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THE STATUS OF TRADITIONAL CONFLICT RESOLUTION METHODS USED IN SINHALA AND MUSLIM COMMUNITIES IN PANAGAMUWA, SRI LANKA

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Abstract: Traditional Conflict Resolution Mechanism has been used in Sinhala and Muslim community in Panagamuwa for many years. The main purpose of this study was to study the status of traditional conflict resolution methods used in Sinhala and Muslim communities in Panagamuwa in Kurunegala district and this was addressed by focusing on the study objectives thus; to identify the types of conflicts seen in area, to examine the nature of traditional conflict resolution mechanisms in Sinhala and Muslim communities in Panagamuwa, to identify the strengths, trends, challenges, weaknesses, to produce suggestions to improve traditional conflict resolution mechanisms and to suggest the recommendations. Both primary and secondary data were used to conduct this research. Primary data were collected through questionnaires and focused group discussions. Random sampling was done and the sample of one hundred (100) respondents as thirty (40) from Sinhala community and thirty (60) from Muslim community was randomly picked. The categories of people had varied backgrounds included religious leaders, village officers (Grama Niladhari), teachers, other government sector jobs representatives, staff from Community Based Organizations (CBOs), businessmen, others who included elders, women and youth, especially the elders. The data analysis was supplemented by using computer software packages of Microsoft Excel and Microsoft Word and data were also presented sequentially according to the research questions of the study. Quantitative data were presented through the summary of the results for the statistical tests through charts and graphs when necessary. It is recommended that the government needs to strengthen the implementation process by offering formal recognition to traditional conflict resolution mechanisms and linking it with various government agencies, conduct conflict education and training to elders to enable them understand conflict resolution methods of arbitration, negotiation and facilitation, involve all stakeholders especially educated women and youth.

Key words: Conflict, Conflict resolution, Arbitration, Negotiation, Facilitation

Background

Conflict is a natural characteristic of multi-ethnic societies due to different contradictions. Conflict presents when two or more parties perceive that their interests are incompatible, express hostile attitudes, or take to pursue their interests through action that damage the other parties. In other words, conflict is an expressed struggle between at least two interdependent parties who perceive incompatible goals, scarce resources and interference from others in achieving their goals. (Wilmot W and Hocker J, 2007: p.9). Conflict has destructive consequences as well as constructive consequences. It is important to pay attention to the origins, development and life cycle of conflict as well as the factors that lead to conflict escalation and de-escalation. (Uyangoda Jayadeva, 2005). Throughout the human history, there have been different kinds of conflicts in different societies, culture and civilization and it differs from place to place over a time period such as conflict over resources, territory, power, culture, religion, ethnicity, ideology etc. Therefore in order to resolve conflict, one must come up with innovative and creative ideas to manage and transform it in ways that prevent its escalation leading to destruction. The mechanism which solves the conflicts is called Conflict Resolution. (Tamang Maya Ganga, 2015: p 9)

Many of the contemporary societies have dual mechanism of conflict resolution such as Modern/ Western and Indigenous/ Traditional. Modern is formal institutions which developed in West especially in North America and Europe. Indigenous is local, traditional and informal in nature and is based on the customs and cultural values of particular society. (Carneiro, D.et al., 2014)

Traditional conflict resolution mechanism use local actors such as elders, chiefs, clergy men, community based judicial and legal decision making mechanism to resolve conflict whereas western mechanism uses formal institutions such as police, courts and various other governmental institutions. The traditional mechanism is based on a holistic philosophy, guided by the unwritten customary laws, traditions, and practices that are learned primarily by example and through the moral teachings of tribal elders. (Tamang Maya Ganga, 2015: p 10). They are diverse and differ from one community to another context based on their cultural differences.

In the Sri Lankan context, there are specific cultural differences among ethnicities. It is consisted of Sinhala, Muslim, Tamils, Catholic and other ethnicities. Originating regional Mediation Boards under the judicial system to resolve minor personal conflicts is a current trend of traditional conflict resolution process in Sri Lanka. In addition to, there are some specific peace organizations, committees apart from the government mediation boards. They are used traditional conflict resolution methods to resolve the conflicts without any social discrimination. They are non-profit indigenous organizations with the collection of different cultural teachings.

The Panagamuwa People's Peace Organization is registered in Rideegama Divisional Secretariat in Kurunegala district, maintaining voluntary services, based on their mosques. Though it has few peace negotiators (about 15-20) but they are covered only 15 villages in the area. People who are belong to the area they can be resolved personal conflicts from the Peace Organization with the letter of request. This study has been examined the status of traditional conflict resolution methods used in Sinhala, Muslim community in Haliyamulla, Panagamuwa. The study has focused it with relevance of the Panagamuwa People's Peace Organization as a traditional conflict resolution

mechanism. After the initial literature review carried out the field visit, there are some sorts of categories which lead into the specific research question:

- What is the nature of traditional conflict resolution mechanisms?
- What are the strategies used in traditional conflict resolution mechanisms?
- What is the effectiveness of traditional conflict resolution mechanisms?

The traditional conflict resolution mechanisms are very important to resolve individuals' problems at the grassroots level. The thirty year war is over now. But there is an urgent need to establish traditional organized peace organizations to achieve durable peace for all communities without religious differences.

Objectives of the Study

The Overall Objective of this study is to examine the status of indigenous conflict resolution techniques among Sinhala and Muslim communities. In addition to this general objective, the specific objectives of this study are,

1. To identify the types of conflicts, those are reported in Sinhala and Muslim communities.
2. To identify the strengths, trends, weaknesses and challenges of traditional conflict resolution mechanisms among the Sinhala and Muslim communities.
3. To suggest the recommendations.

Research Design

The researcher was used random sampling to ensure that different groups of the population were adequately represented in the sample so that the level of accuracy in estimating parameter was increased. This study adopted a stratified random sampling method in the sampling of the population. It provided an accurate picture and a true representation of the population. (Adhiambo Jackline Apiyo, 2014, P32). This enabled the population of the study to be categorized into distinctive groups included the religious leaders, communal leaders, teachers, staff from the Panagamuwa Peoples Peace Organization and other government representatives.

Materials and Methods

The sample is gathered from the area of Haliyamulla, 598 Grama Niladhari Wasama, Panagamuwa that is situated in Rideegama Divisional Secretariat in Kurunegala district exclusively inhabited by Sinhala (137), Muslim (980) and Tamil (217) ethnicities having a total population of 1334 as per the census of Rideegama Divisional Secretariat, 2016 respectively. These villages in Panagamuwa still practice Panagamuwa People's Peace Organization as an Indigenous Method of Conflict Resolution.

The sample size of one hundred (100) people as thirty (40) from Sinhala community and (60) from Muslim community were made of religious leaders, the communal leader (Grama Niladhari), teachers, and staff officers from the Panagamuwa Peoples Peace Organization and other government representatives. Sample was basically selected within the village of people both male and female above 18 years of age.

The study collected data from both primary and secondary data sources. Primary data was collected using semi-structured questionnaires and structured interviews of different participants from the religious leaders, communal leaders, teachers, and staff from the Panagamuwa Peoples Peace Organization and other government representatives in the area. Focused Group Discussion (FGD) was also carried out. Secondary data was obtained from internet sources, relevant articles, published books, journals, field notes and official reports from organizations. The data analysis was supplemented by using computer software programs of Microsoft Excel and Microsoft Word. And also data presentation was supported by using words, pictures, pie charts, bar charts or tables.

Results and Findings

The aim of this report is to present a comprehensive review of the study visit to Panagamuwa from 30th November to 08th December 2017 to assess the status of traditional conflict resolution mechanisms among the Sinhala and Muslim communities in the area. A total of one hundred (100) questionnaires were administrated to the sampled categories of respondents and results were analyzed based on the responds given by the people.

Question 01   - "What kind of conflicts can be seen in your area?"

Figure 01: Types of conflicts seen in communities
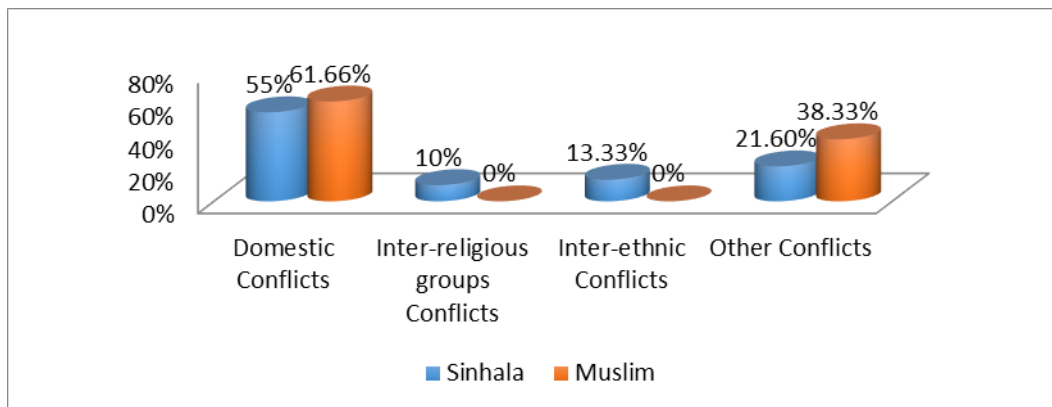
(Source: Field Data, 2017)

The majority 61.66% of people from Muslim community and 55% from Sinhala community of the respondents stated that domestic conflicts can be seen in the community than other types of conflicts. Whereas 10% of the Sinhala community respondents stated that inter-religious group's conflict and 13.33% of the inter-ethnic conflicts can be seen in the community. The 38.33% of the Muslim community respondents and 21.60% of the Sinhala community respondents were of the view that other conflicts can be seen in the community. There were not inter-religious groups' conflicts and inter-ethnic conflicts in Muslim community according to statements of the Muslim respondents. This finding denotes that domestic conflicts were the majority of the types of conflicts can be seen in the community.
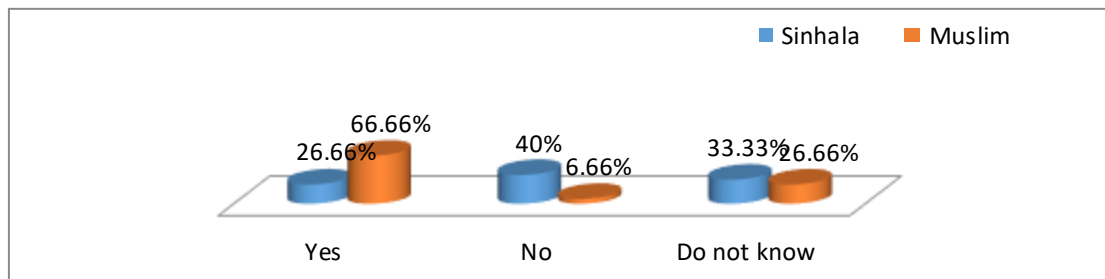
Question 02 - "Is there traditional conflict resolution mechanism of Sinhala and Muslim communities in your area?"

Table 01: Application of Traditional Conflict Resolution Mechanisms

Question	Percentage %	
	Sinhala	Muslim
Yes	26.66%	66.66%
No	40%	6.66%
Do not know	33.33%	26.66%

(Source: Field Data, 2017)

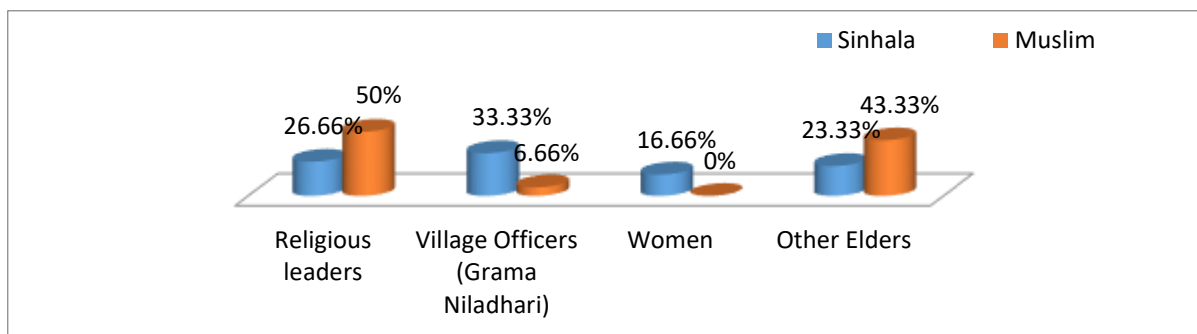Figure: 02 Application of Traditional Conflict Resolution Mechanisms

(Source: Field Data, 2017)

In this regard, the majority of the respondents from Muslim community, 66.66% stated that traditional conflict resolution mechanisms are being applied in their community, whereas majority of the respondents from Sinhala community, 40% stated that traditional conflict resolution mechanisms are not being applied in their community. The respondents from Muslim community, 26.66% remained uninterested in stating not to have known whether traditional conflict resolution mechanisms are being applied in their community. This was followed closely by the Sinhala community respondents that attracted a response rate of 33.33%. This finding denotes that traditional conflict resolution mechanisms are being highly applied in Muslim community compared with Sinhala community. While respondents from both community, considerable respondents (33.33%, 26.66%) were no awareness for application of traditional conflict resolution mechanism in their communities.

Question 03-"Who are the actors of traditional conflict resolution mechanism in your area? "

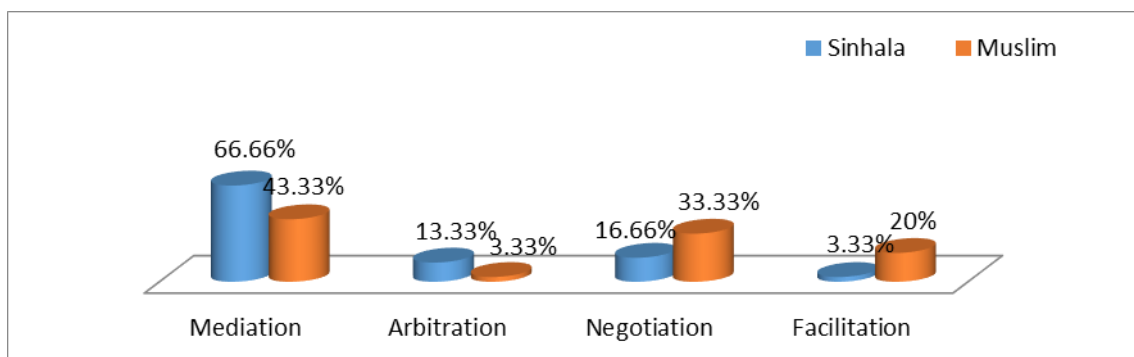Figure 03: Actors of Traditional Conflict Resolution Mechanisms

Source: Field Data, 2017

Here the majority 50% of the respondents from Muslim community stated that their religious leaders played a crucial role in traditional conflict resolution mechanisms in their community. This was followed closely by the other elders in Panagamuwa Peoples Peace Organization in same community that attracted a response rate of 43.33%. This was compared with 33.33% of the respondents from Sinhala community were stated that village officers especially Grama Niladhari played a considerable role in traditional conflict resolution mechanisms in their Sinhala community. The role of women in traditional conflict resolution mechanism is remained in low percentage of both communities according to responses from both communities. Only 16.66% of the respondents from Sinhala community were of the view that women are playing significant role in traditional conflict resolution mechanism in their community. While there were not women actors in the traditional conflict resolution mechanism in Muslim community due to the cultural barriers. But, however, women were the least represented of traditional conflict resolution mechanisms in both communities.

Question 04 – "Under the traditional conflict resolution mechanism, what is the conflict resolution method used to resolve the disputes in your area? "

Figure 04: Methods of Traditional Conflict Resolution Mechanism
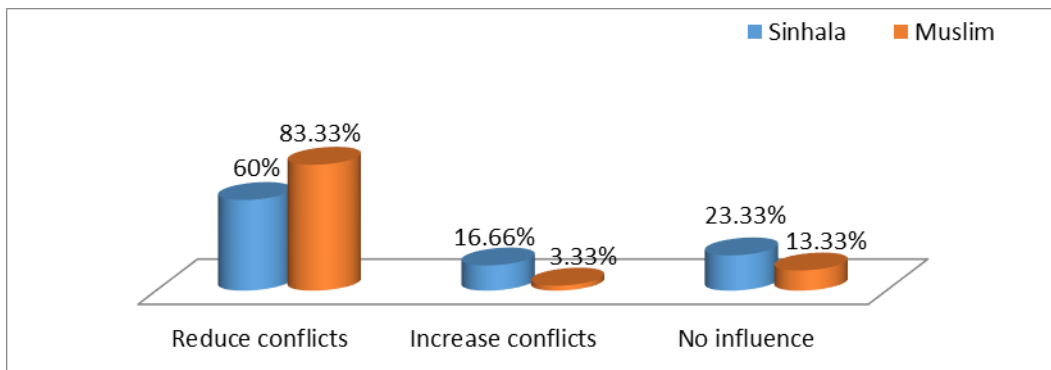

Source: Field Data, 2017

The majority 66.66% of the respondents from Sinhala community and 43.33% of the respondents from Muslim community stated that mediation is the most used method of traditional conflict resolution mechanisms in their communities. While 33.33% of the respondents from Muslim community stated that negotiation is another method of traditional conflict resolution mechanism in their community whereas 16.66% of the respondents from Sinhala community also agreed with the negotiation method. Only 13.33% of the respondents from Sinhala community stated that arbitration method is also used in their community. It was differing from Muslim community; with a response rate of 3.33% of their responses on arbitration were the least represented. According to this, the methods of mediation and negotiation are mostly used in traditional conflict resolution mechanisms in both communities whereas arbitration also used in considerable matters. Facilitation method also used in highly in Muslim community but it was least used in Sinhala community.

Question 05 – "How is the contribution of traditional conflict resolution mechanism in resolving conflicts in Sinhala and Muslim communities in your area?"

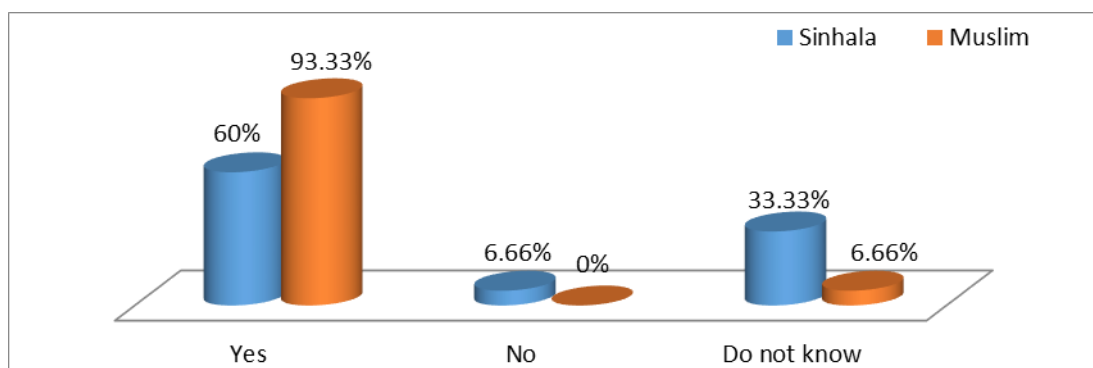Figure 05: Contributions of Traditional Conflict Resolution   Mechanisms

Source: Field Data, 2017

The majority 83.33% of the respondents from Muslim community and, majority of 60% of the respondents from Sinhala community were of the view that traditional conflict resolution mechanisms contribute to reduce conflicts in both communities in Panagamuwa. Only 16.66% of the respondents from Sinhala community stated that traditional conflict resolution mechanisms contribute to increase conflicts in the community. It was least represented in Muslim community with a response rate of 3.33%. While 23.33% of the respondents from Sinhala community and 13.33% of the respondents from Muslim community were of the view that traditional conflict resolution mechanisms had no contribution towards conflict resolution in the Sinhala and Muslim communities in Panagamuwa. However, the traditional conflict resolution mechanisms contribute to reduce conflicts as well as there were considerable spaces to increase the conflicts in the community.

Question 06 – "Does the method used in implementing the outcomes of traditional conflict resolution mechanism influence its effectiveness? "

Figure 06: Effectiveness of Traditional Conflict Resolution mechanisms

Source: Field Data, 2017

The majority 93.33% of the respondents from Muslim community and 60% of the respondents from Sinhala community agreed that traditional conflict resolution mechanisms have effectiveness in implementing the outcomes in community. Only 6.66% of respondents from Sinhala community believed that traditional conflict resolution mechanisms have not effectiveness in implementing the outcomes in community. A small percentage of 6.66 among respondents from Muslim community

and 33.33% of respondents from Sinhala community remained indifferent by stating not to have known whether traditional conflict resolution mechanisms have effectiveness in implementing the outcomes in their community.

Question 07 – "What are the advantages of traditional conflict resolution mechanism as compared to the modern legal system?"

Table 02: Advantages of Traditional Conflict Resolution Mechanisms

Variable	Sinhala	Muslim
	Percent %	Percent %
Save Time	26.66	16.66
Easily accessible and cheap	20	30
Immediate solutions are taken	10	10
Prevent destructive incidents	10	6.66
Free from fear of punishments	10	16.66
Build inter-personal relationships with harmony	23.33	20
Total	100	100

Source: Field data, 2017

The majority 26.66% of the people from Sinhala community stated that the traditional conflict resolution mechanisms are saved time, whereas majority 30% of the respondents from Muslim community stated that the traditional conflict resolution mechanisms are cheap and easily accessible. The fact of immediate solutions is taken that received the same rate of 10% of the respondents from both communities. While 10% of the respondents from Sinhala community were of the view that the traditional conflict resolution mechanisms prevent destructive incidents and this was followed closely by the respondents from Muslim community that attracted a response rate of 6.66%.

Question 08– "What are the new trends of traditional methods of resolving conflicts in your area?"

Figure 07: New trends of Traditional Conflict Resolution Mechanisms
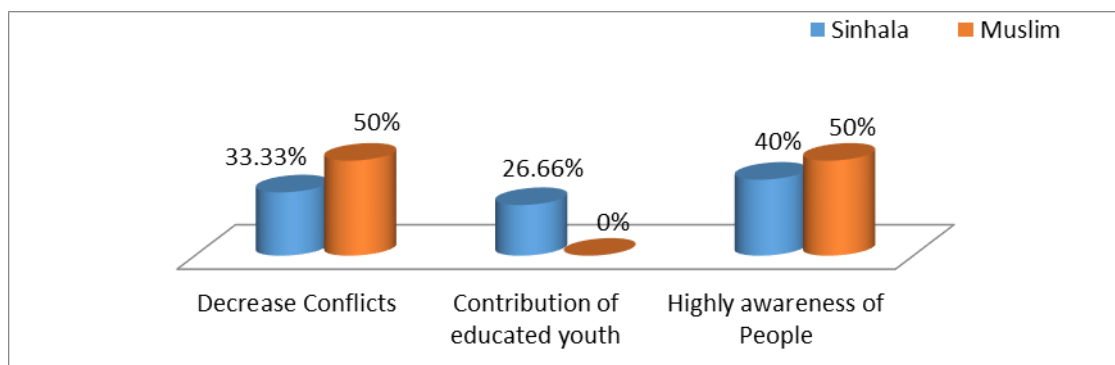
Source: Field data, 2017

The majority 50% of the respondents from Muslim community and 40% of the respondents from Sinhala community agreed that there is highly awareness of people in the implementation of traditional conflict resolution in both communities. Whereas 50% of the respondents from Muslim community and 33.33% of the respondents from Sinhala community stated that decreasing conflicts in the community is the specific new trend of traditional conflict resolution mechanism in their communities. There was no contribution of youth for traditional conflict resolution mechanisms in Muslim community according to responses from Muslim community. It differs from Sinhala community, that attracted a response rate of 26.66% were stated that there were contribution of youth for traditional conflict resolution mechanisms in Sinhala community.

Question 09– "What are the weaknesses of traditional methods of resolving conflicts in your area?"

Table 03: Weakness of Traditional Conflict Resolution Mechanisms

Variable	Sinhala	Muslim
	Percent %	Percent %
No credibility	13.33	3.33
Lack of knowledge	6.66	3.33
Lack of public awareness	13.33	20
Biasness	10	3.33
Do not respect for the elders decisions	50	10
Language issues	6.66	60
Total	100	100

Source: Field data, 2017

The majority 50% of the respondents from Sinhala community stated that the un-respecting for the elders' decisions is a major weakness of traditional conflict resolution mechanisms of their community. This challenge was least represented in Muslim community with a response rate of 10%. The majority 60% of the respondents from Muslim community stated that the language issue is their major weakness for the implementation of traditional conflict resolution mechanisms in their community.

Question 10 – "What are your suggestions to improve traditional conflict resolution mechanism in your area?"

Table 04: Suggestions to improve Traditional Conflict Resolution Mechanisms

Variable	Sinhala	Muslim
	Percent %	Percent %
Public awareness	13.33	10
Need for formal recognition	10	16.66
Need of educated human resources	16.66	10
Need of conflict education and training	23.33	26.66
Strengthening implementation	10	10
Financing of elders and other activities	13.33	6.66
Involvement of all stakeholders in the conflict resolution	13.33	20
Total	100	100

Source: Field data, 2017

Among these suggestions, the suggestion for the need of conflict resolution education and training was received the highest percentage at 23.33% of respondents from Sinhala community also it received the highest percentage at 26.66% of respondents from Muslim community. The suggestion of financing for elders in the field of traditional conflict resolution mechanisms with a response rate of 6.66% of respondents from Muslim community was least represented. There is a specific suggestion for need of conflict resolution education and training for the actors in the implementation of traditional conflict resolution mechanisms in both Sinhala and Muslim communities in the area.

Discussion

The people of Muslim community did not involve easily with the modern judicial systems and other government services. Therefore they have established a community based organization called Panagamuwa Peoples Peace Organization to resolve their conflicts with embracing their culture, norms and religious practices. The staff of this organization was religious leaders and educated elders from Muslim community and they respect and highly favour their traditional conflict resolution mechanisms following with conflict resolution methods of Mediation, Negotiation and Facilitation. As a result of practicing this community based organization, conflicts have been decreased in their society. Women officers were not represented in the field of traditional conflict resolution mechanisms of their community.

This differs in Sinhala community, only Grama Niladhari (Village Officer) resolves conflicts in their community and most of the people do not respect for the elders decisions, they do not trust elders' decisions. And they do not take guidance from religious leaders to resolve their conflicts. However, people from both communities believed that the traditional conflict resolution mechanisms are effective approach for conflict resolution with specific advantages.

Conclusion

From the findings of this research, Sinhala and Muslim community in Panagamuwa provides an effective case study for examining the status of traditional conflict resolution mechanism in the modern world today where modern legal mechanisms are in existence and are being practiced in yet have failed in some instance. The people from both communities in Panagamuwa easily access the Panagamuwa Peoples Peace Organization and other traditional mechanisms; therefore they have continued to embrace their culture, norms and religious practices. People from both communities respect and highly favour their traditional conflict resolution mechanisms which they continue to practice to resolve intra and inter community conflicts. What has come out clear is that the some of conflict resolution methods involve similar processes as the other legal systems. The traditional conflict resolutions mechanisms need to be improved because of they are able to face the challenges and weakness to take formal recognition from the society.

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