

THE ROLE OF INFORMAL LAND DISPUTE SETTLEMENT MECHANISMS ON FAMILY LAND OWNERSHIP IN TANZANIA: A CASE STUDY OF MBEYA DISTRICT, MBEYA REGION

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Abstract: Informal land disputes settlement mechanisms epitomize a classic example of valuable and useful indigenous knowledge, which Africans have acquired for ages but is not being recognized and sometimes not fully utilized in contemporary African societies. The study aimed to assess the role of informal land dispute settlement mechanisms on family land ownership in Tanzania: A case of Mbeya district. The specific objectives of the study were to identify nature and causes of informal land dispute settlement mechanisms on family land ownership in Mbeya district and to examine the effectiveness of informal land dispute settlement mechanisms on family land ownership in Mbeya district. The study adopted case study research design, target population of the study was 446 respondents, and sample size of the study was 128 respondents. This study employed both qualitative and quantitative research approach data collection tools used was questionnaires, interview and focus group discussion. The study findings indicated that causes of disputes on family land ownership and effectiveness of informal dispute settlement mechanism significantly lead to family land ownership conflicts in Mbeya district as well as in Tanzania. The study concluded that informal land dispute settlement mechanisms help people within the community to attain land ownership through chiefs and community elders because this mechanism can strengthen solidarity, ethnics discipline in the community and recommended that the government should formulate policy and law governing informal land dispute settlement mechanisms on family land ownership to be accommodated in the local system to facilitate quickly land matters rather than depending on western system .

Keywords: Informal land dispute settlements mechanisms, family land ownership.

1. INTRODUCTION

1.1 Introduction

Land is an essential fundamental asset for humankind. Although land ownership in many societies and families is associated with wealth and powerful persons and institutions, every human being, poor or rich, at least needs land for shelter and other uses such as crop cultivation (Makupa and Alananga, 2018).

Due to emergence of social classes as a result of the rise of modern ways of life and socio-economic transformations, commoditization of properties including land becomes inevitable. This makes it attractive to some people to sell their land including family-owned land between classes of the rich and the poor, and this becomes distinctively conspicuous and fuel land disputes. As remedy, local communities have to resort to their traditional systems of conflict resolutions knowing that land is treated sacred within their traditional belief system(s), especially family land where ancestors and grandparents are put to eternal rest (Handzic, 2010).

Land conflicts often have extensive negative effects on ecological, social, spatial and economic development, also in developing countries where land market organizations are weak, opportunities for economic gain by illegal action are widespread and many poor people lack access to land. Moreover, land conflicts can have disastrous effects on individuals as well as groups and even entire nations as many conflicts that are perceived to be clashes between different cultures are actually conflicts over land and related natural resources (Wehrmann, 2008).

African societies, believe in African mythology, which may not be contemplated in modern court systems during conflict resolutions. The elders and community opinion leaders including local chiefs are believed to be the custodian of justice and harmony in traditional set up who have some divine power to communicate with the departed ancestors (Tiwari, Lane & Alam, 2019). The belief systems are so pervasive and powerful so much so that they create voluntary adherence to the verdict from the elders for any land related disputes including other family matters, hence, they bring about and maintain social cohesion in the community (Tiwari, Lane & Alam, 2019).

There are numerous factors in African countries, which have contributed, in one way or another to the increasing number of land conflicts. They include agricultural commercialization, population pressure, Foreign Direct Investments (FDIs) and urbanization (Husmann, and Kubik, 2019). Furthermore, the current land tenure systems are not well-equipped to resolve such conflicts but land is increasingly becoming a source of disputes in the majority of Sub-Saharan African countries (Husmann, and Kubik, 2019).

In South Africa, many communities have traditional justice systems that deal with the vast majority of disputes. This is particularly true among people living in the countryside where access to the formal court system may be especially difficult (Home, 2020). Despite increasing incidences of land disputes, previous studies on this topic have been limited to some specific incidences that are related to large-scale civil strife or politically motivated conflicts (Dlamini-Ndwandwe, 2013).

In Kenya, traditional elders in communities are organized into councils with groups of elders who help in resolving local disputes, particularly land and marriage disputes. Kalenjin and Maasai elders in Kenya, gained access and training to the new constitution as well as space to reflect on its meaning, for their communities are incorporating aspects of both the informal and formal justice systems. In so doing, they are creating a blended system that is highly attuned to local realities and national values (Mwita, 2017)

Tanzania has experienced massive land disputes from different areas and most of the disputes are between farmers and pastoralists (URT, 2012). Land disputes in Mvomero and Kilosa Districts in Morogoro Region, Kiteto District in Manyara Region and Ngorongoro District in Arusha region are examples of large land disputes, which happened in Tanzania and caused not only property damages but also people's deaths. Also, there were land conflicts between investors and citizens in some areas in the country. For example, there were land conflicts between Barrick Gold Mine (currently, Acacia) and the citizens in Nyamongo, Mara region; citizens and Geita Gold Mine in Geita region; land conflict between an investor and small miners in Nzega District, Tabora region (Saruni et al., 2018).

1.2 Statement of the Problem

Land conflicts have been an area of concern largely due to the failure to resolve many of the conflicts which are emerging in both formal and informal settings between different classes such as individuals and local institutions, communities and government as well as communities and an individual (Home, 2020).

Local communities in Tanzania, like in many Sub-Saharan African countries, have used different forms of their indigenous knowledge in solving various social problems. Land dispute is one of the commonest problems in rural communities in the country. Moreover, communities are inseparable with their cultural life ways, which are deeply rooted in their cultural heritage including indigenous knowledge heavily influenced by traditional belief systems (Sackey, 2010).

The study conducted by Mushinge, (2020) in Democratic Republic of Congo, Tanzania and Zambia shows that even if one can be able to meet the cost of formal court system and follow the legal proceedings, some disputes have not been resolved, this partly shows clearly the problem, which was investigated in this study that examined informal family land dispute mechanisms as a viable alternative to land dispute settlements in Tanzania (Deininger et al., 2011).

The elders and respected community leaders, through councils of elders, play key role of informal land dispute mechanisms (Fairley, 2013). This study sought to demonstrate empirically that elders in Mbeya District are keys to informal land dispute settlements mechanisms.

1.3 Research Objective

The research was guided by the following specific objectives:

- i. To identify nature as well as causes of informal land dispute mechanisms on family land ownership in Mbeya District.
- ii. To examine the effectiveness of informal land dispute settlement mechanisms on family land ownership in Mbeya District.

1.4 Significance of the study

Results from this study will contribute to the body of knowledge on relevance of local knowledge on land dispute settlement mechanisms, which are very helpful in resolving land conflicts among people. Secondly, findings from the study will provide insightful information to policy makers in making use of indigenous knowledge in addressing various social problems including land disputes, which are context specific. Thirdly, the study will provide empirical evidence to be replicated in solving similar problems facing contemporary Tanzanian society like land conflicts between pastoralists and farmers.

2. LITERATURE REVIEW

Marioara et al., (2018) carried out a study in Romania on land related disputes and conflicts. In their study, they revealed that conflict arises and personal relationships make it highly difficult to resolve issues leading to conflict in the family due to blood kinship which makes biasness. Hence, conflict can be understood as wrong use, restriction or dispute related to the land ownership rights. The land-related conflicts explained as such can be aggravated, if the social positions of the involved parties are very different.

In Sub-Saharan Africa, Clarke (2009) conducted study concerning securing Communal Land Rights to Achieve Sustainable Development. In his study, he revealed that selfish individual interest acts as a catalyst for family land dispute as manifested either by unjustly grabbing land or by excluding other family members from legally using land. In addition to that, it was disclosed that individual profit maximization in the case of widespread absence of functioning institutions was the underlying reason for land ownership conflicts. Moreover, capitalistic land market associated with increasing land prices was seen as a facilitator (for as long as land has no monetary value, land ownership conflicts occur comparably seldom).

A study on basic facts and figures on human settlements was conducted in Tanzania (URT, 2011). Results from the study revealed that natural increase in 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 natural growth of population caused high prices of land and as a result, generated disputes in families as well as communities over inherited land (URT, 2011). For example, in Girango Division, Rorya District, families and villages increased from 56,747 in 2002 to 68,873 in 2012, which led to high demand of land for cultivating food, for feeding the increased population and hence, land disputes among families increased among land users (Marwa, 2015).

Marioara et al., (2018) in Romania conducted a study concerning land related disputes and conflicts. In their study they revealed that people within their community prefer to use informal land dispute mechanisms because it is cheap and takes short time to bring land ownership rights with peace and harmony within the community.

Home (2020) in South Africa conducted a study concerning with land dispute resolution and the right to development. In his study he found that informal land dispute mechanism brings people together within the community also helps people within the community to utilize their own land and to archive development within the community.

Kalabamu (2021) in Botswana conducted a study concerning with land conflicts and alternative dispute resolution. In his study he revealed that people within the society use informal land dispute mechanisms to obtain land ownership due to informal dispute mechanisms improve access and justice for all disputants' parties, less costly, not time-consuming, and promoted or restored peaceful relationships in land-related conflicts hence the community can attain development.

Oloyede and colleagues (2007) in Nigeria, conducted a study on informal land delivery system. In their study they revealed that informal land dispute settlement tends to be more effective in delivering land for housing, because of their user-friendly characteristics and social legitimacy. This legitimacy derives from the widely understood and accepted

social institutions that regulate these informal land transaction systems. With the increase in urban development and growth and the pressure on such social institutions by the youth all over the country recently, social institutions are being weakened and breaking down because the youth are more than ever conscious of their sustainability in the face of their declining fortunes. For this reason and the fact that most purchasers of land are now educated leaders, actors in land transactions seek to use formal institutions to protect their rights and investments (Oloyede and colleagues, 2007).

3. METHODOLOGY

The study had adopted case study research design. Case study research design is used to obtain in-depth information from the study area (Bennett, 2004). Therefore, the design was deemed most efficient in analyzing the role played by informal land dispute settlement mechanisms on family land ownership in Mbeya District, Mbeya Region. The study adapted both quantitative and qualitative approaches. This is because the combination of approaches helps to describe a particular problem rather than a sweeping statistical survey (Khalid and colleagues 2012). The researcher used Slovenes' formula to obtain sample size of 113 respondents from target population of 158 respondents (mbeya district Council, 2021). Purposive sampling procedure was employed to select all family members who were key individuals in decision-making on settling disputes at family level, village elders, members of various local government agencies and ward tribunal secretaries. In order to collect the data needed, the researcher used questionnaire and interview for collecting primary data and the questionnaire was closed ended that was developed objectives and literature review.

4. RESULTS AND DISCUSSION

4.1 Scaling Techniques

Table 4.1 Scaling techniques

Description	Likert Scale	Mean Range	Interpretation
Strongly agree	1	1.00-1.800	Very high
Agree	2	1.81-2.600	High
Undecided	3	2.61-3.400	Moderate
Disagree	4	3.41-4.200	Low
Strongly disagree	5	4.21-5.00	Very low

Source :(Author, 2021)

4.2 Determinations the role of informal land dispute settlement mechanisms on family land ownership in Mbeya District, Mbeya region

The study determines the informal land dispute settlement mechanisms on family land ownership in Mbeya District, Mbeya region.

4.2.1 To identify nature as well as causes of informal land dispute mechanisms on family land ownership in Mbeya District

Interview was conducted to Ward Tribunal Secretary and members for customary laws and village elders. They were 23(20.3%) from the respondents who provided information concerning nature of informal land dispute settlement mechanisms on family land ownership; from Igale ward they were 7(6.19%) and from Iwindi ward they were 16(14.16%).

During the interview, Iwindi Ward tribunal secretary said:

“Emergence of classes within the community leads to land conflicts. This caused community members to seek for solution so as to maintain peace by using community elders and chiefs within their areas.

Also, during interview with the Igale Ward tribunal secretary, the secretary said:

“Emergence of the groups within the community, those who were wealthy and the poor leads to land conflicts in the community as a result that leads to them seeking solution so as to maintain peace by using community elders and chiefs within their areas”.

Meaning that raised economic power by one clan over another clan within the community, leads to land use conflicts within the community and that leads to the inter- community to seek for solution so as to safeguard peace and security by using community elders and chiefs within their respective areas.

The informal land dispute settlement mechanism is the traditional way of managing land conflicts within the family and community by using village leaders/chief or clan leaders out of legal mechanism. Land conflicts are of the two categories, inter-community/family and intra-community/family and they were grouped into two classes: farmers and pastoralists (those who keep animals like cattle). Such patterns created classes of people within the community - those who were rich and others who were poor.

Those who were rich owned properties like land and others had herds of cattle and other animals. Classes led people within the community to struggle to own land hence that caused conflicts within the community. Prolonged conflicts on land in communities required community leaders and elders to find solutions through informal dispute settlement mechanisms introduced by the elders or the chief as a leader for the purpose of maintaining social cohesion in the community. Results in this objective are similar to those of Clarke (2009) that classes within the community are made of those who own property and those who do not have property. It happens that those who own property tend to occupy land of those who do not have property and that ends up creating land conflicts among the community members. They then seek for solution so as to safeguard peace and security by using community elders and chiefs within their respectively areas

Questionnaires were distributed family members, clan members, blood kinship relatives and clan elders who comprised 90 respondents to identify nature and causes of informal land disputes settlement mechanisms for attaining family land ownership. Table 4.2 shows the summary.

Table 4.2: Causes of informal land dispute mechanisms and family land ownership

	SA	A	U	DA	SD	Total	Mean	Std. Deviation
People migrate from one area to another area leads to family land conflict	37	38	4	6	5	90	1.49105	1.48507
Increase population within the society which reform family land ownership	36	35	2	8	9	90	1.49105	1.49105
Economic activities such as crop cultivation, animal keeping and mining leads to family land conflict	40	39	1	4	6	90	1.49105	1.37471
One person or group within the family members transfers land property without the consent of other family members leads to family land conflict	35	34	0	9	12	90	1.49105	1.41938
Infrastructure construction within an area leads to family land conflict	40	43	2	3	2	90	1.49105	1.33355
Average						90	1.49105	1.42075

Source: (Field Data, 2021)

Table 4.2 shows causes of informal land disputes settlement mechanisms for attaining family land ownership. Infrastructure construction within an area leads to family land conflict, 43 agreed respondents, 40 strongly agreed, 2 were undecided, 3 disagreed and 2 strongly disagreed. Total respondents have high mean of 2.1991 and standard deviation of

1.33355 respectively. This finding indicates that infrastructure construction in terms of road construction and water network? Construction within the community leads to land conflicts within the community. These findings are similar to the findings obtained by Carse (2012) in the United States of America who in his study found that infrastructure construction tends to grab peoples land hence leads to land conflict between people within the community.

Economic activities such as crop cultivation, animal keeping and mining leads to family land conflict. 40 respondents strongly agreed, 39 agreed, 6 strongly disagreed, 4 disagreed and 1 undecided. Total respondents have high mean of 2.2353 and standard deviation of 1.37471 respectively. These findings indicate that economic activities such as animal keeping requires large piece of land for pusturing animals while crop cultivation requires small piece of land, in this situation, the pastorarists pasture and bring their animals to the farmers crops because land is limited; as a result this causes land use conflicts. These findings are similar to those obtained by Ocansey (2013) in Ghana where it was found that economic activities **such as mining** activities leads land conflict to the farmers due to miners compete for land with farmers that they need for cultivation crops.

One person or group of people within the family transfers land property without the consent of other family members, and that leads to family land conflict. 35 of the respondents strongly agreed, 34 agreed, 12 strongly disagreed and 9 disagreed. Total respondents have high mean of 2.3348 and standard deviation of 1.41938 respectively. This finding indicates that people's selfishness within the family leads to land conflict within the family as well as within the community. These findings are similar to the findings obtained by Clarke (2009) in Sub-Saharan Africa, who revealed that selfish individual interests act as a catalyst for family land dispute as manifested either by unjustly grabbing land or by excluding other family members from legally using land and individual profit maximization.

People migrate from one area to another area leads to family land conflict. 38 respondents agreed, 37 strongly agreed, 6 disagreed, 5 strongly disagreed and 4 undecided. Total respondents had high mean of 2.4842 and standard deviation of 1.48507 respectively. These findings indicate that people migrate from one area to another searching for an area for investment or pasture for their herds of animals. Such are like the Sukuma and Masai people who migrate from their regions to search for pasture for their animals in the southern regions like Mbeya, Ruvuma and others to Morogoro region (Kilosa). When they reach to southern regions (Mbeya, Ruvuma and Morogoro) they find the indigenou of those regions who are farmers and they feed their animals on farmers crops, in such a situation conflict started between animal keepers and farmers. These findings are similar to the findings obtained by Mtenga (2019) in Morogoro, land conflicts were embedded in the unique history of the interactions between Masai pastoralists and farmers, where by Masai as pastoralists migrated from their region to Morogoro region searching for pasture for their animals. Persistence of the conflicts was dictated by the evolving economic, political and social forces. Thus, the complex problem of land conflicts between farmers and pastoralists in Morogoro occurred.

Population increase within the society destroy family land ownership. 36 respondents strongly agreed, 35 agreed, 9 strongly disagreed, 8 disagreed and 2 respondents were undecided. Total respondents have high mean of 2.5249 and standard deviation of 1.49105. These findings indicate that when people move from one area to another it courses land conflict at the destination areathis is because those who migrated to a new area will find the the indigenou already owning land for running their economic activities such as agriculture and mining and that leads to land conflict between the indigenou and immigrants. These findings are similar to those noted in Tanzania (URT, 2011). That people migration from one area to another like the Sukuma people migrating from Shinyanga and Mwanza region to southern Regions like Mbeya region searching for pastures and people's engagement in economic activities such as crop cultivation and pastrolism led them into competition on land, resulting in land conflicts within the community.

4.3 The effectiveness of informal dispute settlement mechanisms on family land ownership

Interview was conducted to Ward Tribunal Secretary and members for customary laws and village elders. They were 23(20.3%) from the respondents who provided information concerning effectiveness of informal dispute settlement mechanisms on family land ownership; from Igale ward they were 7(6.19%) and from Iwindi ward they were 16(14.16%).

During interview the Igale ward tribunal secretary said:

“Traditional dispute resolution system has no costs. It is easy and creates unity and peace in community”

The Iwindi ward tribunal secretary stated:

“Dispute resolution through traditional approaches helps to unite people within the community and bring about peace”

Also, 8 elders/ villagers from Iwindi Ward were interviewed, among them five (3) elders had the following opinions:

Elder 1: “ Informal land dispute settlement mechanisms tend to be more effective in delivering land for housing, because of their user-friendly characteristics within the community.

Elder 2: “ informal land dispute settlements mechanisms bring peace and harmony between disputant family members of land use conflicts”

Elder 3: “ informal land dispute settlements mechanisms reduce bureaucracy, it is low cost and saves time”

Research data concerning effectiveness of informal dispute settlement mechanisms on family land ownership in Mbeya District community disclosed that such mechanisms strengthened solidarity and discipline in the community. People get to sit together to discuss the causes and solutions for the problem. Thus, such measures can satisfy the parties involved with the decision made within the session. Another relevance of informal land dispute settlement mechanism is the strengthening of the economic activities among disputants for them to concentrate on production within their community. Hence, the economic status within their family strengthens and so as the economic status of the community. Another relevance put forward was enhancing peace and harmony in the family which experienced family land ownership dispute(s). The last relevance mentioned is that it is timely, effective and relatively cheap to reach for solutions. Such measures do not require money for transport from one area to another because sessions take place within the community and they never take much time to reach solutions on the problem at hand. Therefore, informal land dispute settlement mechanisms strengthen the economy of people and maintain peace and harmony in the community. These findings are same with those obtained by Home (2020) in South Africa where it was found that land dispute mechanisms are cheap and take little time to bring land ownership rights with peace and harmony within the community.

Questionnaires were distributed to family members, clan members, blood kinship relatives and clan elders; these comprised 90 respondents. The study sought to identify the effectiveness of informal land dispute mechanisms for the purpose of attaining family land ownership as shown in Table 4.3

Table 4.3: The effectiveness of the informal land dispute settlement mechanisms on family land ownership in Mbeya District

	SA	A	U	DA	SD	Total	Mean	Std. Deviation
Land disputes settlements lead to peace and security between the family members	36	37	4	6	7	90	2.4163	1.45180
Informal dispute settlement mechanisms brought peace and harmony in a family which experienced family land ownership disputes	40	39	0	5	6	90	2.2262	1.35628
Informal land disputes settlement strengthens the economic status among disputants	38	40	2	7	3	90	2.0633	1.26332
Informal land disputes settlement mechanism is timely effective and relatively cheap	36	37	4	6	7	90	2.4163	1.45180
Land dispute settlement on family land ownership strengthens the solidarity and ethnic?? discipline in the community	41	42	0	4	3	90	2.3982	1.48471
Average								

Source: (Field Data, 2021)

Table 4.3 shows the relevance of informal dispute mechanisms on family land ownership in Mbeya district. Informal land disputes settlement strengths the economy among disputant parties. 40 respondents agreed, 38 strongly agreed, 7

disagreed, 3 strongly disagreed and 2 respondents were undecided. Total respondents had high mean of 2.0633 and standard deviation of 1.26332 respectively. These findings indicate that within the community people use informal land dispute mechanism because it does not require money to solve disputes therefore people can save money for other economic activities, hence, it strengthens the economic status among disputants. These findings are similar to the findings obtained by Marioara et al. (2018) in Romania that informal land dispute mechanism is relatively cheap, that is why people in communities prefer to use it because they save money for other economic activities within the community.

Informal dispute settlement mechanisms brought peace and harmony in a family which experienced family land dispute. Among the respondents 40 of them strongly agree, 39 agreed, 6 strongly disagreed and 5 disagreed. Total respondents had high mean of 2.2262 and standard deviation of 1.35628 respectively. These findings indicate that informal dispute settlements mechanisms bring peace and harmony due to that it gathers people friendly within the community and solve disputes in friendly manner. These findings are similar to those obtained by Home (2020) in South Africa that informal land dispute mechanisms bring people together within the community; also helps people in the community to utilize their own land to archive their development.

Land dispute settlements on family land ownership strengthen the solidarity and ethnic discipline in the community. 42 of the respondents agreed, 41 strongly agreed, 4 disagreed and 3 strongly disagreed. Total respondents had high mean of 2.3982 and standard deviation of 1.48471 respectively. These findings indicate that within the community people use informal dispute settlement mechanisms to maintain community culture and discipline within the community by using traditional leaders such as traditional chiefs to solve different land conflicts that emerged in their community. These findings are similar to the findings obtained by Oloyede and colleagues (2007) in Nigeria which revealed that, informal land dispute settlement tends to be more effective in delivering land for housing, because of their user-friendly characteristics and social legitimacy.

Informal land disputes settlement mechanism is timely effective and relatively cheap. 37 respondents agreed, 36 strongly agreed, 7 strongly disagreed, 6 disagreed and 4 undecided. Total respondents had high mean of 2.4163 and standard deviation of 1.45180 respectively. These findings indicate that informal dispute settlement mechanisms take relatively short time to reach solutions on disputes that emerge in the community because people come together to where the dispute happened and solve it promptly without traveling to where the court is, to solve for dispute. These findings are similar to those obtained by Kalabamu (2021) study in Botswana. The study found that informal land dispute mechanisms are used to obtain land ownership due to that they improve access and justice for all disputants, less costly, not time-consuming, and promote or restore peaceful relationships in land-related conflicts hence the community can attain development.

Land disputes settlements lead to peace and security between the family members. 34 respondents agreed, 33 strongly agreed, and 7 disagreed, 5 strongly disagreed and 1 was respondent was undecided. Total respondents had high mean of 2.4163 and standard deviation of 1.45180. These findings indicate that community members use informal dispute mechanisms to solve land dispute because it is a friendly way of solving land conflicts within the community, hence the settlements bring peace and security between families or communities. These findings are similar to the findings obtained by Oloyede and colleagues (2007) in Nigeria that informal land dispute settlement tends to be more effective in delivering land for housing, because of their user-friendly characteristics; also it brings peace and security between the family members.

Therefore these findings indicate that informal land dispute mechanisms are cheap, take little time to reach conclusion and bring people together within the community. Moreover, they facilitate peace maintenance within the community. The findings are similar to those of Marioara et al. (2018) study in Romania which revealed that, informal land dispute mechanisms are cheap and take little time to bring land ownership rights with peace and harmony within the community.

5. SUMMARY AND CONCLUSIONS AND RECOMMENDATIONS

5.1 Summary

Summary of the Findings

The first objective of the study sought to identify nature as well as causes of informal land dispute mechanisms on family land ownership in Mbeya District. The nature of informal land dispute settlement mechanisms is a result of emergence

classes of people within the community, those who are rich and those who are poor, those who were rich own property like land, or are keeping animals. Classes led people within the community to struggle to own land and that caused the emergence of conflicts within communities. Prolonged land conflicts within the communities led to community leaders and elders to find solutions through informal dispute settlement mechanisms introduced by the elders or the chief as a leader within the community for the purpose of maintainin social cohesion in the community.

The findings from the study indicate that causes of land dispute was people engaged in economic activities such as crop cultivation and animals keeping, thus two groups of people had competition on land for running their economic activities, for example, farmers need land to cultivate crops and pastoralists need land for pasturing their animals, therefore this competition for land leads to land conflict within the community.

The second objective of the study sought to examine the effectiveness of informal land dispute settlement mechanisms on family land ownership in Mbeya District. Informal land dispute settlement mechanism was more applicable within community. It strengthenend solidarity and ethnics discipline in the community, people were observed interacting and working together within communities Thus, such mechanisms on family land ownership were observed to be timely, effective and relatively cheap because for any dispute resolution, they preferred to use informal land dispute settlement mechanism rather than go to the court.

5.2 Conclusions

From research findings obtained above, researcher comes with the following conclusions.

The study concluded that the informal land dispute settlement mechanisms helped people within the community to attain land ownership through community elders due to the fact that the mechanism strengthenend solidarity, ethnics discipline in the community, People were interacting and working together within the community and that leads to development within Mbeya community as well as in Tanzania in general.

5.3 Recommendations

From the findings and conclusion, the study recommends that Tanzanian government should use indigenous knowledge available on informal land dispute settlements and rights to land ownership to individuals in order to eliminate family land ownership conflicts.

Also people in the community should behave according to their norms, taboos and conducts in order to minimize as well as eliminate the family land ownership conflicts. .

The researcher recommends for an individual to study about the policy governing land ownership in Tanzania to facilitate family land ownership disputes settlements.

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