

ELVIS MBENG | DSCHANG, CAMEROON
JULIANE WESTPHAL | BERLIN

Mediation as a complement to traditional methods of conflict resolution in Cameroon

Abstract

Communities need alternatives to traditional methods of conflict resolution, and need to adapt foreign methods, because the effectiveness of indigenous methods have become limited, due to the constant reappearance of conflicts and the inability of current methods to negotiate sustainable resolutions. The exclusion of conflicting parties in the decision-making process may explain this insufficiency. This study postulates that elements of facilitative mediation are effective complements to traditional methods of conflict resolution. The study analyses potential contributions of facilitative mediation. Principal results present active listening and the search for alternative outcomes by conflicting parties as important inputs for traditional and community mediators.

Keywords

mediation, alternatives, conflict resolution, traditional mediators, local conflict resolution, institutions, limitations, Cameroon

Context and justification

Conflict resolution mechanisms in most communities in Cameroon are similar, and have often been managed by traditional community leaders or administrative representatives. The limits of these approaches, and the socio-cultural dynamics operating within communities, motivate tailored innovations to complement existing conflict resolution approaches and support current actors.

Whilst local conflict resolution mechanisms have the potential to provide solutions for most issues arising at the community level, the scope for participation by conflicting parties in the process to determine beneficial options is limited. The methods used often perpetuate underlying problems and grudges, or create other problems. They are becoming obsolete, ineffective, or time consuming, because conflicting parties often retain grudges about conclusions of previous resolutions. Corruption and reduced confidence in public institutions also reinforce dissatisfaction.

Traditional authorities and their representatives are losing much of the respect from communities, a consequence of population movements, urbanization and the adoption of imported cultural values, mostly by youths and women. These trends justify the introduction of new stakeholders like community mediators and civil soci-

ety organizations into community conflict resolution structures.

There have been attempts by civil society organizations from the civil peace service in Cameroon to mitigate some of the limits of traditional approaches to conflict resolution at the community level through training of stakeholders. To avoid tensions, these programs have always acknowledged existing traditional institutions and practices. The engagement of several existing stakeholders during or after conflict situations has been accompanied by the creation of local institutions and training programs (Uwazie 2018), which respectfully support the work of failing traditional institutions while enhancing the capabilities of stakeholders. This has delivered beneficial outcomes for resolution of conflicts, and improved access to social justice, while increasing the culture of peace within communities.

The advent of the 1990 associative reforms in Cameroon, relating to the freedom of association, facilitated the involvement of civil society organizations in community conflict resolution processes. These reforms impacted all stakeholders of peace and social cohesion and the methods of conflict resolution (Tazoacha, Kwassini 2022). The flexible and participative approaches of facilitative mediation enable practitioners to identify common grounds and interests for sustainable peaceful coexistence. The credibility of local stakeholders like civil society associations and

non-Governmental organizations, is reinforced by engagement in alternate peace processes, which project an agenda of neutrality in conflict resolution within the community.

This paper evaluates the contribution of mediation as a complement to existing traditional practices and structures for conflict resolution. These contributions are assessed through the activities

onal methods of conflict resolution that could benefit from facilitative mediation and aspects of facilitative mediation process which could be enriched from traditional conflict resolution methods. The tools for data collection are participants' feedback, role play and integration of inputs from group work during training sessions: all participative methodologies. Qualitative data is obtained with guided interviews from trained mediators. Thematic analysis is used for data analysis. Results from empiric data are corroborated or contrasted with data from existing literature.



Training on mediation empowers stakeholders to facilitate conflict resolution.

An institutionalization of mediation activities, the strategic implementation of contextualized methodologies, as well as experience sharing on the impact of community mediators' interventions, have not been sufficiently researched. The impact of top-down approaches, where conflict resolution is assured by administrative institutions, has limits, as affirmed by the rapid changes observed within communities in relation to power, the respect for authority and stakeholders in community conflict management. The importance of civil society in conflict resolution processes through alternative strategies cannot be overemphasized.

of traditional and community mediators trained by the member organizations of the CPS in Cameroon.

Study design and methodology

An experimental approach, integrating action-research based approach which favours in situ constructions (Kayser, Djateng 2015) was used to write the research proposal. This took account of the specific context of conflicts, local knowledge of the parties involved, appropriation and application dynamics of received knowledge, and the impact

Judgement or arrangement: a local approach for conflict resolution

The word »mediation« does not have an equivalent in the local languages within the study zones. Existing traditional conflict resolution mechanisms follow a pattern. This pattern depends on the level at which the conflicts occur, nature of the conflict with relation to socio-community life and the person or structure tasked with their resolution. Three levels are identified; the inter-personal, inter-family, and community or inter-community levels. These are subjective to the current studies and identified from synthesized information from trained traditional and community mediators.

Inter-personal conflicts typically involve personal or family grudges between two persons such as family members, friends or couples. In less serious cases, family members or close acquaintances may be engaged, while in cases of more serious consequences, institutions or a respected community member such as a religious leader, family or village elder may be contacted. The third-party will listen to the grievances, consider the gravity of the problem and



Aspects of facilitative mediation enriched local conflict resolution methods.

Mediation has been integrated into the intervention strategies of most of the 17 organizations of the Civil Peace Service (CPS) of Bread for the World in Cameroon. They have been participating to reduce social tension within communities, family clusters and interpersonal conflicts, while promoting the culture of peace within their client communities. The provision of trainings on mediation sessions has emerged as a powerful tool within the CPS network, empowering new and existing community actors to facilitate conflict resolution.

of their actions within communities. Data is collected from three principal sources between 2019 and 2022: existing literature to triangulate information on advances and current knowledge on both the advantages and limits of traditional conflict resolution practices and facilitative mediation; feedback from training sessions of CPS partners to identify application fields and finally, data from trained traditional and community mediators to identify the impact of acquired knowledge within their communities. Also collected are aspects of the tradi-

its impact on family or community life, and from experience, give advice, often calling on common sense and the need to come to an understanding. They call on better judgement, empathy, their spirit of forgiveness and reconciliation, and express the negative consequences if the conflict continues.

Inter-family level conflicts often involve one or two families; land conflicts, theft, disrespect of family members and social ills like gossip are typical grievances of this type. An elder, quarter or village head is often consulted after a complaint is submitted, and resolution mechanisms are more structured. Both parties are interviewed and inputs may be taken from witnesses. The mediator may »pass judgement« or decide to investigate further. Both parties may be asked to propose alternative outcomes before a decision is given.

Community or intercommunity disputes involve people within a village or several villages. Typical themes are land conflicts, access to natural resources, ideological differences and non-allegiance to traditional hierarchy. Some conflicts within this category are violent, involving destruction of property or loss of life. Administrative and religious representatives, respected local institutions or non-governmental associations are often engaged in resolving this type of conflict. An administrative decree, an understanding between the conflicting parties and a sacred ritual »Njaksiri« or »Kadir«^I are some of the common outcomes. Commissions are often formed to listen and make field visits to ascertain the truth about the conflict before »judgement« is pronounced. Historical events

are very important in the resolution of these conflicts, and village elders or other respected individuals may be called to clarify events and history.

The contemporary system of conflict resolution introduced other stakeholders such as female traditional and community mediators, whose role commands respect and clarity in their communities. Given these changes in the range of stakeholders and methods involved in conflict resolution, it is important to compare approaches and to analyze the contributions of mediation in current conflict resolution approaches.

grasped the speaker's meaning (Rogers & Farson, 1987) to understand the differences. From the participants »we often listen to the narratives, but only to know who did wrong to the other (based on established values) or to make the right decisions, not to understand the (source of the) problem«. After training on the facilitative mediation process, »understanding the problem is key to getting to the root of the issue«. Every participant identified Active Listening as the most important take-away to complement their current methods of conflict resolution.

The contemporary system of conflict resolution has introduced new stakeholders.



Complements of mediation to local conflict resolution practices

Traditional or community mediators have two major roles in respect to conflict resolution in their communities:

1. to bring opposing individuals or the community to accept the settling of their differences
2. to render mediation on behalf of the traditional authority.

In training they learn specific aspects of the mediation phases to enhance the local conflict resolution mechanism. The mediation aspects include the principle of impartiality, change in perspectives and inclusive options from the conflicting parties during the search for alternatives.

It is observed that during the Active Listening process, what the individuals complains about is often far from the actual issue they intend to express. People often express frustrations about a given problem, but only after clarifications or encouragement to talk, during Active Listening are the underlying problems exposed. It is easier to accompany conflicting parties toward sustainable peace if we deal with the underlying problem, rather than their positions about the problem.

An Imam talked of his son who wore clothing »not fit for his age, his status as an Imams son and dressing used by rascals. His eyes are always red, and he has become more violent towards his siblings (drugs)«. After clarifications, the Imam is instead afraid of the image his son unconsciously sends to the community, with his dressing choice and violent behavior. It is not the child's dressing that bothers the Imam, but his credibility as an Imam to educate a community if his own son cannot respect the Muslim dressing code.

Active Listening, an efficient tool to understand problems and reduce prejudice in decision making

With Active Listening, the community mediators make sure that they have

^I Ritual of the Northern and Grassfield regions of Cameroon, where members of a conflict swear to the gods or ancestors and drastic consequences (death or generational curse) will befall the liar. The name varies with geographical zones. Ndjououm within the Bamoun, Mah-ndjouom in certain Bamileke ethnic groups.

Reduced justification of actions by conflicting parties

Facilitative mediation creates an opportunity for participants to understand each other's actions, without necessarily agreeing with these actions. This reduces the moral obligation of individuals with a difference in social status to justifying their actions. They can express their views without being obliged to defend them. A trained participant asserted: »each time an individual is allowed to justify their actions during the conflict resolution process, they remain with their positions, and it becomes difficult to determine their interests«. The mediation process eliminates justifications, thus the possibility of brokering sustainable peace is ameliorated. Another training participant asserted: »when an adult is given the chance to justify his actions in front of a younger person or someone whom he might consider his inferior (social, economic or cultural status), pride takes over and they will likely continue to defend their positions rather than express their needs«.

Without an effective mechanism to assure power symmetry in conflict resolution, the local mechanisms remain insufficient. Traditional and community mediators now have alternative forms of questioning, which permits the conflicting parties to feel they are not under pressure or obliged to justify themselves. Instead, they get the chance to talk about the motivation behind their actions. People involved in the conflict equally get an understanding of the others actions, from their viewpoints.

Confidence and the ability to restart phases without frustrations

The mediation process is flexible and permits practitioners to restart certain phases if new contextual elements are brought up during the resolution of a

conflict, or if the outcome is not acceptable to all parties. While traditional methods of conflict resolution all aim to establish justice and peace to the conflicting parties, there are no defined and generally accepted phases to the mechanism which follows a logical framework. There is no identified pattern that regulates changes in process and permits the mediators to advance with confidence, knowing elements of a given phase have been exhausted. Schematizing the traditional approaches into sequences will permit the stakeholders to deal with the conflict in a more flexible way. Having confidence in the proposals from both parties for the resolution of conflicts are some of the principles, borrowed from the mediation process to enhance local resolution practices.

Change of perspectives

Dictating measures to render justice after a conflict has its limits, since the basis of the rendered justice are perspectives or values which are not held in common or accepted by every individual in the community. Facilitative mediation introduced alternatives to moral questions, where individuals' positions are changed. Role-play permitted individuals to experience what the other person may feel during a conflict. Their positions often change after experiencing the conflict in the perspective of their opponents and mediators know how alternative questioning might permit individuals to consider the conflict in a different manner and facilitate mutually acceptable outcomes.

Accepting mediation as a negotiation process, facilitated by a third party without the decision-making power on the outcome, with the purpose of enabling the concerned parties resolve a conflict situation or re-establish/establish a relationship (Pelabere, 2021), the adoption

of alternative conflict resolution approaches becomes an obvious advantage for community mediators. The feeling of being forced into something is avoided; while the feeling of having been understood, and permitted to contribute in the creation of a peaceful resolution after a conflict, gives individuals the courage and determination to keep the peace. Rather than assume the actors tasked to resolve the conflicts have the required answers or will provide sufficient direction after listening to the conflicting parties, it is better to assume the conflicting parties know the options best suited to them, especially since communities have become heterogeneous, and common values are becoming blurred, with the needs of youths, women and migrants imposing a re-evaluation of the established norms. Facilitative mediation allows a degree of flexibility with relation to the context, to contribute to conflict resolution in a more diverse environment, and for individuals with differing values. The possibility to remain impartial during conflict resolution and the incorrect assumption that mediators might always make an acceptable decision after listening are other principles learnt to complement traditional conflict resolution mechanisms.

Constraints for effective merging of traditional and facilitative mediation

Local approaches to conflict resolution have much to gain from the mediation process, but its integration and implementation have constraints. These constraints are both points of focus and themes for practitioners to integrate into training programs to assure participants have the required knowledge and tools for peaceful resolution of conflicts within the community.

Time management factor

Mediation is a process which takes time, a constraint for local practitioners. Quoting one, »people often come to you with problems which require immediate attention, and they want to return with an answer«. The mediation process requires an in-depth understanding of the conflict and context, to be accepted as a mediator, and to identify the needs and interests behind the positions while looking for acceptable alternatives. These may take more time than the conflicting parties are willing to accept.

It is difficult to manage time while assuring efficiency of the process. Other issues may arise, provoked by individuals who have certain interests or benefits to keep if the conflict continues. It often seems necessary to look for shortcuts that might lead to alternative outcomes, but all of the mediation phases are pertinent to achieve acceptable results.

Individuals who approach mediators often expect immediate results. The prospect of an acceptable outcome within an undefined timeframe often leads to discouragement or alternative (often violent) methods for solutions. It becomes necessary to talk individuals into accepting the time needed for the process. There are some initiatives, conceived to circumvent the time constraint e.g., giving tasks that range from studying religious passages or meditation, search for common hobbies and domestic tasks within a proposed reconciliation scheme.

Ensuring power balance

In the Cameroonian context, there is a strong social hierarchical structure and comes with certain privileges. Mediators encounter cases where the traditional, social-cultural, political or economic status of individuals within a conflict situation are so widely separated that

the mediation process quickly falls into the pitfalls of power imbalance. When such individuals use their positions to intimidate and frustrate the process, it becomes difficult to mediate. This factor

is linked to the time constraint factor; they may miss sessions with the excuse they are too busy. Involving religious, traditional or administrative authorities to balance power may ameliorate these issues, though that can be problematic if they are not familiar with the mediation process. In which case, they may remain attached to their traditional practices, rather than fulfill the role to equilibrate differences in power, and so become a constraint to the process. When these traditional authorities are themselves directly involved in the conflict, finding a neutral third party becomes difficult. Conflicts with administrative authorities or institutions often encounter this problem.

In the left flank of the Noun River within the West region of Cameroon, villages (Mangoum, Kwetvu) have land conflicts with the Institute of Agricultural Research and Development (IRAD) which is a state institution. Testimonies from these villages accuse those running the institution of land expropriation and renting of land to individuals from neighboring towns, while the indigenous youths lack farmland. The conflict has become violent between individuals who have access and those who want access. The representatives of the State institution have been reluctant to directly participate in the attempts of traditional rulers or local associations to search for peaceful alternatives. The villages are asked to refer to State documents which concedes the land but rarely addresses

the grievances, nor take into consideration the needs of the population. Without a powerful and respected third-party to oblige the participation of the state institution in a mediation, alterna-

Compare approaches and contributions of mediation in conflict resolution approaches.



tives remain difficult. In this context the youth and women have the most difficulties and are vulnerable with respect to local customs, lack of bargaining power and experience.

Integration and use of visualisation materials

»Visualisation«² during the different stages of the mediation process and subsequent resolutions for appreciation by participants is a practice that has limitations within community settings at two levels: acquisition of materials (flip-charts, paper, markers) and the skill to effectively use them; familiarizing the population to its use. People might be willing to talk but are frustrated if the listener writes or record their words. The use of visualisation is interpreted as academic related »too much school« and not appropriate for use in settings where the average level of formal education remains relatively low. The trained mediators are equally not accustomed to the use of these material. Integrating them into their work approach requires time, financial resources, willingness and continuous training to appropriate their use.

² The use of flip charts with writing material to summarize the major ideas/resolutions to permit each participant to visually follow the process.

Voluntary participation

The social contexts of communities and the nature of some problems treated by the community mediators show that directive mediation might be most effective. Directive mediation obliges cooperation, while giving the mediator the opportunity to propose alternatives based on experience and knowledge from active listening. Respecting the principles of facilitative mediation remains difficult for many traditional mediators since certain individuals are not willing to participate in the process. »Certain cases are very shameful for one or both

effectiveness. While the evolving context has introduced new stakeholders and tools into the traditional structure of conflict resolution, the efficacy of these tools, and the need to integrate further approaches with local efforts remain pertinent areas for future research and development.

[hier ungefähr Eyecatcher 05]

Our aim was to evaluate the contributions of facilitative mediation as a complement to the traditional conflict resolution practices. The analysis is based on the postulate that certain aspects of facilitative mediation could be effective complements to the current

management should incorporate aspects of facilitative mediation or trained mediators. Merging local practices with aspects of facilitative mediation has the potential to present stakeholders with an integrated model that respects the different contexts for conflict resolution, and mirrors the specifics of the evolving communities.

Mediation als Ergänzung zu traditionellen Methoden der Konfliktlösung in Kamerun

Zusammenfassung Gemeinden brauchen Alternativen zu den traditionellen Methoden der Konfliktlösung und müssen sich fremde Methoden aneignen, da die Wirksamkeit der traditionellen Methoden aufgrund des ständigen Wiederauftretens von Konflikten und der Unfähigkeit, nachhaltige Lösungen auszuhandeln, begrenzt ist. Die mangelnde Beteiligung der Konfliktparteien an der Entscheidungsfindung kann eine Erklärung für diese Defizite sein. Diese Studie postuliert, dass Elemente der facilitativen Mediation eine effektive Ergänzung zu traditionellen Methoden der Konfliktlösung darstellen. Die vorliegende Arbeit analysiert die möglichen Beiträge der facilitativen Mediation. Die Studie zeigt, dass aktives Zuhören und die Suche nach alternativen Lösungen durch die Konfliktparteien wichtige Beiträge für die traditionelle und kommunale Mediation darstellen.

Schlüsselwörter Mediation, Alternativen, Konfliktlösung, traditionelle Mediatoren, lokale Konfliktlösung, Institutionen, Einschränkungen, Kamerun

Bibliography

Accord (2019). Highlighting the traditional pre-colonial institutions and methods of conflict resolution in the Kom community of Cameroon. <https://www.accord.org.za/conflict-trends/traditional-methods-of-conflict-resolution/> [14.10.2023].



Community dynamics are challenging traditional conflict resolution approaches.

parties and they will not participate if they are not forced to«. e.g. »a woman who cheats on her husband, especially her lover will prefer to pay all the fines that local custom and tradition demands, rather than face members of their community due to shame. Considering that he is profiting from another's wife and prefers the situation to continue as long as possible, only an obligation will make him cooperate«. Context, pride and ego might oblige certain conflicting parties not to cooperate, but public safety or family unity might require cooperation, with the objective to assure social peace.

Conclusion

Local conflict resolution mechanisms in Cameroon have proven their worth in re-establishing justice and peace, but the dynamics of community contexts from migratory trends and the adoption of external socio-cultural values, mostly by the youths, are challenges to their

traditional methods of conflict resolution to reduce the constraints faced by traditional mediators to maintain social peace within communities. The need for the inclusion of youths and women, and the diverse nature of most communities demands a review of existing methods and stakeholder structures.

Active Listening and the proposal of alternatives by the conflicting parties are the major inputs for community and traditional mediators. However, the integration of facilitative mediation faces multiple challenges, such as time, because the process can be relatively long compared to current practices; and power imbalance; the use of visualisation materials; and voluntary participation (or not) of participants.

Conclusively, certain aspects of facilitative mediation can complement local conflict resolution methods when adapted and fully integrated to local contexts. To achieve this, follow-up and continuous trainings of mediators are required. Principal stakeholder in conflict

- Kayser, C., Djabateng, F. (2015). La recherche-action: une base du travail pour la paix. Bafousam, Berlin: Eberhard Delius.
- Kwaku, O.-H., Morena, J. R. (2012). Chapter 3: Indigenous Conflict Resolution in Africa: The Case of Ghana and Botswana. IPSHU English Research Report Series (29, 33). <https://heiwa.hiroshima-u.ac.jp/Pub/E29/e29-3.pdf> [14.10.2023].
- Lawal, R. O., Orunbon, N. O., Iikunle, G. A., Faduyile, G. O. (2019). Resolving Conflict in African Traditional Society: An Imperative of Indigenous African System. *Euro Afro Studies International Journal* (1, 2), pp. 38–55.
- Pelabere, J. (2021). Médiation: Résoudre les conflits, mode d'emploi. *Havard Business Review*: <https://www.hbrfrance.fr/chroniques-experts/2015/08/8073-mediation-resoudre-les-conflits-mode-demploi/> [3.10.2023].
- Spear, M., Keller, J. (1996). Conflict resolution in Africa: Insights from UN Representatives and US Government Officials. *Africa Today* (43, 2), pp. 121–138. <https://www.jstor.org/stable/4187092> [3.10.2023].
- Tazoacha, F., Kwassini, M. (2022). Civil Society Organisations as a Driving Force In Peace Negotiations In North West and South West Regions of Cameroon. <https://nkafu.org/civil-society-organisations-as-a-driving-force-in-peace-negotiations-in-north-west-and-south-west-regions-of-cameroon/> [14.10.2022].
- Uwazie, E. E. (Ed.) (2018). *Peace and Conflict Resolution in Africa: Lessons and Opportunities*. Newcastle upon Tyne.: Cambridge Scholars Publishing. <https://www.cambridge-scholars.com/resources/pdfs/978-1-5275-0637-4-sample.pdf> [3.10.2023].
- Wanis – St. John, A. (2013). Indigenous Peacebuilding. In Ginty, M. (Ed.). *Routledge Handbook of Peacebuilding*, pp. 360–374. New York: Routledge.

The Authors



Dr. Elvis Mbeng

AJP CEDES

el_mbeng@yahoo.com

Project animator and data analyst. Works on social cohesion, conflict transformation; women and youth empowerment, sustainable rural development. Studied Geography in the University of Dschang, Cameroon.



Juliane Westphal

Fuldastr. 57

12043 Berlin

www.megem.eu

www.boscop.org

Mediator and Open Space facilitator with large groups, organisations, teams and individuals.

Studied Mediation and Conflict Management (M.A.) at the European University Viadrina in Frankfurt/Oder, Germany.