

Traditional Society and Conflict Resolution in Nigeria: An Appraisal of Igbo Traditional Method of Conflict Resolution

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INTRODUCTION

Generally, conflicts are accepted as inevitable phenomenon in human relationship and society. It is a natural incidence among human beings. Hence, whenever people gather in social, political, religious, communal, ethnic and family groups, the possibility of conflicts abound. Alagoa noted that such conflicts could lead to struggle of various levels of intensity extending to violent combat which could lead to the destruction of the group. Since, man is competitive and aggressive in nature, there will always be conflicts among them [1], especially when according to A. A. Muhamed, scarce resources are unequally distributed among competitors and inequity is reflected in cultural and political relationship between groups [2]. Oguntomisin agrees with many history scholars that there were various means of mitigating in inter and intra individual and community conflicts [3]. Igbo people like every other pre-colonial African societies are known to hold secrets of peacemaking and conflict resolution hidden in their customs and tradition before the disruption by colonial invasion and advent of Christianity [4].

PRE-COLONIAL IGBO SOCIETY

The pre-colonial Igbo society was not at all times peaceful, hence, it had well structured social-political institution that enhanced conflict resolution. This system of pre-colonial government of Igbo people gave everyone, old and young, titled and ordinary men and women roles to play in the society. The basis for maintaining peace and order is demonstrated in the cultures and traditions which must be obeyed as regulation of human activities such as co-habitation, relationship in families and among communities. When the peace of the individual and community is disrupted, the tradition and culture of the people provides the mechanism to resolve it. There were moments according to Ugochukwu, as we witness today when tension and open physical conflicts ensued [5]. Some of such issues that spark off deep misunderstanding among individuals, families and communities include, marriages inheritance, religious affairs,

land disputes, cultural activities and so on.

This paper therefore, examines the roles of traditional society in conflict resolution in Nigeria with particular reference to the Igbo traditional method of conflict resolution. It is the position of this paper that the traditional method of resolving conflict which include (but not limited to) mediation, oath taking, covenant, adjudication, reconciliation, cross examination, negotiation, sanction, etc are more result oriented in conflict resolution than the modern/ western culture of litigation settlement in law court. This paper therefore uses historical analysis, evaluative and critico-analytical method to appraise the Igbo traditional method of conflict resolution. Some institutions play vital role in conflict resolutions, such institutions include council of elders or village council (Umunna), title men (Nze na Ozos), traditional rulers (Ndi Eze), Daughters of the Land (umuada), married women (ndi

inyom), youths/age grade (umu na eto eto), priests (Eze mmuo), the Oracle (Arusi), and the earth goddess (Ala). Most of the mechanisms used to solve such conflicts include mediation, oath taking, covenant, adjudication, reconciliation, cross examination, negotiation, sanction and compensations. The traditional method of conflict resolution was effective and unquestionable in the pre-colonial period.

Traditional Society and Conflict Resolution in Nigeria

Before the colonial period, "the various ethnic nationality which made up the present Nigeria existed as separate and distinct political entities" [6] This implies that they were distinct and had their different political, social, religious, cultural and traditional systems before the colonial masters merged them into what we call Nigeria today. That is to say that each of these ethnic groups had their own traditional method/approach to conflict resolution. Notable among the different ethnic groups in Nigeria are: Hausa-Fulani, Yoruba, and Igbo. We shall be explaining the methods of conflict resolution being used by these ethnic groups in their traditional society.

Hausa- Fulani: The Hausa-Fulani Emirate according to Amamgba, came into operation around 1804 following the success of the Jihad (holy war) led by Uthman Dan Fodio in conquering the hitherto fourteen Hausa kingdoms. [7] The caliphate or central authority across the entire Northern Region of the modern Nigeria was then divided into two major sections, namely, the Eastern zone and the western zone, the eastern zone was headed by the Sultan of Sokoto while the Emir of Gwandu headed the western zone. According to Alapiki, "each emirate" had a central administration headed by the Emir... who was both the political and spiritual head" [8]. As the head, the Emir performed executive functions that were to regulate economic life, to correct religious life, do levy taxes and rates and to arrange for the defense of the emirate against external attacks ... he performed

the functions of the head of state and head of government. To assist the Emir, were his appointed ministers which included:

- i. Galadima- administrator of the capital territory.
- ii. Waziri - head of service or prime minister
- iii. Magaji - Treasurer to the Emirate
- iv. Sarkin Fada - The Chief palace officer
- v. Sarkin yan Doka - The inspector general of police for internal security
- Yari - Chief Superintendent of prisons
- vi. Madawaki - The commander of the Army Calvary
- vii. Sarkin Ruwa - Head of water resources

In addition to exercising executive function, the Emir also exercised legislative and judicial functions. He (the Emir) use Islamic laws as documented in the Holy Koran and other Islamic sacred books. But he "had powers to make laws on areas where Islamic laws were silent provided the laws he made were not contrary to Islamic laws" [9] In remote areas of the Emirate, the Emir delegated his powers to district heads that were to legislate in consonance with Islamic laws. However, the Emir also exercises judicial powers. His court was the highest court in the entire Emirate where all serious cases like major land disputes were handled by the Emir, also the Emir alone has the sole power to pass death sentence. The Emir allowed for Alkalis (lay people trained in Islamic laws) to preside over Alkali courts on his behalf and decide upon minor cases at the district regions. Such cases included, marriage, divorce, inheritance, debt, children's custody and other civil cases, while some minor cases were handled by the village heads.

Hence, the Emir remained the sole monarch in the Emirate system with a highly centralized power. He legislated, adjudicated and executed the laws and programs only to be checkmated by Islamic laws.

Yoruba: In the views of T. O. Elias, the Oyo political administration was organized around four arms, with each exercising some checks on another. These arms are: the executive led by the king or Alaafin and his ministers, the legislature (Oyomesi) led by the Bashorun; the Ogboni led by Olowu and the Militia. While the king was to execute the laws made by the Oyomesi, he equally had the powers to make some laws subject to the ratification of the Oyomesi. The king required the support of the Oyomesi lest he be impeached [10]. The Oyomesi was made up of seven noble chiefs representing the seven noble groups of king makers. Their functions included the appointment of a new King to replace either a dead king or an impeached king. They also censored the activities of the king as well as make laws for the kingdom. Where a king was found to have derailed from his role, the Oyomesi would compel him to publicly open an empty calabash to indicate the vacation of his office or impeachment and removal from office as king. The Ogboni society checkmated tyrannical chiefs, Thus, the activities of the Oyomesi were equally checkmated by the Ogboni which comprised notable native doctors, herbalists, diviners, soothsayers and various cult leaders. They (Ogboni) guide and direct the Alaafin and the entire kingdom in religious affairs. They also had the power to nullify an impeachment move or action of the lawmakers and retain the king. Hence, without the approval of the Ogboni, no legislative act of impeaching the Alaafin could be effective. The militia on its own had the responsibility of defending the kingdom from internal insurrection and external attack.

Igbo: The Igbo pre-colonial system of administration was somehow chiefless or republican system. The largest unit of organization in Igbo pre-colonial system was the village. Each village was an independent entity administered like a republic, yet subdivided into kindred composed of families, with each family

constituting the smallest unit of political organization. The oldest man in each family acted as its head and leader. Various family heads represented their families at village levels to discuss village affairs in what was known as the "council of elders" which actually governed the village [11].

Concerning legislature, two institutions namely: The council of elders (Umunna) and the village assembly (Amala) co-acted. Primarily the council of elders led by the oldest man in the senior family (usually the family that founded the village) made the laws on important matters about tradition, custom and rites. The village assembly made up of all male adult also made laws subject to the approval by the council of elders. The two institutions, council of elders and village assembly also executed the laws. But they employed the services of other institutions like ad hoc committees, age grades and title societies, for effective implementation of laws and development projects in the society. The council of elders and village assembly also performed judicial functions. Family elders settled disputes within and between families where family elders could not settle dispute, the case were brought to the council of elders or village assembly for settlement. But the highest judicial authority in the then Igbo societies was the oracle (Arusi) and the earth goddess (Ala). "The people consulted the oracle as the final resort if the decisions of the council or the assembly were not acceptable or if it was unable to reach a decision [12].

It is important to note that The traditional religion of the pre-colonial Igbo people was at the center of the life of the people as many issues concerning the people ranging from relationship, norms and customs were decided and settled in shrines, before the oracles, council of elders and the traditional rulers. These institutions provided for peaceful coexistence among the people. It produced a well ordered society before the advent of Christianity in 16th century when these institutions that gave succor

to the society were downplayed, and traditional Igbo gave way to civil society.

Conflicts in Igbo Traditional society: Conflict according to Onigun, is “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 rival [13]. The competitive and aggressive nature of man has always betrayed him in his continuous interaction among individuals and groups that constitute the society. The competing interests, values and desire to survive and expand aspiration have always contributed to conflict. Some of conflict issues are land dispute, religious misgivings, cultural tensions and family misunderstanding such as marriage. Olaoba summarized this when he stated that “conflicts are in the magnitude of rage, rift, misunderstanding, family and market brawls, skirmishes and wars, public insurrections, and assaults. It also include chieftaincy and boundary disputes” [14]. “These conflicts could be interpersonal conflicts, and intercommunal conflicts. These may range from person -person, to person - community, nation -nation” [15]. However, in the pre-colonial era of Igbo society various types of conflict manifested such as:

1. Inter Personal conflict: the conflict that emanate among two different individual persons.
2. Inter Family conflict: it is the conflict between one family and another
3. Intra Family conflict: this is the conflict between members of the same family
4. Inter Community conflict: this is the conflict between one community and another.
5. Intra Community conflict: it is also the conflict between members of the same community

Some Common Causes of Conflict in Igbo Traditional Society

There are some factors that are common causes of conflict in Igbo society, these

are (but not limited to): land, boundary, marriage, trade, opinion, interest, etc. Specifically, Ikenga stated that some common causes of inter community conflict include ‘land boundary dispute, murder of a member of a particular town, market quarrels, desecration of masquerades by members of other town etc.’ [16]. Also some of the causes of intra family conflicts include; infertility, idleness, irresponsibility, waywardness, laziness, lack of provision of basic utilities by the head of the family etc.

As matter of fact, some of these conflicts can degenerate into full blown war and destruction of lives and properties. However, there are various means and traditional institutions by which these conflicts are being resolved to the satisfaction of the individuals and communities involved. Summarily, according to Ajayi & Buhari, “the Igbo traditional institutions for conflict resolution include: the family, council of elders (Amaala), eldest male (Okpara system, clan (Umunna), females born in a town (umuada), age grades, assembly of people (ohaneze), and local deities and oracles (Agbara)” [17]. Conflict resolution mechanisms were an integral part of pre-colonial Igbo society. The absence of a central system of government among the people did not mean that they were in the state of anarchy. There were viable traditional methods by which they were resolved and peace and order were achieved and maintained in the society.

An Appraisal of the Igbo Traditional Method of Conflict Resolution

Apart from having laws and taboos as regulation to ensure peaceful coexistence, there are means of settling inevitable conflict that may arise from time to time. In Igbo society, the traditional institutions have the major social and political responsibility of settling conflicts of various degrees. These traditional institutions keep the laws and norms of the society as well as the governance of the people. Some of these traditional ruling body include:

- a. Council of Elders: this is the assembly of elderly men which is constituted by representatives from various clan or kindred (Umunna). Usually, the eldest in the extended family. Their responsibility among others is to resolve any dispute between individuals, and communities or villages. Each community have their own council known as village council. They settle conflicts between individuals or families within a community. When the conflict is between villages, the concerned villages merge their village councils to resolve the conflict. The council would always meet to mediate between the conflicting groups or individuals. During the mediation, they engage the parties in cross examination. The council makes effort to reach a resolution. When a resolution has been agreed on, the disputants will take common oath of friendship and non-aggression. In some cases, it may be covenant between the disputants. As a sign of restoration of peace, there is rite of reconciliation and resolution performed by the council of elders. Ezenwoko stated that in the case of Obibi, Ihiagwa and Nekede, " as a sign of the restoration of peace, the villages presented kola nut, palm wine and alligator pepper to the elders. In the event of resolving Obibi Ihiagwa and Nekede land dispute, the kola nut were mixed with the blood extracted from the elders of the concerned villages while prayers for unity, oneness, mutual help, cooperation and peace were said. After the prayers, the kola nut were broken, served and eaten to seal the oath or covenant which bound them together. Henceforth, the Obibi, Ihiagwa and Nekede people saw themselves as brothers and sisters and were forbidden to shed one another's blood and to destroy each other's property. [18] Typically, this is the mechanism used to resolve most crisis especially land disputes in Igbo pre-colonial era.
- b. Age grades: this is another formidable group that have great capacity to mediate and resolve conflicts. They are special group of individuals who have paternal and maternal affiliation with the disputants. Such individuals were highly respected and tradition forbids the warring or disputants to attack or harm them in the course of conflict resolution. They handle youth related conflict.
- c. Umuada (daughters of the land): These are group of female born in a particular village, they include the daughters who are married outside the village and those married within the village, and even the unmarried ones who are of advanced age. Their judgments are highly respected by the people, especially the women. This group handles marriage related conflicts.
- d. Ndi Inyom (married women): These are group of women who are married into the village both from within the village and outside the village. This group normally handle women related conflicts.
- e. Oracle (Arusi /Agbala) and the Earth goddess (Ala): In the pre-colonial period, the Igbo people relied in the cultural and traditional religious methods of resolving conflicts such as Oracles and deities. Alagoa confirmed that normally individuals and communities took their problems to the deities in search of solutions and impartial wisdom of the gods [19]. Oracles are depicted in carved woods, stones, Iron, river, trees, hills, and human beings believed to have supernatural powers are often regarded as the mouthpiece of the Oracle. It played a major role in dispensing justice and

fairness among individuals and communities. The oracles were consulted through special appeal of the Chief Priest of the god or goddess (Eze mmuo). The Chief priest would do a divination or administer oath to parties concerned. Each family, community or village possessed their own oracles that always adjudicate in conflict situations. Generally, there are methods that are being used by the traditional ruling bodies in resolving conflict in Igbo traditional society, such methods are as follows:

1. Adjudication: This method involves bringing both conflicting parties together for a dialogue. This method gives room for fair hearing and cross examination of the conflicting parties, and also helps to unveil the truth behind the conflict. It also helps the panel to understand the root cause of the conflict which in turn helps in conflict management and resolution, this is very important because "conflict 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" [20]
2. Mediation: Mediation involves a third party which may be an individual, or group of persons who brings conflict to a peaceful end/settlement by diplomatic intervention. Mediators are sought from families, communities or villages of concerned parties. Mediators prepare the minds of both parties for peace. The role of the mediators according to Bright includes "pressurizing, making recommendations, giving assessments, conveying suggestions on behalf of the

- parties, emphasizing relevant norms and rules,etc[21]
3. Negotiation: This is the harmonization of interest of the conflicting parties, It involves apologies where necessary. Negotiation is usually done by mediators on behalf of the disputants.
4. Reconciliation: This the most important aspect of conflict resolution. It is the end product of adjudication. For peace to be restored, both parties must give concessions, it is usually inform of ceremony. Reconciliation makes conflict resolution complete.
5. Arbitration: This is usually the last resort in traditional conflict resolution. It is usually done by an authority empowered to make binding judgment. In the words of Ikenga, "arbitration was the commonest means of dispute resolution in which the parties in lis agree to submit their dispute to the chiefs and elders of the community for the purpose of adjudication and redress, and wherein the parties feel themselves bound by the decisions of the arbitrators". [22] In the like manner, Fulton Maxwell views arbitration as "a process whereby a private disinterested person called arbitrator, chosen by the parties to a dispute..., acting in a judicial fashion but without regards to legal technicalities, applying either existing law or norms agreed by the parties , and acting in accordance with equity , good conscience and the perceived merit of the dispute makes an award to resolve the dispute" [23]

Also in addition to the above mentioned methods of conflict resolution in traditional Igbo society, there are extra judicial methods which are sometimes used in conjunction with other methods. Some of such extra judicial methods include:

Oath taking (inu iyi): Oath taking according to Ele, "is a ritual practice of making the disputants and their witnesses prove the sincerity of their allegation, assertions, and demands in the process of conflict resolution". [3] The oath is sworn by either the accused to exonerate himself from an accusation, or by the accuser to prove the sincerity of his accusation. Generally, oath is taken to establish the truth, maintain good human relationship, and maintain the secrecy of an institution.²⁵The oath is usually administered either by verbal utterances, drinking of concoction, touching or crossing over the deity's insignia. Oath is usually taken in the presence of a shrine, deity, chief priest, or ancestors, and their presence is being invoked. It is believed that anyone who swears the oath falsely suffers hardship, affliction, sickness, or death as the case may be [9]. It is expected that the gods will visit the suspected defaulter with one affliction or the other within the stipulated time/duration which may be immediate, days, months, or latest a year, otherwise the suspect is declared innocent, and is free to celebrate his innocence in any manner of his choice.

Covenant (igba ndu): Covenant is " an integral part of judicial system...employed to effect genuine reconciliation and thus re-establish confidence between disputants whose relationship had been so strained that normal intercourse was impaired" [20]. It could be between individuals, families, kindred,

Villages, or neighbors, as the case may be. Duru outlined the materials that could be used in making covenant as follows: blood, kola nut, palm wine, hot drinks,

ofo stick, water, etc.²⁸Ele maintained that" though the methods and materials for covenant may vary, but the formulae and the incantations used to invoke the supreme beings are essentially constant" [1]. The process usually starts with the invocation of gods, spirits and ancestors, then a declaration of the points(which has been agreed upon) at issue which gave rise to the ritual, and finally, consumption of the edible item (which may be either blood, kola nut, palm wine, water, etc) used for the covenant as a seal to the bond. It is believed that"those who breach the terms of the covenant are severely punished by the gods, deities, or shrines in whose presence the covenant was made" [16]. The punishment may be in form of sickness, sudden death, madness, infertility etc as the case may be.

Rites of Purification/Appeasement: This is done whenever in a conflict, any of the disputants committed an offence which is regarded as an offence against the gods, such offences are called taboos (nso). Ikenga stated that "the Igbo recognizes two main classes of offences: those that are" Nso", and those that are not" [5], Green refers to the former as taboos, and to the later as natural offences³². Some of the offences regarded as taboos include: murder, incest, stealing of sacred things etc. The process of purification/appeasement may involve killing of an animal and sprinkling it's blood on the offender.

Divination: The traditional Igbo society relied on ...divination to ascertain the truth from the disputants, and also for crime detection. During divination, the gods and ancestors are called upon, and their spirit invoked usually by a diviner to ascertain the truth. It is usually called for in a protracted case where the intricacies of the matter make it difficult to discern who is right or wrong in a case.

In all, the Igbo traditional methods of conflict resolution have been badly adulterated and in some cases replaced

by police actions, military operations, and endless court proceedings. This notwithstanding, the Igbo traditional method of conflict resolution is still more efficient and timely than the modern litigation, as many long standing cases in the court are withdrawn to be settled at home using traditional methods. This is because “the Igbo...justice systems are premised on the important value of reconciliation and peace-making. It is not necessarily based on ..approach of the hard core retribution.” [11]. Mezie Okoye totally agrees with Ikenga he stated that the Igbo “traditional methods of resolving conflict were geared towards restoring peace and not necessarily in punishing the offenders” [2]

However, there are many advantages of the Igbo traditional method of conflict resolution which include:

1. It strives to get to the truth: Here, more emphasis is placed on the truthfulness of every statement than on the superiority of argument as is the case with court litigation. This is because, “truth is of great significance to conflict resolution in Igbo society, hence, both disputants must be truthful,

As in most pre-colonial Nigerian societies, there were conflicts among individuals and communities. The people appear to have more confidence in traditional method of conflict resolution than the modern method of conflict resolution characterized by litigation because the traditional method insists on the truth rather than superiority of argument (as is the case in modern method of conflict resolution) in its judgment. The main target of traditional method of conflict resolution is peace/reconciliation, and not compensation and punishment which unfortunately is the target of modern method of conflict resolution.

Mezie Okoye rightly observed that “even with modernization, these traditional

the mediator, arbitrator, or 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 ancestral forces” [10]. Oath and Divination also play a role here.

2. It gets to the root causes of the conflict: this is made possible by the use of arbitration and adjudication.
3. Genuine reconciliation of disputants: this is made possible by use negotiation and covenant.
4. Preservation of lives, property, harmony and peace
5. It provides the opportunity to interact with the disputants through arbitration.
6. It offers great prospects for peaceful co-existence and harmonious relationship in post conflict periods by the use of mediation, negotiation, and reconciliation.
7. It helps to eliminate deep rooted hatred,
8. It promotes trusted intimacy and fosters reconciliation by the use of oath and covenant.

CONCLUSION

institutions of conflict resolution still hold sway, keeping the heart of the society in harmony. In as much as modern adjudication system is being practiced, traditional methods of resolving conflict are still alive in our communities”³⁶. In other words, colonization, civilization, modernization, and Christianity cannot replace the Igbo traditional method of conflict resolution, it is still very useful and functional to the Igbo society. This is because its quest for truth, preventive potency and reconciliatory values made it very unique, more result oriented and desirable by the traditional Igbo society.

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