be dependent variables due to the fact that the occurrence of challenges in managing land disputes in local areas depends on the above mentioned factors. For example, lack of resources which include financial, physical as well as human skills limit the effectiveness management of land disputes in different areas in Tanzania specifically at the Village levels.

Figure 2.2: Conceptual Framework



Source: Adopted from Pedersen (2010), Mugabi (2012), and Msuya (2009)

Key:  **Dependent Variable.**
 **Independent Variables**

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

Research methodology is a way to systematically solve the research problem. It may be understood as a science of studying how research is done systematically. In it we study the various steps that are generally adopted by a researcher in studying his research problem (Kothari, 2004). Msabila and Nalaila (2013) added that, research methodology refer to the systematic, theoretical analysis of methods applied to a field study, or the theoretical analysis of the body of methods and principles associated with branch of knowledge

This chapter therefore, presents research procedures and methods that employed in conducting the study. It consists of research design, area of the study, target populations, sample size, sampling techniques, methods of data collection and data analysis plan used.

3.2 Research Design

Research design is the arrangement of conditions for collection and analysis of data in a manner that aims to combine relevance to research purpose with economy in procedure (Kothari, 2004); Msabila and Nalaila, (2013) defined research design as a plan on how a study will be conducted or detailed outline on how an investigation will take place. Kumar (2002) added that, research design implies a plan, structure and strategy of investigation conceived so as to obtain answers to research questions.

The study employed both qualitative and quantitative approaches using case study design whereby the challenges facing VLC in managing land disputes at the village were researched. Both approaches were used in collecting and analyzing data.

A case study design was used in order to get deeper insight and better understanding of challenges facing VLC in managing land disputes at the village levels. It also enabled the researcher to get relevant information and the real situation concerning the problem (topic).

Furthermore, a case study design employed because it allows variety of data collection methods to be used and is less expensive compared to survey or experimental design.

3.3 Area of the study

The research was conducted in Girango division in Rorya District, Mara Region. Girango is one among the four divisions in Rorya district, the other are Suba, Luoimbo and Nyancha. The Division is formed with seven wards and twenty three Villages as shown in the table No 3.1 below. The Division is bordered by Republic of Kenya to the North, Tarime District to the East, Nyancha Division to the West and Luoimbo Division to the south.

Table 3.1 Geographical area of Girango Division

Division	Ward	village
GIRANGO	Koryo	4
	Mirare	4
	Goribe	3
	Kitembe	3
	Ikoma	3
	Roche	3
	Bukwe	3
Total	7	23

Source: Rorya District Records.

The division has a total area of 493,369 square kilometers with total population of 68,873 (census records of 2012). The majority of inhabitants of Girango division are mixed small scale farming (crop cultivation and livestock keeping). The division was selected for this research because of the following reasons.

- i. Girango division was among the area that experiencing land conflicts. The data from National Bureau Statistic (2011) reported that, in Tarime District Land and Housing Tribunal which is also serves Rorya district on cases concerning land disputes, there were 663 reported land disputes and judgments passed 354.and ongoing to complaints were 513. So there was

need to find out the challenges in managing land disputes in Rorya, specifically Girango division

- ii. Also there were many complaints related on land disputes reported in the District Commissioner's Office. Many of these complaints were from Girango Division.

3.4 Target population

Target population is an aggregation of elements from which a sample is actually selected (Krishnaswami & Ranganatham, 2005). The target population is a collection of elements that share specific characteristics, it can be people or an object from which sample is to be drawn. In this study, the target population involved People from the following categories: Members of Village Land Councils, Chairpersons and secretaries of Ward Tribunals, Councilors from selected ward, Staff of District Land Department, Village Chairpersons and Village Executive Officers, Divisional Officer, Ward Executive Officers and Villagers. The total population involved in the study was 131.

3.5 Sample and sampling techniques

3.5.1 Sample size

The sample of the study consisted of 131 respondents distributed as follows: Forty two members of Village Land Councils, three councilors, four staff of District Land Department, six Chairpersons and secretaries of ward tribunals, three Ward executive officers (WEO), One Divisional Officer, twelve Chairpersons and Village Executive Officer (VEO) and sixty villagers /households as shown in the table 3.2 below.

Table 3.2 Sample size distribution

No	Target population	Sample chosen
1	Members of VLC 154	42
2	Councilors 7	3
3	Staff of DLD 4	4
4	Village Chairpersons and VEO 44	12
5	Chairpersons & Secretaries of WT 14	6
6	Divisional officer 1	1
7	Ward executive officer 7	3
8	Households/villagers 60	60
	TOTAL 291	131

Source: From the study area (2015).

3.5.2 Sampling techniques

The study employed both probability and non-probability sampling techniques. Staff of District land department, Councilors, Division Officer and Ward Executive Officer were selected purposively for obtaining relevant information and documents concerning the management of Land disputes in the village levels. On the other hand, Villagers/Households, village Chairpersons and VEO, members of VLC and chairpersons and secretaries of WT were selected randomly through simple random sampling. Also, purposive sampling technique was used to select three wards and six villages that were involved to the study as shown in Table 3.3 below. Wards and Villages selected depend on high occurrence and frequent outbreaks of land conflicts in the Division.

Table 3.3 Wards and Villages Selected to the Study

DIVISION	WARD	VILLAGE
GIRANGO	KORYO	- Utegi
		- Nyanduga
	MIRARE	- Ingri juu
		- Riagoro
	BUKWE	- Mika
		- Buganjo

Source: From the area of the study (2015).

3.6 Methods of data collection

According to Krishnaswami and Ranganatham (2005), the sources of data may be classified into primary sources and secondary sources. Kothari (2004) added that, in deciding about the methods of data collection to be used for the study, the researcher should keep in mind two types of data:-primary and secondary. The study employed both primary and secondary sources. In Primary sources, the interviewing and mail survey methods for primary data collection were used. Also, the research employed secondary of data source from different sources.

3.6.1 Primary sources of data

Primary sources are original sources from which the researcher directly collects data that have not been previously collected (Krishnaswami & Ranganatham, 2003). Kothari (2004) also added that, the primary data are those which are collected afresh and for the first time, and thus happen to be original in character. In this study, the researcher used questionnaires and interview schedule tools to collect data direct from the respondents.

(a) Questionnaire

According to Krishnaswami and Ranganatham (2005) questionnaire is used as a tool for mailing survey methods and is completed by respondents. In this study, the questionnaires were administered in collecting data from villagers / households,

members of VLC, village Chairpersons and Village Executive Officers, and chairpersons and secretaries of Ward Tribunal. They contained both close- ended and open-ended questions in order to get real picture concerning land disputes management at the Village level.

(b) Interview schedule

Kothari (2004) stated that, interview method of collecting data involves presentation of oral- verbal stimuli and reply in terms of oral verbal responses. This method can be used through personal interview and, if possible, through telephone interviews. In this study, interview schedule was used to gather data from Division Officer, Ward Executive Officer, Councilors, and Staff of District Land Department. The purpose for using interview schedule was to get the accurate and relevant information on causes, types of land disputes and challenges in managing land disputes in their villages.

3.6.2 Secondary sources of data

According to Kothari (2004), secondary data refers to the data which have already been collected and analyses by someone else. Krishnaswami and Ranganatham (2005) supported that, secondary sources containing data which have been collected and compiled for another purpose. These include census reports, annual reports and financial statements of companies, and reports of government departments.

In this study, different documents were checked from District land department office, District Commissioners' Office, Ward Tribunals records and village land council's records. The documents that were checked include complaints from villagers concerning land disputes, judgments that made by Village land councils, Appeals from VLC to Ward Tribunals.

3.7 Measurement of variables

Measurement of variables can be defined as the process of observing and recording the observation that are collected as part of the research effort (Msabila & Nalaila 2013). The study measured the following variables.

3.8 Dependent Variable

According to Msabila and Nalaila (2013) dependent variables are the variables that are being measured throughout the experiment or the variable which appear or disappear or vary as a result of the variation in the independent variables.

Dependent variable in this study was challenges in managing land disputes at the village levels. Challenges in managing land disputes were therefore measured along with the following dimensions. Availability of resources such as stationeries, offices with furniture, availability of skilled staff on land matter, awareness of villagers on new land laws, limited jurisdiction, absence of adequate and coordinated land information and lack of integration between Village Councils and Minister of Land. Data on challenges dimension were obtained by asking respondents the challenges facing VLC in managing land disputes.

3.9 Independent Variables

Independent variables are variables that are manipulated in experiment in order to determine their effects on the observed phenomena (Msabila and Nalaila 2013). They added that, independent variables affect other variables and in manipulating these variables the researcher seeks to establish a cause or a resultant effect relationship, if it is present.

The independent variables were measured as follows:

3.9.1 Availability of Resources

Availability of resources variable was measured to know whether or not the resources were available for use. Resources measured for the study includes offices used by VLC, including furniture and District land experts (technicians). Offices and furniture needed for smooth operations of VLC and District Land Experts are needed to give technical support on land management issues. On the measurement of availability of resources percentages was calculated.

3.9.2 Lack of knowledge on land matters

Lack of knowledge variable was measured to see whether or not villagers have knowledge on land matters. The respondents were asked on awareness of new land laws, (Land Act No 4, of 1999 and VL Act no 5, of 1999) and responses were recorded and frequency and percentages were calculated.

3.9.3 Availability of Skilled staff

Availability of skilled staff variable was measured to know whether or not members of VLC had skills on land matters. The variable was measured by level of education, and the level of education was measured by four points scale ranging from 1 for Primary Schools, 2 for Secondary School, 3 For Adult Education and 4 for None. Percentages were calculated.

3.9.4 Limited Jurisdiction / Lack of Court Power

Jurisdiction means an authority that an official organization has to make legal decisions about somebody or something (Oxford Advanced Learners Dictionary, 2010). The Jurisdiction variable was measured to know whether the VLC had Court powers to make decisions on land disputes. The respondents were asked to state whether the VLC had Court powers on managing land disputes at the village level, responses were recorded frequency and percentages were calculated.

3.9.5 Lack of Integration between Village Council and Ministry of Land

Integration simply means the Acts or process of combining two or more things so that they work together. Lack of integration variable was measured to determine whether there is integration between Village Council and Ministry of Land on managing land disputes at the village level. The variable measured on the following dimensions: Recipients of technical supports from the ministry of land to the village level on managing land conflicts. Participation of members of VLC in training concerning land conflicts, which was conducted by the Ministry of land. The respondents were asked concerning those dimensions and were required to state “YES” or “NO” and frequency and percentages were calculated.

3.9.6 Absence of adequate and coordinated land Information

This variable was measured to determine whether there was awareness about land information among the villagers including members of the VLC. The respondents were asked in order to know if they had awareness of land information and the responses were recorded, frequency and percentage were calculated.

3.10 Data analysis

Data analysis is the process involving a number of closely related operation that are performed with the purpose of summarizing the collected data, and organizing them in such a manner that they yield answers to the research questions, (Kumar, 2002). Data collected through different methods were edited, coded and analyzed and summarized for interpretation. The study used both qualitative and quantitative techniques to analyze the collected data. Closed- ended responses, were presented in tabular forms, with frequencies and percentages while open- ended responses were organized under relevant subheadings.

CHAPTER FOUR

PRESENTATION OF FINDINGS AND DISCUSSIONS

4.1 Introduction

This chapter presents demographic characteristics of the respondents and discusses the findings that obtained through questionnaires, interviews and documentary sources in relation to the study questions. Demographic characteristics of the respondents of the study, based on age, sex, level of education and occupational status. The purpose is to reveal the type of population that was affected by the challenges in managing land disputes at the village levels. The findings and discussions based on the research objectives and research questions set out in chapter one.

4.2 Demographic characteristics of the respondents

The total number of respondents who were selected to be involved in the study were one hundred thirty one, but the actual number of study population that responded on the study were one hundred twenty two, comprised of thirty eight members of VLC, three Councilors, four staff of DLD, six Chairpersons and secretaries of WT, twelve village chairpersons and VEO, three WEO, one Divisional officer and fifty five Households. The distribution of respondents is showed in Table 4.1.

The data show that nine respondents (6.9%) did not return the questionnaires. When the researcher visited them to collect the questionnaires he found four respondents were not around and five had misplaced the questionnaires.

Table 4.1 Distribution of the respondents

Categories of respondents	of Sample chosen	Responded	Percent	Not responded	Percent	Total respondents
Members of VLC	42	38	29.00	4	3.1	42
Councilors	3	3	2.3	0	0	3
Staffs of DLD	4	4	3.0	0	0	4
Chairpersons and secretaries of WT	6	6	4.6	0	0	6
Village chairpersons and VEO	12	12	9.1	0	0	12
Ward Executive Officer	3	3	2.3	0	0	3
Divisional Officer	1	1	0.8	0	0	1
Households	60	55	42.0	5	3.8	60
Total	131	122	93.1	9	6.9	131

Source: Questionnaires and Interview data (2015)

The characteristics of study population examined were sex, age, education level and occupational status. These characteristics were important because they may give directions for the responses provided by the respondents.

4.2.1 Respondents Distribution by Sex

The aim of obtaining data on the basis of sex was to gain insight into how men and women are involved in various activities in the society including to be elected to be members of VLC.

Table 4.2 shows that seventy one respondents (58.2%) were males and fifty one (41.8%) were females. Although involvement of males in social activities is greater than females, females also participated.

Table 4.2 Respondents Distribution by Sex

Sex	Frequency	Percentage (%)
Male	71	58.2
Female	51	41.8
Total	122	100

Source: Questionnaire and Interview (2015)

The data revealed that, the management of land at the village levels at large was in the hands of men and may be are the ones who failed to manage land effectively, hence frequent outbreaks of land conflicts.

4.2.2 Distribution of respondents by age

The age of study population (respondents) was grouped as follows: 18-27, 28-37, 38-47, 48-57 and 58 above. The findings show that the majority of respondents were those aged between thirty eight and forty seven years which constituted 36.0%, followed by those aged between forty eight and fifty seven (22.1%). Twenty four respondents (19.7%) were aged between twenty eight and thirty seven years old. Fourteen respondents (11.5%) were fifty eight and above and thirteen respondents (10.7%) were aged between eighteen and twenty seven years old. The data in Table 4.3 show the distribution of study population by age group with percentage.

Table 4.3 Distribution of respondents by age

Age group	Frequency		Total	Percent
	Male	Female		
18 – 27	7	6	13	10.7
28 – 37	12	12	24	19.7
38 – 47	24	20	44	36.0
48 – 57	17	10	27	22.1
58 - above	11	3	14	11.5
Total	71	51	122	100

Source: Questionnaire and interview data (2015)

The data in Table 4.3 show that most of the respondents were aged between 38-47 years old and followed by 48-57 years old. These groups of age were most affected by the challenges in land management of land at the village levels because they were at the age of owning land and using it for production of food for family consumption.

4.2.3. Educational background of the respondents

The researcher asked the level of education of the respondents due to the fact that education is an instrument in understanding the causes and nature of problems and also used as an instrument of solving them. The respondents were grouped into four categories of level of education that is primary education, secondary education, adult education and others (Diploma, Advanced Diploma and Degree). Table 4.4 below shows the distribution of level of education of the respondents.

Table 4.4 Education background of the respondents

Education level	Frequency		Total	Percent
	Male	Female		
Primary education	44	32	76	62.3
Secondary education	19	15	34	27.9
Adult education	1	0	1	0.8
Other (Diploma, Degree)	7	4	11	9.0
Total	71	51	122	100

Source: Questionnaire and Interview data (2015)

Table 4.4 shows that seventy six respondents (62.3%) had attained primary education, thirty four respondents (27.9%) secondary education and others (Diploma and Degree) only eleven respondents (9.0%) and one respondent (0.8%) had attained adult education. The data from the field suggest that the majority of respondents were not educated enough and therefore not capable to know fully issues related to land including land laws especially Village Land Act No. 5, 1999 which govern village land issues. The data also from Table 4.4 revealed that only one respondent (0.8%) had attained adult education. This shows that, currently adult education

classes are not active and effective operating. So, that one adult whose age was 58 years attained his education during effective operation of Adult Education Programmers' (1970's to 1980's).

4.2.4 Distribution of respondents by occupation

The researcher asked the respondents to state their occupations. The data collected from the field show that 88 respondents (72.1%) were agriculturalists, followed by employed in the public sector who were 23 (18.95) and business were 11 (9.0%) of all respondents. Table 4.5 summarizes the findings on respondents' distribution by occupation.

Table 4.5: Respondents Distribution by Occupation

Types of occupation	Frequency	Percent
Agriculturalists	88	72.1
Employed	23	18.9
Business	11	9.0
Total	122	100

Source: Data collected from the field (2015)

The data show that most of the respondents were agriculturalists (72.1%). These results depicted that most of residents residing in Girango Division were agriculturalists (Farmers and Pastoralists) who depend much on land for crops cultivation and animal keeping. Because of their dependence on land they faced challenges on management of land and land use in general. The results are supported by Takeuchi and Marara (2011) when they stated that, majority of African population in rural areas are farmers who depend on the land as their means of production. They added that it is impossible for them to ensure food security without land.

4.3 Awareness of the existence of land conflicts

The researcher wanted to know the awareness of villagers on the existence of and conflicts at their villages. The respondents were asked to state on awareness of the

existence of land conflicts. The respondents were instructed to say “Yes” or “No” and the responses were as shown in Table 4.6.

Table 4.6 Awareness of the existence of land conflicts

Category of respondents	Responses				No responses	
	Yes		No.		No.	%
	No.	%	No.	%		
Members of VLC	33	27.0	5	4.1	0	0
Chairpersons and Secretaries of WT	6	4.9	0	0	0	0
Village Chairpersons and VEO	12	9.8	0	0	0	0
Villagers / Households	31	25.4	23	18.9	1	0
Staffs of DLD	4	3.3	0	0	0	0
Ward Executive Officers	3	2.5	0	0	0	0
Councilors	3	2.5	0	0	0	0
Divisional Officer	1	0.8	0	0	0	0
Total	93	76.2	28	23	1	0.8

Source: Questionnaire and Interview (2015)

The response from Table 4.6 shows that most of residents in Girango division were aware of the existence of land conflicts at their villages. Ninety three (76.2%) respondents agreed that they were aware of the existence of land conflict. Twenty eight (23%) were not aware of the existence of land conflicts and one respondent did not respond the question in the questionnaire provided. Most of the categories of respondents accepted an awareness of the existence of land conflicts in their areas due to the fact that they always involved in solving land disputes at their areas. Except households, Division Officer, WEO, staffs of DLD and Councilors were aware of existence of land conflicts because they had been receiving many land complaints in their offices.

4.4 Causes of land conflicts

The researcher was also interested in knowing the causes of land conflicts. The question was open-ended, and the respondents were required to list the causes of land conflicts at their village as shown in Table 4.7.

Table 4.7: The causes of land conflicts

Causes of land Conflicts	Frequency	Percent
Population increase	70	63.0
Poor land use plan and utilization	34	30.6
Keeping of large number of cattle	32	28.8
Unclear boundaries	17	15.3
Lack of awareness on land laws	15	13.5
Maladministration	14	12.6
Selfishness of owning huge land	8	7.2

Source: Data collected from the field (2015)

The data from Table 4.7 depicts that the population increases was the main cause of land disputes at the village levels in Girango Division. Seventy (63.0%) respondents listed it, followed by poor land use planning and utilization which listed by 34 (30.6%) respondents and keeping of large number of cattle was the third cause of land conflicts from the top which was listed by 32 (28.8%) respondents. The natural increase of population caused high demand of land which is scarce and limited for both social and economic gains. The high demand of land due to the increase of population caused high price of land and as a result land conflict. This is supported by Sackey (2010) when she stated that, “Increase in population increases the demand of land although it is fixed in supply. With the fixed supply of land and the higher demands for independent use, people compete for land and these results in conflicts”. Also, the response was similar to Wehrmann’s (2008) finding when he said that, “natural population growth can result in an increase in the demand for land and consequently of land prices”. For example, in Girango Division, the population increased from 56,747 in 2002 to 68,873 in 2012, which caused the high demand of

land for cultivation of food for feeding the increased population, hence land conflicts among land users occurred.

Other causes of land conflicts listed by the respondents were unclear boundaries, lack of awareness on land laws, maladministration and selfishness of owning huge lands as shown in Table 4.7. Also, eleven respondents who were interviewed stated that, the population increase was the major cause of land disputes among the villagers, followed by unclear boundaries and lack of awareness and knowledge on Land Law especially VL ACT NO. 5 in the community and poor land use planning and utilization.

When the Divisional Officer interviewed on the causes of land disputes / conflicts, he said that;

“...the major cause of land disputes in the division is the population increase which leads to high demand of land for food productions due to the fact that the residents in rural areas are farmers and depend much on land to earn their lives”. He added that, the high demand of land causes conflicts not only among family members but also between villagers (individuals) and between investors and citizens...”

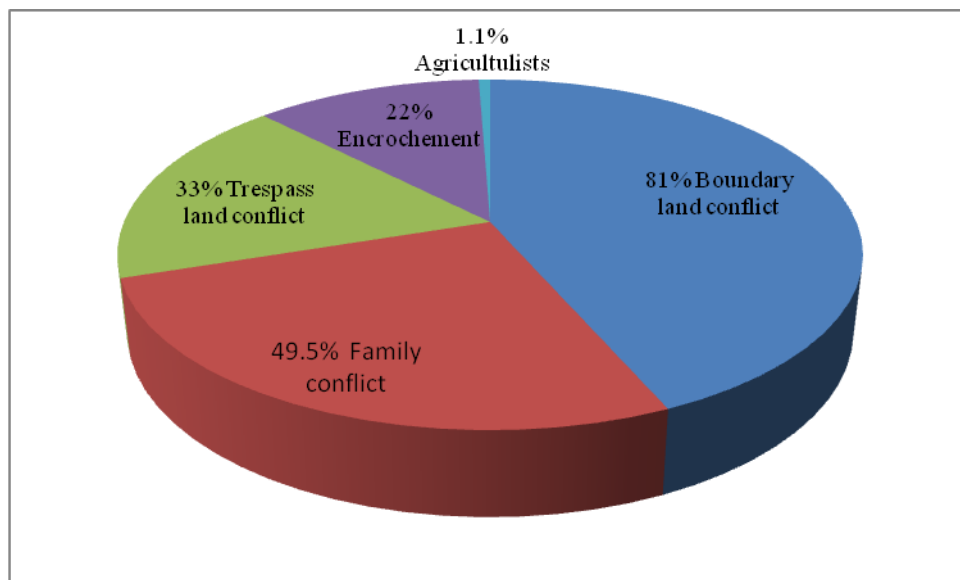
Boundary conflicts between individuals (villagers) and between villages were attributed by the existence of unclear boundaries, 15.5% of the responses revealed that unclear boundaries were among the causes of land disputes in Girango division. The situation was the result of poor land use plan at the local level. This implies that at the village level there was poor land plan use with lack of demarcation and clear boundaries. This result was confirmed by Sackey (2010) when she stated that unclear boundaries are another cause of land conflict particularly in the unplanned areas. Unsurveyed plots normally do not have clear boundaries and may lead to land disputes. She added that in such areas people indicates these boundaries with landmarks such as stones and growing trees, and after sometimes these marks get destroyed or transferred resulting in boundary disputes.

4.5 Types of land conflicts

The second objective of the research was to identify types of land disputes existed in the study area. The researcher also wanted to know the types of land conflicts that existed in Girango Division. The respondents were asked to mention the types of land conflicts that occurred at their villages. The responses from the respondents showed five types of land disputes that existed in Girango Division; these were family conflicts, boundary conflicts, trespass, encroachment and Agriculturists (farmers and pastoralist) conflicts.

Figure. 4.1 show the types of land conflicts identified by the respondents.

Figure 4.1: Types of Land Conflicts



Source: Data collected from the field (2015)

The result of Figure 4.1 depict that the boundary land conflict constituted 81% being the most frequent followed by family land conflicts which constituted 49.5%, then trespass 33%, encroachment 22% and Agriculturists (farmers and pastoralist) land conflicts is 1.1%. A finding indicates that at the village level boundary land conflict was predominant and was caused by lack of clear boundaries and demarcation especially farms boundaries.

Furthermore, the findings revealed that 1.1% of responses showed the land conflicts between farmers and pastoralists. This finding suggests that in Girango division the land conflicts between farmers and pastoralists was very minimal. This was due to the reason that residents of Girango Division had small scale livestock keeping.

In addition to that, the families land conflict is another type of land conflict that mentioned by respondents (49.5%), the conflict occurred at the time of inheritance. In Girango Division, customary laws give the sons the right to inherit land from their father, the situation is worse in polygamous families where land is scarce and every member of the family wants to have a large piece of land. This finding is supported by Takeuchi and Marara (2011) when they stated that, “disputes related to land tend to occur within the family at the time of inheritance. They added that Rwanda is a patrilineal society, in which sons have equal right to acquire inherited land from their father”.

Furthermore, the responses from eleven interviewed respondents identified the following types of land conflicts: Boundary land conflicts, especially on farms, encroachment and family land conflicts. The findings analyzed and shown in Figure 4.1 revealed the existence of land conflicts in Girango Division. The responses from the respondents discovered five types of land conflicts that existed in study area.

4.6 Challenges facing VLC in managing land disputes

This section addresses the third objective of the study which aimed to examine the challenges facing Village Land Councils in managing land conflicts at the village levels. The related research question was, what are the challenges facing village land councils in managing land disputes at the village levels? The respondents were directed to mention many challenges as they could, and all 122 were asked that question. The responses from the respondents were as follows in Table 4.8.

Table 4.8: Challenges facing village land councils in managing land conflict

Item	Responses	
	Frequency	%
Low level of knowledge and awareness on land matters	85	69.7
Poor supports from the government (Ministry of land and District Council)	66	54.0
Lack of training and seminars to members of VLC on land laws	57	46.7
Lack of resources such as money, offices, stationeries	71	58.1
Presence of corruption among VLC members	20	16.4
Lack of court power of VLC	51	41.8
Poor land use planning	60	49.9
Lack of allowances (money) for members of VLC	43	35.2
Interference of VLC Decisions by village leaders / or political ideology	12	9.8

Sources: Data collected from the field (2015)

Table 4.8 illustrates that the items listed left were mentioned by the respondents as the challenges faced village land councils in managing land disputes at the village levels.

From the findings, lack of knowledge and awareness on land matters among members of Village Land Councils was ranked the highest challenge with 69.7%, followed by lack of resources such as money, offices as well as stationery. The third challenge from the highest was poor support from the Government (Ministry of land and District Council) to VLC in managing land disputes at the village levels.

During interview with one of the staff members of DLD on challenges facing VLC in managing land disputes, the staff member said.

“...Scarcity of resources is one of the challenges that hinder the effective management of land disputes at the village levels and the District in general. He added that, lack of fuel for examples, makes the department of land fail to visit the village land councils to see their operations and advise these councils for effective, active and smooth mediation of land disputes at their areas of jurisdiction...”

Concerning low level of knowledge and awareness on land matters for members of VLC, one Councilor said when interviewed on challenges in managing land disputes at the grassroots;

“...Low levels of knowledge and lack of awareness on land matters and land laws is a big problem facing VLC in mediating land disputes at lower levels. Normally, members of the VLC are elected by village Assembly with regard of respect, being village members with good behaviours, without looking at knowledge on land matters, hence management of land conflicts become a problem to them...”

The low levels of knowledge and lack of awareness on land matters was not only a problem for the VLC members but also for the community as the whole. The data revealed that 85 (69.7%) of respondents agreed on existence of low level of knowledge and awareness on land matters. This finding implies that the most of the villagers had low level of knowledge and lack awareness on land issues including poor understanding of new land laws which caused some of them to lose their rights to own land.

The responses from the respondents revealed that the above factors mentioned in Table 4.8 were the challenges faced VLC in managing land conflicts at village levels, hence caused ineffective and inactive mediation of land disputes at grassroots (villages).

(i) Availability of resources

The respondents were asked to state whether the VLC had an access to resources in performing their functions. The respondents were required to write “Yes” or “No” against each resources given. The responses from the respondents were as shown in Table 4.9.

Table 4.9: Availability of resources

Type of resources	Responses				No. responses	%
	Yes	%	No.	%		
Financial	4	3.6	87	78.4	20	18.0
Stationary	6	5.4	85	76.6	20	18.0
Offices	14	12.6	77	69.4	20	18.0
Furniture	13	11.7	78	70.3	20	18.0

Source: Data collected through questionnaires (2015)

From the findings in Table 4.9 above, the data indicated that the VLC did not have access of resources. Eighty seven (78.4%) out of 111 respondents who filled the questionnaire against financial resource revealed that VLC lacks such resources, only 4 (3.6%) agreed on accessibility of financial resources. Also, from the table above, 77 (69.4%) of respondents said that VLC lacks offices to perform their activities.

Furthermore, responses from eleven respondents revealed that the village land councils lacked many resources in executing their functions. In responding to this question; one Councilor had the following to say;

“... The village land councils lack resources such as offices, money and stationeries for effective execution of their functions. Most of VLC uses the Village Council’s Offices for meeting to mediate the land disputes. He continued to say, despite that VLC uses the Village Council’s, office, these offices are not strong to keep files and records of VLC. Offices lack shelves and cupboards for files keeping. Hence, the files and different records are kept in the hut of VLC secretary...”

The result was confirmed by Larsson (2006) by saying that, the financial conditions seem to be what challenges the new legislation and the whole land reforms the most, the principal constraint of the whole implementation is shortage of resources of all kinds including physical resources (offices). He added that the shortage of resources also includes lack of skilled staff of different professionals such as surveyors and land valuers and educated administrative staff. It was also supported by Myenzi

(2011). This finding suggests that management of land conflicts at the village would be difficult due to lack of necessary resources for effective executions.

The pictures below verified the real situation from Utegi village.

Figure 4.2: Village Council's Office- Utegi



Source: From the field (2015)

Figure 4.3: Dwelling hut of VCL Secretary



Source: From the study area (2015)

Generally, the data from the field depicted that, VLC lack importance resources which are among the challenges in management of land disputes at their areas.

(ii) Unskilled members of VLC

The respondents were asked to state if the VLC had skilled members on land matters. The respondents were asked to say “Yes” or “No” and the responses were as shown in Table 4.10.

Table 4.10: Unskilled members of VLC

Responses	Frequency	Percent
Yes	33	27.0
No	86	70.0
No. Responses	3	2.5
Total	122	100

Source: Data collected from the field (2015)

The responses from the table 4.10 showed that 86 (70.5%) of respondents disagreed on the availability of skilled members in VLC on land matters, 33(27.0%) agreed on the availability of skilled members and 3(2.5%) did not respond to the question. The data suggests that most of the village land council's members were not skilled on land matters. The result was also supported by Larsson (2006) when he stated that the shortage of resources also included lack of skilled staff of different professions such s surveyors and land valuers and administrative staffs. This finding implies that the management of land disputes at the low level needs skilled people on land matters for smooth and effective land conflict settlement. Shortage of skilled people delayed the meditating process by the mediators not being aware on land laws governing the disputes settlements and procedures to be followed.

(iii) Awareness on land laws

The respondents were asked on awareness on new land laws (The Land Act No. 4 and Village Land Act 5, 1999). The researcher wanted to know if the respondents were aware or had knowledge on land matters. The responses were as shown in Table 4.11 below.

Table 4.11: Awareness on land matters

Responses	Frequency	Percent
Yes	37	30.3
No	83	68.0
No. Response	2	1.7
Total	122	100

Source: Data collected from the field (2015)

The responses from the table 4.11 indicate that 83(68.0%) of the respondents were not aware on land matters especially new land laws. Only 37(30.3%) of respondents were aware on New Land Laws. The responses revealed that most of residents in Girango Division were not aware on New Land Laws and land matter in general. Lack of awareness on land matters in the community is a big problem in managing

land conflicts in Girango Division. The findings suggest that there was a need to create awareness on land matters through conducting trainings and seminars to the community concerning new land laws (Land act No.4 and Village land act No. 1999), this would increase community awareness on land matters and reduce land conflicts among villagers.

(iv)Lack of Court Power

The researcher wanted to know whether the VLC had court powers. He asked the respondents to state if the VLC had court power in solving land disputes. The respondents were instructed to say “Yes” if they agree with and “No” if not agree. The data in table 4.12 show that 89(72.9%) of respondents said that VLC had not have court power, only 29(23.8%) of respondents agreed that VLC had court power and 4(3.3%) respondents were not responded on the question, as shown below in table 4.12.

Table 4.12: Lack of Court Power

Responses	Frequency	Percent
Yes	29	23.8
No	89	72.9
No. response	4	3.3
Total	122	100

Source: Data collect from the field (2015)

The data suggests that the village land councils lack powers of making legal decisions. The responses supported by Pedersen (2010) when he stated that, the VLC which is not, however a court, its jurisdiction is limited and according to the Act, it only functions as mediating body among conflicting parties. Larsson (2006) added that, VLC has been established as a kind of informal land disputes tribunal to help villagers to resolve their land disputes at the village level. Also LDC Act, (2002) established the functions of VLC was to mediate between and assist the parties to arrive at mutually acceptable settlement of dispute on any matter concerning land

within its areas of jurisdiction. This implies that there was a need to empower the VLC with court powers in order to make order on recovery of possession of land and award compensation and other payments of any costs and expenses incurred during management of land conflicts.

(v) Lack of Integration between village land councils and ministry of land

The researcher was intended to know the integration between the VLC and ministry of land. The respondents were asked to state if they had participated on any training concerning management of land conflicts conducted by Ministry of land. The respondents were instructed to say “Yes” or “No.”. The responses from the respondents were as shown in Table 4.13.

Table 4.13: Lack of Integration between VLC and Ministry of Land

Responses	Frequency	Percent
Yes	12	9.8
No	106	86.9
No. response	4	3.3
Total	122	100

Source: Data collected from the field (2015)

The data revealed that only 12(9.8%) of respondents were participated on the training conducted by Ministry of Land. The majority of respondents (86.9%) had not yet participated in training conducted by the Ministry of land.

The data suggest that there was lack of integration between VLC and the ministry of land as a result the VLC faced the problem of management of land conflicts. The responses were supported by Larsson (2006) when he said that, Lack of integration between the VLC and ministry of land leads to poor coordination and implementation from the top level (Ministry) to the lower level (village), hence poor management of land disputes among villagers.

And when the respondents were asked on technical support from the ministry of land and from the District Council in solving land conflicts, the responses were as shown in table 4.14.

Table 4.14: Technical support from ministry of land and District Council

	Responses				Not. responded		Total	
	Frequency				Frequency	%	No. response	%
	Yes	%	No	%				
Ministry of Land	16	14.0	80	72.0	15	14.0	111	100
District Council	27	24.3	76	68.5	8	7.2	111	100

Source: Data collected from the field (2015)

The data suggest that, technical support on solving land conflicts received by VLC from Ministry of land and District Council was little. Only 14.0% of respondents indicated to have received technical support from Ministry of land while 24.3% from District Council.

On the other hand, the respondents who were interviewed on the technical support from ministry of land and District Council showed that the VLC had received technical support more from District Council than from Ministry of land. The findings revealed that 6 respondents out of 11 supported the VLC to have received technical support from the District Council while from Ministry of land only 3 respondents supported the availability of technical supports to VLC.

District land officer when interviewed on technical support from the council, he said that;

“... the department has the responsibility of providing advice, conducting training and seminars’ to the VLC members on land laws and land matter in general, as well as preparing good land use plan and utilization, and the department try to provide technical support to VLC although it faces the challenge of scarce resources such as fuel...”

The result was supported by Larsson (2006) when he said in respect of village land, the role of district authorities is merely monitory, assisting and guiding the villages with experts know- how and advisory functions. The findings suggest that there was a need to make integration between the Ministry of Land, District Authorities and Village Councils for smooth and effective management of land conflicts at villages.

(vi) Absence of adequate and coordinated land information

The researchers were asked to know if the respondents were aware of adequate and coordinated land information. The respondents were instructed to say “Yes” or “No” and the responses were as shown in the table 4.15.

Table 4.15: Absence of adequate and coordinated land information

Responses	Frequency	Percent
Yes	20	16.4
No	96	78.7
No. response	6	4.9
Total	122	100

Source: Data collected from the field 2015

The data revealed that only 16.4% respondents were aware on adequate and coordinated land information, 96 (78.7%) respondents were not aware on adequate and coordinated land information. The finding was confirmed by Mugabi (2013) when he said that, absence of adequate and coordinated land information manifested lack of awareness about land information amongst the people. Also, Mugabi was supported by Pedersen (2010) by saying that, Ministry of Land possess know-how about how to implement correctly but the information is difficult to access to the citizens and shareholders hence the implementation becomes difficult in the low levels specifically at the villages.

The data show that there was a need to increase the availability of adequate and coordinated land information in the community to enhance effective management of land conflicts.

4.7: Documentary Sources

Different documents were checked by the researcher from the District commissioner's officers, District land Department office, Ward Tribunals offices and from VLC.

The documents checked from district commissioner's office revealed that between 2012 and 2014 the office received complaints related on land conflicts from different parts of the district as shown in Table 4.16.

Table 4.16 Land complaints

DIVISION	YEARS			
	2012	2013	2014	
Girango	13	18	14	45
Nyancha	14	16	13	43
Luoimbo	8	6	7	21
Suba	13	12	10	35
Total	48	52	44	144

Source; District Commissioner's Office (2015)

Some of the complaints involved family members and other were encroachment and trespass on land among the villagers.

Furthermore, the documents from District commissioner's office revealed that also there were boundary conflicts among the villages in Rorya District. The reviewed data showed that there were boundary land conflicts among the following villages: Irienyi and Ravour, Kirogo and Chereche, Kisumwa and Makongoro and Muhundwe and Ruhu. Apart from that, also the data revealed that there were land conflicts between villagers and village councils. A good example was land conflict between villagers and Sudi village Council.

The records reviewed from Ward Tribunals revealed that from 2012 – 2014, total of 186 cases concerned land conflicts were received directly from villagers as shown in Table 4.17.

Table 4.17 Land cases received in Ward Tribunals

WARD	YEARS			TOTAL
	2012	2013	2014	
Koryo	13	26	34	73
Bukwe	24	15	20	59
Mirare	20	13	21	54
TOTAL	57	54	75	186

Source: Data collected from the field (2015)

The data depicted that land conflicts among villagers in Girango Division was a serious problem. This finding implies that most of the VLC were not active and effective in managing land conflicts at their villages. Important measures were needed to be taken to make them to be active and strong for managing land conflict through addressing challenges shown in Table 4.8.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter presents a summary of the research report, conclusions and recommendations based on the findings presented and discussed in chapter four.

5.2 Summary

The research focused on the challenges facing village land councils in managing land disputes at the village levels in Girango Division, Rorya District. The study was guided by the following objectives: to find out the causes of land disputes among the villagers, to identify types of land disputes which exist in Girango Division and to identify the challenges facing village land councils in managing land disputes within the village boundaries. The following research questions were used to accomplish the above objectives:- (i) Why are there frequent outbreaks of land conflicts among villagers in Girango Division? (ii) What are the causes of land disputes / conflicts which occurred at your area? (iii) What are the challenges that are facing village land councils in managing land disputes within their areas of jurisdiction?

The data collected from the field through various methods were analysed and presented in tables, percentages and frequency distribution. Also, the qualitative data were edited, coded and presented through direct quotation. From the analysis of collected data from the study area the following were results of the study.

First, with regard to the objective number one, the findings revealed that the causes of land conflicts were population increases, poor land use planning and utilization, keeping a large number of cattle, lack of knowledge and awareness on land matters, unclear boundaries and maladministration.

Second, based on objective number two, the following were types of land conflicts identified by the respondents:- boundary land conflicts, encroachment, trespass and family land conflicts.

Third, with respect to the third objective, the respondents identified several challenges facing VLC in managing land disputes at the areas jurisdiction. Those challenges included the following:- Low level of knowledge and awareness on land matters, poor support from the government (ministry of land District Council), lack of training and seminars to the members of VLC, scarcity of / lack of resources such as offices, stationeries, money, lack of court power for VLC, poor land use planning as well as lack of allowance (Money) to the members of VLC.

5.3 Conclusions

On the basis of findings, analysis and discussions. The researcher concluded the study as follows:-

- There are different types of land conflicts that exist in Girango Division. These include boundary land conflicts, trespass, encroachment and family land conflicts.
- There are several factors associated with the causes of land conflicts among villagers in Girango Division. These factors include the rapid increases of population, maladministration, unclear boundaries and keeping a large group of cattle.
- There are a number of challenges facing village land in managing land disputes at the village levels. These challenges include lack of knowledge and awareness on land matters in the community, poor support from the Government (ministry of land and District council) to VLC in managing land disputes, lack of training and seminars on land matters and land laws (LA No. 4 and VLA No. 5 of 1999) to members of VLC and community as a whole, scarcity of resources such as money, offices, stationery that VLC are facing and VLC lack court powers. Generally, the working conditions of VLC are poor and difficult, hence contribute to the existence of unending land conflicts at the village level in the study area.

5.4 Recommendations

From the findings and conclusion above, the study recommends the following:-

i. Provide knowledge and create awareness.

The Government should impart knowledge and create awareness in the community on land matters including new land laws LA No. 4 and VLC No. 5 of 1999). By doing so the community will have knowledge and will be aware on land issues, hence land conflicts will be reduced.

ii. Effective land use plan.

Effective land use plans should be implemented in the community in the study area and other areas in the country. Effective land use plans will demarcate land for different uses and purposes, and the effective land use plans shows clear boundaries and provides land deeds. This may help to reduce land conflicts to high percentage.

iii. Resources availability.

The village land councils should be provided with enough resources for active and effective executions of its responsibilities. As proved from the findings, lack of resources are among the challenges that hinder the effectiveness performance of VLC.

iv. Education on family planning.

Since the population has been rapidly increasing while the land is still limited, there is a need to continue educating the community on the importance of family planning for the purpose of having the population that matches with existing resources.

v. Support from the Government

A government should provide support to the community on matters related to management of land conflicts through provision of regulations, guidelines, and trainings to ensure effective, fairness in the handling of land matters at local levels.

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The Village Land Act No. 5 of 1999

APPENDICES

APPENDIX 1

Questionnaires for villagers/households, members of VLC, chairpersons and secretaries of ward tribunals and village chairperson and village executive officers

Dear Respondents,

My name is John Marwa, a student from Mzumbe University, pursuing a Master of Science Degree in Human Resource Management (MSc-HRM). One of the requirements for being awarded the said award is to conduct a research and writing up a dissertation. This being a case, I am conducting a study on the challenges facing village land councils in Managing land disputes in the village levels” Girango division as a case study.

Kindly, I am requesting to assists in filling in these questionnaires with accuracy so as to enable me to reach at reliable, validity and scientific conclusion.

Your contribution will be confidential and highly appreciated.

QUESTIONNAIRE

Instructions:

Please put √ where appropriate

PART ONE: (Background information)

1) Gender

MALE	FEMALE

2) Age (In years)

18-27	28-37	38-47	48-57	58 and above

3) Education level

1	Primary education	
2	Secondary education	
3	Adult education	
4	Others (state)	

4) Occupation

Farmers/pastoralist	
Employed	
Businessman	

PART TWO: (The causes of land conflicts/disputes.)

1. Are you aware on the existence of land conflict at your area? Put \checkmark in appropriate brackets

i. Yes []

ii. No []

2. What are the causes of land disputes in your area? (Village, ward). Please mention the causes.

- I.
- II.
- III.
- IV.
- V.
- VI.

PART THREE (Types of land conflicts)

3. What types of land disputes that have occurred in your area?

- i.
- ii.
- iii.
- iv.
- v.

PART FOUR (Challenges facing VLC in managing land disputes)

4. What are the roles of the Village Land Councils in managing land disputes in their village boundaries? Please mention them.

- i.
- ii.
- iii.
- iv.
- v.

5. Is the village land council having an access on the following resources in performing their functions? Please put √ in the appropriate brackets

Financial		Stationary		Offices		Furniture	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Are there any skilled members of VLC on land matters?

- i. Yes []
- ii. No []

7. Are you aware on New LAND Laws? (The Land Act No 4 and VLA No 5 of 1999)

- i. Yes []
- ii. No []

8. Is the village land council has court power on resolving land disputes at your village?

- i. Yes []
- ii. No []

9. Have you participated on any training concerning management of land conflicts conducted by the Ministry of land?

- i. Yes []
- ii. No []

10. Has the Village Land Council received technical support / assistance on solving land conflicts from Ministry of Land?

i. Yes []

ii. No []

11. Is there any technical supports received by VLC in managing Land disputes from District Land Department?

i. Yes []

ii. No []

12. Do you have awareness on adequate and coordinated land information?

i. Yes []

ii. No []

13. What are the challenges that are facing the VLC in managing land disputes at your area? (Village, Ward). Please mention.

- i.
- ii.
- iii.
- iv.
- v.
- vi.

APPENDIX II

Interview schedule for divisional officer, staffs of district land department, councilors and ward executive officer

1. Are you aware on the existence of land conflict at your area?
2. What are the causes of land disputes/conflicts
3. What types of land conflicts that have occurred in your area?
4. What are the roles of VLC in managing land disputes in the village level?
5. Is the village land councils have an access on the required resources in performing their functions

Financial		Stationary		Offices		Furniture	

6. Is there any skilled member of VLC on land matters?
7. Are you aware on new land laws? (The land Act No 4 of 1999 and VLA No. 5 of 1999?)
8. Is the village land council has court power on resolving land disputes at your village?
9. Have you participated on any training concerning management of land conflicts conducted by the Ministry of land?
10. Has the Village Land Council received technical support / assistance on solving land conflicts from Ministry of Land?
11. Is there any technical supports received by VLC in managing Land disputes from District Land Department?
12. Do you have awareness on adequate and coordinated land information?
13. What are the challenges that are facing the village land council in managing land disputes at your area? Mention them.

APENDIX III

WORK PLAN

The proposed schedule of activities for eight months from August, 2014-March, 2015

NO.	Activity	Duration	Month
1.	Developing research tools	1 month	August
2.	Study pilot to test research tools	1 month	September
3.	Actual data collection	2 months	October & November
4.	Data entry and analysis	2 months	December & January
5.	Research report writing and presentations	2 months	February & March
	Total	8	

APPENDIX IV

BUDGET USED

The proposed budget for enhancing the execution of the proposed study is as follows:-

NO	Cost Categories	Initial phase	Final phase
1.	Direct Cost		
1.1	Equipments and materials (stationary, ink, pen)	Tshs. 70,000/=	Tshs. 140,000/=
1.2	Secretarial services, photocopy and binding costs	Tshs. 100,000/=	Tshs. 150,000/=
1.3	Payment of supporting members	Tshs. 250,000/=	
1.4	Consumable materials	Tshs. 150,000/=	100,000/=
1.5	Data entry, Analysis and Interpretation, Report writing and presentations, Dissemination of data	Tshs. 300,000/=	Tshs. 150,000/=
2.	Travel and Transport Cost	Tshs. 200,000/=	Tshs. 100,000/=
	Sub total	Tshs. 1,070,000/=	Tshs. 640,000/=
	Grand total	Tshs. 1,710,000/=	