

The Challenges of Traditional Institutions in Communal Conflict Management in Nigeria: The Case of Niger Delta Region

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Abstract

The declining role of traditional institutions in the management of communal conflicts in Nigeria tends to have watered down the relevance of these institutions in community leadership, especially as it concerns conflict management. This has become a source of worry and hence necessitated this study. This paper therefore examined the challenges of traditional institutions in the management of communal conflicts. Data for this study was generated from secondary sources which include related published works on library shelves, internet materials and primarily from researcher's personal observations. Specific reference was made to the leadership roles played by these institutions in the traditional communities prior to the advent of colonialism. The study was anchored on the African Renaissance Theory which is rooted in African traditional values. Findings revealed that westernisation and its politics, coupled with primitive politics occurring in the Nigeria political arena have altogether distracted and deviated the consciousness of these institutions from their primary role as custodians of traditional and customary values, especially in the area of ensuring peaceful co-existence among communities. The paper therefore argues that not until the traditional institutions are once more repositioned to assume their traditional roles and responsibilities, in partnership with the legal institutions of the state, management of communal conflicts will continue to be problematic, while peace building and consensus will remain a mirage.

Keywords: Traditional institutions; Communal; Conflict; Communal conflict; Conflict management.



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1. Introduction

In his essay on the evolution of traditional rulership, [Bello-Imam \(2004\)](#) pointed out that the ancient traditional rulership has a long history, and evolved naturally as a consequence of the desire of a community to come together under the leadership of a credible individual, who would be able to protect them against enemies, preserve their customs and traditions and ensure the overall progress of the community. However, traditional institutions and types vary according to the sociological context of different societies. Prior to colonization, the area that later become known as Nigeria had a functional system of traditional political institutions that governed the societies, and provided the needs of the people as at then. The three dominant ethnic groups: the Hausa Fulanis in the North, the Igbos in the East, and the Yorubas in the West, established functional systems that performed the functions of law making, law application and law adjudication, and the continued existence of the system depended on the performance of these functions ([Akinbade, 2008](#)). Although the system was rudimentary with no formal government structures and magnificent presidential villas in place, the system was responsive to the needs and aspirations of the people according to the level of socio-economic development of these societies.

The Hausa Fulanis in the northern part of Nigeria established their emirate system with the Emir at the helm of affairs and having all powers revolving around him. The Emir performed religious, legislative, executive and judicial functions. Each emirate was divided into districts headed by Hakimi who was appointed by the Emir. The Hakimi collected taxes, maintained law and order in the districts, and retained part of the tax revenue for the administration of the districts. There was a system of village administration whereby the district head appointed a village head to administer the villages. The village head collected taxes and settled minor disputes while major disputes involving communities were managed by the Emir. There also existed village court and Emir's court where appeals could be made from the village court.

In the eastern part of Nigeria, the Igbos also had their traditional political system. Unlike in the north, the Igbos had no central political institutions or traditional authority. Leadership was essentially republican and more democratic, although a few of what looked like a central authority existed in places like Onitsha and Asaba as Obi of Onitsha ([Akinbade, 2008](#)). However, despite the absence of a central established institutions, there was political stability maintained through the network of the institutions described below:

The family as the basic unit of administration and socialization had a patrilineal descent. The father who is the head of the family settled minor disputes among family members, performed customary rights and sacrifices; the council of elders (Amala) was made up of heads of different families, and was responsible for daily village administration and was expected to brief his household the decision of the Amala after each meeting. The Village Assembly (Umunna) was another important institution in local administration, it was made up of all adult males of the community. The village Assembly could discuss any issue affecting the village, and could also summon the council of elders in case of any observed cases of maladministration. In other words, the village assembly acted as a check against the excesses of the council of elders. The Age Grade comprised of all the male children who were

initiated into manhood about the same time. The age grade in its youthful strength provided free labour in execution of community projects such as clearing of farm paths, building bridges, construction of roads, cleaning and clearing of streams, market square, village squares, etc. as well as acted as police/military force of the community.

This structure was not limited to the north and east, the Yorubas in the western part of Nigeria operated their own system which more or less presented a combination of the Hausa Fulani and Igbo systems. The Yoruba traditional system was organized in Kingdoms. The Oba was the paramount ruler of the entire Kingdom. The Oba was respected as the absolute sovereign monarch by his people and loyalty to him was total. In his cabinet were the Senior Chiefs appointed by the Oba himself as Oyomesi who were in charge of the administration of the principal towns. While they pledged their allegiance to the Oba, the Oyomesi acted on advisory capacity and gave their consent to the Oba to exercise his authority. The Native Army was also there to protect their territories from external aggression. The Family Heads settled minor disputes within the family, while major disputes involving communities were settled by the Oba and his council. Like in the Igbo system, the Age Grade executed community projects, while the Town Criers communicated the decisions of the king to the people with the beating of drum. Jointly, these institutions performed the legislative, judicial and executive functions, while the Oba was primarily responsible for the settlement of disputes between two or more villages which were under the control of the major towns (Akinbade, 2008).

It is important to state here that the brief history provided above was not meant to over emphasise what may appear to many as common knowledge, rather the essence is to remind us and reflect our minds on the relevance and significant role played by traditional institutions which were the only instruments of administration that existed. Despite their rudimentary level, they were able to provide leadership, order the society, maintained peace within and among communities and maintained social cohesion that propelled and integrated these societies within their various sociological contexts. All these were done within the existing cultural and traditional ethics.

It was in appreciation of the strategic positions of these institutions in local governance that colonial administration considered them relevant, and incorporated them into the administration to act as middlemen between the colonial government and the natives in form of warrant chiefs. Thus, the warrant chiefs system became synonymous with native court system especially in the Eastern part where there was no centralized authority structure. Although the involvement of the traditional institutions in colonial administration and making of bye-laws was because of their status as warrant chiefs who already enjoyed the loyalty of their subjects, every arrangement was to serve the economic interest of the colonial government.

Sadly, in the Nigeria military and post military era, many communities which hitherto enjoyed relative peace with their neighbours have come under severe devastation arising from trending violent communal clashes. No doubt, these communities have one form of traditional institution or the other which are expected to mobilize their structures to broker peace among contending communities as was the case before. Unfortunately, these institutions especially the traditional rulers have failed to play this paramount role and have lost the confidence of their subjects, resulting in crisis of legitimacy in some quarters.

Some of the violent communal clashes that assumed disturbing dimension especially in the Niger Delta area of southern Nigeria include the following:

Ijaw-Itshekiri crisis took place in 1997 over the issue of relocation of the headquarters of the newly created Warri-south local government area to a rural town - Ogidigbem of Itshekiri community from Ogbe-Ijoh where not less than 3 Ijaws lost their lives (African Research Bulletin Report)

itshekiri-Urhoro crisis which started on 29 October, 1999 from a minor dispute over a piece of land at Ajagbodudu in Urhobo, escalated to a deadly fight between the people of Oghara in Urhobo and their Itsekiri neighbours. Ogoni-Andoni conflict occurred between 1993 and 2003. The crisis started when the Andonis launched an attack on the boat of Ogoni fishermen, degenerating into the raid of one of the Ogoni villages (Kpean) by the neighbouring Andoni community. This led to the destruction of lives and properties of the inhabitants of Kpean community (Niger Delta Politics, 2012).

Another conflicts that has left an indelible mark of ugly memory in the lives of its victims was the Ogbakiri communal conflict. Ogbakiri is a community in Rivers state made up of six villages. These six communities came down heavily on themselves when they could not resolve the issue of chieftaincy struggle. The communities involved in the fight were: Okporowo, Oduoha, Rumuoro, Rumuoani, etc. The clashes were later incensed by the activities of cult groups. What happened in Ogbakiri could best be described as a genocide. The massacre got so annihilating that one of the survivors: mama Ihuoma Okoro confessed that "the first time I saw this type of carnage was during the Nigeria Civil war", while Chike Awuse, a survivor and one of the youths lamented the death toll when he noted that "if the whole of Ogbakiri had a population of one million then, about eight hundred persons died in the crises" (Vanguard, 2011).

Very recently, the Wanikade and Wanihem communities in Ukelle North local government of Cross River state experienced a dreadful clash that devastated the two communities and forced the inhabitants to seek refuge in a neighbouring community in Benue state. The clash erupted over land dispute, and had recorded not less than 20 casualties with over 150 houses destroyed (Una, 2017).

Mentioned above are just a few of the terrible communal conflicts that have taken place only in the Niger Delta region of Nigeria under the watch of traditional rulers and other arms of traditional institutions peculiar to each community. Similar and even more violent conflicts have occurred in other parts of the country though not mentioned in here. Some of the misunderstandings that led to these crises could have been settled before they degenerated into a bloodbath if the traditional institutions have remained what they used to be before the coming of western orientation. Inter communal peace was an issue not undermined in the pre-colonial era given the fact that

the African society was founded on communal existence, in which peace and harmony were core values. Obviously, this trend demonstrates an erosion of the sovereignty and the capability of traditional institutions to perform the role for which they were known and respected. Something is fundamentally wrong with these icons of African traditional values. The thesis of this paper therefore is to examine the likely challenges of the traditional institutions in mediating for peace, and managing conflicts that have become part of communal relations in contemporary Nigerian society, using the Niger Delta region as a reference point.

1.1. Conceptualization of Relevant Terms

1.1.1. Traditional Institution

This refers to an indigenous political arrangement where leaders with proven integrity are appointed and installed according to the provisions of their native law and customs. Traditional institutions exist to preserve the customs and traditions of the people, and to manage conflict arising among members of the community by applying the laws and customs of the people (Orji and Olali, 2010).

1.1.2. Communal

Haralambus and Holborn (2004) explain communal to mean a condition of existence whereby the resources produced by men and women alike were shared by everyone; it involves the sharing of work and property among every member of a community. However, for the purpose of this paper, communal shall be taken to mean that happening between different communities, for instance conflict occurring between different communities especially those having different religions or ethnic foundations. (pls add to complete the nr. of keywords required)

1.1.3. Conflict

Heywood (2002) conceives conflict as competition between two opposing forces, reflecting a diversity of opinions, preferences, needs and interests. In another sense, Thejirika (2001) noted that conflict denotes in peoples' mind a sense of war, fighting, misunderstanding, argument, anarchy, stress, crisis, aggression, etc between individuals, groups, communities, nations or state. He however advised that people in conflict should develop positive mindset to conflict as the right psychological disposition for conflict management. In the view of Akpuru-Aja (2007), conflict is an attitude, a behaviour or an action or a process that involves strains, or stress in the relationship between two or more parties in pursuit of set goals or interests (Agena, 2012). Conflict therefore occurs when two different groups perceive some incompatibility between themselves.

1.1.4. Communal Conflict

Communal conflict can be seen as a violent clash between non-state groups organised along a shared communal identity. In such conflicts, contending parties adopt deadly violent mechanisms to gain control over some disputed and perceived indivisible resources such as piece of land or local political power. Conflict could be caused by factors such as common homeland, religion, language, race etc.

1.1.5. Conflict Management

Conflict management has been defined in different ways. However, for the purpose of this essay, conflict management shall be understood as a process of limiting the negative aspect of conflict while increasing the positive aspects (Rahim, 2002) He also noted that the aim of conflict management is to enhance learning and group outcomes. Conflict management can also refer to as the ability to identify and handle conflicts sensibly, fairly and efficiently. Since conflict has become part of human existence, it is important that there should be people who understand conflict and apply relevant strategies to manage them. Thomas & Kilmann have identified the following as strategies for effective conflict management:

i. Accommodating

Conflict managers here exhibit high level of cooperation not minding if the cooperation option undermines the interest of the manager or not. This approach becomes very useful when the opposing party has a better solution to the problem.

ii. Avoiding

Avoiding strategy entails keeping away certain details that may not help resolve the conflict. This strategy corresponds with a zero-sum game where none of the conflicting parties may not have the opportunity to actualize their desires. Usually under this strategy the cause of the problem is trivial.

iii. Collaborating

Here the contending groups partner with each other to achieve their goals and still broker peace. This results to a win-win situation instead of win-lose paradigm. This can be very helpful in complex conflicts where a novel solution is required.

iv. Competing

This is a win lose approach to conflict management. The contending groups especially the stronger party resorts to assertive position to his goal without any consideration for cooperation with the contending group. This strategy becomes handy in case of emergency and paucity of time.

v. Compromising

This is a lose-lose approach to managing conflict. Under this approach, none of the contending parties achieved their goals. This requires a moderate level of cooperation. This is applied where temporary solution is required and where both parties have goals that are equally important. (as cited in Mckinney (2017))

2. Theoretical Background

Communal conflict resolution should be understood from the perspective of the African Renaissance Theory which is rooted on African socio-cultural cleavages. This idea is supported by the work of a major proponent of this theory Matunhu (2011) when he re-echoed that the renaissance theory was founded on African values and norms. The strength of this theory lies in its flexibility as it can adapt to change and modifications provided that such change corresponds with the social and value orientations of an average African. The theory appeared as a social movement developed to pursue and address the issue of injustice, inequality and sustainability from a communal perspective. He argues that any effort made to elevate Africa from the shackle of dependency, must be anchored on the existing African values such as Ubuntu in South Africa, Ujumaa in Tanzania, Harambee in Kenya, etc. Matunhu pointed out that the African Renaissance model is averse to modernity and dependency as both are western strategies for continued exploitation and erosion of African traditional values, and therefore decried that despite the fact that Africans have their own ways of handling cases of crimes, deviance and conflict, but in the name of modernizing Africa, the people of the continent lost their identity and direction of development.

2.1. The Challenges of the Traditional Institutions in the Management of Communal Conflict in Nigeria

The following factors have been pointed out as some of the major problem issues that confront traditional institutions in managing communal conflicts.

a. Westernization

Njoku (1998) noted that the increasing trend of westernisation of the Nigerian elitist values has made it difficult to re-orientate the nation's political values in the light of existing culture and tradition which were hitherto communal in orientation. Besides, the influence of western tradition with its consequent spread of Christianity quaked the very foundation of traditional African religion on which the native legal system was based. Thus, the introduction of colonial legal system through the instrumentality of the customary courts obviously undermined the efficacy of traditional institutions especially as it pertains to conflict management. Consequently, instead of applying established traditional mechanism to mediate for peace between and among warring communities, trivial cases are filed in courts as long as the court deems fit, while hatred and rancho rage between conflicting parties.

b. Traditional Authority Not Backed Up By the Legal System

Traditional institutions are still there though, trying to mediate for peace using customary and traditional laws. However, the authorities excised by these institutions are hardly backed up by any item of the Nigerian legal system or constitution. The result is that people feel more comfortable seeking redress in a recognised modern court instead of following customary court which they think do not apply appropriate sanctions on culprit, or would not permit them (because of communal based African orientation), to 'cut their required pound of flesh'.

c. Capitalist System

Capitalism as defined by Rand (2005) is a social system based on the recognition of individual rights, including property rights, in which all property is privately owned. The recognition of individual rights entails the banishment of physical force from human relationships. He pointed out that rights can be violated only by means of force, and that in a capitalist society no man can initiate the use of physical force against others. With the domination of the Nigeria economic mainstream by capitalist ideology, the communal means of livelihood which African was known for was eroded in favour of private and individual rights for wealth accumulation. Individuals and groups now struggle for piece of property because they have the right to pursue their personal gain through the established legal system which employs strange procedures to discern judgement (without any recourse to the core values of communalism and brotherhood), majority of persons no longer consider traditional institutions relevant in managing communal crises. Thus, traditional institutions now exist as mere icons with little or no relevance, while their core functions have been usurped by capitalist oriented structures.

e. Integration of Traditional Rulers into Governance

Kukah (2007) has described traditional rulers as "illegitimate band sometimes foisted by illegitimate powers" (whether colonialist or a military force such as ours) on their people. From colonial government to military, traditional institutions were co-opted into governance with a meagre material promise. Thus, he decried that

traditional rulers who took an oath to preserve their tradition and cultural heritage and to protect their people, began to sell their own people into slavery in exchange for government goodwill. Consequently, from the marginal favours and crumbs given by the colonial state, they have perfected their tricks and now compete with business moguls for gigantic government contracts and control of the national economy. In this desire, they act as Chairmen of various Boards of Multinational Corporations. Their high taste social life styles, elegance, expensive cars, tens of children, hangers-on and concubines warrant the need for extra illegitimate source of income. Thus, traditional rulers began to give their support to any illegitimate dictator who could extend the loots to the palaces. The effect is a total loss of sight of their major roles as custodians of traditional values and brokers of peace, as they have deliberately made themselves prisoners of conscience.

f. Political Influence

Closely related to the above is the influence of the present state structure on traditional institutions. In the present civilian dispensation, many states in Nigeria have created the Ministry of local Government and Chieftaincy Affairs. Consequently, all matters concerning chieftaincy selection and installation have come under state government control which also dictate the pace and direction of traditional leadership. In the pre-colonial times, traditional societies selected their leaders based on certain confirmed striking qualities possessed by the person(s) being selected, while in some cases selection was done based on hereditary. Today the reverse has become the case. Traditional rulers now emerge after meeting certain conditions given by the state government to qualify for the position. Conditions such as presentation of life cow or its cash equivalent to local government, cash donation running into millions to state government to compete with other candidates who also have to meet these requirements. Thereafter, the person who captures the interest of the state government receives the staff of office as the traditional ruler. Thus, instead of a traditional ruler working with his Council of Elders, Chiefs, Youths, Village Assembly and other arms of traditional institutions, he works for the state government and rule his people according to the whims and caprices of the state government. The Abia state government under the leadership of Chief Theodore Orji, gave each traditional ruler in Abia state a gift of Sport Utility Vehicle (SUV) as a strategy to solicit their continued support for any illegitimate practices. Some of these traditional rulers were living in abject poverty and naturally became attracted to such unsolicited gifts, what more is expected of such rulers when 'he who pays the piper dictates the tune'. During electoral voting, the same traditional institutions: traditional rulers and youth leaders mobilize their followers with promise of crumbs thereafter, to become handy instruments for electoral malpractice, fraud, rigging and violence in favour of their masters. On this, Olaoba noted that:

Traditional institution in Nigeria is presently facing numerous problems. The problems are hydra-headed. Palace economy is in the doldrums. Kings in Nigerian society are now poverty stricken. The worsening royal economy started with the introduction of colonial salaries to kings, who hitherto received numerous gifts and tributes from land holding. This situation of abject poverty, at the moment, has resulted in competition for contracts which replicates in their sales of conscience, integrity and legitimacy (Kukah, 2007).

The above factors put together have watered down the legitimacy, sovereignty and the integrity of traditional institutions which have totally lost their focus in pursuit of material gain. The trend has undermined the core values of peaceful co-existence among communities as the institutions are no longer keen at pursuing and sustaining these values. Suffice it to say that such values are pursued to the extent which they attract material gain.

2.2. Suggested Remedies

The following strategies are suggested as remedies that could begin the process of addressing the above issues if given attention to.

a. Constitutional Backing

The powers and authorities of traditional rulers should be made to emanate from the constitution. Even the constitution itself should be derived from certain aspects of customary practices of the different communities that make up the country. By the time this happens, a level of autonomy will be restored and the palace will become a traditional court on its own. Thus, the practice of seeking justice from the state court and neglecting the rulings of traditional institutions would be reduced with the court referring such cases to be settled at the palace, and this will help restore the lost integrity and respect of traditional institutions.

b. Limited State Involvement in Traditional Affairs

There should not be unhealthy state intervention in appointment, selection and installation of traditional rulers. Communities should be free to select who will rule them according to criteria set aside by their custom and tradition. The state can send a representative on the day of installation as an eye witness to the installation of someone as a ruler of his people. However, the state should ensure that traditional rulership procedures tally with the state's broad objective of good governance. This will ensure accountability to the people and not to the state government. The regular meetings state government holds with traditional rulers should be an assessment of the quality of leadership of communities and the degree of satisfaction enjoyed by the services of traditional institutions, and not to act as a forum where decisions on how to undermine the interest of the opposition party members are taken based on the information supplied by the traditional rulers.

c. Restoration of Erstwhile Glory

Traditional rulers on their own should be conscious of their positions as custodians of tradition irrespective of how appetising state or any other group promises appear. Kukah (2007) describes traditional rulers as the 'substratum of our past'. They should seek restoration of their past glory; endeavour to act as messengers of peace, preservers of tradition and cultural heritage, managers of communal conflicts, embodiment of truth and other virtues on which traditional African society was built. Suffice it to say that any modification in leadership style by way of being trendy, that deviates completely from these core values of African socialism is an aberration, and should not be associated with the traditional institutions in line with the thesis of the African Renaissance Model.

d. Selfless Service

Traditional Rulers should see their roles as service to God and humanity, and not service for self aggrandisement. Their positions on peace building and communal tolerance should be firm and neutral and based on genuine intension to broker peace, and not on capitalist disposition. Capitalism is strange to African foundation and should not guide the judgement of traditional institutions.

3. Summary and Conclusion

This paper highlight what traditional institutions stand for and what have been their challenges in performing one of their core functions: managing conflicts among contending communities in line with established custom and tradition. A number of remedies were also suggested. This paper thereafter concluded by appealing to all the arms of traditional institutions especially the traditional rulers to reflect on their past roles and have a change of attitude that would replicate African Renaissance perspective. It will be very useful to adopt a self persuasion model to see themselves once more as icons of African heritage and tradition. This will help reposition traditional institutions and make them strategic in communal conflicts management, serve as apostles of peace and lovers of concord and restore the spirit of brotherhood and communalism on which the African tradition rests. Until this is done, hatred, rancho and bloodbath will continue to rage among people who hitherto enjoyed peaceful co-existence.

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