

**A REPORT OF THE FACT FINDING STUDY ON CONFLICTS  
BETWEEN LOITA MAASAI AND BATEMI SONYO  
IN SALE DIVISION LOLIONDO DISTRICT**

**CONDUCTED BY:**

**LAND RIGHTS RESEARCH AND RESOURCES INSTITUTE  
(LARRRI)**

**AND**

**PASTORALISTS INDIGINOUS NGOs FORUM (PINGO's FORUM)**

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## **SUBJECT OF FACT FINDING: The Conflicts between Loita Maasai and the Batemi (sonjo) in Loliondo and Sale Divisions, Arusha Region:**

### **1. Executive Summary**

The conflict for which the research team has taken immediate measures to find its causes and give recommendations for its complete arrest, took place from the 1<sup>st</sup>-14<sup>th</sup> July 2004 in the frontiers of Engusero Sambu and Kisangiro villages, in the divisions of Loliondo and Sale, respectively, both of Ngorongoro District. Ngorongoro is the third division in the District. One person was killed and another injured in the subject fighting.

The district is inhabited by the Maasai pastoralsits who constitute the majority and the Sonjo agro-pastoralists who constitute the minority. The two groups have a prolonged history of hostile relations and tensions.

The history behind the existing conflict goes back to 1975 when the most intense fight between the two tribes was first recorded. Many lives were claimed in a fight that was triggered by cattle thefts. The conflicting situation was temporarily arrested in the early 80's when the late Edward Moringe Sokoine (the then prime Minister for United Republic of Tanzania) mediated the same by using traditional means of conflict resolution.

The conflict between the two sides gathered new momentum after 1990 when a highly disputed land demarcation and issuance of title deeds to some villages, was done by ADDO, KIPOC, IUCN and SRCS. It however blew up in 1995 in an occasion where a Maasai young man stole a shoe of a Sonjo trader in a local market, an incidence that quite surprisingly exploded in bloodshed of a magnitude not preceded to date.

The research team has managed to come with a score of causes that can be said to underlie the conflict. These are no less than poor management and administration of land; ethnic hatreds; scarcity of land and population growth; diversification of livelihoods; proliferation of small arms; competition over the Kenyan border; and the role of politicians and the government bureaucracy.

From the findings and the causes of the conflict, the team has come up with recommendations deemed necessary to arrest the conflict both temporarily and permanently. These include, dissolution of the existing committee of councillors; re-demarcation of boundaries; initiation of a traditional dialogue; awareness of the substance and procedures of the new land acts; joint of land use plans; Implementing the dispute settlement mechanisms of the new land laws; control of illegal immigrants from Kenya; disarmament; and the building of police posts in the conflict zone.

Finally it is concluded that, **prevention is better than cure**. The government and other stakeholders should therefore address potential conflicts timely before they escalate into large-scale wars that claim innocent lives and which destroy valuable property that is difficult to replace.

## **2. Introduction**

The long unresolved conflict and misunderstanding between the Batemi (commonly known as the Sonjo) and the Loita section of the Maasai, currently re-emerged in the frontiers of Engusero Sambu and Kisangiro villages of Loliondo and Sale divisions, respectively. The fight which started on 1<sup>st</sup> July way to 14<sup>th</sup> July 2004 led to the death of one young Loita Maasai warrior identified by the name of Kaiki Tanguyu and serious bodily injuries by bullets sustained by one Njangeri Kigoya, also a Loita Masaai. There were serious losses of property sustained by both sides. It is said that the Sonjo lost about 25 goats while the Maasai lost about 72 individual houses, and crops, among others. The fighting has now been brought to a temporary stop by the government, but the situation is still tense and there is general fear that a more deadly fight can still occur, if the situation is not addressed promptly.

Pastoralists Indigenous NGO's (PINGO's) Forum and its Dar es Salaam based partner Land Rights Research and Resources Institute (LARRRI), agreed among themselves to carry a fact finding mission of the immediate and root causes of the conflict, with the superior objectives of giving recommendations that can be used by different stakeholders for devising a permanent solution to the same. Community Resource Team (CRT) and Laramatak Development Organisation (LADO), both members to PINGO's Forum of the Loliondo cluster, also joined the two lead organisations, to undertake the findings.

The research team has herein below managed to come with findings and recommendations that are considered expedient for addressing the simmering conflict. The findings and recommendations were generated through an actual field visit to the villages in the conflict, interviewing different actors as well as research on different documents and literature related to the conflict.

It is our expectation that the recommendations given will assist different players to come up with a prompt and action oriented plans to bring the conflict to an end permanently.

## **3. Ngorongoro District: The people, the geography, the politics social relations, and land disputes**

### **3.1 District profile and the people**

Ngorongoro District is among the five Disticts making up Arusha Region in North Eastern Tanzania. Other districts are Karatu, Monduli, Arumeru, and Arusha urban. Ngorongoro is one of the most famous districts in Tanzania, not only because of the Ngorongoro Crater and other tourist attractions but also because of its pronounced land use conflicts. The area is home to the famous Loliondo Game Controlled Area hosting the hunting empire of Ortello Business Corporation (OBC), whose presence and dealings in the area has generated a lot of criticisms and has in some circles been nicknamed the 'Loliondogate'.

The District borders the republic of Kenya in the North, Karatu District in South, Meatu and Serengeti districts in West and Monduli District in the East. It divides into three divisions, which are Ngorongoro, Loliondo and Sale. The District has a population **129,000** people according to the 2002 census. 59% of the district's landmass falls within the famous Ngorongoro conservation area which was established by the Ngorongoro conservation area Ordinance of 1959 to deal with matters related to the conservation of wildlife resources, promotion of tourism and the development of indigenous Maasai pastoralists living in the area.

Much information is also known about Loliondo division, which divides into a number of wards and villages, inhabited mostly by Maasai who are traditionally pastoralist but who now practice farming as well. The Batemi (commonly known as Sonjo) and other groups also live in the area and they are mostly farmers even though they also keep domestic animals. The division is made up of the villages of Loliondo, Sakala, Ng'arwa/Enguserosambu, Oloirien/Magaiduru, Soitsambu, Ololosokwan, Oloipir, Arrash and Maaloni.

As for Sale division, most of its residents are agro-pastoralist. The division is made up of the villages of Tinaga, Mgongo, Kisangiro, Samunge, Yasimdito, Digodigo, Malambo and Piyaya.

The three divisions can be differently characterized both in natural resources endowments and social relations between its people who are mainly Maasai (majority) and the Batemi (minority). However, there are very complex and hostile socio-economic and political relations between Maasai and the Batemi that can only be explained within a broader context of geographic location of their villages, ethnic origin and composition of the tribes, social relations and access to resources and decision-making bodies. Those are some key factors that characterise the persistence of the hostile relationship and occurrence of conflicts between the two groups, which the research team finds it extremely expedient to be dealt with, if lasting solutions to the conflict are to be achieved.

### **3.2 Geographical location, ethnicity and social relations**

Geographically, Sale division and part of Loliondo division border with Kenya on their North. The Batemi inhabit in six villages of Sale division (Tinaga, mgongo, kisangiro, Samunge, Yasimdito and Digodigo). Sale and Oldonyo sambu villages are inhabited by both the Maasai and Batemi.

According to the elders in Kisangiro village, which is the centre of the Batemi tribe, the Maasai from Kenya are the source of all problems around villages of Sale division. Those are alleged to have invaded village lands without following immigration procedures. As result, this has been gradually reduced their arable land and fueling conflicts between the two sides as each side would like to expand its land. The Maasai on the other hand claim that Sonjo are expanding their agricultural land into their grazing land hence creating scarcity for grazing land. The origin of Sonjo was linked to the decent of Kurya from Mara region that was defeated by other tribes during tribal wars in the region. BATEMI or WATEMI is the name given to the tribe, which means Bantu farmers. However,

the Sonjo elders refute such affinity with Kurya and insist that they have lived in the area for over one thousand years. There are other different versions about the originality of the tribes in the area, which also magnify the tension between them. However, there was no written document to substantiate the claims about the originality of the two tribes although some Maasai admitted to have tribesmen and relatives in Kenya. The claims about differences in origins have worsened even the social relations between the two tribes especially around villages inhabited by Sonjo.

### **3.3 Cattle rustling**

Historically the differences between the Maasai and Sonjo were emerging during cattle raiding only until early 1990's when they took a new turn to involve other issues. Cattle raids were done by the Maasai warriors who would steal cattle for either prestige or restocking their herds just like Sonjo warriors would do for the same or similar reasons. In both cases, it was the elders who resolved cattle raiding disputes before they could escalate into fighting and killings. All they did was to ensure that the stolen animals are returned or compensated. The first serious dispute based on cattle raiding occurred in **1975**. It involved Maasai and Sonjo Morani in villages around Kisangiro, Enguserosambu, Samunge and Maaloni. Several fighters were injured, houses burnt and properties destroyed. At least two people were reported to have been killed in Kisangiro Village. This practice is gradually losing meaning and eventually fading out. Commercial interests have replaced prestige and other traditional meanings attached to the practice. The new turn is on resource-based conflicts that mix up land, water and pastures just to mention some. In our area of study it was noted that serious land disputes emerged in early 1990's when the differences taking different dimensions but more so on tribal lines between villages inhabited by Sonjo against those inhabited by the Maasai started gaining momentum.

### **3.4 Land Disputes in 1990s**

In 1990, the government in Arusha region carried out a joint survey project with Koronkoro Integrated People's oriented to conservation (KIPOK), a local based pastoral NGO in Loliondo and Arusha Diocese Development Organization (ADDO), which aimed at demarcating boundaries between villages in order to secure villages lands that were threatened by commercial interests in farming and the expansion of the conservation empire. The boundaries were demarcated by ADDO in collaboration with surveyors and land Officers from Arusha region. Mr. Benedict Nangoro, then ADDO's Director recalls the threats which prompted the government and other stakeholders to undertake this project as; first, the mounting pressure from commercial farmers outside Ngorongoro District who wanted huge chunks of land to establish large estates. Secondly, the threat from conservation societies which wanted to expand wildlife corridors into the lowlands of Loliondo. Thirdly, Tanzania Breweries had also shown interest to and applied for thousands of acres of land in Sukenya lowlands for wheat farming. And lastly, the dairy farm project was to be established in a couple of villages of Loliondo division, which would further

reduce agricultural land. It can thus be affirmed with certainty that the rationale behind ADDO's project was both to resolve the existing disputes between un surveyed villages and protect or secure land rights of local communities vis a vis outside interests and threats.

Demarcation of boundaries according to one Mr. Ole Saitabau took place in all villages of Loliondo and Sale divisions. He recalls that boundaries were drawn after a team of villagers from all villages involved in the disputes had agreed each other on the signals of the border such as beacons, big trees or stones. He further added that there are minutes, maps, title deeds of some villages and report of the boundary demarcation project, which unfortunately he was not ready to release them out to the team. All he did was to advise the team to consult the ministry of Lands and Human Settlement Development for those documents.

Another very important aspect in this project according to Mr. Saitabau is that very few villages reached consensus on their boundaries. In most cases, there was no agreement between Maasai and Sonjo villages especially where the new boundaries disregarded traditional boundaries of the two tribes. There were for instance disagreement between Sale and Pinyinyi villages, Samunge and Losoito, Digodigo and Muholo and Digodigo and pinyinyi, each side claiming that the new border had reduced its village land. As result, a few villages received title deeds and maps while others (where demarcation was not completed) could not get title deeds. Although initially the project had aimed at resolving land disputes and securing people's rights on land, the trend and field realities show that it just set out further and probably more serious land disputes in the area.<sup>2</sup>

Between 1991 and 1994 there were serious disputes over those boundaries in a number of Sonjo and Maasai villages, which did not erupt into fighting until one year latter. However they called for the attention and intervention by the national level leadership. In 1994, the then minister for land and urban development Edward Lowasa Ordered the Ngorongoro District Council to nullify and resurvey the boundaries in order for villagers of both sides to fully participate and consent the demarcation of those boundaries. The villages to be resurveyed according the minister's order were; Soitsambu, Ololosokwani, Oloipiri, Ng'arwa, Enguserusambu, Loisoiti-Maaloni, Arrashi, Sakala and Loliondo<sup>3</sup>. In 1995 the tension between the two sides had grown beyond control, each side claiming that its boundaries are being tress-passed by the other. Both sides have always been accusing the district authorities (both council and District Commissioner's office), for failing to secure and protect their rights against the other group. It was in August 1995 when the tension broke into fighting. The villages involved in the clashes were Samunge, Mgongo, Tinaga and Yasimdito on one side (sonjo), and Ng'arwa, Olierienmagaiduru, Maaloni

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<sup>2</sup> Mr. Ole Saitabau is a surveyor from Arusha Region Land office who was involved in the project to demarcate boundaries in Loliondo and Sale division villages. He has vast information on the actual work done by ADDO and his office in the field but was too busy to offer the team adequate time for interview and validation of findings from other respondents.

<sup>3</sup> Daily news paper Saturday, April 16, 1994

and Losoito/Sale on other (Maasai). The clash began at the public auction (mnada) after a Maasai man stole a traditional sandal (Katambuga) that was sold by a Sonjo trader. It suddenly spread to all those villages. It is very difficult to link between the theft of a sandal and land or boundaries demarcations but because of the tension that had grown since early 1990's it is necessary that we establish such a linkage. As a matter of fact, the clashes resulted into loss of people's life, destruction of properties and destabilization of development activities among other consequences.

The conflict that prompted intervention by this research team occurred between July 1<sup>st</sup> to 12<sup>th</sup>, 2004 involving Kisangiro (sonjo) and Engusero Sambu (Maasai) villages. This time around, the Sonjo in Kisangiro claim to have been invaded by a group of Maasai pastoralists from Engusero Sambu village and Kenya. The flocking in of those pastoralists into Kisangiro village is linked with the Loliondo District Councillors' Committee on land issues which was formed to resolve boundaries conflicts between villages and facilitate inter village committees to agree on their villages' boundaries. Once again the Sonjo villages are claiming that the councillors committee is impartial, composed by more Maasai than other tribal groups and impose decisions instead of facilitating villagers to reach their own agreement. There were no written evidence to show the terms of reference for the councillors committee but given the tense situation between villages where the committee had passed, the District Commissioner ordered it to stop the work until further directions. The July 2004 fights resulted into death of one person (Maasai), injuries to five (one Maasai and four Sonjo), destruction of crops, burning of 7 Cattle sheds (Bomas), 72 houses and 11-crop storage huts (DC, personal communiqué).

The historical and immediate causes of the conflict are complex as will be seen in the coming section of this report. We have very clearly tried to highlight some key issues related to natural resources endowment, ethnic composition and social relationships between the two groups in a bid to explore the allegedly potential areas of their disagreements and clashes. Access to resources especially land and the question of representation to the decision-making bodies seem to suggest a new dimension to their tensions and fights. One group (Sonjo) feels marginalized and not listened to by the district government. On the other hand, the Maasai claim that the district government has failed to intervene Sonjo's expansion into their grazing lands. Probably, there is a need to explore further on this question especially to find out how other actors and issues related to access to resources and power centres feature into this complex situation. Indeed, one can be prompted to believe that the causes for this conflict go beyond ethnic differences.

#### **4. Analyses of the Causes of the Conflict**

The conflict between the **Loita Maasai** and the **Batemi**(Sonjo) cannot be attributed to a single cause, its is a combination of a plethora of causes both immediate and historical. The research team, through its findings, has managed to come up with the following causes that are thought to characterise the present conflict.

#### **4.1 Poor Management and Administration of Land**

Matters related to the management and administration of land lie at the root of many land conflicts in the country. The Presidential Commission of Inquiry into Land Matters has already observed this when it reported among other things that ‘...**the utter disorder in land tenure and regime**’ is responsible for many conflicts in land in the country. The situation in Ngorongoro and especially in Loliondo and Sale Divisions is a leaving example of the subject chaotic and disorderly arrangement in land management and administration.

Sale and Loliondo divisions have no clear boundaries to the extent that administrators do not even know the geographical limits of their jurisdictions. There has never been a systematic demarcation of the two divisions. The boundaries of villages in the two divisions are consequently contested and are a major cause of the escalating violence.

The boundaries between the two conflicting sides are not administratively defined but are customary and tribal. The land regime in our republic knows nothing about tribal land boundaries but village land boundaries. The situation in the two divisions, is such that people do not talk of village boundaries but those of Loita Maasai and the Batemi. The interest of the two groups is to protect and expand their traditional territories, much against the interest of the neighbour.

#### **4.2 Ethnicity**

Ethnic tensions and hatreds have characterised the African Continent for many years and are responsible of many conflicts. Ethnic conflicts in Tanzania are however, few and relatively small in size and effect, as is the case in many other countries in the continent. This is largely attributable to the ‘unification’ politics and policies of the defunct *ujamaa* era. The same are now re-emerging and being re-shaped as a result of resource based conflicts caused by new arrangement in resource management and administration, championed by the sweeping forces of globalisation and ultra liberal social, political and economic policies. The conflict between the Batemi and Loita is deeply rooted in historical tribal ethnicity. According to the findings of the team on the subject study, all other causes are secondary to this one.

The Batemi and the Loita Maasai have no history of friendship and mutual cohesion despite being close neighbours. It is however necessary to observe, albeit, in passing, that the Batemi are not in enmity with the entire Maasai community as has erroneously been displayed by the media and other actors. So, while the Batemi have intermarried with the Salei section of the Maasai, there are very few, if any, marriages between them and the Loita. Ethnic tensions between the two groups have also expressed themselves through sporadic cattle thefts between them. Even though this cannot define ethnicity, it has helped to fuel and sustain the violence. The Maasai are traditionally known to take pride in stealing other tribes’ livestock, but



nothing comes close to the tension the practice, has generated between the two neighbours.

It is because of the deep-rooted ethnic hatred and tension that even minor rumblings between the two can explode into large-scale tribal wars. In 1995 for example, a mere stealing of a shoe (Katambuga) by a Loita in a local market, led to a hitherto unprecedented fracas between the two that claimed hundreds of innocent lives.

### **4.3 Scarcity of Land and Population Growth**

The area which the two warring groups inhabit is limited in size. The Batemi occupy an area which is small, rocky and topographically unfriendly. There are areas that cannot be reached by road for example. They are literally strangled and squeezed between mountains and lowlands, even though their land has the best water sources. With the increase of population over years, the area is becoming smaller, thus increasing pressure and demand for extra land. There has therefore been demonstrated desire and actual practice of the Batemi to expand out of the lowlands towards what is considered traditional Loita territories. Likewise, population growth among the Loita, and with allegations of immigrations from Kenya, has increased desires for expansion of lands towards lands that are considered Batemi's. The logical outcome of this potential and actual expansion of lands towards each other territories is increasing tensions and conflicts over the critical land resources. This is compounded by lack of clear and mutually agreed boundaries between the two sides.

### **4.4 Diversification of livelihoods**

The Loita, just like many other Maasai are traditionally pastoralists. Their counterparts, the Batemi, are traditionally farmers. Over the last couple of decades however, both groups have diversified their economic mainstays and adopted other forms of economies that were not in existence before. The Loita are now farmers to a large extent, in the same manner as the Batemi are no longer pure farmers, they are now officially considered agro-pastoralists. When the team visited villages like Engoserosambu and Oloirien/Magaiduru, for example, they were surprised by the amount of land that has been turned into farming. This is the case when they paid a visit to Kisangiro, where they found substantial amounts of livestock, a reality that was not in existence in the past.

Diversification of livelihoods has meant demand for more land to accommodate the newly acquired mainstays by both groups. This has meant for example that the Loita have to graze their animals more further from their homesteads to allow cultivation to take place near homes. Likewise, the Batemi need now to acquire more land to be able to practise animal husbandry and far from the farmlands. What this shift has meant in reality, is the fact that the two groups are expanding their territories and consequently encroaching into each others' traditional lands, making

conflicts across borders a logical inevitability. The recent conflict between the villages of EngoseroSambu and Kisangiro, is among other things, a result of expansion of land uses from and to both sides of the frontiers.

#### **4.5 Proliferation of small arms**

Uncontrolled possession of illegally acquired and owned small arms, among the warring factions, cannot be separated from the other causative agents of the simmering conflict. There is enough evidence to ascertain that guns have actually been employed in the ongoing confrontation. During the most recent physical encounter between the two sides, one person was killed and another injured, using bullets (DC personal Comm.) The research team itself witnessed the use of arms in Naan hamlet of Enguserosambu during site visits on 23rd July 2004 where a score of Batemi tribesmen attacked people cultivating maize firing three bullets before disappearing into the unknown.

The ownership of small arms among the insurgents, and perhaps other areas of the District, is contributed to the illegal trade most notably in arms between the locals and the Somali bandits who flocked the District in numbers in the 80's and 90's.

The possession arms is not itself a cause for the conflict but arguably a strong incentive and assurance of victory of battles, among groups that have traditionally been at loggerheads against one another.

#### **4.6 Competition on and over the Kenyan border**

Loliondo and Sale Divisions of Ngorongoro District closely border Narok County Council in neighbouring Kenya. Border trade has and continue to be a critical and important aspect of people's livelihoods from both countries. The territory Loita Maasai of Tanzania is a part of the greater Loita territory, which extends deeply into Kenya. Artificial borders created by colonial masters have theoretically interfered with this reality, but the people themselves have found no incentive to respect them. The Loita continue to move across borders as if they did not exist in the first place.

The Batemi though close to the border, cannot access the same with relative ease like their counterparts since they have to cross traditionally enemy and hostile territory when they want to trade with Kenyans. This has meant that the agricultural produce of the highly productive Batemi territory, cannot access the profitable Kenyan market without impediments.

There have therefore been strong ambitions and struggles for the Batemi to access the border, thereby inevitably expanding their territories.

The research team has also found that the Batemi complain that the Kenyan Loita Maasai have immigrated into the Tanzanian side in big numbers thereby increasing pressure on already contested and limited land resources. This finding is also supported by the DC, who narrates that when

he went to the battle field to call the fight off, he was asked by the Batemi fighters to be given permission to finish the Kenyan intruders (**Mkuu wacha tuwamalize hawa wavamizi wa Kenya**’, informally translated to; “ Hon.DC allow us to finish those Kenyan Intruders” are his direct words)

#### **4.7 The Role of Politicians and the Central and Local Government Bureaucracy**

The conflict in question has not escaped the eyes and ears of the politicians and the government. Solutions and political fiat to resolve the conflict has however not been easily forthcoming. The local people complain of the government not having given the conflict the weight it deserves.

The role of the government in the conflict perhaps predates the present chapter of the conflict. The late premier Sokoine is known to have resolved the conflict between the Batemi and Loita and Salei Sections of the Maasai in the 80’s by employing traditional means of resolving conflicts.

The recurring of the conflict is blamed by the Loita tribesmen to two successful District commissioners who happened to be from the Batemi tribe. According to the complaints, these DC’s actually encouraged the Batemi to demand their land and not to respect the boundaries that were put place by ADDO in 1990. Immediately after the resurgence of the deadly 1995 conflict Elias Goroï, the then District Commissioner was relocated, a practice that is linked to his questionable impartiality in the conflict.

Very recently the incumbent Premier Fredrick Sumaye visited Ngorongoro and when he was told of the boundary conflict, his remark was that Tanzania is one free country and everybody had the right to live anywhere he deemed fit. While his was a factual honest observation, the locals took this to mean that there is no need to respect boundaries and was a great incentive for lawlessness.

The committee that was appointed recently to resolve border conflicts has itself been a subject of grievance among the warring factions especially as regards to its composition. For the Batemi, the committee is impartial and has shown outright inclination to favour one side of the conflict.

The way the district government handled the present conflict, has not received a lot of applaunds from the locals. The Loita Maasai complain that the government was impartial and that it was favouring the Batemi in the conflict. The failure for the police to prevent the burning of property when they were actually in the battlefield raises doubts as to the capacity and the will of the district authority to enforce law and order. There are complaints among the Loita that while they were forced to retreat from the battlefield, the same command was not meted out to the Sonjo, leaving the latter to be free to burn property.

Then too, when our team visited the battlefield on the 23<sup>rd</sup> the situation was still tense and yet the police had long retired to their barracks. The practice is normally for the police to remain in the conflict frontiers until matters had completely calmed down.

## **5. Recommendations**

The causes and the history behind the conflict have been ascertained to a large extent. There could be other causes that might have escaped the eyes of the research team. What remains is how to find lasting solutions to the same. We herein below, therefore, attempt to suggest some measures that we consider expedient in arresting the confrontation, both temporally and permanently. The recommendations given below are not by any means meant to pre-empt any others that can be generated in any other fora for resolution.

### **5.1 Traditional dialogue**

The study findings indicate that the present conflict is traditional and ethnic in character. Conflicts of this nature will thus require a traditional solution. Solving this conflict through the government's apparatus of enforcing law and order can only yield temporary and cosmetic results. The traditional people stand in a better position to know how best to resolve their conflict, since they are the ones who have to shoulder the painful consequences of the confrontation. Our findings indicate that previous conflicts were only resolved successfully by using traditional mechanisms. The late premier Edward Sokoine is known to have resolved the same conflict between the two groups in the 80's by employing traditional means. He requested the warring sides to breast-feed each other's babies. The event and practice took place and relative peace was achieved for many years until matters turned sore again in the mid 90's.

It is therefore recommended that a conflict resolution meeting is convened as early as possible, bringing together traditional leaders of both sides. In this regard, it is recommended that the people themselves be given the opportunity to choose their representatives to the resolution meeting. All the villages in the conflict area should be made to participate in the subject meeting. A neutral party that is accepted by all conflicting sides should mediate the conflict. We recommend that politicians be exempted from this important task. We also recommend that the subject meeting takes place in a neutral territory, possibly in Karatu.

### **5.2 Dissolution of the Committee of Councillors**

The team has observed that the existing Councillors committee enjoys little respect by the Sonjo, among other things, because of its composition and the alleged impartiality of some members in it. The allegation that the committee is composed mostly of Maasai is contestable since there are only three Maasai in the committee of six. This is perhaps because there is only

one Sonjo in the same, the other two come from other tribes. The Sonjo also complain that the people in the committee do not understand the history of the conflict and cannot therefore be in a better position to make informed decisions on the same. The committee has failed so far to resolve the conflicts in the villages of Sale and Loliondo divisions and it is yet to present a report to the council.

The committee has also observed that the methodology employed by the committee did not guarantee participation by local people. A member of the committee who was interviewed indicated that the methodology employed was to call together village land committees, village executive officers and traditional leaders of both sides to agree on the boundaries. Some people interviewed contest this allegation, it is said that the committee was literally imposing decisions and in some cases literally coercing the differing sides to agree on its decisions. The team also observed that in some villages the committee has set boundaries arbitrarily without taking into account the views of the local communities. Failure to get the confidence of both sides and complaints of its impartiality and failure to finish its assignment in record time, it is our recommendation that the committee be done away in its entirety, including nullifying demarcations that are said to have been put in place by the same.

### **5.3 Re-demarcation of boundaries**

We have detailed in this report that the boundaries that were done by IUCN, SRCS and ADDO, have been a subject of heated contention and one of the registered causes of the ensuing confrontation. The extent, to which the demarcation was done in a participatory manner, is questionable. There is no evidence (not even minutes of any meetings) to show that both sides agreed the demarcation and the boundaries set. The method employed to do the subject demarcation is even contestable as to its legality. It appears that it was technical people who were doing the demarcation with some limited involvement of local people. The proper procedure is for the villages to agree themselves as to their boundaries and then seek the technical advice whenever necessary.

The team recommends that boundaries be redrawn in a participatory manner and following the procedures set down by the existing laws of the country. The actual agreements of meetings deliberating on boundaries should be documented for evidence as these will serve as points of references in the event of future misunderstandings.

### **5.4 Implementing the Dispute Settlement Mechanisms of the new Land Laws**

The new land laws have introduced new mechanisms of settling land disputes. These include the introduction of village Land Adjudication Committees, Village land Councils, Ward tribunals and other higher organs for land dispute resolutions at district and National level. These organs are yet to be formed in many parts of the country, including Ngorongoro

District. The virtue of these instruments of conflict settlement is that they will be established by local communities themselves and will employ customary methods of dispute/conflict settlement. The research team recommends that these organs be put in place in the whole of Ngorongoro District, but more so expediently in the conflict zones.

### **5.5 Awareness of the new Land Laws**

The research team has found that the new land laws, and the procedures that are created by them, are not known by locals and seemingly a large segment of the officials in Ngorongoro. The awareness of the same is lacking completely among the Sonjo villages, while limited understating has been given to a few Maasai villages.

The research team therefore recommends strongly that the District council and NGO's dealing with land rights forge a common resolve to undertake deliberate measures to carry paralegal trainings to enlighten communities with the subject laws. It is highly recommended that both groups (Sonjo and Maasai) be trained together as opposed to training them separately. This is thought by the research team as one of the means to actually bring them together to build a sense of trust and mutuality.

### **5.6 Joint Land use Plans**

The research team also recommends that along with the raising of awareness on the new land laws, there is also a need of the villages in conflict zone to have proper land use plans. Land use plans have the advantage of ascertaining and demarcating different areas that are set for designated purposes. The existing situation without land use plans is such that villages have not set areas specific for farming, grazing, among other uses. The beauty of land use planning under the new land laws is the fact that neighbouring villages can make joint land use plans. Joint land use plans are especially important in the conflicting areas of the villages of Sale and Loliondo divisions. It will in this case be possible for example, for the villages of kisangiro and EnguseroSambu to decide to have a common grazing land and thus relieve the tension they currently encounter on their frontiers.

### **5.7 Disarmament**

The presence of loose and illegal small arms in district cannot be divorced from the present conflict. It is therefore recommended that the government takes deliberate measures to disarming those in possession of small arms.

### **5.8 Police Posts in the conflict areas**

The research team has observed that Ngorongoro District has very few police officers compared to the size of the area and the amount of **sporadic**

**conflicts** that occur from time to time. During the July 2004 conflict for example, the District Commissioner had to seek the assistance of the prison department and 'Mgambo' for want of enough policemen. In fact the failure to prevent the burning of property in Enguserosambu is attributable to failure of the police to maintain their presence on the battlefield because they were too few for exchanged duties. The three policemen who were entrusted with preventing more conflict had to run as the people involved in the battle outnumbered them.

The research team therefore recommends that additional policemen be located in the Districts headquarters, but more importantly, that new police posts be constructed near the border of the conflicting sides.

### **5.9 Control of Illegal immigrants from Kenya**

Issues around and related to the border with Kenya have been sited as one of the causes of conflicts. There are complaints that land pressures in Kenya have had a significant bearing on the number of illegal immigrants who cross the border, thereby in turn increasing the population of land occupation in the Tanzanian side. There is a need for the government to enforce immigration regulations to make sure that the already limited land resources in Sale and Loliondo Divisions are not competed away by foreigners.

## **6. Conclusion**

The Loita Batemi conflict is fundamentally a Resource Based Conflict; even though it thrives from hitherto prevalent deep ethnic hatreds between the sides. Resource Based Conflicts (RBC's) are on the rampage throughout the whole country. The Kilosa conflict of 2000 where more than 30 innocent lives were lost is a just one but 'live' example. The symptoms of these conflicts are not hard to see. As the wise would say, **prevention is better than cure**. The government and other stakeholders should therefore address these potential conflicts timely before they escalate into proportions that are difficult to control. Issues on and around land administration and governance, are at the core of these conflicts. Many Tanzanians still occupy lands under customary arrangements; conflict in them should to that extent better be traditional in orientation. The coming into force of the village land act of 1999 and the codification of traditional dispute mechanism of dispute settlements in land are welcome developments. The interference of central government in the demarcation and management of village lands is something that should be done away with to give villages to have a say in the management and governance of their lands.

Annex 1: List of people interviewed  
Annex II: List of documents referred  
Annex III: Map of Ngorongoro District