

## **GOVERNMENT PARTNERSHIP WITH TRADITIONAL INSTITUTIONS AS DESIDERATUM FOR PEACE AND CONFLICT RESOLUTION IN NIGERIA.**

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### **Abstract**

This paper argues why government partnership with the traditional institutions is a desideratum for peace and conflict resolution in Nigeria. Using the method of hermeneutics, the paper critically examines and compares the government agencies and traditional institutions in matters of peace and conflict resolution to discover that there is urgent need for partnership to achieve the desired goal. Towards addressing the aim, the paper studies the meaning of conflict as a social situation in which a minimum of two actors or parties strive to acquire at the same time an available set of scarce resources. Also, the paper studies the role of the government and her agencies in matters of conflict management side by side with the traditional institutions. The study inquires into the activities of government officials/stakeholders to understand how they take advantage of crisis situations to promote their political interest either by instigating or fueling already existing crisis. In the same vain, government agencies such as the police and army end up with human abuse, brutality, arbitrary killings, sexual violence, while the judiciary hang up matters for years without judgment. On the other hand, the traditional institutions are made up of elders, chiefs, priests, priestesses, secret cult etc in whom the local communities repose great trust and confidence for peace and conflict resolution. The implication of this study is that the failure of the government institutions in matters of peace and conflict resolution has become so deplorable that there is urgent need for partnership with traditional institutions as a desideratum towards achieving the desired peace and co-existence in Nigeria.

## Conceptual Clarifications

In his *Understanding Conflict Resolution*, Wallensteen defines conflict as a social situation in which a minimum of two actors or parties strive to acquire at the same moment an available set of scarce resources<sup>1</sup>. Wallensteen captures the basic factors or characteristics of conflict as “minimum of two actors/parties and scarce resource”. Hence it must involve more than one person/group and it must involve a struggle over scarce resources. Hence we can summarize conflict as a social disturbance and dispute resulting from the attempt to express interest and gain control over perceived scarce and in most cases indivisible resources such as power/authority, land, natural resources, child ownership, e.t.c. Furthermore, conflict can be described as a conscious opposition/condition militated by personal, tribal, ethnic, linguistic, religious, socio-political, economic, cultural interests among the participant groups<sup>2</sup>. More importantly, conflict arises from the interaction of individuals/groups who have partly, incompatible ends, in which the ability of one actor to gain his ends depends to an important degree on the choice or decisions that other party makes<sup>3</sup>.

According to Albert:

there is nothing wrong with conflict, it is a critical mechanism by which goals and aspirations of individuals and groups are articulated; it is a channel for a definition of creative solutions to human problems in pursuance of groups or individual goals and a means to the development of a collective identity<sup>4</sup>

For Albert in the above claims, conflict can be seen as a form of expression of our humanness, aspirations, creativity, self protection, e.t.c. Thus conflict is an unavoidable reality of human existence. Little wonder did Wadinga see conflict as the assurance and shield from the menace of insurrection<sup>5</sup>. Hence conflict can be said to mean 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>6</sup>. However, conflict may generally exist wherever or whenever incompatible activities occur and while one party wins another loses<sup>7</sup>. Conflicts can take various dimensions such as; rage, rift, misunderstanding, family and market brawls, skirmishes and wars, public insurrections and assaults, chieftaincy struggles, boundary disputes,<sup>8</sup> territorial expansion, access to market, prestige contest, alliances and the overthrow of an unfriendly government<sup>9</sup>.

Conflicts can be violent or nonviolent. Nonviolent crisis is void of harmful physical force while violent conflict refers to the use of physical force intended to hurt, damage or kill as a means of gaining control in conflict. Violent conflict can have both remote and proximate causes. The remote causes can be said to be the factors of communal identity as stated above such as need for land acquisition/territorial expansion along tribal lines, religious affiliations, common history/ancestry, cultural values, e.t.c. Proximate causes are immediate actions or inactions that trigger hidden anger such as local or national elections<sup>10</sup>, herder-farmer migrations<sup>11</sup>, individual contests, e.t.c. Most African countries have tempestuous violence after elections because political allegiance follow some ethnic and religious lines so much so that when one wins, the other has the tendency of fermenting troubles and causing social unrest. Hence each tribe is anxiously struggling for maximum political control<sup>12</sup>. A typical example of this situation is the Kenyan experience of 2007 and Nigerian experience of 2011 elections that led to severe conflicts along ethnic lines.

Conflict resolution here implies the process or method of facilitating the peaceful ending of conflicts. Conflict resolution provides an opportunity to interact with the parties concerned, with the hope of at least reducing the scope, intensity and effects of conflicts. During formal and informal meetings, conflict resolution exercises permit a reassessment of views and claims as a basis for finding humane options to crisis and to divergent points of view. Those who organize conflict resolution exercises or meetings usually constitute the third party in a triangular arrangement; and in the scope of this paper, they consist of the government and/or traditional institutions. Conflict resolution performs a healing function in the society. It provides opportunity for the examinations of alternative positive decision to resolve differences<sup>13</sup>. Failure to resolve conflict over access to commonly valued scarce resources, and over divergent perceptions of socio-political situations, has the high potential of degenerating into genocide or fratricide<sup>14</sup>. Conflict resolution promotes consensus-building, social bridge reconstructions, and the re-enactment of order in society.

### **Government Limitations in Conflicts Management and Nigerian Experience**

Conflict situations in Nigeria have been very worrisome and precarious which in most cases escalate into violent and protracted forms. Even before the coming into being as a country, the

different regions have always had their crisis though not as multidimensional as it is with the amalgamation of the country. Hence this crisis can be traceable to the following:

1. Expansionist wars of conquest and jihad by precolonial communities.
2. Partisan politicking
3. Military interregnum and governance in Nigeria.
4. Marginalization, unhealthy competition, rivalry, self determination struggles, ethnic and religious bigotry, resource allocation and control, e.t.c.
5. Community struggles for chieftaincy matters and land ownership.
6. Failure on the part of the judiciary leading to lack of confidence and self protection beyond the provisions of the law.
7. Government activities leading to social imbalance; agitations, social unrest and violence
8. Insecurity, Police and military callous abuses and brutality leading to self protection, arson, carnage, destruction of lives and properties and the most recent End Sars protest is typical of failure on the security personnels and governance in general.

No doubt the government or state is a strategic player in conflict management both as a mediator, peacekeeper or participant. The state is a mediator when she is involved in conflict resolution; peacekeeper when she is involved in restoration of peace; and as a participant when she plays roles capable of causing violence. State as an active participant in crisis makes conflict management a herculean task such that there is need to alternative management model. This is a case in place in Nigeria needing extra support of traditional institutions for proper and dependable management of conflicts.

The state can become participants in crisis in the following ways;

1. Indirect Participation by default where state policies either exacerbate or trigger conflict.
2. Direct participation by design where the government takes sides and uses the state resources to support particular factions against another.

In Nigeria, colonialism played a vital role towards wielding together a people that are ill-assorted thereby imposing conflict irresistibly between peoples of different background: ethnicity, language, values, religion, power, resources, e.t.c. However, this was done in the pretext of

easing administration at the behest of colonial interest. At independence, the first republic 1960-1966 was fraught with power contest leading to southerners' coup and counter coup by the northerners resulting in bloodbath that cost the lives of most Igbos in a civil war (Biafra war: 1966-1970). Even after the war, the government peace deals of reconciliation, reconstruction and rehabilitation rather worsened the relationship gap between the ethnic groups in Nigeria that till date some regions still feel heavily marginalized hence the crisis remains unended.

In situations of violent conflict, the state has the singular and constitutional responsibility not only control situation but to stop violence while at same time executing initiatives towards resolution of conflicts among disputants. Most unfortunate is that this situation is not the case in Nigeria. No doubt the government takes supposed superficial short-term steps to stop violent conflicts and no serious measures of restoring lasting peace and forestall further conflicts. Heartbreaking enough is that the government officials/stakeholders take advantage of such crisis to promote their political interest either by instigating or fueling already existing crisis. Minding the already fractured ethno-religious bones in our national relationships, these self styled and greedy politicians hijack and rename every minor conflict giving it ethnic or religious definitions to divide the nations to their political gains.

It is constitutionally established that the primary duty of a state is to ensure the enforcement of law and peacekeeping. Most unfortunate is that the experience in Nigeria shows that the number of times the state has engaged in this service has always ended in momentary and forceful calmness without lasting peace among the conflict participants. In some other cases; state/government intervention ends up escalating crisis following lost of confidence on the government by the participants. The police and military are deployed to instill or make peace whereas they can only offer forceful and momentary calmness but not lasting peace nor conflict resolution. Their attempt on conflict resolution ends up with gross abuse of human rights by their excessive use of force on unarmed civilians. Going down the memory lane, the major crisis in different states such as in the Niger Delta, Kaduna, Plateau, Borno, Taraba, e.t.c have become perennial and heavily uncontrollable whereas there are uncountable truck loads of police and military presence in these areas. Rather than peace and conflict resolution, the people are left with human abuse, brutality, arbitrary killings, sexual violence, e.t.c.

The state's fragility is no longer a distant cry as state institutions cannot effectually ensure lasting peace in matters of conflict management. The government and her agencies are almost incapable of a comprehensive and laudable peace building and conflict resolution plans. They can rather cause momentary calmness while we seek better alternative partners towards addressing conflict situations in Nigeria to ensure lasting peace. At this crucial stage, it is now imperative to explore other options for achieving peace in Nigeria especially the traditional institutions.

### **Traditional Institutions and the Course of Peace and Conflict Resolution.**

In the pre-colonial days, there were many principles guiding conflict resolution in the traditional African societies. The traditional society had great confidence on the traditional institutions especially the local tribunals responsible for conflict resolution. These include elders, chiefs, priests, priestesses, secret cult etc. They (disputants) must be ready to submit themselves to the constituted authorities both for person verse person; community verse community or nation verse nation conflicts<sup>15</sup>. In traditional African societies, the law enforcement agents, traditional police and courts were responsible for ensuring compliance with the laws of the land. Disputants often take their cases to elders, chiefs, priests, priestesses, secret cult etc depending on the nature of the case for mediation. Conflicts are resolved with dispatch in local language, using familiar standard of behavior and adequate punishment given accordingly.

There are levels or phases of conflict resolution; inter-personal or family level, the extended family level and village or town level (chief in council). These tiers represent the hierarchical units making up the community<sup>16</sup>. Conflict resolution in the traditional society follows the process of mediation, adjudication, reconciliation, arbitration and negotiation. Also, it includes employing extra-judicial devices and usage of legal maxims to persuade or convince the disputants about the implication or otherwise of their behavior. These methods have been effective in traditional African Society.

One of the oldest forms of conflict resolution in the traditional society is the method of mediation. Mediation is traditionally characterized by non-coercive intervention of the mediators(s) or third

party. The third party has its concern with either reducing or completely ending conflict. The mediators usually endeavoured that peace and harmony reigned supreme in the society at whatever level of mediation. In some situations this method of conflict resolution ends with “no victor no vanquished”<sup>17</sup>. Mediators are sought from within the communities or societies of the parties concerned. Most times these mediators are elders depending on the content of the matter leading to conflict. Elders are the power house of wisdom and knowledge<sup>18</sup>. Their mode of operation as mediators is anchored on traditions, circumstances and personalities, accordingly. The mediators make attempts on pressurizing, making recommendations, advice, giving assessments, suggestions, emphasizing relevant norms and rules, or repetition of the agreement already attained<sup>19</sup>.

In some cases all disputants in conflict are brought to a meeting usually in the chambers or compound of family heads, village heads, community head or palace courts for adjudication<sup>20</sup>. After the disputants have been persuaded to end the dispute, peace was restored. A feast was usually organized to confirm the readiness of the conflicting parties towards reaching points of compromise<sup>21</sup>. In this instance, the reconciliation function is practiced by an authority figure that mediates between conflicting parties, who is traditionally empowered to make binding judgments<sup>22</sup>. This process goes with different stages/levels of negotiations in the attempt to harmonize the interests of the disputant parties concerned. This usually ends conflict peacefully and rekindles friendship between disputants.

In the same vain, cases of fighting among adolescents or young people were in the past accorded an impromptu settlement by the passers-by who normally ensured restoration of peace and harmony. There existed various community associations and guilds saddled with the responsibility of maintenance of peace and order in marketing operations to control vices such as stealing, debt and fraud. In some circumstances, gods and ancestors (the living dead) are called upon, their spirit invoked and every one especially the disputants are reminded of the aftermath of their wrath if they refuse to say the truth. Minding the traditional belief on spirits and their control of human affairs, disputants are persuaded to tell the truth of situations to make the process of reconciliation a success. In extreme situations, this process is facilitated through the practice of oath taking. These spirits are said to be either malevolent / benevolent<sup>23</sup>; hence one must be ready to say the truth before attempting oath taking.

Among the Yoruba people of Nigeria, there are phases of conflict resolution. There were dispute resolutions at the inter-personal or family level as headed by a *Bale*, the extended family level as headed by *Mogaji* and village or town level as headed by chief in council. *Bale* and *Mogaji* resolve cases among co-wives, brothers, sisters, street fights, e.t.c. *Baale* (chiefs) also controls the relationship between members of his family and outsiders. The Chief-in-council (*Igbimo Ilu*) in Yoruba land is the highest traditional institution for conflict resolution. In the pre-colonial era, the council had the power to pass a death sentence on any offender brought before it showing how powerful the council was in the traditional society.

The Igbo traditional institutions for conflict resolution include: the family, Amala (council of elders), Okpara system (eldest male), Umuanna (clan), Umuada (female born in a town but married out), age grades, assembly of the people, Ohanaeze (assembly of the people and the king), agbara (local deities or oracles)<sup>24</sup>. Typical of the competence towards conflict resolution are the cases of Umunebo verses Umokuzu of Owerri in Imo State and Aguleri verses Umuleri of Anambra state. These communities experienced unmanageable, fierce and very destructive violent crisis among themselves. It is worthy of note that the government had employed every legal, political bureaucratic and military strategies even the then president Olusegun Obasanjo intervened by visiting the sites in Anambra state but all to no avail. It was the effort of the traditional institutions that both parties had to accept peace and the conflict resolved. At the end, they took an oath of allegiance to the content of the peace accord<sup>25</sup>. Violators of such oath are seen to be attracting the wrath of the deities and ancestors. The above violent crisis and lots more; provide serious evidence of continued efficacy of traditional institutions in matters of peace and conflict resolution.

### **Traditional Institutions as Necessary Partners to Peace and Conflict Resolution in Nigeria**

We reiterate here that the government or state is a strategic player in conflict management both as a mediator, peacekeeper or participant. It behooves on the state to stop/control violence while at same time execute initiatives towards resolution of conflicts among disputants. Nevertheless, this situation is not the case in Nigeria. The experience in Nigeria shows that the limit of the government engagement in this service has always ended in momentary and forceful calmness without lasting peace among the conflict participants. More so in some situations, government

intervention through the police and military ends up escalating crisis leading to bloodbath, abuse of human rights following their excessive use of force. We noted earlier with dismay that the state's fragility towards effective crisis management begs for alternative partnership. This paper proposes traditional institutions as the best and necessary alternative partners to the government in matters of crisis management.

It is already established that the pre-colonial or traditional society had great confidence in the traditional/local tribunals responsible for conflict resolution. The course of conflict resolution and peace building was championed by some local or traditional institutions such as; elders, chiefs, priests, priestesses, secret cult, e.t.c. Unfortunately, the influence and authority of traditional institutions in Nigeria was highly reduced by the advent of colonialism but they are still valuable actors in conflict resolution and peace building. Therefore, it is obvious that Nigeria must of high necessity re-establish the role of traditional institutions as local peace builders. Existing societies that predated Nigeria had homegrown peace processes and conflict resolution strategies that ensured peace at the time. For example, pre-colonial Hausa society, Old Oyo Empire, pre-colonial Igbo society all had structures that helped to promote peace and dispense justice. These traditional institutions of conflict resolution and peace building are veritable active agents of maintaining social equilibrium, justice and fairness in the respective societies.

Furthermore, western civilization and the system of government practiced in Nigeria can be said to have subsumed practices of classical African societies and weakened their authority especially the institutions for peace and conflict resolutions leading to distressful disconnect between government and native authorities. In some cases this disconnect is unfortunately widened for some stakeholders' political interest while undermining peace, justice and co-existence. Hence such stakeholders make every frantic effort towards frustrating the aggregation of collective voices under traditional institutions leading to widespread individualization of voices, concerns, agitations, grievances, selfish tribal and religious bigotry. Hence this paper is a clarion call on the Nigerian government to empower and recognize traditional institutions as agents of conflict resolution, meditation and aggregators of local voices. This effort will go a long way towards restoring peace and harmonious existence among citizens.

No doubt human society cannot be completely freed from agitations, grievances and expression of interests which are the actions that drive conflict. In most cases these factors take place within the local environment. Thus when individual and group agitations, grievances, interests (ordinate or inordinate) are not adequately addressed and allowed to fester for a long time unresolved, situations degenerate even to blown violent conflict. Indisputably, it is an obvious fact that the traditional institutions are closer to the people and understand the people's way of life and tendencies such that they become veritable tools for handing immediate and long standing grievances and agitations while working hand in glove with the government institutions. Should the government sincerely empower the traditional institutions and charge them towards conflict resolutions and peace building; the entire nation will experience a wave of peace and harmonious co-existence.

The instances of traditional institutions' intervention in conflict zones and the restoration of peace in those zones is a full-prove of their worth in conflict resolution such as communal clashes, land dispute settlement, local fights, anti-social behaviours, e.t.c. A critical comparison of communal clashes quelled by the government and that of the traditional instructions show the competence of traditional institutions in conflict resolution. As the government only creates momentary calmness in the conflict areas while grievances and deep-cut-hurts are unhealed, the traditional institutions settle/resolve hurts and instill peace that suits all aggrieved parties.

It does not mean that the traditional institutions are so perfect without dent. There are of course instances where traditional institutions have been alleged to have become enablers of ethnic tension and communal conflicts. In most cases, this allegation is true when political stakeholders struggle to protect their queer interests through the traditional institutions. Should the political stakeholders withdraw from such nefarious interests capable of fermenting conflicts; the traditional institutions will become bulwarks well posed to effective conflict resolution and peace service delivery. More so the government needs to allow the local communities the right to choice their leadership in the community level; because government intervention obstructs the system and makes the selected community leaders sycophants working against the community to the interest of their masters.

The present crisis experiences of Nigeria can be best arrested through the instrumentality of traditional institutions. The ethnic and religious crisis have become uncontrollable and so protracted because the government institutions hijack the crisis as a means of self aggrandizement and expressing their political relevance with no interest of stopping the conflicts. The present case in point is the menace of herdsmen-farmers clash. Should the government empower the traditional institutions of both tribes to sit together to settle the conflicts, the country will be very near to peaceful co-existence. The case of Boko-Haram may need less attention of traditional institutions should the government hands off their compromise to the situation. Our submission is that the government ought to empower the traditional institution and charge them towards gaining peace in the crisis stricken areas.

## **Conclusion**

This paper has made a dogged effort towards proving the point that the government needs to partner with traditional institutions in order to achieve the necessary feat in matters of conflict resolution and peace building in Nigeria. No doubt, conflict is inevitable in human society and relationship. Conflict is here seen as a conscious opposition/strives between two or more actors/parties militated by personal, tribal, ethnic, linguistic, religious, socio-political, economic, cultural interests among the participants groups<sup>26</sup>. The paper reiterated that the state has the singular and constitutional responsibility to control and adequately manage conflict and security of the society. Nevertheless, the government can be said to have failed in this responsibility as government officials/stakeholders take advantage of crisis to promote their political interest either by instigating or fueling already existing crisis. Similarly, the police, army and the judiciary are characterized by human abuse, brutality, arbitrary killings, sexual violence and unnecessary delay judgement delivery. Therefore it is very obvious that the government and the concerned agencies are incapable of maintaining peace and conflict resolution and there comes the need to seek partnership with the traditional institutions.

Different societies have ways of conflict and peace management. In matters of peace and conflict resolution, the traditional institutions have methods to ensure self confidence, self reliance, positive change and stability<sup>27</sup>. The traditional institutions can be said to have proven their worth

in matters of peace and conflict resolution. They strive towards dispute settlement and conflict resolution to remove the root-causes of conflict; reconcile the conflicting parties genuinely; to preserve and ensure harmony, and make everybody involved in the resolved conflict happy and be at peace with each other again. In the traditional society, this service is a spiritual duty to promote good governance, law and order, to provide security of lives and property and to achieve collective well-being and happiness.

Therefore, it becomes most urgent that the government must empower local structures to be able to prevent, mitigate and mediate conflict situations. It is obvious that Nigeria's formal/government structures are not doing enough to curtail the spread of violence and its enablers. There is a need to incorporate traditional institutions in achieving peace. Peace building in Nigeria must be viewed from a community-based perspective and not from the sole purview of the state. A good place to start is charging and empowering traditional institutions with the responsibility of maintaining peace in their areas of authority. Most importantly, the political/government stakeholders should avoid taking undue advantage of crisis situation to massage and grease their political muscles. There is urgent need for states experiencing inter-communal conflicts to recognize the role of traditional institutions towards achieving peace by mobilizing their subjects towards peace and non violent dialogue and negotiations. Thus the government must invest in a community-based approach to solving numerous violent conflicts in the country. Therefore, we are not too demanding if we state that it is time for the government to re-establish the traditional institutions as aggregators of grievances and peace builders.

Having examined the patterns or mechanism for conflict resolution in traditional African societies as aided by the traditional institutions on conflict resolution, the paper notes that conflict resolution in traditional African societies provides opportunity to interact with the parties concerned; it promotes consensus-building, social bridge reconstructions and enactment of order in the society. Hence we conclude that traditional conflict resolution techniques offer great prospects for peaceful co-existence and harmonious relationships in post-conflict periods than the modern method of litigation, settlements in law courts and imposed calmness warranted by the police and military. Therefore, without equivocation our conclusion is that peace and conflict resolution becomes achievable in Nigeria if the government sees partnership with the traditional institutions as a desideratum.

## Endnotes

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<sup>3</sup> Azzain Muhammed Adam, “Inter-group Conflicts and Customary Mediation: Experience from Sudan in African”. *Journal on Conflict resolution* Vol.2, No.2, 2000. p.13.

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<sup>5</sup> Widnga Wandama, “Post- Colonial Conflict in Africa: A Study of Richard Ali’s City of Memories” in *International Journal of Arts and Humanities*, Vol.2 (4), S/No.8, September, 2013, pg 310.

<sup>6</sup> Otitie Onigu & Albert, I.O. (Eds.) *Community Conflicts in Nigeria, Management, Resolution and transformation*. 2001, p. 7.

<sup>7</sup> Wright Quincy, *The Escalation of International Conflicts in Clajelt Smith Conflict Resolution: Contributions of Behavioural Science*. (London: Noitre Dame Press, 1971), p. 54

<sup>8</sup> O. B. Olaoba, “Ancestral Focus and the process of conflict resolution in Traditional African societies” in Albert, A. O. (ed.) *In Perspectives on Peace and Conflict in Africa in Essays in Honour of General (Dr) Abdul Salam A, Abubakar*, (Ibadan: John Archers Ltd, 2005), pp. 22-37.

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<sup>14</sup> Gerard Punier, *The Rwanda Crisis: History of Genocide*. (New York: National Press, 1995), p.45

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<sup>17</sup> Isurmona V.A. (ed.) *Problems of Peacemaking and Peace Keeping. Perspective on Peace and Conflict in Africa*, (Ibadan: John Archers Publishers Ltd, 2005).

<sup>18</sup> O. B. Olaoba, *An Introduction to Africa Legal Culture*. (Ibadan: Hope Publications, 2001), pp.1-2.

<sup>19</sup> Bright-Brock Utre, “Indigenous Conflict Resolution in Africa”, *Institute of Educational Research*, University of Oslo, 2001, pp. 8-11.

<sup>20</sup> O. B. Olaoba, “Ancestral Focus and the process of conflict resolution in Traditional African societies” in Albert, A. O. (ed.) *In Perspectives on Peace and Conflict in Africa in*

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<sup>21</sup> Ibid.,

<sup>22</sup> Z.I Williams, “Traditional Cures for Modern Conflict” in *African Conflict Medicine 2000*, Lynne Reiner Publisher Inc, Pp22-23

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