

## **AN APPRAISAL OF TRADITIONAL CONFLICT RESOLUTION STRATEGIES IN NIGERIA: THE AMASIRI EXAMPLE**

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### **ABSTRACT**

*Conflict and its resolution has remained a complex and challenging task confronting governments across the globe, particularly in the developing regions like Africa where religious intolerance, ethnic and cultural diversity have often been the underlying causes of most conflicts. Studies however, indicate that conflicts that are motivated by ideological, ethnic or religious beliefs are usually more difficult to resolve. In Nigeria, it appears to be so as virtually every community has been riddled with one form of conflict or the other, some of which have defied conventional resolution approach, hence, the continued conflict in many parts of the country. For instance, the herdsmen/farmers clashes witnessed in various states of Nigeria, the Niger Delta and the Jos crises are consistently reoccurring and have remained unabated despite several efforts by the federal government to resolve these conflicts. However, in most remote communities in Ebonyi State, the indigenous people have set-out traditional institutions and procedures for peaceful resolution of disputes which have enabled them to make a substantial progress towards actualizing intercommunity cooperation while upholding the principle of fairness, equity and justice as engraved in their customs and tradition. Against this backdrop therefore, the paper argues that African societies have well established traditional intuitions and mechanisms that can potentially underpin conflict resolution. The validity of this assertion can be tested by exploring the Amasiri Community case in Ebonyi State, Nigeria where traditional oath-taking has been effectively applied in resolving conflicts. To further reinforce and substantiate the position of this paper, inferences will be drawn from other communities in Nigeria showing a successful application of traditional conventions in mitigating intra and inter-communal conflicts. In addition, the paper seeks to explore the linkages between oath-taking and Africa's strong belief in mystical powers of their ancestors, totems or gods to understand why and how such practices can support peace process. The paper concludes by providing key policy recommendations for renewed approaches to conflict resolution in Nigeria and elsewhere.*

**Key Words:** *Conflict Resolution, Traditional Approach, Oath-taking, Ebonyi State & Amasiri Community.*

## **Introduction**

The dynamic and complex nature of conflict has made it so difficult for scholars and policy experts to accurately predict conflict outcomes and as well proffer a universally applicable conflict resolution approach that could effectively restore peace amongst disputing parties particularly now that technological advancement has changed how wars are waged. Given that every conflict is unique in its nature and causes, it becomes crucial to rethink conventional conflict resolution approaches which have failed in many instances and explore alternative measures such as oath-taking or covenant as in the case of Amasiri and other communities in Ebonyi state. While human nature may have made conflict an inevitable phenomenon in every society, which are mainly caused by the competitive, aggressive and survival instincts inherent in man<sup>1</sup> however, studies show that in Igboland, people tame their actions and shun violence anytime there is a mutual oath between two communities or individuals in conflict, the elders who administers the oath often warns about the consequences of violating it which most times could be death or misfortune. The oath works effectively in Igboland where their strong belief in a Supreme Being otherwise referred to as *Chukwu* or *Chineke* makes people to respect mutual peace agreements. It has been argued by Oguntomisin that different communities in Africa during the pre-colonial era, had varied conventions aimed at mitigating intra and inter-human and domestic conflict<sup>2</sup>. African societies prior to colonial era had well established mechanism for peace building, conflict management, conflict prevention and conflict resolution.

Africans have certain institutions and procedures for peaceful resolution of disputes and upholding the principle of fairness, equity and justice as engraved in their customs and tradition. Pre-colonial African societies were reputed to hold secrets of peacemaking locked in their ways of life, customs and traditions for centuries before the disruptive activities brought by colonialism. For example, Cariston, revealed that among the Arusha of Tanzania, there was a strongly held value that disputes should be settled through a peaceful means by persuasion and resorting to the established procedures for settlement. This system detested violence and killing in resolving conflicts<sup>3</sup>. In traditional African societies where central authorities exist, there were formally constituted courts that settled disputes. For example, in such courts, the judges were

Chiefs, Oba (Yoruba), Omanhene (Fante), Antechere (Asante), Eze (Igbo), Emir (Fulani); (Hausa), etc.

According to Ayiltey, there were four major principles followed by African communities in maintaining peace and the management of conflicts. These principles include:

- (i) Settlement of disputes by peaceful deliberation, (not force);
- (ii) Correction of wrong doing through compensation and restitution, (not retribution).
- (iii) Adjudication and assessment of a body of impartial elders.
- (iv) Fairness, equity and justice.

In the study of Nigeria, it was confirmed by Omoge that before the colonial forces arrived, and the amalgamation of Northern and Southern protectorates in 1914, through established institutions, such as traditional rulers, council of elders, age grades, chiefs, ancestral courts, religious beliefs, etc., social conflicts were monitored, prevented, managed and resolved through peaceful means<sup>4</sup>. Therefore, it is important to note that prior to the coming of the slave traders and colonial masters to Nigeria, communities had their peculiar methods of monitoring, preventing, managing and resolving conflict. They also had their peculiar ways and manners of effective peacemaking and peace-building processes. These effective methods were truncated by the forces of colonialism as well as religious psycho-war forces. Today, dialogue between disputants is replaced by fighting, and the mediating role of elders and other peaceful institutions, such as age grades, highly revered societies and the third neighbors are replaced in several cases with police action and endless court proceeding<sup>4</sup>. Nevertheless, there are still remnants of those old African values in some communities which today are used in conflict resolution.

However, in most parts of the world including Nigeria, conflict is perceived as something abnormal, dysfunctional and detestable. Yet, conflict is a fact of life and could be a precursor for position changes. Every plural society is bound to experience one form of conflict or the other. What makes a society an ideal polity is the extent to which the conflicting interests and needs in a society are constructively managed, so that violence does not threaten its continued existence<sup>5</sup>.

Conflict changes the rational man to think of alternative ways of meeting human need and interest. Therefore, what is to be emphasized is not conflict itself, but the way man respond to it. If it is well handled, it can become an agent of growth and development for all parties. To this extent, conflict is to be confronted with efficient procedures for co-operative problem solving.

This study therefore discusses the effectiveness, appropriateness and efficiency of traditional strategies of conflict management and resolution with focus on Amasiri Clan; and makes strong case for adoption, support, promotion of the ways and means of resolving conflict in Africa which helps to maintain stability and meaningful development.

The scope of this study is Amasiri clan in Ebonyi State. This is to provide a tangible example of traditional conflict resolution methods. An attempt will be made to include other case studies that are outside the above mentioned area of reference, especially in the area of literature review. The time scope of the study spans from 1970 – 1996. This time scope was chosen because it was during this period that the Essa ruling council was officially instituted to be the highest ruling class in Amasiri, and as such, the major institutions through which conflicts are being resolved in Amasiri.

The sources used for this study are in two categories: Primary and Secondary sources. Primary materials were collected through oral interviews and intelligent reports on Amasiri. The secondary sources includes all written materials collected. These include Journal articles, materials collected from National Archives.

### **Reviews and Conceptual Discourses**

Conflict resolution according to Mwajiru, is a range of processes aimed at alleviating, eliminating, or transforming actual and potential violent conflict into peaceful processes for social development, human safety and political change<sup>6</sup>. Also, Oliver, imputes that conflict and aims to produce solutions which are mutually accepted to parties. He went further to say that conflict resolution operates at a number of levels and encompasses a range of techniques, from conciliation to mediation negotiation and problem solving<sup>7</sup>. In the same vein, Miller, defined conflict resolution as a variety of approaches aimed at terminating conflicts through the constructive solving of problems, distinct from management or transformation<sup>8</sup>.

In conceptualizing the traditional method of conflict resolution, G.O. Oguntomisin, in his book: the processes of peacekeeping in pre-colonial Nigeria, revealed that different communities in pre-colonial Nigeria had varied conventions aimed at mitigating intra and inter-human and domestic conflict. These conventions were backed with taboo, which every member of a community must observe for peaceful regulation of human activities<sup>9</sup>.

I.W. Zartman imputes that pre-colonial African societies are reputed to hold secrets of peacemaking locked in their ways of life, customs and tradition before the disruptive activities brought about by colonization<sup>10</sup>. Amasiri like other groups have the secrets of peacemaking and peacekeeping enshrined in their tradition. They set out some traditional institutions such as Essah, Ekpu and Ichie for peaceful resolution of disputes aimed at resolving social harmony and upholding the principle of fairness equity and justice.

Pre-colonial Igbo societies according to Francisca Akunna Ezenwoko and Joseph I. Osagie had well defined political institutions the evolution of which facilitated crises and conflict resolution<sup>11</sup>. According to Elizabeth Isichei, in the history of West Africa since 1800, the basic political organization which existed throughout pre-colonial Igbo societies was a village democracy where groups might have an assembly of all male citizens which would meet when of great importance. Each village group contained a number of component villages and these villages are guarded by the age grades or the secret societies<sup>12</sup>.

In support of the above view, Obasi, revealed that Amasiri, by her historical antecedents has her inbuilt traditional political system which involves a combination of gerontocracy which itself was a derivation of the age grade system and consensus democracy inherent in traditional communalism. This system of government is spread across four main levels of authority, such as Uke-Ezi, Uke-Ogo, Ekpuke-Eto and Essa, while Ndi-Iche performed advisory functions<sup>13</sup>.

Traditional African societies had law enforcement agents, traditional police and courts who were responsible for ensuring compliance with the laws of the land. They used council of elders,

king's court, peoples, assemblies, etc. for dispute settlement and justice dispensation<sup>14</sup>. Disputants often take their cases to elders who are considered reliable for resolution of conflict. Every society, regardless of their location have laws for handling disputes and achieving resolution of differences.

In Amasiri, Ekpukwu, Eto is the law enforcement agents and traditional police of Amasiri, and are also responsible for ensuring compliance with the laws of the land. Without this group, the traditional government of Afikpo (including Amasiri) will be without a strong force<sup>15</sup>.

In sum, many authors have worked on the topic of research, but non-made mention of the limitations of this traditional method of conflict resolution. No author talked about the hurdles, problems and difficulties encountered by these traditional institutions in the process of maintaining peace and order in their various communities.

### **Conceptual Clarifications**

Conflict has been defined in various ways by different scholars. Like other concepts in the social and behavioral sciences, conflict, lacks a universally accepted definition<sup>16</sup>. Conflict is as old as mankind. It has existed in all areas of human life, since the world began. The word conflict is derived from the Latin word *confligere*, meaning to “strike together”. Conflict means to strike, a fight, struggle or battle, clash, contention, confrontation, a controversy or quarrel, active opposition, strife or incompatibility, to meet in opposition or hostility, to contend, to be contrary, or to be at variance. It also means contradictions arising from differences in interest, ideas, ideologies, orientations, beliefs, perceptions and tendencies. Though conflicts is a normal, natural and inevitable phenomenon in any interactive situation of human life, contradictions, exists at all levels of the society, ranging from intra-personal, inter personal, intra-group, inter-group institutions, intra-national and international

According to Wright, conflict is defined as opposition among social entities directed against one another, it distinguished competition and defined it as opposition among social entities independently striving for something of which the resources are inadequate to satisfy all.

Kriesberg, simply defined conflict as a relationship between two or more parties who believe they have incompatible goals.

In the view of Stagner, conflict is seen as a situation in which two or more human beings desire goals which they perceived as being obtainable by one or the other; but not both; each party is mobilizing energy to obtain a goal, a desired object or situation, and each party perceives the other as a barrier or threat to that goal.

Ross, noted that if disadvantaged groups and individuals refuse to consider open conflict, they deny themselves what sometimes is their most effective means for bringing about needed change. Ross did not see anything wrong about conflict; he saw it as a natural and inevitable human experience and as critical mechanism by which goals and aspirations of individuals and groups are articulated. It is a channel for the definition of creative solutions to human problems and means to the development of a collective identity. Without conflict, there will be no meaningful change and development. In the same vein, Laue, tries to disabuse the minds of human beings about the dysfunctional perception of conflict. According to him, conflict is not deviant, pathological, or sick behavior per-se, it is not the opposite of order. There is orderliness in conflict, although conflict can become disorderly. And it can be a very helpful and useful part of society. Conflict is also seen as incompatible behavior between parties whose interests are, or appear to be incompatible or clashing. However, two important lessons are to be learnt from this simple definition. Firstly, conflict emanate from social relationships. Secondly, the conflicting groups must reside in close proximity either physically or psychologically<sup>17</sup>.

Conflict, according to Achugbu, is unavoidable, and it keeps occurring. Everyday every individual encounters at least two or more conflicts, either at home; work, during social interactions or even while at sleep in the bedroom without talking to anyone. Coser, defined conflict 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<sup>18</sup>.

Conflict refers to some form of friction or discord arising within a group when the beliefs or actions of one or more members of the group are either resisted by or unacceptable to one or more members of another group. Conflict can arise between members of the same group, known as intra-group conflict or it can occur between members of two or more groups and involve violence, inter-personal discord conflict.

In view of the definition of organizational conflicts cited in 1990 by Robert A. Baron, Rakhim noted the following common elements in the definitions of conflict:

- (i) There are recognized opposing interests between parties in zero-sum situation
- (ii) There must be a belief by each side that the other one is acting or will act against them
- (iii) This belief is likely to be justified by actions taken
- (iv) Conflict is a process, haven developed from their past interactions.

Haven built on that, Rakhim proposed a definition of conflict to mean an interactive process manifested in incompatibility, disagreement or dissonance with or between social entities. He also noted that a conflict may be limited to one individual who is conflicted within himself (the intra-personal conflict)<sup>19</sup>. According to Michael Nicholson, conflict is an activity which takes place when conscious beings (individuals or groups) wish to carry out mutually inconsistent acts concerning their wants, needs or obligations. Conflict is an escalation of a disagreement which is its common prerequisite and it's characterized by the existence of conflict behavior in which the beings are actively trying to damage one another<sup>20</sup>.

Absence of conflict in an organization, according to Trude, can produce slow progressive development. However, this means that organizational conflicts are inevitable because people have different backgrounds, interests and talents. Conflict is often produced by the misunderstanding between individuals, as well as the flexibility, creativity and specialization necessary for modern organization to survive<sup>21</sup>.

In Turdo's view, despite the best management practice in administration and communication, conflicts between employers and employees will still occur in organization. A total absence of

conflicts would be unbelievable, boring and a strong indication that such conflicts are being suppressed<sup>22</sup>. Conflict like sex, according to Burton, is an essential creative element in human relationship. It is the means of change, the means our social values of warfare, security, justice, and opportunities for personal development can be achieved. If suppressed.... Society becomes static. Conflict is neither to be depreciated nor feared<sup>23</sup>.

According to Denga, man is born in conflict, and must always look for opportunities to his inherent characteristics. Thus, what is needed and what is available is the inevitable discrepancy that must be acknowledged. There is hardly anything like attainment of perfect equilibrium. A positively organizational leader in charge should look for means to reduce crises rather than induce crises<sup>24</sup>.

Nwachukwu, observed that if people lived in a perfect world, there would be no need for policemen, nor infact, the armed forces. This implication is found in every organization whether family, a social club, a manufacturing enterprise or public organization<sup>25</sup>.

### **Brief Historical Origin of Amasiri**

Amasiri is located in the South-Eastern region of Ebonyi State. It is among the seventeen clans in the old Afikpo Division of Eastern Nigeria, and still one of the communities in the present Afikpo North Local Government Area of Ebonyi State. Amasiri is a group name of five Igbo villages which in the distant past joined together for the purpose of mutual assistance in combating common enemies. It is situated four kilometers from Afikpo Divisional Headquarters and occupies a total area of approximately 270sq with a population of 49, 000 people, according to the population return form the 1999 Census. Amasiri is bounded in the North by Okposi, in the North-East by Akpoha, in the East by Afikpo, and South by Edda and West by Akaeze<sup>26</sup>.

However, it is important to note that boundaries in Amasiri are not precisely marked, though they are well recognized by the people, as it is the case with other Igbo groups. In view of the above, a report on Amasiri in 1933 observes that ‘A rough description is from a bridge on the Afikpo-Okigwe main Road near the Akpoha round junction Southerly along the Mgbom Afikpo farms

to Okali hill, thence, Westerly to a place known as Okpanwu at the boundary with Edda; thence to a ridge of rocks known as NkpumaAworgu near Mile 6 on the Afikpo-Okigwe Road; thence in a general Northerly direction to the Nvom stream and along it to the Asu River, thence an undefined boundary with Akpoha terminating about 5 Miles along the Akpoha road; thence embracing the Akpoha Road and crossing it again about 3 Miles further South and to the starting point<sup>27</sup>.

Amasiri, according to Oko, is a transitional zone of rolling plain between open grassland and tropical rainforest with an annual rainfall of about 197cm. It is made up of five villages, namely; Ohaechara, Ezeke, Ihie, Poperi and Ndukwe. There are Ezi's (compounds) attached to the villages. The people themselves speak Igbo and are from Aro origin. They are predominantly agrarians with a considerable flair for trade and crafts. Amasiri is naturally endowed with abundant natural resources such as salt, industrial solid mineral resources such as rock, etc<sup>28</sup>.

The origin of Amasiri clan which consists of five villages scattered over a large area of land is rather obscure. The early history of Amasiri is somewhat unreliable and fragmentary account of the arrival of various periods of the different village founders and in some cases of solitary Ezi's (compounds) which have attached themselves to the villages<sup>29</sup>. Eagerness to establish seniority has in several cases led to contradictory statements as to the order in which the villages arrived after they migrated many years ago from Aro. Therefore, Amasiri was founded by EkumaUbaghala, ObiakpaEnunu, IsakaOgu and UtomeOkolu. Regardless of the fact that Amasiri is a homogenous community, conflicts sometimes breaks out amongst the peoples of the clan or with their neighbors and what stimulates these conflicts vary per time.

### **Source and Dimensions of Conflict in Amasiri**

As far as there is continuous interaction among individuals that make up a society, conflict is bound to occur. This is because groups sought to dominate other groups as a result of competing interest. In such situations, groups in such societies tend to protect their values for survival, and as well advance their aspiration. Every individual in a society has a vested

interest in the continuity and prosperity of his family or community. Such dominant group tendencies in a society always possesses keen competition rivalry and conflict with regard to their values. This is because one group's interests are always inconsistent with that of another. Conflicts occur in Amasiri as a result of multiplicity of political, social, cultural and economic factors, ranging from land, marriage, ItēMbe crises, inheritance, among other factors.

One of the problems being faced by families and villages in Amasiri today is as a result of ownership, use and administration of land. Every land, whether cultivated fallow is owned by somebody, paternal or maternal family, hence claims over such land results to dispute. Land dispute in Amasiri has led many to their early graves. For instance, it was in one of such disputes that Mr. ObinnaOko was killed. In the accounts of Emmanuel Ekuma, Agha Oko and AmaokpuEzeke, in Amasiri, the incidents that led to the killing started when Obinna's father who married two wives died. His family began fighting over his land shortly after his death. In Emmanuel's words, Obinna went to the said land to harvest some yams when his step brothers saw him and attacked him. He was still exchanging banter with them when one carried a stone and hit him on the head<sup>30</sup>. However, the council of elders stepped in and brokered peace among the disputants.

### **Understating Conflict Resolution in Contemporary Context**

Conflict resolution is a useful subject matter, because, conflict is an important part of social life, and endemic in personal, inter-personal and inter-group relations. The ability of groups and individuals to resolve crises is very significant to social development. There is a dynamic interaction in every society; all civilized societies have a growing resort to peace and stability. Wide range of non-violent techniques for the management and resolution of conflicts in various levels exist. These techniques can span from individual, family, group, community, as well as the international level<sup>31</sup>.

Conflict resolution according to Mitchell and Banks is an outcome on which the issues in an existing conflict are satisfactorily dealt with through a solution that is naturally acceptable to the parties, self-sustaining in the long and productive of a new, positive relationship between

parties that were previously hostile adversaries<sup>32</sup>. Conflict resolution is seen as a method and processes involved in facilitating the peaceful ending of conflict. Involved groups seek to resolve the conflict by actively communicating information about their conflicting motives or ideologies to the rest of the groups by engaging in collective negotiation. Conflict resolution can be regarded as any process that resolves or ends conflict, either through violence or warfare. It can also be viewed as a non-violent process that manages conflict through compromise or through the assistance of a third party who either facilitates or imposes a settlement. Conflict resolution has many processes and can range from collaborative, participatory, informal, non-binding process, such as mediation, conciliation, third party negotiation, to adversarial, fact-oriented, legally binding and imposed decisions that arise from institutions such as the courts and tribunals<sup>33</sup>.

According to Miller, conflict resolution is a variety of approaches aimed at terminating conflicts through the constructive solving of problems, distinct from management or transformation of conflict<sup>34</sup>. Conflict resolution according to Mail and Wood House is expected to deal with the deep rooted sources of conflict and proper solutions for it to be addressed or resolved and also to avoid a violent behavior to make sure that there is no attitude hostile any longer while structure of the conflict has been changed<sup>35</sup>. However, conflict is a short phenomenon that can be resolved permanently through mediation or other intervention processes.

In principle, as Best would argue, conflict resolution connotes a sense of finality, where the parties to a conflict are mutually satisfied with the outcome of settlement and the conflict is resolved in a true sense of it. Some conflicts, especially those over resources are permanently resolvable

Heitler added that conflict is the attainment of a solution that satisfies the requirement of all the seemingly conflicting forces, thereby producing a feeling for all participants. According to Wallenstein, it is a situation where the conflicting parties enter into an agreement that solves their central incompatibilities, accept each other's continued existence as parties and cease all

violent acts against each other. It is essentially aimed at intervention to change or facilitate the course of a conflict.

In Albert's view, conflict resolution serves three (3) purposes, namely:

- (1) Minimization of chances of destructive conflicts
- (2) Stabilization of cessation of destructive conflicts so as to prevent escalation
- (3) Prevention of outbreak of a full-blown conflict done by uprooting the basic reasons for the conflict.

This paper concurs with Heitler's assertion which holds that a cooperative process of conflict resolution must entail the following:

- (a) The Position: It should be made Known. These are the initial statements of the warring parties as regards to what they want and what they are saying.
- (b) Explore Underlying Concerns: These are the concerns of the parties. These interests are lying behind the initial positions made known and act as stepping stones to addressing the issues at stake.
- (c) Joint-Problem Solving: This should be practical in the true sense of it. It involve selecting mutual satisfying solutions. This is when the two warring parties cooperatively explore their underlying concerns and work out ways of attaining a resolution. According to him, the exploration their underlying concerns and interests often disclose that conflict actually involves concerns and complementary. The solutions are meant to complement each other's needs, irrespective of incompatibility.

Conflict resolution offers a more viable outcome to conflict, because it converts the conflict into a shared problem, setting up a process in which both sides participate equally in finding solutions which are acceptable to both and which therefore are self-sustaining. It can be both formal and informal. It is either aimed at resolving to terminate conflict in an open and predictable process in accordance with legal principles or focus on efforts to increase cooperation among the parties to a conflict and deepen their relationship by addressing the conditions that led to dispute, fostering positive attitudes and allying distrust though reconciliation initiatives and

building or strengthening the institutions and process through which the parties interact. Conflict resolution tends to emphasize intervention by skilled but powerless third parties working unofficially with parties to foster new thinking and new relationships.

However, it is important to note that conflict resolution differs from one conflict case to the other. There is no readymade conflict resolution for every conflict. Therefore, through the display of various styles and approaches, conflict can be dealt with. It is a process which needs more of a cooperative dialogue and joint problem solving processes. Subsequently, in all, the essence of conflict resolution is to uproot the major cause of the conflict at any given time<sup>36</sup>.

### **Strategies of Conflict Resolution**

Conventional approaches to conflict resolution takes a number of strategies which includes negotiation, mediation, arbitration and conciliation etc. often times the first step towards the resolution of any conflict starts with negotiation. It is the most basic means of settling disputes. It is back and forth communication between the parties of the conflict with the goal of trying to find a solution<sup>37</sup>. It is a process in which two or more participants attempt to reach a joint decision on matters of common concern in situations they are in actual or potential disagreement<sup>38</sup>. Negotiation allows involved parties to participate directly in decisions that affect them. The needs of both parties are usually considered. It is aimed to resolve points of difference, to gain an advantage for an individual or collective, or to craft outcomes to satisfy various interests. It is often conducted by putting forward a position and making small concessions to achieve an agreement<sup>39</sup>.

Similarly mediation process also plays a significant role in conflict resolution. It is a dynamic, structured interactive process where a neutral third party assists disputing parties in resolving conflict through the use of specialized communication and negotiation techniques. Mediation is a party-centered process, in that it is focused primarily upon the needs, rights and interests of the parties. The mediator uses wide variety of techniques to guide the process in a constructive direction and to help the parties find their optimal solution. The mediator is facilitative in the sense that he or she manages the interaction between parties, and facilitates open

communication. It is evaluative in that the mediator analyzes issues and relevant norms, while refraining from providing prescriptive advice to the parties<sup>40</sup>. Mediation is flexible process that can be used to settle disputes in a whole range of situations including community disputes.

It is a voluntary process and will only take place if both parties agree. It is a confidential process where the terms of discussion are disclosed to any party outside the mediation hearing<sup>41</sup>.

Other approaches to conflict resolution include arbitration and conciliation. The former is a form of conflict resolution process that involves a private, judicial determination of a dispute by an independent third party, without resorting to court action<sup>42</sup>. It is a well-established and widely used means of resolving disputes. It provides parties to a controversy with a choice other than litigation. Arbitration takes place out of the court. The arbitrator will conduct a hearing where the parties involved will present their evidences through documents, exhibits and testimony. In some cases, the parties may agree to establish their own procedure, or an administering organization may provide procedures. There can be either one arbitrator or a panel of three arbitrators. The result of arbitration hearing can be binding if all parties have previously agreed to be bound by the decision. The right to appeal an arbitrator's decision is very limited. The arbitrator's decision is usually final and courts rarely reexamine it<sup>43</sup>.

While the latter serves as an alternative instrument of dispute resolution out of court. Conciliation is voluntary, flexible, and confidential and interest based process. The parties seek to reach an amicable settlement of their dispute with the help of the conciliator who acts as a neutral third party. Conciliation is a voluntary proceeding which gives the involved parties the freedom to agree and attempt to resolve their dispute by conciliation. It allows parties to define the time, structure and content of the conciliation proceedings. These proceedings are rarely public. They are interest-based, as the conciliator when proposing a settlement will not only take into account the parties legal positions, but also their commercial, financial, as well personal interests. The ultimate decision to agree on the settlement depends on the involved parties<sup>44</sup>.

### **Traditional Methods of Conflict Resolution**

There is no common strategy or method of resolving conflict in traditional African societies. However, according to V. Adedoyin, the range of strategies can be grouped into five headings. These include:

#### **Self Help or Vengeance**

This is a situation where the society allows and expects an injured person to take action by himself in order to redress the wrong done to him. It is in uncivilized societies that this strategy is most pronounced. Actions of self-help include resorting to satirical songs and other different types of ridicule which the Bambuti and Ikung often make use of. There are diverse physical acts of self-defense found all over the world, as well as blood fetid mostly associated with societies organized around the principle of lineage segmentation. Some societies may use self-help as the only method to resolve conflicts. Thus, every individual is allowed to take actions on its own, in order to secure justice in situation where there is violation of his interest and property. Of course, in doing this, he may seek the help of his kinsmen. However, the Arusha people are not allowed to obtain redress through vengeance or self-help, since this type of action can lead to a denial of group cooperation which forms the basis on which the solidarity of the society rests. There are mechanisms even in societies that encourage self-help which attempts to stop the feud through mediation, not by coercion.

#### **Peer group Assembly**

Mainly associated with this form of conflict resolution are societies which operate the Age Grade system. Issues involving women in some societies that are republican in nature such as the Igbo are handled by the women group. The wider society comes in only when such peer groups make known their inability to resolve the crises. Peer groups are mostly relied on in resolving conflicts, because they seem to understand best the intricacies of issues that concern their own members. Therefore, this forms the guiding assumption in the reliance on peer groups in resolving conflicts. Peer groups provide the least inhibitive atmosphere for their members to discuss the reason for their annoyance.

### **Village Council**

This method gives room for the whole community to listen to the issues on ground, and proffer suggestions for the resolution of the conflict. Although, the decisions may be swayed by a few influential persons, village Council gives room for contestants, their kinsmen and other allies to inter vein. Therefore this strategy of conflict resolution is time consuming, and its settlements are arrived at in a public setting<sup>45</sup>.

### **Council of Elders/Privileged Groups**

Societies which follows the principles of gerontocracy put so much confidence on the council of elders in both the legal and governmental spheres of activity. The reason is that elderly decisions are the best to be expected in an environment where experience and wisdom tend to be correlated with age. African societies which are controlled by secret societies also have a way of dealing with issues by such exclusive and privileged organization. However, it is so obvious that even in some centralized polities like some Yoruba kingdoms, the apical authority consult the Ogboni before settling serious disputes. The Ekpe group among the Efik as well as Okonko in the Old Bende Division of Eastern Nigeria exert a lot of influence in conflict resolution<sup>46</sup>.

### **Game Solution**

This strategy is invariably adopted by centralized African societies in order to resolve conflicts. This strategy gives room for litigants to argue their case before neutral officials, and it allows witness in the process to site evidence in a bid to support their arguments. Judgment follows a well-known procedure. The system is predictable and well defined. This strategy among other strategies has same resemblance with the western judicial mechanism, with systems of courts which are graded, specialized advocates judges and laid down procedures. This strategy is mostly used by the Bantu States of South Eastern African and among the Lozi, the Bini, the Ankole and the Ganda<sup>47</sup>.

However, there are other traditional methods used in resolving conflicts. These include:

### **Oath Taking**

This is one of the approaches used in traditional African societies to prevent, manage and resolve conflict. This method aims to establish truth and guilt, and discourage dishonest attitude and evil

actions in the society. Most times, it is being carried out at the shrine of a powerful deity over something that could be an avenue for consulting such deity. People are always warned seriously before taking the oath, because the consequences of doing so on falsehood in order to avoid shame, sometimes attracts madness, misfortune or sudden death.

### **Use of Sanctions**

This is another traditional approach or method of resolving conflict. Sanctions are usually imposed on families and individuals who are seen to have contradicted the customs and traditions of the people in order to deter others from engaging in behaviors that would engender conflict. Council of elders meted sanctions on misbehaviors such as stealing, deliberate murder, incest, abuse of elders, willful damage to property, lying, bearing false witness, poisoning, and rape, among others. Such sanctions includes those that are imposed by the deities such as accidents, sickness, death, famine, poverty, misery, barrenness and loss of children, etc. to the ones imposed by the society such as exile, ostracism, fines, compensation, restitution, rendering apology<sup>48</sup>.

**Reconciliation:** This is the most significant aspect of conflict resolution. Peace is restored after the disputants are persuaded to end conflict. The restoration of peace and harmony is always anchored on the principle of give a little and get a little. This idea buttresses the idea of the disputing parties to give concessions. There is usually the organization of feast to see how ready the conflicting parties are towards reaching a compromise. The reconciliation function is practiced by an authority figure who mediates between conflicting parties but is empowered to make binding judgment<sup>49</sup>.

### **Traditional Institutions and Conflict Resolution in Amasiri Clan**

Traditional Institutions refers to the indigenous political arrangements where leaders with proven records of integrity are appointed and installed in line with the provisions of their native laws and customs<sup>50</sup>. The essence of the institutions is to preserve the customs and traditions of the people and resolve conflicts arising among members of the community by the instrumentality of laws and customs of the people. They are the custodians of their people's norms, culture and practices.

Traditional institutions are symbols of indigenous people's rights, privileges, laws, customs and tradition which include but not limited to paramount rulers and council of elders. In the Nigerian context, traditional institutions is inclusive of other Chiefs in Council, elders in council, title holders who may be appointed base on their contributions to the growth and development of their communities with little or no executive, legislative or judicial powers.

In African traditional setting, just as it is obtainable in Amasiri clan too, the traditional institutions are charged with legislative, executive and judicial functions. They make laws, executive them, interpret and apply the fundamental laws, customs and traditions of the people for the smooth running of the communities. Conflicts are usually resolved based on the customs and traditions of the people. Traditional institutions have different approaches to conflict resolution. According to Boege, traditional approaches vary considerably from society to society, region to region, community to community<sup>51</sup>.

However, there is no point denying the fact that African societies had well established mechanism for conflict management, peace-making, peace-education, peace-building, conflict monitoring and prevention before the advent of slave trade and colonialism.

The institutions and methods were effective and highly respected, and their decisions binding on all the parties concerned. The methods are relatively informal and thus less intimidating. Those who use them are also more at ease in a familiar environment. The role of the chiefs, elders, family heads and others is not only to resolve conflicts, but also to anticipate and arrest conflicts. Africans were also very conscious of the fact that conflict can occur when two or more parties pursue incompatible interest or goals through actions that the parties try to undo or damage each other. The parties could be individuals, groups, villages or towns, and the parties interests can differ over access to resources, the control of political or traditional power, their identity and values or ideology.

In Amasiri community and among all human societies, the family has been the oldest social institution. Individual identity is linked to that of his or her family. These families are formed by

the acceptance of marriage alliances. In most African societies, there is a strict hierarchy of authority, in which the males rule and hold responsibility for the females. Brothers rule their sisters, and sons, even their mothers when they come of age or succeeds the inheritance<sup>52</sup>.

Amasiri is one of the Igbo groups where age grade is a very important element, particularly among the male folks. Basically, the traditional government in Amasiri is the hands of the Essa ruling council<sup>53</sup>. Age grades are the bricks that form the foundation upon which the traditional government of Amasiri rests. The entire traditional system of government will collapse once the age grade system is weak. In Amasiri, the traditional government rests on the shoulders of the Essa's. They are the great advisers in Amasiri community, they are said to be knowledgeable and dependable. When they are approached with problems, they counsel you, and their counsel is always very important and recognized by the whole country. For instance, if the state government wants to address the entire Amasiri without engaging the Essa's, it will be a failure, unless orders are passed through the council of elders before it will be obeyed by the whole community<sup>54</sup>.

On attainment of middle forties, three age groups are merged together to be known as UKe-Ezi (compound Chiefs). These chiefs are responsible for the compounds and settles all disputes that arises at the kindred level. They are responsible for sharing kindred land, execution of minor projects and such minor matters that may arise at the kindred level. They will man this position for five years, after which they will be promoted to another level.

At the end of five years, these kindred level officials will be promoted to a higher rank of Uke-Ogo (village Chiefs). They are responsible for all matters affecting the village. They maintain peace within their area of jurisdiction with proper modes operandi: They direct the Uke-Ezi (compound Chiefs) for execution of any assignment or project. Their duration in the office is also five years, in which they will move to the higher level of authority<sup>55</sup>.

These village chiefs will be promoted to a higher level of authority after five years, which is the Ekpu or Ochi Arua Amasiri (privilege groups). The Ekpu in constant consultation with the Essa

ruling council handle inter-personal disagreement. They are constitutionally empowered by Amasiri traditional law to punish offenders. For instance, during the pre-colonial days, the punishment for a murder was to bury the murderer alive in a standing position, and a tree would be planted on his grave. They have punishment for minor offenders, and methods for recovering of debts. Even till now, it is still in force for the enforcement of community decisions<sup>56</sup>. Their period of authority in the office is also five year.

At the end of five years, these officials will be promoted to a level of Essa, (Essa ruling council). These officials are the custodians of the customs and tradition of Amasiri, and they are the interpreters of the traditional laws of the land. They mediate in all cases (except criminal and land matters), for instance, conflict or disputes between husband and wife or communities is resolved by the Essa ruling council. They used proverbs when addressing or counseling people, especially when it comes to custom, superstition, laws, moral live, conventions and the philosophy of the society. They are also responsible for the fixing of bride price. They are incharged of every matter in Amasiri in terms of peace, general project that cuts across the clan<sup>57</sup>.

There is this oldest age set in Amasiri known as Ichie Amasiri. They are regarded as elder's emeritus. They handle the settlement of land matters because land has a very strong ancestral connotation. When an individual or a family report the matter of land dispute to the Ichies, they invite the two parties to the dispute to a place known as Ezeke hall where they will conduct their IkpeIkpe (judgment). These invited parties will be asked to pay a sum of two thousand five hundred naira (N2, 500) which they regard as ego Ikpe (judgment money). Each party will lay their complaints, after which they will give their judgment. In some cases, the persons laying claims over the land will be asked to take an oath to be sure they are really the owners of the land. If nothing happens to any of them after a period of one year, the said land will be shared among them, and if something happens to one of them, the other person will automatically take over the land<sup>58</sup>. However, if it is a land that involves borrowing of money, and a land is used as collateral, the debtor family will be asked to pay back the money, or hands off the land which was used as collateral. For instance, this is what happened in the case of the family of Mr.

EkumaObeni and Emmanuel Agwu, both in AmaokpuEzeke Amasiri. The father of Emmanuel borrowed money from Ekuma's father and used a piece of land as a collateral. When he died, his children went to claim the land. The Ichies gave them conditions of either repaying the money in its equivalent value or hands off, because it was the agreement between their later father<sup>59</sup>.

### **Challenges Impeding Traditional Institutions in Resolving Conflicts in Amasiri**

The major key challenge of dispute resolution by elders or any form of traditional justice system is the negative attitude they receive from modernized citizens. In Amasiri, Christians have criticized the traditional system as paganism. Traditional practice such as rituals, cleansing and trial by ordeals which are central in resolving disputes is now regarded as being illegal.

Secondly, traditional justice system is regarded as inferior when compared to formal justice system. This is as a result of the subjugation of the laws of Amasiri which is the undergirding normative framework providing the norms, values and beliefs that underlie traditional dispute resolution<sup>60</sup>.

Thirdly, modernity has had its fair share of negative impacts on the Amasiri justice system. In pre-colonial period, elders were the richest and wealthiest people as they held land and livestock. Their wealth and respect enabled them to be independent during dispute resolution processes. However, in the modern times, younger people have accumulated wealth and in most cases, older people rely on the younger people. This has enabled dispute resolution by elders to be affected by bribery, corruption and favoritism. For instance, it has been observed that the Essa collect bribe, thereby giving their judgment in favor of the person that gave them bribe, instead of being impartial. Other examples are favoritism, the elders favor their relations in dispute at the expense of the other party<sup>61</sup>. This has limited people's faith in them.

In addition to bribery and corruption, modernity and westernization have destroyed the social ties between families and kinsmen. When compared to the pre-colonial days when the most important family system was the extended family, the modern times is totally different. The main family system, especially in urban areas, is the nuclear family. Migration to urban areas and

increasingly individualistic society has destroyed the communal system, thereby reducing the influence of elders.

Furthermore, the superiority of the westernized judicial and legal system has further reduced the influence of elders in resolving dispute<sup>62</sup>. Finally, these traditional institutions in Amasiri also faces financial challenges, especially with regards to convening their meetings. This is so because Essa council has a very low legal fees that are charged to those seeking its services as a source of its income<sup>63</sup>.

In conclusion, all these institutions both at the kindred level to the community level have contributed significantly to the maintenance of law and order in the clan.

### **Conclusion**

This study is informed by the need to place the traditional strategy or methods of resolving disputes in Amasiri in its true perspective, particularly to understand sources and dimensions of conflict, as well as the role of traditional institutions in resolving conflicts. The study was divided into five major parts, to help achieve the basic objective of the research. To start with, the first part, presented a broad introduction to the study with particular reference to Amasiri community. Following that, the paper explained the scope of study. Data were gathered through oral interview and written materials, after which relevant literature relating to the study were reviewed.

An attempt was made to define the concept of conflict as well as the theories of conflict. Also, there was a brief historical origin of Amasiri to help readers with the knowledge and culture of Amasiri. After that was the sources and dimensions of conflict in Amasiri, which the paper noted to include land, marriage, IteMbe, inheritance, among other factors.

The paper dealt on the conceptualization of conflict resolution. In addition, it explored the strategies for conflict resolution, particularly the traditional methods of resolving conflicts which were identified to include; self-help, peer group assembly, village council, Council of

Elders/Privilege Groups, Game solution, Oath taking, mediation, and socialization. These are the methods through which conflicts are resolved in traditional Igbo societies in Nigeria.

Also explored are the roles of traditional institutions in resolving conflicts in Amasiri. These institutions includes but not limited to Uke-Ezi, which handles only kindred matters, Uke-Ogo which is in charge of village matters, Ekpu which is regarded as the traditional police and law enforcement agents. The Essa which are regarded the rulers of the land, they handle all matters, except criminal and land matters. The Ichiesare usually the ones in charge of land matters because land has a very strong ancestral connotation in every Igbo community. The paper equally discussed the challenges confronting these traditional institutions and hindering it from effectively resolving conflicts.

Indeed, traditional strategy or methods of settling disputes in Amasiri is an interesting study. Nevertheless, the theoretical controversy on whether conflict is satiation or disjunctive, has received considerable attention by scholars who in many instances agreed that in all human societies, life does not move along in peace and harmony at all times. As it is indicated in the study, writers have attributed the causes of conflict to different sources.

In the case of Amasiri, the primary cause of conflict seems to be in the area of land, because land has much to do in human affairs. The study clearly reveals that the understanding of the causes of conflict demands the consideration of how various factors interplay within the social milieu. Regardless of the controversy on the causes of conflict, consensus seems to exist that every society has its own mechanism of handling dispute. In line with this, in this study, an attempt is made to represent some aspects of peaceful modes of conflict resolution.

Based on the findings of the study, it can be concluded that the Essa, Ekpu and Ichie Council of elders of Amasiri play a significant role in conflict resolution. Its roles are useful supplement to the judiciary and other related national organs in resolving conflicts at the local level, especially on land, family and inter-village disputes. People prefer using the council because disputes brought to them are resolved cheaply, faster and to the satisfaction of the parties in dispute, and thus promoting restorative justice that ensures sustainable peace among the disputing parties.

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Anyia O. Anyia	C76	Farmer	AmaokpuEzeke	5/7/2017
Emmanuel Ekuma	C80	Retired Headmaster	AmaokpuEzeke	27/6/2017
Etu O. Etu	C55	Principal	AmaekumaEzeke	20/9/2017
Ogbonnaya Peter	C68	Farmer	AmaokpuEzeke	21/9/2017
OnyebuchiAmadi	C48	Civil Servant	EziukwuEzeke	22/9/2017
Paul Agha	C57	Civil Servant	AmaecharaEzeke	18/9/2017
Sylvester Enya,	C70	Farmer	AmaokpuEzeke	7/7/2017

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