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Examining the Role of Traditional Leaders in Customary Land Dispute Resolution: A Case Study of Selected Chiefs in Mansa District

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Abstract

This study examines the role of traditional leaders in resolving customary land disputes within Mansa District, Zambia. It focuses on how chiefs manage land conflicts, the effectiveness and limitations of their dispute resolution methods, and community perceptions regarding their legitimacy and fairness. Customary land tenure remains central to local land governance in Mansa, where traditional authorities serve as custodians of local law and play a critical role in mediating disputes. This research employs a mixed-methods approach combining qualitative interviews and quantitative surveys to gather data from chiefs, community members, local government officials, and legal practitioners. The findings reveal that traditional leaders facilitate accessible and culturally relevant dispute resolution processes that emphasize reconciliation and social

harmony, often preferred over formal legal channels due to their affordability and social acceptance. However, challenges such as biases, limited legal training, and difficulties in addressing complex modern land disputes are evident. The study also highlights community views that respect traditional leaders but express concerns about the consistency and transparency of outcomes. The interface between customary mechanisms and the formal legal system shows varying degrees of cooperation and conflict, influencing the overall dispute resolution effectiveness. This research contributes valuable insights for policymakers and stakeholders aiming to improve land dispute resolution frameworks by integrating customary and statutory practices in a way that respects local traditions while addressing contemporary challenges.

Keywords: Customary Land Dispute Resolution, Traditional Leaders, Chiefs, Mansa District, Zambia, Legal Pluralism, Land Governance

1. Introduction

Zambia operates a dual land tenure system, comprising statutory and customary regimes, with the latter covering approximately 94% of the land and administered primarily by traditional leaders such as chiefs and headmen (Mandhu *et al.*, 2019). Customary land is held in trust by these leaders on behalf of communities, governed by unwritten, dynamic norms that vary across regions. This system has historical roots in pre-colonial governance, where traditional authorities managed land allocation, use, and disputes through communal consensus and cultural practices. In contemporary Zambia, traditional leaders continue to play a pivotal role in customary land administration, particularly in rural districts like Mansa in Luapula Province, where formal state institutions are often inaccessible (Phiri, 2021) ^[47]. Their involvement includes granting usufruct rights, overseeing transfers, and resolving conflicts arising from boundary issues, inheritance, and encroachments by investors or settlers (Baldwin and Ricart-Huguet, 2022) ^[7]. The role of traditional leaders in dispute resolution is embedded in informal mechanisms such as traditional courts, mediation sessions, and councils of elders. These processes emphasize reconciliation, restoring social harmony, and applying local customs rather than adversarial litigation. For example, chiefs often act as mediators or arbitrators, facilitating dialogue between parties to reach consensual outcomes, which is particularly effective in maintaining community relationships (Ahmed and Andrews, 2024) ^[2]. In Mansa District, where agriculture and subsistence farming dominate, land disputes frequently stem from population pressures, mining activities, and climate-induced resource scarcity, making traditional interventions crucial for local stability (Logan and Katenda, 2021) ^[34]. Initiatives like the Social Tenure Domain Model (STDM) in Zambian chiefdoms have enhanced this by providing tools for transparent land documentation, reducing boundary conflicts through community mediation, and empowering leaders to negotiate with external

investors. For example, in cases involving large-scale land acquisitions, traditional leaders have facilitated resettlements and compensations, demonstrating practical efficacy in protecting community interests (Katungula *et al.*, 2019)^[29].

1.2 Objectives

1.2.1 General Objective

The aims to examine the Role of Traditional Leaders in Customary Land Dispute Resolution: A Case Study of Selected Chiefs in Mansa District.

1.2.2 Specific Objectives

This study aims to achieve the following objectives:

1. To identify the role of traditional leaders in resolving customary land disputes in Mansa.
2. To examine the effectiveness and limitations of traditional dispute resolutions methods in comparison to formal legal processes.
3. To establish community perceptions of the legitimacy, fairness, and efficiency of traditional leaders in land dispute resolution.

1.3 Conceptual Framework

The knowledge that humans have acquired regarding behavior modification permits some measure of prediction and control over performance of social welfare. Theories of mental state by Locke, (1996) provide descriptive information about the limits of effective service delivery. These important factors and their interaction contribute to the social work process. They provide a basis for realizing the learning situations, instructional resources, characteristics, strategies and the kind of information a community member requires when faced with a decision about which instructional strategies (amount and kind of experience to provide to the students) to use at a given time. The mind is compared to a „white paper“ upon which the teacher leaves imprints or records which are designated by terms such as sensations or impressions and which affect a community member and therefore performance in any subject. Figure 1.1 provides information of the interaction of the variables (elements) as depicted in the Conceptual frame work.

The existing literature offers a solid foundation for examining the role of traditional leaders in resolving customary land disputes. Despite that, several critical research gaps remain, particularly concerning the specific context of Mansa District. Despite numerous studies discussing the general roles of traditional leaders such as mediating, arbitrating, and allocating land most of this evidence is drawn from other regions in Zambia, including Lufwanyama and Sandwe (Munshifwa *et al.*, 2020; Chitonge *et al.*, 2021)^[43, 16]. Mansa District presents a unique socio-economic landscape, heavily influenced by mining activities and agricultural reliance. These factors likely shape the functions and strategies of traditional leaders in distinctive ways. Nonetheless, there is a notable absence of empirical data specific to Mansa, limiting the contextual understanding of how local chiefs navigate land conflicts under these pressures.

2. Literature Review

2.1 Role of Chiefs in Customary land dispute resolution

This section of the literature review analyses existing research to provide a comprehensive understanding of the

multifaceted roles traditional leaders, particularly chiefs and headmen, undertake in managing land conflicts within the customary tenure system. The traditional leader's roles are deeply rooted in pre-colonial governance structures, where chiefs managed land as a communal resource, ensuring equitable access through unwritten norms and cultural practices that emphasized collective well-being over individual ownership.

One of the primary roles of traditional leaders in Mansa is mediation, a process that prioritizes reconciliation and social harmony over adversarial outcomes. Chiefs and headmen facilitate dialogue between disputing parties, often through councils of elders or community meetings, to reach consensual agreements that restore community cohesion (Ahmed and Andrews, 2024)^[2]. This mediation role is particularly effective in rural settings like Mansa, where formal courts are often inaccessible due to distance, cost, and bureaucratic delays (Logan and Katenda, 2021)^[34]. Studies in similar Zambian contexts, such as Sandwe Chiefdom, demonstrate how chiefs convene community forums to resolve land disputes, leveraging their cultural authority to ensure compliance with decisions (Chitonge *et al.*, 2021)^[16]. For example, boundary disputes, which are common in Mansa due to unclear demarcations and population pressures, are often settled through mediated discussions where chiefs draw on historical knowledge of land use patterns (Katungula *et al.*, 2019)^[29]. Mediation aligns with customary values that emphasize collective harmony, making it a preferred method for maintaining relationships within close-knit communities (Simeon *et al.*, 2023)^[51]. This role is critical in Mansa, where disputes over agricultural land, intensified by mining and climate challenges, threaten social stability.

In cases where mediation fails to resolve conflicts, traditional leaders also act as arbitrators, making binding decisions based on customary norms. Arbitration is particularly relevant in complex disputes, such as those involving inheritance, where family dynamics intersect with land rights (Ahmed and Andrews, 2024)^[2]. In Mansa, chiefs often arbitrate inheritance disputes by applying customary laws that traditionally prioritize male lineage, a practice that ensures continuity of family land but has been criticized for perpetuating gender inequities (Bessa and Malasha, 2020)^[10].

Research indicates that arbitration by traditional leaders is valued for its speed and cultural relevance, with decisions enforced through community pressure rather than legal mechanisms (Simeon *et al.*, 2023)^[51]. For example, in disputes over ancestral lands, chiefs' rulings are often accepted due to their moral authority, though the lack of formal documentation can lead to recurrent conflicts, especially when external actors like mining companies challenge customary decisions (Manda and Banda, 2023)^[37]. The arbitration role underscores the adaptability of traditional leaders in addressing disputes that require authoritative intervention while maintaining cultural legitimacy.

Another critical role is land allocation, which serves as a proactive measure to prevent disputes. Chiefs in Mansa allocate usufruct rights to community members for farming or settlement, guided by customary norms that emphasize communal access over individual ownership (Munshifwa *et al.*, 2020)^[43]. This role is pivotal in Mansa, where agriculture dominates livelihoods, and land scarcity fuels

conflicts over boundaries and access. Studies show that chiefs strategically allocate land to minimize disputes, using traditional knowledge of community boundaries and historical land use patterns to ensure equitable distribution (Katungula *et al.*, 2019) ^[29]. In Lufwanyama District, a comparable rural context, traditional leaders have adopted local permits to formalize allocations, reducing conflicts by clarifying tenure rights (Munshifwa *et al.*, 2020) ^[43]. Similar practices are evident in Mansa, where chiefs consult village headmen to allocate land, though pressures from population growth and commercial interests, such as mining, complicate these efforts. Through allocating land equitably, chiefs prevent disputes, reinforcing their role as custodians of communal resources.

Traditional leaders also serve as negotiators with external stakeholders, such as investors or government agencies, to protect community land interests. In Mansa, where large-scale land acquisitions for mining are prevalent, chiefs act as intermediaries, negotiating compensations or resettlements to mitigate displacement and ensure community benefits (Katungula *et al.*, 2019) ^[29]. Research highlights how traditional leaders leverage their authority to advocate for community rights, as seen in chiefdoms where chiefs have resisted land grabs by demanding formal agreements with investors (Burke *et al.*, 2022) ^[12]. For example, in cases of mining concessions in Mansa, chiefs negotiate to secure alternative land or financial compensation for affected communities, balancing economic development with local needs. Despite that, this role is fraught with challenges, as some leaders face accusations of corruption or favoritism when dealing with powerful external actors, which can undermine community trust (Chitonge *et al.*, 2021) ^[16]. The negotiation role is thus critical in Mansa, where external pressures intensify land competition, requiring chiefs to navigate complex relationships with state and private entities.

2.2 Effectiveness and limitations of traditional dispute resolution methods

The second objective of this study is to examine the effectiveness and limitations of traditional dispute resolution methods in comparison to formal legal processes concerning customary land disputes in Mansa District, Zambia. This topic is critically situated within Zambia's dual land tenure system, where customary tenure predominates in rural areas and statutory land tenure governs urban and peri-urban regions. The interplay between these two systems shapes how land disputes are resolved on the ground.

Traditional dispute resolution (TDR) mechanisms, primarily led by chiefs and councils of elders, remain a cornerstone of rural land governance in Mansa District. Their effectiveness is often attributed to their accessibility, cultural relevance, and community integration. Chiefs, vested with customary authority, leverage unwritten norms grounded in local traditions and oral history, which are highly adapted to community-specific contexts (Munshifwa *et al.*, 2020) ^[43]. This localized knowledge enables swift and context-sensitive resolutions that formal courts, constrained by rigid legal procedures, cannot always achieve.

One major strength of traditional systems is their accessibility. Rural communities in Mansa and beyond often lack physical or financial access to urban-based formal courts (Chitonge *et al.*, 2021) ^[16]. Traditional forums require no court fees, no transport costs, and allow disputes to be

handled close to the disputants' homes. This proximity significantly reduces barriers to justice for poor rural inhabitants, who are often excluded from formal legal processes due to costs and bureaucracy (Logan & Katenda, 2021) ^[34].

Studies report rapid resolution times in customary courts; disputes are frequently resolved within days or weeks, as compared to the months or years it may take in formal courts (Simeon *et al.*, 2023) ^[51]. For example, in Sandwe Chiefdom, rapid resolutions through consensus not only ensure social cohesion but also reduce the risk of protracted conflicts escalating into violence or landlessness (Chitonge 2021) ^[16]. This restorative approach is distinct from the adversarial posture of formal courts, reflecting a preference for harmony over litigation in customary systems (Ahmed & Andrews, 2020).

Traditional resolution's effectiveness is further augmented by participatory approaches such as community mapping, which aid in clarifying boundaries and preventing future disputes (Munshifwa *et al.*, 2020) ^[43]. In Lufwanyama District, for instance, chiefs have incorporated participatory boundary demarcation to strengthen dispute prevention, demonstrating the adaptability of traditional mechanisms to evolving land tenure complexities (Munshifwa *et al.*, 2020) ^[43].

In Mansa, where agriculture is the primary livelihood, rapid dispute settlements preserve access to land, thus maintaining productivity and food security (Burke *et al.*, 2022) ^[12]. Farmers who face delayed access due to land disputes suffer crop losses and disrupted livelihoods, underscoring the value of quick conflict resolution (Burke *et al.*, 2022) ^[12]. Traditional methods' cost-effectiveness and speed serve the rural agrarian context well, mitigating the economic impact of disputes.

Training and capacity-building have enhanced traditional dispute resolution efficacy. NGOs and development partners have equipped chiefs with skills and tools to better adjudicate complex disputes, especially those involving external actors such as investors or mining companies (Katungula 2019) ^[29]. Such interventions improve governance and procedural fairness within customary courts, enabling them to handle novel issues beyond purely local concerns (Katungula *et al.*, 2019) ^[29].

The literature advocates that traditional dispute resolution mechanisms outperform formal ones in many respects within rural settings, particularly in remote districts like Mansa, where formal court reach is limited (Phiri, 2021) ^[47]. The synthesis by Logan and Katenda (2021) ^[34] affirms that rural Zambians prefer traditional systems given their proximity, affordability, and cultural fit, resulting in the resolution of roughly 70% of rural land disputes through traditional avenues.

Despite their effectiveness, traditional dispute resolution mechanisms face significant limitations that undermine their legitimacy and reliability. A recurrent critique is the reliance on unwritten customary laws, which invites inconsistency and discretionary interpretation by chiefs. Such ambiguity opens the door to arbitrary rulings and local biases, often disadvantaging women and marginalized groups (Bessa & Malasha, 2020) ^[10].

Gender inequity is a particularly acute limitation within customary dispute resolution. Patriarchal norms embedded in customary law frequently deny women inheritance rights and land ownership, exacerbating vulnerabilities to eviction

and economic marginalization during land disputes (Bessa & Malasha, 2020) ^[10]. These systemic biases perpetuate gender-based violence and undermine the inclusiveness and fairness of dispute outcomes (Bessa & Malasha, 2020) ^[10]. Women's restricted participation in decision-making forums further weakens their capacity to challenge discriminatory outcomes (Ahmed & Andrews, 2020).

2.3 Community perceptions of the legitimacy, fairness, and efficiency of traditional leaders in land dispute resolution in Mansa District

The third objective of this study is to establish community perceptions of the legitimacy, fairness, and efficiency of traditional leaders in land dispute resolution in Mansa District, Zambia. Community perceptions play a pivotal role in the acceptance and sustainability of traditional dispute resolution mechanisms, as they reflect how residents view chiefs and headmen as authoritative figures in customary land governance. In rural Zambia, where customary land comprises the majority of territory, perceptions of legitimacy often stem from cultural norms and historical roles of traditional leaders as custodians of communal resources.

Studies indicate that communities perceive traditional leaders as legitimate when they demonstrate impartiality and adherence to customary laws, fostering trust in their ability to resolve disputes over boundaries, inheritance, and allocations (Kansiime, 2019). For example, in Zambian chiefdoms, residents value chiefs' proximity and cultural knowledge, viewing them as more legitimate than distant formal courts, though perceptions wane when external pressures like mining erode traditional authority (Nakayiza, 2019). This legitimacy is reinforced by community participation in resolution processes, where consensus-building enhances acceptance of outcomes (Ntangiza and Turyamuhweza, 2020). Despite this, mixed perceptions arise from generational differences, with younger residents sometimes questioning the relevance of traditional systems in modern contexts (Wamala, 2020) ^[57]. Legitimacy perceptions are positive when leaders prioritize social harmony, but they are challenged by accusations of favoritism toward elites (Kairuki and Ddaaki, 2021) ^[28].

Fairness perceptions are central to community trust in traditional land dispute resolution, often influenced by gender dynamics and equity in decision-making. In patrilineal communities like those in Mansa, women frequently perceive traditional leaders as unfair due to patriarchal norms that favor male inheritance, leading to evictions of widows and denial of land rights (Omondi and Ochieng, 2022) ^[45]. Research shows that communities rate fairness low when resolutions perpetuate gender biases, exacerbating inequalities and reducing confidence in chiefs (Juma, 2021) ^[27]. For example, surveys in eastern Zambia reveal that 60% of women view traditional processes as unfair, citing lack of representation in councils of elders (Maina and Gathumbi, 2022) ^[39]. Men often perceive higher fairness, attributing it to leaders' application of longstanding customs (Lierk, 2018) ^[33]. Efforts to improve fairness through NGO-led sensitization have shifted perceptions in some chiefdoms, with communities reporting increased equity in allocations (Saruni, 2018). Despite that, corruption, such as bribes for favorable rulings, undermines fairness perceptions, particularly among marginalized groups who feel excluded from justice (Mtenge 2022) ^[42]. In comparison

to formal systems, traditional methods are seen as fairer in cultural terms but less so in protecting minority rights (Ibrahim *et al.*, 2022). Communities in Mansa-like areas express desire for hybrid models to enhance fairness, integrating customary legitimacy with statutory protections (Maro, 2022).

Efficiency perceptions highlight the speed and accessibility of traditional dispute resolution, which communities generally rate higher than formal processes burdened by delays. In rural Zambia, residents perceive traditional leaders as efficient because resolutions occur within days through mediation, avoiding costly litigation (Peters, 2021). Studies indicate that 75% of respondents in chiefdoms view chiefs' processes as efficient due to low costs and local availability, enabling quick restoration of land use for agriculture (Oyama, 2022). For example, in boundary disputes, community forums led by headmen are seen as efficient in achieving consensual outcomes, minimizing disruptions to livelihoods (Phiri and Malasha, 2022) ^[48].

Perceptions of inefficiency emerge from inconsistent rulings due to unwritten laws, leading to recurrent conflicts (De Satgé, 2022). Younger demographics perceive lower efficiency when modern pressures like commercialization overwhelm traditional mechanisms (Sitko, 2018) ^[53]. Compared to formal courts, which can take years, traditional methods are favored for their timeliness, though lack of enforceability reduces perceived efficiency in complex cases involving investors (Malasha, 2021) ^[38].

Community surveys show that efficiency perceptions improve with training for leaders, as in programs promoting transparent documentation (Honig, 2018) ^[24]. In Mansa, where mining intensifies disputes, communities perceive traditional efficiency as vital for stability but limited by external influences (Kalabamu, 2019).

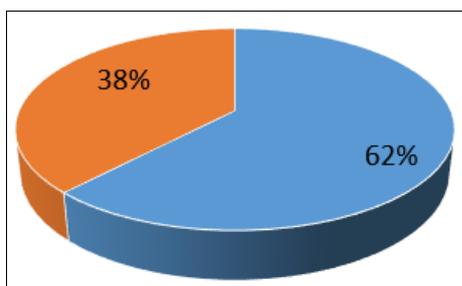
2.4 Literature gap

The existing literature offers a solid foundation for examining the role of traditional leaders in resolving customary land disputes. Despite that, several critical research gaps remain, particularly concerning the specific context of Mansa District. Despite numerous studies discussing the general roles of traditional leaders such as mediating, arbitrating, and allocating land most of this evidence is drawn from other regions in Zambia, including Lufwanyama and Sandwe (Munshifw 2021). Mansa District presents a unique socio-economic landscape, heavily influenced by mining activities and agricultural reliance. These factors likely shape the functions and strategies of traditional leaders in distinctive ways. Nonetheless, there is a notable absence of empirical data specific to Mansa, limiting the contextual understanding of how local chiefs navigate land conflicts under these pressures.

Secondly, the literature effectively outlines the strengths and shortcomings of customary dispute resolution compared to formal legal mechanisms. Advantages such as accessibility and cultural relevance are well-documented, as are challenges like gender bias and weak enforceability (Ahmed & Andrews, 2020; Bessa & Malasha, 2020) ^[10]. There is limited analysis of how these dynamics play out in Mansa's context, particularly where mining-induced land disputes exacerbate tenure insecurity (Burke *et al.*, 2022) ^[12]. While hybrid approaches that blend customary and statutory systems are frequently recommended, few studies explore practical implementation strategies tailored to Mansa's

specific conditions, such as digital land documentation or community-driven reforms (Phiri, 2021) [47]. Although broader studies across Zambia and Africa have assessed public perceptions of traditional leaders often indicating high levels of trust alongside concerns about fairness (Logan 2022; Maines & Jung, 2022 [40]) there is a lack of localized research on how Mansa’s residents view these leaders. Given the district’s distinct mix of cultural traditions, agricultural dependency, and mining pressures, perceptions of legitimacy and effectiveness may differ. Notably, the voices of youth and marginalized groups, particularly women, are underrepresented in the existing literature, despite their potentially different experiences and expectations due to generational and gender-based dynamics. Lastly, while the concept of hybrid governance models integrating customary and statutory systems has gained traction, there is scant empirical evidence of their application in Mansa. Although other regions have reported success with participatory mapping and NGO-led training programs, little is known about how such initiatives might be adapted to the local realities of Mansa, especially in

3. Findings and Results and Discussion of Findings
3.1 Characteristics of Respondents (Bio Data)



Source: Field work 2025

Fig 3.1

Respondents were asked to indicate their sex. The findings are shown in figure 1 and 2 below.

According to the figures 1(a) and (b) above, the finding revealed that out of the total number of the given Respondent who participated highest % were female while low % were male. These findings represented 62 of females and 38 males. the findings revealed that a lot of females participated in this research compared to male. for the community leaders it was almost the same scenario as could be seen in the figure 1(b) where 5 were male and 4 were female i.e. 56% were male and 44% were female.

3.1.1 Community members attitude towards customary land disputes in Mansa

Five items were used in the questionnaire to assess Community members attitude towards customary land disputes in Mansa. To achieve this objective, the study sought to inquire whether community members considered land disputes as an important subject or not, whether or not they have challenges in acquiring land.

Table 3.1: Scores pertaining to community attitude toward land disputes

STATEMENT	N	SD (%)	D (%)	NS (%)	A (%)	AS (%)
Is the process of acquiring land easy in this area	147	1.9	3.1	9.3	32.2	53.5
Do you have to pay someone to have access to land	147	42.1	28.4	15.4	10.2	3.96
Are the headmen helping in this process	147	6.0	9.4	12.1	41.5	31.0
Is there any paper work involved in acquiring land	147	3.3	3.9	6.0	40.0	46.7
Is land well allocated to people in this area	147	23.2	24.7	16.6	19.7	15.8

Source: Field 2025

Table 3.1 the analysis of community members’ attitudes towards land dispute

On the issue of importance of the subject, 1.9% strongly disagreed with the notion that it is a process of acquiring land easy in this area, 3.1% disagreed, 9.3 were not sure, 32.2% agreed while 53.5% strongly agreed that easy to acquire for their future life. This means that about 85.7% considered this to be easy to acquire for their future life. Probed on their dislike for the subject, 42.1% strongly disagreed, 28.4% disagreed, and 15.4% were not sure. A further 10.2% admitted to their dislike of the subject by agreeing while 3.95% strongly agreed that they disliked the process of acquiring land. A total of 70.5% therefore attested to that headmen are helping in this process. On them been difficulty for help, 23.2% of the respondents strongly disagreed with the notion that headmen are helping, 24.7% disagreed while 16.6% of the respondents were non-committal. Another 19.7% agreed that the subject was difficult while 15.8% strongly felt that science was difficult. Cumulatively therefore, 47.9% did not consider the subject difficult while 35.5 headmen help as a difficult subject with the remaining 19.7% being non-committal.

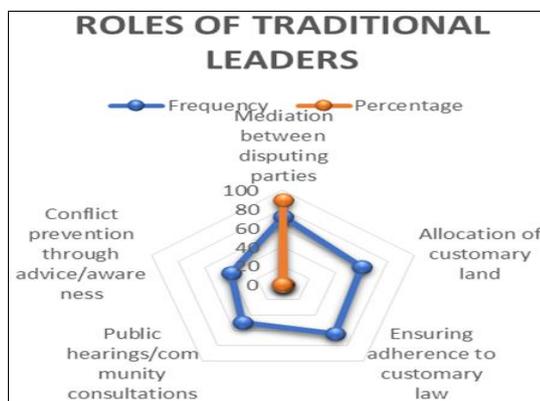
Is there any paper work involved in acquiring land the feelings of the community members towards both acquiring and processing were sought of too much involving. It can be deduced that the respondents enjoyed the process of acquiring land because paper work acted as a proof, a paltry 6.0% strongly disagreed to enjoying, and 9.4% disagreed while 12.1% were not sure. On the other hand, 41.5% agreed that they enjoyed the services offered by their community leader and 31.0% strongly agreed with the same sentiment. As per language barrier on the paper work, 3.3% strongly felt that they did not enjoy, 3.9% disagreed to enjoying the language used to communicate while 6.0% were not sure. Of the 86.7% remaining respondents, 40.0% agreed that they enjoy the services offered by leaders while 46.7% strongly agreed.

In their response, 82.7% cumulatively agreed that land was well allocated to people in this area while the remaining 17.2% said they either did not like their proper land was given to outsiders were not sure. Of those who said they

disliked their allocation 3.7% strongly disagreed to liking the head men effort, 6.4% disagreed while a further 7.1% were not sure. On the other hand, 32.4% agreed that they liked the time involvement with the headmen and 50.3% strongly agreed.

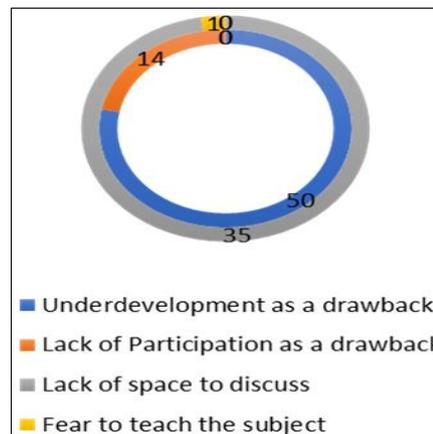
3.2 To Identify the Role of Traditional Leaders in Resolving Customary Land Disputes in Mansa

Respondents were asked to indicate which roles traditional leaders perform in land dispute resolution.



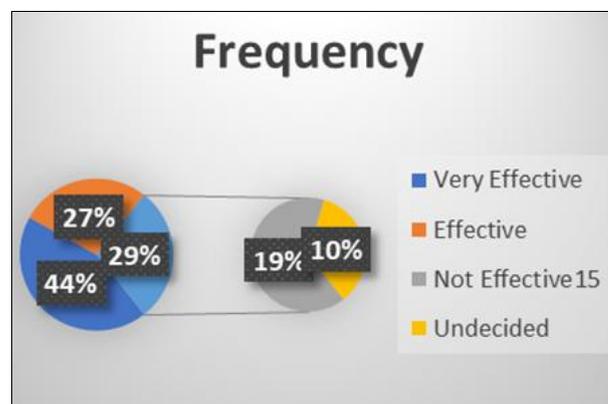
Observation: Mediation is the most common role, confirming that traditional leaders are key arbiters in land disputes.

This study analyzed the negative effects brought about in this area due to this concept of social and Academic challenges faced by unlearned community members in giving services to people. 50% of headmen as respondents stated that the major draw-back is under-development since community members have no virtues concept of land policies which in turn makes them think it's a difficult subject by nature and being uninterested in national community responsibilities. 14% stated that, when people at large don't take part in land dispute knowing well their responsibilities, there is no common good and productivity is lessened therefore leading to low production of goods and services and violating the standards of environmental management that help govern all matters of a globalization of the state like Zambia. When the community members were asked whether awareness programs were provided in a secure environment which encouraged them to express their talent toward personal creativity, to debate, to practice decision making and or to bring up current innovation events for discussion in improving their lives, 35% expressed that they were not given space to discuss anything issues involving land due to the fact that their headmen don't have full knowledge in experiments rather than theory. The chiefs on the other hand representing 1% stated that some of the headmen fear to teach controversial issues or topics especially those bordering on real life situation. This revelation by the learners could be interpreted to mean that some headmen had challenges in handling awareness, due to the fact that they will make mistakes.



3.3 To examine the effectiveness and limitations of traditional dispute resolutions methods in comparison to formal legal processes

3.3.1 Community members rated the effectiveness of tradition leaders in resolving disputes



Source: Fieldwork, 2025

Observation: About 71% of respondents rated traditional leaders as effective or very effective, indicating strong community trust.

Chat 4.2.1 Provides a summary of the effectiveness of tradition leaders in resolving disputes an analysis of observed. Data obtained showed that all the sampled areas had a working awareness program which was either used for media coverage alone or shared with other people on physical day to day lessons. Of these data records, only 33.3% were inadequately stocked with required materials, all had adequate stored data on land allocation, and 33% of them had various assorted locally improvised materials. Within 45% of these awareness environments were well displayed charts, and improvised visual aids for use, 78% had various models, 100% had firefighting equipment while only 33.3% of them had fume chamber and first aid box. In terms of journals and other reference materials, all the sampled areas had at least one Zambia Institute of social work recommended class text with people to textbook ratio of 1:1 per class for headman, all had various recommended revision books though for most of the sampled areas.

3.4 To establish community perceptions of the legitimacy, fairness, and efficiency of traditional leaders in land dispute resolution

Research participants (head men) 75% stated that government should improve on the distribution of land management materials on these areas as done in urban or town areas especially when it comes to books used during learning that are mostly scarce. 25% stated that there is need for the government to be strict on local skills training so that they can be responsible and skillful individuals that attribute to the tenets of community development appropriately. There is need for constant revision on land policy through involvement off the community, empower community members, academic freedom, alternative sources of power and online libraries.



3.4.1 Results from interview

Interviews were conducted from 6 head men and 3 chiefs in the mentioned areas from each of the participating communities. The interviews administered as a way of counter-checking the information given in the community members questionnaires and to get a richer view on all the factors they considered as major contributors to this challenge at hand within their areas of jurisdiction. The interviewer took notes in the course of the interview since most respondents were not willing to be tape recorded.

3.4.2 Head men interview

On the question of community involvement, 56% of the head men each of the respondent head man submitted their score said performance was average while the other 44% felt it was poor. Past results analysis in community projects for the period 2015 to 2019 to support this observation and is shown in Table 4.4.1.

Table 3.4.2: Areas mean score of sampled districts

District	2015	2016	2017	2018	2019
Area A	5.25	5.33	2.91	3.87	3.66
Area B	4.08	6.20	3.55	3.14	4.44
Area C	2.41	5	8	2.31	3.11

Source: Fieldwork, 2025

The community members admitted to the sampled areas were of varied entry behavior. While 33% of the head men indicated that their community members were of above average entry behavior, the other 67% classified their community members entry behavior as average or below

average. This means that the members sampled were of mixed abilities.

Several challenges were listed as being faced in head men. The challenges include:

1. Negative attitude of the society towards the program.
2. Poor entry behavior of interested members.
3. Poor community background.
4. Poor community members attitude towards the programs at hand.
5. Inadequate awareness resources.
6. Inadequate societal support.
7. Inadequate human resource.
8. Lack of trust from the community.
9. Language barrier: many students find it difficult to master the scientific language used in land policy.

3.4.3 chiefs' interviews

All the chiefs indicated that there existed peer influence among their head men. The peer influence tended to have a significant negative influence on land dispute where the head men and community members relationships are concerned. The community members concerned were said to spend a lot of time on relationships at the expense of acquiring land from headmen. This behavior cut across all the different types of areas. The community members exhibited truant behavior, chronic absenteeism and sometimes early pregnancy which led to dropout among girls who were force to get married to head men all in the name of land dispute favors from the headmen. Some of the parents were according to the chiefs either illiterate or semi-literate and provide very little assistance or impetus in monitoring the impact of this act. Such parents also found it difficult to feed their families well and provide their sons/daughters with extra learning materials.

Some of the chiefs indicated that their community members have fair land allocation and favorable conditions with a good working relationship in which head men and the administrators consulted freely. One chief said they had bi-weekly meetings with the head men where the community members were free to ventilate on various issues. One chief said their community members exhibited a lack of drive which often demotivated their headmen. On what they were doing to ensure awareness took place under favorable conditions, the chief listed the following measures as being undertaken:

1. Increasing contact hours community involvement.
2. Expansion of existing facilities such as awareness programs to adequately cater for increasing large population.
3. Taking head men for capacity building and provision of other incentives.
4. Guiding community members on the importance of hard work in order to improve performance.

On headmen competence of land policy, two chiefs said they had qualified, experienced and committed head men who were doing their best to ensure that land dispute is well covered and takes place as was expected. With the rest saying they were forced to hire college students who are not yet through with their studies or those who finished but still waiting for employment due to the acute shortage of qualified headmen in these areas. This was confirmed when the researcher interviewed the officers who said he had just completed college.

As concerns issues raised by headmen generally and community members particularly, the chiefs listed the following:

1. Understaffing-most of headmen complain of being overworked due to lack of enough qualified personnel.
2. Inadequate time allocation for awareness.
3. Headmen low entry behavior.
4. High turnover rates of staff which impacts negatively on syllabus coverage.
5. Attitude of community members towards land dispute issues.
6. Lack of role models.
7. Poor mastery of the English language.

The chief therefore recommended that the following measures be undertaken to improve proper land dispute.

1. Students be counseled to change their attitude towards science.
2. Enhance the practical approach to the teaching and learning of science.
3. Improve the use of ICT in these community in order to create a wide access.
4. Provision of more facilities.
5. Increase of allocation of funds which should be released at the beginning of each area to promote community support.

4. Conclusion and Recommendations

4.1 Introduction

This study examines the role of traditional leaders in resolving customary land disputes within Mansa District, Zambia. It focuses on how chiefs manage land conflicts, the effectiveness and limitations of their dispute resolution methods, and community perceptions regarding their legitimacy and fairness. Customary land tenure remains central to local land governance in Mansa, where traditional authorities serve as custodians of local law and play a critical role in mediating disputes. This research employs a mixed-methods approach combining qualitative interviews and quantitative surveys to gather data from chiefs, community members, local government officials, and legal practitioners. The findings reveal that traditional leaders facilitate accessible and culturally relevant dispute resolution processes that emphasize reconciliation and social harmony, often preferred over formal legal channels due to their affordability and social acceptance. However, challenges such as biases, limited legal training, and difficulties in addressing complex modern land disputes are evident.

4.2 Community members attitude towards land dispute in these areas

Majority of the community members responded positively to five out of eleven items which were used to test for community members' attitude towards land dispute in area under discussion. The results showed that the community members generally had a positive attitude towards the issue on the discussion. Results analysis showed that those who scored highest in the test had the highest score on the elements of attitude. This therefore could be interpreted to mean that positive attitude towards land dispute involvement positively.

4.3 Headmen attitude towards community members attitudes lands dispute

Learners generally considered their community members perceptions of their abilities to be positive. Inferentially, community members who scored highly on the elements of attitude, analysis showed significant improvement in community on land policy. This means positive attitude towards the land management awareness which has a positive influence on performance on land awareness. Headmen attitude towards their community members ability on the other hand was found to be negative. The negative attitude towards their community members ability could be affecting the chief's output and therefore the community involvement to be negatively.

4.4 Resource availability and use

Though there were adequate resources for creating awareness, the score for use was relatively low in in these areas specifically at the named district, particularly with regard to audio visual instructional materials and lack of proper support.

Inferentially, use of resources and facilities was found to impact positively on community involvement particularly performance of average community members who scored between 45% and 59% registered the highest scores on the elements of attitude scale.

4.5 Chiefs account on their practices and effectiveness of intervention strategies

The chiefs reported using various methods to involve the community members with demonstration and workshops method being the most commonly used involvement technique. these were found to be the most commonly used modes of testing the effective of the programs. The chiefs also reported carrying out regular revision of the workshops covered.

4.6 Results from observations carried

In the course of observation, it was observed that the community members without proper knowledge on land issues were unusually large. There were however adequate facilities, adequate journals and the headmen tried used various methods to communicate with the community members.

4.7 Results from interviews

There were two different interviews carried out community members interview, head men interview. From community members interview, the head men reported and provided proof of poor performance in dealing with land dispute. The results showed inconsistent trend in performance for the period between 2015 and 2018. The head men also reported being demoralized due to several challenges they listed as facing in offering services in their respective areas.

The chiefs reported admitting to their areas a significant population of community members with poor entry behavior and the prevalence of negative peer influence among their own head man. Two chiefs reported having qualified personnel and an ever-increasing community population due to the government subsidized land policy program which put pressure on the available facilities.

4.8 Conclusion

From the foregoing summary, it can be concluded that the poor services in counted in these areas monze particularly can be attributed to attitude factors particularly the head men negative perception of their community members abilities, inappropriate discussion environment, inadequate use of resources in promoting awareness process and negative socio-cultural effects.

4.9 Recommendations

Traditional leaders in Mansa District are central actors in land dispute resolution, functioning as mediators, custodians, and cultural authorities. Their systems remain relevant due to accessibility and community trust. Nonetheless, challenges such as lack of transparency, gender imbalance, and weak legal linkage limit their full effectiveness. A balanced integration between customary and statutory systems can enhance fairness, accountability, and sustainable land management.

1. The Ministry of lands either directly or through its agents should:

- Enhance supervision of land allocation to help improve the concept of land fairness entry behavior and particularly their language barrier.
- Increase the fund to enable chiefs acquires more and better workshop equipment's and facilities.
- Release the allocated funds in good time to enable acquisition of awareness in deep areas materials and services be done in time for proper land dispute implementation.

2. The Chiefs and Head men should:

- **Legal Recognition:**
The government should formalize traditional rulings through a framework that allows documentation and submission to local courts.
- **Capacity Building:**
Training programs for chiefs and headmen should focus on gender equality, conflict resolution, and record-keeping.
- **Standardization of Customary Practices:**
Developing written customary land guidelines can help harmonize procedures across chiefdoms.
- **Community Sensitization:**
Continuous education campaigns on land rights and procedures can empower citizens and prevent disputes.
- **Collaboration with State Institutions:**
Establish formal liaison committees between traditional authorities, district councils, and land agencies.
- **Promotion of Gender Equity:**
Encourage participation of women and youth in traditional councils and dispute resolution committees.

3. All stakeholders in concert should:

- Work for targeted intervention mechanism to improve performance offering services to the community. This is the responsibility of all the stakeholders.
- Devise a system that would enable creation of more awareness programs in day's in these community.

4.10 Suggestion for further research

The following areas are suggested for further study:

1. A comprehensive study on the causes of poor land allocation in these areas.
2. A comprehensive study of effects of education on land allocation in Chipata district.

3. A study of the impact of socio-cultural factors on performance of development in relation to land management.

5. References

1. Adams M. Customary Land Rights in Africa. Oxford University Press, 2020.
2. Ahmed L, Andrews D. Access to Justice and Alternative Dispute Resolution in Zambia. A 2024 A2J-ADR Assessment Report. World Bank, 2024.
3. Aiyedun E. ADR in SSA. African Law Journal, 2017.
4. Agheyisi J. Customary Courts in Africa. Journal of Legal Pluralism, 2019.
5. Babbie E. The practice of social research (15th ed.). Cengage, 2021.
6. Baldwin K, Raffler P. Traditional Leaders and Service Delivery. Working Paper, 2018.
7. Baldwin K, Ricart-Huguet J. Does Land Quality Increase the Power of Traditional Leaders in Contemporary Africa? SSRN, 2022.
8. Bell E, Bryman A, Harley B. Business research methods (6th ed.). Oxford University Press, 2022.
9. Berry S. Land Conflicts in Africa. African Studies Quarterly, 2018.
10. Bessa T, Malasha P. Gender-Based Violence and Land Documentation & Administration in Zambia: Emerging Lessons from Implementation. Ministry of Gender, Zambia, 2020.
11. Brown T. Land Tribunal in Zambia. Zambian Legal Studies, 2019.
12. Burke W, Maredia MK, Jayne TS, Chamberlin J. Institutional determinants of large land-based investments performance in Zambia: Does title enhance productivity and structural transformation? World Development. 2022; 158:105974.
13. CARE International. Sector-Specific Program Elements: Land and Property Rights. CARE, 2021.
14. Central Statistical Office Zambia. Mansa District Population Statistics. Mansa, 2022.
15. Chilisa B, Ntseane G. The Case of Zambia's Southern Province: Land Conflicts and Community Perceptions. CGIAR Research Program, 2023.
16. Chitonge H, Umbwa S, Chiboola M, Kunda-Wamuwi CF. Accessing Customary Land Tenure Institutions for Land Administration in Sandwe Chiefdom: Good Governance Perspective. Journal of African Real Estate Research. 2021; 6(1):23-43.
17. Crook R. Alternative Dispute Resolution in Africa. Palgrave Macmillan, 2018.
18. Diakonia Zambia. Political Governance Study in Zambia. Diakonia, 2021.
19. Denzin NK. The research act: A theoretical introduction to sociological methods. Routledge, 2018.
20. Fetters MD. The mixed methods research workbook. SAGE, 2020.
21. Flick U. An introduction to qualitative research (6th ed.). SAGE, 2018.
22. Freeman M. Strengthening Land-Based Investment Governance in Zambia. Centre for Environment and Justice, Zambia, 2023.
23. García F. ADR in Argentina and Africa. International Journal of Dispute Resolution, 2021.
24. Honig L. The Politics of Land in Zambia. Cambridge University Press, 2018.

25. Honig L. *Land Politics: How Customary Institutions Shape State Building in Zambia and Senegal*. Cambridge University Press, 2022.
26. Israel BA. *Methods for community-based participatory research for health*. Jossey-Bass, 2018.
27. Juma T. *Challenges of ADR in rural Kenya*. Kenya Journal of Social Justice, 2021.
28. Kairuki S, Ddaaki W. *ADR in East Africa*. East African Journal of Peace and Human Rights, 2021.
29. Katungula D, Kumwenda M, Ncube N, Chilanga M, Antonio D, Ndungu HN, *et al*. *Innovative Customary Land Governance in Zambia: Experiences, Lessons Learned and Emerging Impacts*. FIG Working Week Proceedings, 2019.
30. Kanyama A. *Effectiveness of Traditional Justice in Zambia*. UNZA Press, 2020.
31. Kironde JM. *Land Governance in Tanzania and Zambia*. Urban Forum, 2018.
32. Kuusaana E. *ADR in Ghana and Zambia*. Journal of Rural Studies, 2017.
33. Lierk M. *Corruption and accountability at grassroots level in Zambia*. German Institute of Global and Area Studies, 2018.
34. Logan C, Katenda LM. *African Citizen's Message to Traditional Leaders: Stay in Development, Stay Out of Politics*. Afrobarometer Dispatch No. 443, 2021.
35. Logan C, Katenda LM. *African Citizen's Message to Traditional Leaders: Stay in Development, Stay Out of Politics*. Afrobarometer Dispatch No. 548, 2022.
36. Lusugga J. *Community Mediation in Uganda*. Makerere University Press, 2018.
37. Manda S, Banda L. *Seeing like the state? Customary land pressures and fracturing tenure systems in rural Zambia*. Land Use Policy. 2023; 132:106833.
38. Malasha P. *Traditional leaders in Zambia shift gender norms*. IIED, 2021.
39. Maina J, Gathumbi E. *Community resistance to ADR in rural Kenya*. Kenya Journal of Social Justice, 2022.
40. Maines T, Jung S. *Conducting Legal Needs Surveys in Zambia: Taking a Contextual Approach*. Southern African Institute for Policy and Research, 2022.
41. Mbazor D. *Land Disputes in SSA*. African Journal of International Affairs, 2019.
42. Mtengeti E, Mwambene L. *Historical land allocation in Tanzania*. Oñati Socio-Legal Series, 2022.
43. Munshifwa EK, Chileshe RA, Jain N. *Evolution of Customary Land Tenure Institutions in Zambia: The Case of Lufwanyama District in the Copperbelt Province*. SAGE Open. 2020; 10(3).
44. Ndangiza M. *Land Reform in South Africa*. Journal of Southern African Studies, 2020.
45. Omondi M, Ochieng P. *Traditional leadership and land dispute resolution in Kenya*. Kenya Studies Press, 2022.
46. Omondi S. *Post-Election Disputes in Kenya*. East African Review, 2022.
47. Phiri D. *A Legal Analysis of Disjunctions Between Statutory and Customary Land Tenure Regimes in Zambia*. Institute for Poverty, Land and Agrarian Studies (PLAAS), 2021.
48. Phiri D, Malasha P. *Overcoming Land Disputes in Zambia*. Land Portal, 2022.
49. Rashid M. *ADR in Bangladesh and Zambia*. Asian Law Review, 2019.
50. Resnik DB. *The ethics of research with human subjects*. Springer, 2018.
51. Simeon G, Ngambi SN, Mulubale S. *Examining Traditional Leader's Role in Managing Political Conflict and Peace Building in Zambia*. University of Zambia Repository, 2023.
52. Sitko NJ, Chamberlin J. *Threats of Statutory Tenure on Customary Land in Zambia*. AJLP-GS, 2020.
53. Sitko NJ. *Political Instability and Perceptions of Land Tenure in Zambia*. LandLinks, 2018.
54. Tashakkori A, Johnson RB, Teddlie C. *Foundations of mixed methods research (2nd ed.)*. SAGE, 2021.
55. Transparency International. *Understanding Land Corruption as a Basis for Prevention*. Transparency International, 2019.
56. Verplanke J. *Land Boundary Demarcation in Tanzania*. GeoJournal, 2018.
57. Wamala R. *Role of traditional leaders in land conflicts*. Uganda Law Journal, 2020.
58. Yin RK. *Case study research and applications: Design and methods (6th ed.)*. SAGE, 2018.