

EXAMINATION OF TRADITIONAL NIGERIAN CONFLICT RESOLUTION MECHANISM AND MODERN LEGAL SYSTEM OF CONFLICT RESOLUTION

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Abstract

In the pre-colonial days, there were many principles guiding conflict resolution in the traditional Nigerian societies. Those who want their conflicts resolved must have confidence in the tribunal that would resolve the dispute. These include elders, chiefs, priests, priestesses, secret cult etc. The disputants must have confidence in them. They (disputants) must be ready to submit themselves to the constituted authorities, have faith in the traditional authorities and accept judgements. These conflicts could be interpersonal conflicts and inter-communal conflicts. These may range from person – person to person – community-to community. In Ebira Tao people of Kogi State, Nigeria, there are core Principles of Conflict resolution. This study uses interview method of data collection and reliable secondary data to study Nigerian traditional history. The purpose we relied on the Interview method is to allow the collection of data from traditional rulers, many who were alive during this Traditional Nigerian societies.

Keywords: *Traditional Nigeria, Conflict resolution and legal system*

* INTRODUCTION

Conflict is inevitable which makes it as natural as the concept of peace contrary to the global or universal conception. Traditional Ebira Tao people of Kogi State, Nigeria have particular ways of conceptualizing conflict. Traditional definitions of conflict in this place is interestingly regarded as a struggle over values and claims to scarce status, power and resources in which the aims of the opponents are to neutralize, injure or eliminate their rivals. However, conflict may generally exist wherever or whenever incompatible activities occur and may result in win-lose character. The traditional Ebira Tao people of Kogi State believed the resolution, transformation and management of conflict may also produce a win-win situation. Consequently, in modern Nigeria, conflicts are in the magnitude of rage, rift, misunderstanding, family and market brawls, skirmishes and wars, public insurrections and assaults which always lead to destruction of lives and properties. Among this conflicts which includes chieftaincy and boundary disputes. These storms of conflicts are wide spread in traditional and modern Nigeria but its approach and success of Conflict resolution tends to be different. Conflict can be an element of social interaction as believed in the traditional Ebira Tao people of Kogi State. It was defined in various dimensions. A conflict situation may emerge when two or more parties could not agree on an issue. A conflict situation may also arise out of fear or lack of trust. The parties to such conflict may not necessary be in outrage out of obsession for their adversarial but in outrage for survival. Survival for their families, kins, community and latter generation to come. However, traditional Ebira Tao people of Kogi State know too well how to eliminate this fear and create trust rather than eliminate their adversarial in destructive conflict as it's common today in modern times. Every part involved seeks to achieve certain objectives, such as additional or more secure peace and communication bridge.

This study is mindful of the need to consider the interaction of local, National and international factors in the evolution of conflicts in Nigeria. Traditional and modern conflict is not susceptible to prediction, although it can be explained. This manifestations of conflict are seldom cultural difference even in relations between rival cultures. Conflict is a particular relationship between rival factions within a state which implies subjective hostilities or tension manifested in subversive economic or military hostilities (Quincy, 1971). Conflict can be described as a condition in which are identifiable group of human beings weather tribal, ethnic, linguistic, religious, socio-political, economic, cultural or otherwise is in conscious opposition to one or more other identifiable human group because these groups are pursuing what to be incompatible goals. More importantly, conflict arises from the interaction of individuals who have partly, incompatible ends, in which the ability of one actor to gain his ends, depends to an important degrees on the choice or decisions that other parties will take. Conflict could be violent on uncontrollable dominant or recessive, resolvable or insolvable under various sets or circumstances (Omotosho, p.2). A.A Mohammed argues that Conflicts are inevitable wherever severe resources are desperately needed by the conflicting parties.

Conflict takes various forms and dimensions in Nigerian societies; it is significant to note that conflict is difficult to understand and resolve in modern Nigerian societies as a result of acculturation and the high space of globalization. Nigeria is a part of a global community. However, traditional Nigerian society mechanism of conflict prevention and resolution can be adopted and appreciated by the global community. This study will add to the existing study on unveiling the Nigerian traditional conflict prevention and resolution mechanism using Ebira Tao people of Kogi State as a case study. It seems to be part of excitement for networking relationship, whether negative or positive. Consequently, conflicts are in the magnitude of rage, rift, misunderstanding, family and market brawls, skirmishes and wars, public insurrections and assaults. It also includes chieftaincy and boundary disputes. These storms of conflicts are wide spread in Nigeria (Olaoba, 2005).

Conflict as an element of social interaction has been defined in various dimensions. Some writers argued that, a conflict situation emerges when two or more parties could not agree on an issue. The parties to such conflict may not necessary be State actors. Every part involved seeks to achieve certain objectives, such as additional or more secure territory, security, access to markets, prestige, alliances and the overthrow of an unfriendly government (Omotosho, 2004)

The study of conflict in Nigeria has not always been mindful of the need to study traditional conflict resolution mechanism. Nigerian conflict is not susceptible to study of traditional conflict resolution. Conflict is a particular relationship between traditional or modern time or rival factions within a state which implies subjective hostilities or tension manifested in subversive economic or military hostilities (Quincy, 1971).

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management in general and conflict resolution in particular, are almost entirely determined by our understanding of the composition of a conflict and not only by symptoms (Kotze, 2000, pp.77-86).

In fact, Albert's position on conflict was that there is nothing wrong with conflict, it is a critical mechanism by which goals and aspirations of individuals and groups are articulated; it is a channel for a definition of creative solutions to human problems and a means creative solutions to human problems and a means to the development of a collective identity (Albert, 2001, p.3).

The repercussion of conflicts between person to person, group to group, community to community, state to state or nation to nation rarely cease with the termination of overt hostilities. However, conflict can solve contentions issues between nations or it can further exacerbate them. In any case, the consequences of conflicts are usually felt for some time after a war ends (Robert, 1981, p. 208).

Wadinga described African conflicts as phenomenon which are frequently brushed and dismissed as been chaotic, or worthy of some vague pity or humanitarian concern, but rarely of any in-depth political analysis. Wadinga added that the divide and rule policies of colonial administrators assured the docility of different ethnic groups and this shielded them from the menace of insurrection (Wadama, 2013, p.319).

***Statement of the Problem**

The pre-colonial era, Africa had various traditional systems of conflict resolution which were considered sacrosanct for promotion of social harmony, peace and development (Nwankwo, 2010; Iwarimie-Jaja, 1988; Kasali; Olaniyi, Oyakhilomen and Durojaye, 2010; Faleti, Olaniyi, Yesufu and Durojaye, 2010). However, with the conquest and colonization of Africans, these revered African traditional systems of conflict resolution were jettisoned and replaced with imposed legal systems. Unfortunately, empirical evidence has shown that most of the conflicts that have been experienced and are still taking place in Africa are largely due to failure of the foreign or imposed legal systems to resolve such conflicts (Mudapher, 2014; Nwankwo, 2010; Nnam, 1985; Kasali, Olaniyi, Oyakhilomen and Durojaye, 2010). It is in the light of this unfortunate phenomenon that Kasali, Olaniyi, Oyakhilomen and Durojaye (2010) remarked that "it is quite unfortunate that in modern conflicts in Africa, there has been structural bias and 'inferiorization' of the traditional institutions and authorities in peace processes and post conflict reconstruction". Also, F. H. Ruxton, a consultant to the colonial government stated that "the love of simplification leads people to think that in the mere technicalities of law they possess the means and power to effect positive changes... [Such an illusion is] cherished by lawyers, who imagine that by drafting new constitutions and laws they can begin the work of history all over again, know nothing of the work of traditions, habits, associations and institutions" (cited in Mudapher, 2014, p.18). Yet, not much attempt has been made by scholars to adequately investigate these African traditional systems of conflict resolution.

This study will therefore attempt to investigate Nigerian traditional systems of conflict resolution using Epira Tao of Kogi State as a case study. Furthermore, differential reinforcement theory will be used to give an insight as to why a return to this positive African traditional system of conflict resolution is both desirable and sustainable. Especially, with the reality that despite the imposition of foreign legal systems and attendants "African societies are far from witnessing peace" (Anyacho and Ugal, 2010, p.2)

***Theoretical review**

Theoretical orientation becomes imperative in the light of giving the study the necessary insight. Therefore, our analysis in this paper will be predicated on differential reinforcement theory. Differential reinforcement theory was postulated by B.F. Skinner in 1938. However, scholars such as Jeffery (1965), Burgess and Akers (1966) conducted further studies on the theory and contributed tremendously to its development. Differential reinforcement theory explains that the environmental consequences that follow a specific behavior act either to increase or decrease the probability of that behavior happening again in the future. The theory espoused that when behaviour produces consequences that the individual finds rewarding and that frequency of that behavior is increased, it is said to be reinforced. Alternatively, a behavior that produces outcomes that the individual finds aversive and which therefore act to decrease the rate of behavior is said to be punished (Skinner, 1938, 1969, cited in Hollins, 2009, p. 131). Thus, the differential reinforcement theory can be aptly used to explain both the desirability and sustainability of African traditional systems of conflict resolution. "Civilization has been said to have originated from Africa but today other countries of the world are far ahead of Africa in science, technology and some other areas. The differential woeful performance of the Black man does not lie in his biology because he is hardworking. This is why Europe came for her to work in their plantations as slaves for about 400 years (1450s- 1850s). The fact remains that the Black man was doing well before colonialism. He even had a university at Timbuktu before most Europeans ever dreamt of them. Both traditional medicines and traditional systems of conflict resolution were making great advances" (Anyacho and Ugal, 2010, p.1). However, with the colonial invasion of Africa, foreign legal systems were imposed on Africa and Africans. With this imposition, the once adored African traditional systems of conflict resolution were down played, stifled, inferiorized

Nigeria, the most populous country in Africa accounts for approximately one sixth of African population. The nation is the 8th most populous country in the world (Federal Republic of Nigeria, 2010). As at 1st July 2013, the estimated

population of Nigeria was 170, 901, 000 which represented 2.41 percent of the world population. Its population growth rate is 2.9 percent per annum (USCB, 2013). Located in West Africa, just north of the equator, the Federal Republic of Nigeria stretches along 923, 768 square Kilometers of land (Federal Republic of Nigeria, 2010). Nigeria's cultural heritage is rich and diverse. There are over 250 ethnic groups, each with its own language and culture. The Hausa/ Fulani constitute 29% of Nigeria; the Yoruba(21%); Igbo (18%); Ijaw (10%); Kanuri (4%); Ibibio 3.5%; Tiv (2.5%); and others (12%). There are two main religions: Christianity (40%) and Islam (50%), and a wide variety of indigenous beliefs across the country (10%). Before these two foreign religions (Christianity and Islam) got converts from these ethnic groups, these groups were adherents of various traditional indigenous religions (Federal Republic of Nigeria, 2010). Nigeria is divided into six geo- political zones, namely, North-West; North-East; North-Central; South-West; South-East; and South-South. In our study, we will select the Tiv ethnic group from North-central; and Igbo ethnic group from South-East geo-political zones of Nigeria, and investigate their traditional systems of conflict resolution. This regions were rich in traditional conflict resolution mechanism.

***Methodology**

The data for this study was obtained from both primary and secondary sources. The primary source relied on in-depth interview of traditional leaders who were familiar with the Nigerian history. The traditional leaders were selected through a purposive sampling technique. Secondary data were obtained from academic journals, books, newspaper publication's, and other online materials.

This study uses interview method of data collection and reliable secondary data to study Nigerian traditional history. The purpose we relied on the Interview method is to allow the collection of data from traditional rulers, many who were alive during this Traditional Nigerian societies. Interview is one of the most pervasive activities of daily life, it is a primary tool of scientific inquiry. Scientifically, interview can be defined as a purposefully planned and systematically asking the respondents series of questions for data collection. Interview as a method of data collection is flexible, sometimes involving communicate interaction; and recording data of life histories, or other behavioural foot prints. The importance of interview method to this research work cannot be overemphasized: it is through interview that this study gets the trust of traditional conflict resolution from traditional Ebira Tao village heads and region monarch. The accurate descriptions and explanations of the variables under study can be achieved and also, the data generated through interview is used to validate or disprove our theory. Moreover, our resolve to make use of interview as our method of data collection removes the problem of personal bias associated most times with self report techniques as interview collects data directly from aged traditional rulers who were part of this traditional society. It makes it possible to document events on the subject matter as they actually occurred in Traditional Ebira Tao land. For the purpose of analyzing our secondary data, we adopt the qualitative descriptive method of data analysis.

Analysis and discussion of finding

In the pre-colonial days, there were many principles guiding conflict resolution in the traditional Nigerian societies. Those who want their conflicts resolved must have confidence in the tribunal that would resolve the dispute. These include elders, chiefs, priests, priestesses, secret cult etc. The disputants must have confidence in them. They (disputants) must be ready to submit themselves to the constituted authorities, have faith in the traditional authorities and accept judgements. These conflicts could be interpersonal conflicts and inter- communal conflicts. These may range from person – person to person – community-to community. In Ebira Tao people of Kogi State, Nigeria, there are core Principles of Conflict resolution. This Principles include:

Core Principles of conflict resolution in traditional Ebira Tao society of Kogi State, Nigeria.

This study uncovers core Principles or mechanism of Conflict resolution in traditional Ebira Tao society. This Principles or mechanism was successful in curbing communal land disputes. Sociologically intriguing, some of this mechanism is lost in modern day conflict resolution. This core mechanism include;

Unveiling the root cause of the conflict

The Ebira Tao people believe that every conflict has a root like a tree. Unveiling the root cause of the conflict will make it easy for authorities to uproot the conflict completely to peaceful resolution. The Ebira Tao people believe that, like a tree, cutting the tree from the stem will not completely kill the tree as the tree will grow more stems afterwards. Their believe in uprooting the tree is a permanent way of getting rid of the tree. To this people traditional mechanisms of Conflict resolution is finding the root cause of the problem and solving the misunderstanding/conflict completely. This is their traditional mechanism of conflict resolution.

Truth Seeking

Ebira Tao people believe in truth seeking by the traditional authorities. The traditional authorities must put aside all biasness in conflict resolution to ensure adequate trust in the authorities by the people. However, in modern times, modern authorities like police and judges are weakened by bribes. Nigerians don't have trust in justice in modern authorities and in justice dispensation by this authorities as a result of authorities biasness. Ebira Tao people of Kogi State believe that the trust, the conflicting parties have in authorities is a major stride in conflict resolution. This is a major significance of conflict resolution. How would the other opponents know that there will be no partiality? Both disputants must be have trust in the system or authorities. The mediator, arbitrator, judge must also be truthful, the

presence of the ancestral forces is a factor; some may collapse or forced to say the truth because of the dear of ancestral forces. The mediator, judge and arbitrator must be well prepared because truth is not to be traded for falsehood. Truth is also a covenant logo for disputant or parties in conflict. For one of the conflicting party to have come to the tribunal, it means that party is ready or agreed to settle or resolve dispute. Although this not always the case, in modern times, as parties in Conflict don't trust modern system or authorities until the judgement is passed on their favour. Lack of trust for modern authorities makes it difficult for conflicting parties to accept judgement not in their favour.

Mediation (Okarēyí)

Traditional Ebira Tao has mediation as an important alternative dispute resolution. This methods is called Okarēyí. It primarily entails performing conflict resolution in the traditional Ebira Tao society using an accepted third party. This third party may not necessarily be an authority in a case of interpersonal conflict. are as follows: mediation, adjudication, reconciliation, arbitration and negotiation. It also includes employing extra-judicial devices and usage of legal maxims to persuade or convince the disputants about the implication or otherwise of their behavior. These method of Okarēyí or mediation have been effective in traditional Ebira be tao Society.

Okarēyí or mediation is an old method of conflict management. It is not new to traditional Nigerian society. It involves non-coercive intervention of the mediators(s), called third party either to reduce or ... go beyond or bring conflict to peaceful settlement. Olaoba, described mediation as a method of conflict resolution that had been so critical to traditional society. The mediators usually endeavoured that peace and harmony reigned supreme in the society at whatever level of mediation. This is also usually couched with the dictum of no victor no vanquished as buttressed by the maxim (Isurmona, 2005).

Negotiation (vée-yámúkàré-ayi,yéwuàyé)

Negotiation is more interesting in Ebira Tao traditional society. It involves the desire of the conflicting parties to sit together and discuss peaceful resolution amongst themselves. You can't deny the maturity and the desire for peace in this process. he secret is to harmonize the interests of the parties concerned. Thus, even when the conflict involves a member against his or her society, there is an emphasis on recuperation and reinsertion of errant member back into its place in society. The recovery of a dissident member can just as well be seen as the restoration of the harmony and integrity of the community, as the assertion of value consensus and social cohesion, so that the management of the conflict favours the concerns of both parties (Ibid, pp. 220-221).

In traditional Ebira Tao society, peace was negotiated by the conflicting parties. **(vée-yámúkàré-ayi,yéwuàyé) or Negotiation is finding a consensus resolution to peace.**

Apology for wrongs done to individuals and the entire community was always the beginning of negotiation process by both parties in Conflict. Such apology was channelled by both parties to ease tension and consolidate on the desire for comprise in dispute resolution.

Adjudication (Okàtítéé)

Ebira elders, compound heads and chiefs of high calibre in the society usually form the arbitration panel in dispute resolution. Okàtítéé or Adjudication occurs to pass peaceful resolution by the traditional authorities. Parties in Conflict must accept this Adjudication even when it seems to favour their adversarial party. However, the trust of the people in the system and traditional authorities makes it easier to accept judgement in Okàtítéé or Adjudication. It can also be done on a representative level on a Conflict that involves two clan or communities. The representation play the role of the conflicting party.

Conclusion

In traditional African societies, the law enforcement agents, traditional police and courts were responsible for ensuring compliance with the laws of the land. Disputants often take their cases to elders and neighbourhood mediators who can be depended upon to resolve conflicts with dispatch in local language, using familiar standard of behavior. For practical purposes, three ethnic groups in African societies shall be examined.

*Yoruba Among the Yoruba peoples, indigenous law derives essentially from customs and traditions. Literacy was not associated only with the written word, but also very essentially, with verbal art and remembrance. Although, the legal traditions of the Yoruba were largely unwritten, their preservation and survival were done through performance to make them lively and easily understood. Because the traditional society presented an atmosphere conducive for enduring performance, in short, the Yoruba people derived their sources of adjudication from wisdom and traditional knowledge of the forebears which were always dramatized. Olaoba confirmed that, the elders sit under a tree, and talk until they agree, the elders (old age or seniority) as the force behind order or decorum in traditional society. This indicates that elders, within the culture of the Yorubas, are the power house of wisdom and knowledge (Olaoba, 2001, pp. 1-2)

Cases of fighting among adolescents or young people were in the past accorded an impromptu settlement by the passers-by who normally ensured restoration of peace and harmony. There existed various community associations and guilds saddled with the responsibility of maintenance of peace and order in marketing operations include, stealing, debt and

fraud. In certain circumstances, gods and ancestors (the living dead) are called upon, their spirit invoked and every one especially the disputants are reminded of the aftermath of their wrath if they refuse to say the truth. In the markets, and the palace (court) spirit is present. The spirit could be malevolent / benevolent (Olaoba, 2002, p. 9)

In Africa, there were levels or phases of conflict resolution, there were dispute resolutions at the inter-personal or family level, the extended family level and village or town level (chief in council). These tiers represent the political units making up the community. The smallest unit called *Idile* (Nuclear family) is headed by a *Bale*. The next unit is the *Ebi*, (extended family headed by *Mogaji* who is the most influential or usually the eldest person in the *Ebi*. Extended family includes all people who have blood ties. The last tier of the units is the quarter which comprises of several family compounds is headed by a *Baale*, (the chief-of-ward/quarter, while the head of household which includes the man's immediate family of wife or wives and children (Albert,1995, pp.13-31)

Cases resolved by *Bale* include conflicts among co-wives, brothers and sisters, truants, and street fights involving his children and his foster children or dependants. Conflict solved immediately includes minor conflicts by scolding the trouble makers and appeasing whoever was offended. The —balel is required to visit the offended person, even to thank him/her for accepting a peaceful resolution of the conflict. It is the duty of *Bale* to call together his household and warn them to desist from making any more trouble. The court imposed no fine. However, appeals could be made from court to the second court which is the court of the ward-chief (*Ile-ejo ijoye Adugbo*). This court tried civil cases. It could not try criminal case but it had the authority to conduct preliminary investigation into criminal cases before transferring them to the court of the king (*Ile-ejo Oba*) (Oguntomisin, 2004, p.10).

Baale (chiefs) also controls the relationship between members of his family and outsiders. Such cases can threaten the survival of the entire lineage or ward. Once the matter is resolved, emphasis is put on how good neighbourliness can be achieved and preserved. Land dispute, lack of good care for women and children by the husband, infidelity by the women, dispute over inheritance are the commonest in this category.

However, dispute resolution by the Chief-in-council (*Igbimo Ilu*) in Yoruba land was the highest traditional institution for conflict resolution. In the pre-colonial era, the council had the power to pass a death sentence on any offender brought before it. The court of the king was the highest court. It was also the last court to which appeal could be made but, among *Egba* and *Ijebu*, however, the *Ogboni* court seemed to be the last court of appeal (Oguntomisin, 2004, p.11). A woman is traditionally expected to be on her knees and to offer the traditional greetings unless the chief ask her permission to stand up. A man has to start by prostrating which is a way of offering traditional greeting. Whatever judgment is given is accepted.

In the traditional judiciary system in Yoruba land, fines of damages are not usually awarded by the mediators in civil cases. The utmost aim is to restore peace by setting disputes amicably. In other words, restoration of harmony is what is paramount in the traditional judicial system. Sometimes, however, mediators award simple fines as a minor conflicts by scolding the trouble makers and appeasing whoever was offended. The —balel is required to visit the offended person, even to thank him/her for accepting a peaceful resolution of the conflict. It is the duty of *Bale* to call together his household and warn them to desist from making any more trouble. The court imposed no fine. However, appeals could be made from court to the second court which is the court of the ward-chief (*Ile-ejo ijoye Adugbo*). This court tried civil cases. It could not try criminal case but it had the authority to conduct preliminary investigation into criminal cases before transferring them to the court of the king (*Ile-ejo Oba*) (Oguntomisin, 2004, p.10).

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ancestors of the people involved in the dispute. These actions help to reinforce the term of the reconciliation. Next to be discussed is the Igbo traditional society.

* Igbo

The Igbo traditional institutions for conflict resolution include: the family, Amala (council of elders), Okpara system (eldest male), Umuanna (clan), Umuada (female born in a town but married out), age grades, assembly of the people, Ohanaeze (assembly of the people and the king), hunters' Association, and agbara (local deities or oracles). These are not different from the one found in other traditional African societies.

However, Olurunsola, wrote that prior to European advent, the Ibos consisted of over two hundred independent territorial groups divided into villages. The internal organization of these groups rested upon patrilineal clans and lineages. These groups were autonomous with regards to governmental processes, but social bonds were strong among them. (Olorunsola, 1972, p.157)

Here, this section shall adopt the resolution of the Umurebo- Umokuzu, and Umuleri-Aguleri land dispute through traditional methods. The piece of land is called *ala ihu okpaula or ala mkpoku*, located between Umenebo and Umuokuzu clans of Obokwu village in Obinze, which is in the Owerri West local government area of Imo- State, Eastern Nigeria. Several peace efforts geared towards resolving this land dispute failed. Even the elders of Obokwu village made several futile third party mediation efforts. The *Nwanwa* group (men and women whose mothers were born at Obokwu village) also intervened but failed. The autonomous traditional ruler (Obinze) and his cabinet also intervened. While these efforts were heading for roots too, a warning were received by both clans from the ancestors through the chief priest of Obinze, the messenger of *Alanlwn* (big Earth deity) saying that they are seeing an impending blood flow, insisting that there must be no bloodshed, and that the dispute over the land must be settled peacefully (Ibid).

Since 1933, the pathetic dimension of the conflict is that the Aguleri and Umuleri people have one ancestral origin in *Eri*, and had been living peacefully side by side in Otuocho for decades before the focus of division and anarchy emerged. The land conflict, before the disastrous war had passed through the court's strategy, political, bureaucratic, and military strategy without solution and peace in sight, before the traditional strategy was applied (Nwolise, 2005, pp.159-161)

However, the traditional formula which led to the peaceful resolution of the Aguleri-Umuleri-Umuoba Anam war involved oath-taking, declaration of —No more war peace treaty and the performance of a cleansing ritual called *Ikomue*. The first traditional oath which took place on 25th January, 2000 involved only Aguleri and Umuleri, while other communities later join in order to avoid further wars and destabilization in the Omambala area. All those communities came with their respective representatives, as well as local deities (oracles) to be sworn to in the presence of gods and all people present.

The oath which is binding on every indigene of the participating communities was taken to the effect that the contracting parties accept peace and there would be no more war and bloodshed amongst and between the five communities. Violators of this oath face the wrath of the deities present, and the ancestors, who in the presence of god constitute the source of moral sanctions and peace guarantors. This first Oath taking process relaxed tension in the war torn area and paved way for their processes that brought the final peace. The traditional method of resolving the conflict was adopted in peace treaty making by traditional rulers and leaders of thought led by Igwe Nzekwesi, for sanity and rigidity.

It was however observed that the traditional leaders and rulers were also being touched, encouraged and propelled into action by the message of peace, and the direct challenge to them in President Olusegun Obasanjo's speech when he visited Aguleri-Umuoba-Anam conflict area. In his words;

I will be addressing our traditional and religious leaders here. What are we saying in the communities in which we are? What are we saying, and what are we doing to really dampen these types of senseless killing, this type of senseless destructions of lives and property? You only need to go down there (Otuocho) and you will be shocked. I was shocked. In a small community like this and will anybody tell me that these three communities are not related? Are they not brothers and sisters? The governor told me that he came here and asked same questions and you said you are not A small community like this, you have turned it into ghost town. A community, that known God as it should be known, this type of thing will not be happening... what has happened to our traditional way of life where elders intervene and help to resolve differences? Are there no more elders in the community? If there are, have they abandoned their responsibility? Then what are they doing? (Olusegun Obasanjo cited in Nwolise, 2005)

After the first oath process of 25th January, 2000, a second oath took place on 6th April of the same year. In this second oath, the leaders of Aguleri, Umuleri, and Umuoba Anam were invited to the centre of the field. Each community was been asked to come with a big goat, a small he-goat, some kola nuts, etc; along with symbol of their community deity and its chief priest (Ezemmo). After reading the contents of the oath, each community appointed one representative to of that, if the person remains dissatisfied then the problem would be referred to the warheads and invariably to the chief.

This accompanies a request to establish a separate mat association, which, in effect secedes from that of the leader whose conduct is the subject matter of the complaints. The dissatisfaction is expressed publicly to the chief in a tactful manner (Rucherts, 1990). Proceedings in the chief's court are formal; the emphasis is no longer on mediation and reconciliation, but the correlation between proven testimony and the sanctions imposed by the court of a headman. The difference between the lower court (Mat association) and the court of chief which proceed on the assumption is nothing but a mutual trust.

* Recommendation

Conflict resolution provides an opportunity to interact with the parties concerned, with the hope of at least reducing the scope, intensity and effects of conflicts. During formal and informal meetings, conflict resolution exercises permit a reassessment of views and claims as a basis for finding options to crisis and to divergent points of view. Those who organize conflict resolution exercises or meetings usually constitute the third party in a triangular arrangement and consist of traditional rulers (King, Chiefs, etc).

Conflict resolution in the plural societies can be quite complex, principally because of the determinate effects of culture and language symbolism. According to Airuch and Black (Onigun & Albert, 2001, p.16), —it is quite dangerous to relegate culture to the background in conflict resolution. Although, culture is a marker of social differences, it should be regarded as an obstacle to conflict resolution in multi-ethnic/multi-cultural societies.

Conflict resolution performs a healing function in Nigerian traditional societies. It provides opportunity for the examinations of alternative positive decision to resolve differences. Failure to resolve conflict over access to commonly valued scarce resources, and over divergent perceptions of socio-political situations, has the high potential of degenerating into genocide or fratricide as it occurred among Ife-Modakeke in Yorubaland 37 and Tis-Jumen of Nigeria, and the Hutu-Tutsi of Burundi and Rwanda (Punier, 1995).

Conflict resolution promotes consensus-building, social bridge reconstructions, and the re-enactment of order in society. Conflicts hardly break up societies (Otite, 2001, p. 9). For conflict resolution, the obvious implication is to view conflicts as non-isolated events in its social context. Such perspective is not narrowly focused on a conflict and its resolution. It takes into account the cultural setting and the social context. It looks at the history of preceding events which have led to the conflict concerned. And while concentrating on the conflict itself and process of resolving it, it takes possible implications for the future seriously. A wider look is taken than one which just includes the disputing parties, possible consequences for others in their families and social network are also taken into consideration. Potential effects on relationship and interests are envisaged. Cross examination was an important mechanism employed in the process of conflict resolution in traditional Nigerian society. It was a means of weighting evidence through cross checking and corroborating of the facts of the conflict (Olaoba, 2000, pp. 6-8) In the Yoruba maxim, a good sense of justice is associated with cross examination which is expressed as follows:

Agbejo enikan da, agba osika -wicked and iniquitous is he whose judgement is based on the evidence of one party to a case)

Consequently, in traditional Nigerian societies, particularly, Yoruba land, in conflict resolution undue favour to the disputants was discouraged. In traditional Nigerian Society, extra-judicial methods were employed in conflict resolution. These took the form of ordeals and the invocation of supernatural forces to expose all sides to the conflict. Olaoba has shown quite clearly that oath taking which was one of the extra-judicial methods usually assisted the judge or adjudicators to locate areas of weaknesses in the conflict.

Aside from the iron object (sacred to the god of iron) used for oath- taking, the Yorubas also use *apasa* (weaving instrument) and *iru* (chiefly scepter), royal shrine or religious sanctuaries are also used. The wrath of the gods is used for eliciting facts of the dispute. Such gods as *Sango* (god of Thunder), *Yemoja* (goddess of river) and *Ayelala* (guardian of social morality) are used to ascertain the veracity of the story told by disputants (Olaoba, 2001, pp. 15-16).

Each people, race, or identity group have their own ways of doing things especially as they concern conflict resolution. While in Europe, for example, the police are an agency of crime detection, several African societies relied on oath-taking and divination in pre-colonial times. These methods still thrive today in some places on a very limited scale alongside torture and skull breaking in the name of interrogation and confession extraction. Also, while the western world placed emphasis on a judicial system presided over by lawyers and judges; traditional Africa uses council of elders, king's court, peoples (open place) assemblies, etc. for dispute settlement and justice dispensation (Nwolise, 2005, p.155).

However, Conflict takes various forms and dimensions. It is worthy to note that conflict does not have a single definition from traditional Nigerian perspective. It could be a kind of social unrest or relationships, whether positive or negative. Consequently, conflicts are in magnitude of rage, rift, misunderstanding, family and market brawls, skirmishes and wars. These kinds of conflicts are wide spread in traditional African societies. From Each people, race, or identity group have their own ways of doing things especially as they concern conflict resolution. While in modern Nigeria, for

example, the police are an agency of crime detection, several traditional society relied on oath-taking and divination in pre-colonial times. These methods still thrive today in some places on a very limited scale alongside torture and skull breaking in the name of interrogation and confession extraction. Also, while the western world placed emphasis on a judicial system presided over by lawyers and judges; traditional Africa uses council of elders, king's court, peoples (open place) assemblies, etc. for dispute settlement and justice dispensation (Nwolise, 2005, p.155).

However, in Africa, conflict takes various forms and dimensions. It is worthy to note that conflict does not have a single definition from African perspective. It could be a kind of social unrest or relationships, whether positive or negative. Consequently, conflicts are in magnitude of rage, rift, misunderstanding, family and market brawls, skirmishes and wars. These kinds of conflicts are wide spread in traditional African societies. However, this study stand on the premises of this recommendations to modern day Conflict resolution

*** Seeking the root cause or underlying cause of the conflict in Conflict resolution as attained in traditional Ebira Tao society**

The Ebira Tao people believe that every conflict has a root like a tree. Unveiling the root cause of the conflict will make it easy for authorities to uproot the conflict completely to peaceful resolution. The Ebira Tao people believe that, like a tree, cutting the tree from the stem will not completely kill the tree as the tree will grow more stems afterwards.

This traditional believe in uprooting the tree is a permanent way of getting rid of the tree. To this people traditional mechanisms of Conflict resolution is finding the root cause of the problem, uprooting and solving the misunderstanding/conflict completely. This is the traditional mechanism of conflict resolution in Ebira Tao traditional society.

It is pertinent to know that without adequate consultation, the underlying cause of the conflict may not be unraveled. However, modern mechanism of Conflict resolution in Nigeria lack adequate consultation of traditional elders, age-groups and rulers.

*** Adoption of traditional mechanism in Conflict resolution like Okàréyí**

Traditional Ebira Tao has mediation as an important alternative dispute resolution. This methods is called Okàréyí. It primarily entails performing conflict resolution in the traditional Ebira Tao society using an accepted third party. This third party may not necessarily be an authority in a case of interpersonal conflict. These method of Okàréyí or mediation have been effective in traditional Ebira tao Society. Okàréyí or mediation is an old method of conflict management. It is not new to traditional Nigerian society. It involves non-coercive intervention of the mediators(s), called third party either to reduce or ... go beyond or bring conflict to peaceful settlement. Okàréyí as a method of conflict resolution has been so critical to traditional Ebira Tao society. Okàréyí usually endeavoured that peace and harmony reigned supreme in the society. This is also usually couched with the ideology of Okàréyí dictum of no victor no vanquished as buttressed by the purpose of understanding one another after conflict and not a win-lose game after conflict.

5.2.3 Trust

Modern authorities including Nigerian army, police, NDLEA, DSS, EFCC and courts should cease from taking bribes on their official capacity to allow trust in the system in dispute/conflict resolution. Lack of trust in modern mechineries of justice dispensation hinders conflict resolution. Parties in Conflict wouldn't accept any attempt of conflict resolution with doubt for the system. Creation of trust by modern authorities is germane in modern conflict resolution.

Conclusion:

In traditional African societies, the law enforcement agents, traditional police and courts were responsible for ensuring compliance with the laws of the land. Disputants often take their cases to elders and neighbourhood mediators who can be depended upon to resolve conflicts with dispatch in local language, using familiar standard of behavior. For practical purposes, three ethnic groups in African societies shall be examined.

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