Traditional Mechanisms of Conflict Resolution in Africa: A Pathway to Sustainable Peace in Nigeria

Dr. Ejovi Austine[1]
Iwegbu Chuks Justus[1]

[1]Department of Political Science, University of Delta Agbor, Delta State, Nigeria

Abstract: *This study delved into the traditional mechanisms of conflict resolution in Africa; A pathway to sustainable peace in Nigeria. It deployed the qualitative method of data collection and content analysis. The work was adopted as a tool for analysis of the Peace Process theory propounded by John Darby and Roger Macunity. It ascertained that disputes or disagreements are unarguably and necessarily an inevitable part of human existence flowing directly from communication, interaction and relationships which can occur at individual, national and even international levels. Alternative Dispute Resolution (ADR) mechanism is a basket of procedures outside the traditional process of litigation or strict determination of legal rights. It may also be elucidated as a range of procedures that serve as generally involve the intercession and assistance of a neutral and impartial third party. The traditional mechanisms of conflict resolution in Africa are alien to the Western world, this paper is of utmost importance to the Western world and also enriched their pool of literature. Nigeria is a country that is dominated by various ethnic groups anchored on diverse cultures, customs and traditions. It is therefore not surprising to see conflicts arise and despite the various attempts at resolving these conflicts through litigation, it remained unabated. The paper investigated the lessons learned from Traditional Mechanisms of Conflict resolution, it also interrogated its impact on conflict resolution and the way forward. In light of the lessons that were learnt and the impact of the traditional mechanisms of conflict resolution; suggestions on how to attain sustainable peaceful society were proffered. In conclusion, the study crystallized reforms on the alternative dispute resolution introduced through the traditional mechanism which includes amongst others that constitutional recognition should be given to traditional institutions of conflict resolution to enable quick dispensation of matters.*

Keywords: Traditional, Conflict, Peace and Resolution

Introduction

Conflicts arise from the pursuit of divergent interests, goals and aspirations by individuals or groups in defined social and physical environments. According to Otite (2001), changes in the social environment such as contestable access to new political positions or perceptions of new resources arising from development in the physical environment, are fertile grounds for conflicts involving individuals and groups, who are interested in using the new resources to achieve their goals in Africa particularly in Nigeria. The past fifteen to twenty years were characterized by the occurrence of some of the most violent conflicts among several ethnic and religious communities in different regions and states of Nigeria. According to Best (2004) hardly was any region spared some of these conflicts, even though the conflicts differed either in prevalence or in intensity, or their protracted or non-protracted nature. In the far north for instance, conflicts of a religious nature continued to break out at locations like Borno, Kano, Katsina, Zaria, and Kaduna among other places. In the southwest, there were violent communal conflicts at Sagamu, Lagos, Ife-Modakeke, etc. In the southeast,the Umuleri-Aguleri conflicts were most

noticeable. The communal and oil-induced conflicts of the Niger Delta especially in Warri and neighbouring communities also increased in scope and intensity. Not even the transition from military rule to democratic governance in 1999, with the accompanying assumption that democracy provides alternatives to violent methods of conflict transformation, could slow down the prevalence of such conflicts.(Albert, 2001).

To a large extent, social history and thought believe that the idea of conflict enjoys a high degree of attention and interest. The reason for this interest is multifaceted. In the first instance, the occurrence of conflict in human societies seems pervasive. It is an unbidden phenomenon and is found in almost every nook and cranny of the world. In the second instance, interest in the idea of conflict is explainable in the light of the fact that human progress is attached to the minimal occurrence of this pervasive and prevalent phenomenon. Third, it is even believed that the exploration and control of nature and natural resources for human development are not possible without the exertion and break out of some form of conflict or the other. The rationale behind conflict over such natural resources is of compelling importance and critical interest for intellectual analysis (ldowu, 2005). Fourth, the interest in the idea of conflict by scholars over the ages, interestingly, has been used as an index in the demarcation and categorization of the world especially in Africa.

Conflict Resolution

All societies have a framework of laid-down conventions or rules by which conflicts are resolved or managed. Such societies also have a body of rules that define and qualify people's relationships with each other and the state, these rules and regulations form the law of the land. But in those societies where there may not be a written constitution, the basic set of standards to which individual member has been socialized from youth to conform to and from which other standards in the culture derive these standards become the framework of conflict management and regulation. Miller (2003) sees conflict resolution as a variety of approaches aimed at terminating conflicts through the constructive solving of problems, distinct from management or transformation of conflict. According to Mitchell (1993), conflict resolution is essentially aimed at intervention to change or facilitate the course of a conflict. Other problem solving techniques are known generally as "problem solving workshops", Interactive problem-solving", "third party consultation," or" collaborative analytical problem - solving". Although conflict resolution has been part of human experience for centuries, Burton (1993) rather argued that the concept is comparatively new in academic discourse. He drew attention to the term "dispute which some scholars interchange with conflict. For him, "settlement refers to negotiated or arbitrated outcomes of disputes, while resolution refers to outcomes of a conflict situation. We thus have "dispute settlement" and "conflict resolution', However, dispute and conflict operate on the same principles and although they may refer to different conditions and scope of social relationships, they may, like the concepts of settlement and resolution, be used interchangeably. Miller et al (2001) indicate that by conflict resolution, it is expected that the deep-rooted sources of conflict are addressed and resolved and behaviour is no longer violent, nor are attitudes hostile any longer while the structure of the conflict has been changed. Mitchel and Banks (1996) use conflict resolution to refer to:

a. an outcome in which the issues in an existing conflict, are satisfactorily deal twith through a solution that is mutually acceptable to the parties, self-sustaining in the long run and productive of a new, positive relationship between parties that were previously hostile adversaries; and
b. any process or procedure by which such an outcome is achieved.

Conflict resolution in different societies can be quite complex, principally because of the determinate effects of culture and language symbolism. Hence, as Avruch and Black (1993); Albert (2001) rightly pointed out; it is quite dangerous to relegate culture to the background in conflict resolution. Although culture is a marker of social differences, it should not be regarded as an obstacle to conflict resolution in multi-ethnic/multi-cultural societies.

Perceiving conflicts through divergent cultural lenses is natural. People interpret social action and social reality through their indigenous conceptions and knowledge. Understanding the local indigenous theories of conflicts is essential to their solution. Culture also determines information processing as well as the use of metaphors and language in the bargaining and debating process. It is by paying attention to the intricate culture questions that even those apparently irresolvable conflicts can be broken down. The cultural question can muddle up and compound conflicts and make them appear impossible to resolve, (Otite and Albert, 2001).

In general, these scholars stressed that 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 exercise, permit a reassessment of views and claims as a basis for finding option to crises and to divergent points of view. Those who organize conflict resolution exercises or workshops usually constitute the third party in a triangular arrangement and consist of traditional rulers, modern sector leaders, reputable opinion leaders and experienced key members of the public, capable of producing new ideas and reconciliative conditions and actions.

Conflict Management

Conflict management to Best (2005); Burton, (1990) is the process of reducing the negative and destructive capacity of conflict through a number of measures and by working with and through the parties involved in the conflict. This term they further stated, is sometimes used synonymously with "conflict regulation" and covers the entire area of handling conflicts positively at different stages, including those efforts made to prevent conflict, by being proactive. It encompasses conflict limitation, containment and litigation. Conflict management may be perceived as a wider concept involving conflict resolution and transformation when necessitated and it is more of a long term arrangement involving institutionalized provisions and regulative procedures for dealing with conflicts whenever they occur (Otite and Albert, 2001). People must learn to manage conflicts productively, otherwise

the risks to society and its development are overwhelming. In some respects the concepts of conflict resolution, conflict transformation and conflict management overlap both in content and in practice.

In their "short course on conflict management", for instance, Wilmot and Hocker (1998), identified some ideas for dealing with conflicts. These included clarification of communication and checking of perceptions which in turn involve the following: speaking out what is in one's mind or heart, listening carefully, expressing strong feelings appropriately, remaining rational, asking questions, maintaining a spirit of give and take, avoiding harmful statements, asking directly what is going on, telling others one's opinion, looking for flexible "shades of gray" solutions, recognizing the power of initiating a co-operative move, identifying conflict patterns and engaging in negotiations of agreements and settlements. Appropriate communication skills and channels are crucial in conflict management. The term "conflict management" is perhaps an admission of the reality that conflict is inevitable but that not all conflicts can always be resolved, therefore what practitioners can do is to manage and regulate them. (Burton, 1990).

Response to Conflicts

Avoiding style, whistle-blowing, accommodation style, compromising, joint problem-solving, third party decision making, etc. are some of the measures adopted in responding to conflicts generally. However, people respond to community conflicts in four distinct ways:

Avoidance: This means a situation where a group alleging injustice or discrimination is literally ignored or denied recognition by those being accused and those who have the capacity for helping to redress the injustice done to the group, According to Heliriegel et al (2001), avoidance style refers to unassertive and uncooperative behaviours. A person uses this style to stay away from conflict, ignore disagreements or remain neutral. The avoidance approach reflects an aversion to tension and frustration and may involve a decision to let a conflict work itself out. Avoidance as Wilmot and Hocker (1998) observed, is characterized by "denial of the conflict,

equivocation, changing and avoiding topics, being non-committal and joking rather than dealing with the conflict at hand". This kind of response to a conflict situation, compounds problems as the party that is "avoided" will later seek other means of getting listened to. Such people usually resort to violence. Writing on the disadvantages of avoidance, Wilmot and Hocker (1998) noted that it "allows conflict to simmer and heat up unnecessarily rather than providing an avenue for promoting it.

Confrontation or Forcing: This style refers to assertive and uncooperative behaviours and represents a win-lose approach to conflict. Those who use the cingapproach, try to achieve their own goals without concern for others. The more a group is ignored, "avoided" or "denied" attention, the more it becomes confrontational (issuing threats, getting verbally aggressive, resorting to litigation oreven physical violence) with a view to getting a win-lose outcome. This style includes aspect of coercive power and dominance. As Hellriegel (2001) rightly asserted, it may help a person achieve individual goals, but like avoidance, for cingtends to result in unfavourable evaluations by others place when third parties acting on behalf of the larger society (c.g, a court of law)hands down mandatory terms of resolving the conflict. This strategy works best for.

Third-party decision-making styles: The "third-party decision- making", takes place when third parties acting on behalf of the larger society (e.g, a court of law) hands down mandatory terms of resolving the conflict. This strategy works best for resolving community conflicts in societies where the rule of law has not brokendown as in several parts of the developing world

Joint Problem Solving: The fourth conflict handling style is what is technically referred to as "joint problem solving". It refers to the situation in which parties to a conflict either by themselves or through the assistance of a third party, find solutions to their problems in a cordial environment. Problem solving procedure according to Otite and Albert (2001) is non-judgmental and highly participatory in character. It promotes co-operation between antagonists who jointly analyse the structure of the conflict and carefully work out strategies for reconciling with

each other. The dominant question in a problem-solving setting is: "How can the parties to a conflict peacefully work together in the community they both own and share with one another? How do the groups develop rational empathy? Or to be more specific, how do the two cultures merge into the production of a "third cultures". This approach is popularly considered to be the best method of dealing with conflict, as its outcomes are usually self-supporting in the sense that it is advantageous to all parties in the dispute (Albert,2001).

Traditional Mechanisms for Conflict Resolution.

It is not a misplaced statement emanating from the sad experiences of African societies today, to say that the abandonment of utility laden traditional methods of bargaining and conflict resolution for foreign models, is largely responsible for the multiplicity of avoidable (violent) conflicts all over the continent (Nwolise, 2005).According to him a mere land dispute between two families or communities leads to murder and destruction of hundreds of houses and killing of several people today; whereas, in traditional Africa, the systems put in place to monitor, prevent, manage and resolve conflicts would have readily prevented such wanton damage.

Each people, race or identity group had (and have) their own ways of doing things, especially as these concern conflict management and resolution. While in Europe, for example, the police is an agency of crime detection, several African societies relied on oath-taking and divination in pre-colonial times. As rightly observed by Nwolise,(2005) these methods still thrive today in some areas on a very limited scale alongside police torture and skull breaking in the name of interrogation and confession extraction. Also, while the Western world place emphasis on commissions of enquiries, constitution and court system presided over by lawyers and judges, Africa uses council of elders, King's court, people's (open) assemblies, etc, for dispute settlement and justice dispensation.

i)   **The Council of Elders**

The symbolism of authoritative decisions associated with elders' cultural trusteeship and customary practices, has sustained conflict

resolution and management in Nigerian societies. The constitution of King-in-Council or of village or town councils and their legitimacy of interventions in conflict situations, are well known events in Nigeria, especially in the rural areas. The elders according to Otite and Albert (2001) may not have physical power to enforce decisions but they rely on leaders of the various age-grades or youth associations to bring about and monitor peace on the basis of the negotiated terms in particular conflicts, or of the known institutionalized forms of conflict management. Kings and chiefs of various designations and statues, practice their indigenous cultures admirably in resolving, managing and transforming conflicts within and between their domains. Yet, those who disagree with the verdict of these functionaries proceed freely to settle their conflicts in the modern westernized sector ,for example the courts.

Town councils are also agents of conflict prevention, resolution, transformation or management within and between their communities. The basis forth is mode of intervention is the people's surviving confidence, trust and reliance on culture as a means of rallying and mobilizing people to behave in patterned ways, a condition which can thus be used to handle conflict problems at the ethnic or inter-ethnic levels.

ii)   Supernatural Forces

Africa is represented by a diversity of cultural and religious practices. This diversity affects the approaches to dispute and conflict resolution in traditional setting. Generally, the approach would tend to differ from the Western alternative resolution in several respects. Even then, in Africa itself, the approach may also differ from one culture to another. These traditional religious practices and beliefs are still strong even among practitioners of Islam and Christianity in Nigeria.

The world of the ancestors is an extension of the world of the living and the supernatural beings are part of the Nigerian systems of thought. Ancestors and predecessors, royal and non-royal, like other deities and shrines, are believed to impose decisive rightful verdicts in controversial issues of conflict within and between communities. In the words of Otite and Albert, when Kola, drinks, food, etcare shared and prayers said to settle disputants in land, farm and feuding conflicts, participants from all the parties, involved regard such disputes and conflicts to be finally settled with divine sanction. Such conflict settlement terms, are generally accepted and obeyed for fear of negative sanctions, such as deaths or affliction with bad and incurable diseases from the spirit world.

iii) Shrines

Shrines and oath-taking are vital tools for social control in Nigeria, especially in conformity with simple rules, order and mobilisation towards development. Although, traditional mode of worship may differ from one community to the other, it helped to maintain peace and order. Besides setting socially approved values and norms which the people had to comply with, such total compliance provided a common forum for understanding each other, thereby ushering in peace and unity. Considering the importance attached to the shrine in traditional societies, meetingsare usually held in front of them as signs of honest commitment to resolutions so passed.

iv) Oath-taking

Oath-taking is closely associated with traditional religion (whereby people are made to swear to the divinities/cult of ancestors) as a means of compliance with resolutions and exoneration from allegations. Through oath-taking before these shrines scattered all over the communities in Nigeria, people come out in their true nature and comply with the prevailing norms and values. The traditional formula which led to the peaceful resolution of the Aguleri-Umuleri-Umuoba-Anam war, involved oath-taking, declaration of "No more war" peace treaty and the performance of a cleansing ritual. The oath which is binding one very indigene of the participating communities, was taken to the effect that the parties accept peace and there would be no more war and bloodshed amongst and between the five communities.. Violator of this oath would face the wrath of the deities present and the ancestors, who in the presence of God constitute the source of moral sanctions and peace guarantors (Nwolise, 2005).

v) Divination

Divination is a process of gaining secret knowledge about the past, present or future by calling on the aid of spirits or by looking for supernatural signs (Womack, 1998).Divination is also used both for diagnosis of social conflict and social control. Through divination therefore, the social tensions and anxiety over seemingly unpreventable conflicts are deflected away from the group by attributing the danger to supernatural agents. Besides the power of the rites of passage and rites of intensification to reinforce group solidarity, all societies, go through times of conflict or crisis when the fragile social bounds seems about to break apart. Wars, illness or natural disaster may threaten the ability of group members to interact with each other. At these limes, it may become necessary to identify the sources of tensions and restore order.

Findings/Lessons learnt from Traditional Mechanisms of Conflict Resolution

1. **Speed-** The traditional mechanism of conflict resolution is much quicker**.**
2. **Adversarial-** Court proceedings are adversarial and about winning not losing, whereas, the traditional method of conflict resolution is about finding possible solutions to disputes**.**
3. **Privacy-** A clear advantage of alternative dispute resolution (ADR) is that the methods used are private and this may be an important factor if commercial reputations are at risk.
4. **Choice of Tribunal-**It is the parties who decide who comes in as a third party, unlike litigation where they have less or no power at all over who listens to them.
5. **Flexibiliy and Simplicity of Procedure-**In litigation, complex and rigid court procedures are employed which they have less or no power over.

Reforms on Alternative Dispute Resolution

1. Adequate preparation should be made by obtaining all relevant facts and evidence.
2. Establish ground rules to be followed by all parties.
3. Define issues in dispute.
4. Identify the parties interest.
5. Search for common grounds.

6. Generate options.
7. Attempt to achieve consensus.
8. Put agreement into writing.

Conclusion

From the foregoing, we have been able to highlight the fact that there are approaches to the peaceful resolutions and transformation of conflict situation in Nigeria. While the African especially Nigeria may apply some of these traditional methods, they also increasingly employ the western methods of various dispute resolution.

It has however been argued that the abandonment of utility laden traditional methods of bargaining and conflict resolution for the foreign models, is largely responsible for the multiplicity of avoidable (violent) conflicts all over the continent of Africa. Before the coming of the Europeans to Africa, Africans had their peculiar methods of monitoring, preventing, managing and resolving conflicts. As Nwolise (2005)rightly noted, they also had their peculiar ways and manners of effecting peacemaking, peace building and confidence building. Those very peculiar and effective methods have today been adulterated and in some areas, wiped out by the forces of colonialism, including religious psycho-war forces. The result to him, is ubiquitous violence, which lead to instability and retard development. Dialogue between disputants is today replaced by fighting and the mediating role of elders and other more peaceful institutions as age-grades highly revered in societies, are replaced in several cases with police action (tear gas), military "peace keeping operations and endless court proceedings. The admonition of the President of South Africa, Mr. Thabo Mbeki while on a working visit to Nigeria, is very instructive on the issue. While lamenting the conflict situation in Africa and the failure of contemporary methods which are essentially Eurocentric, he pleaded that Africa should adopt new ways of conflict management and resolution which would be more effective and efficient than what is now operated as inherited from the European colonial masters.(Abu, 2003)

No matter how modest it might be, this paper wishes to join the voices and leaders including those in Nigeria to fund in-depth researches into Africa's traditional methods of conflict

monitoring, prevention, management and resolution efforts of African people both at home and abroad. Relevant aspects of these methods should be adopted and incorporated in our modem frameworks and mechanisms for a more peaceful, orderly, lawful and harmonious society, which can support and act as catalyst to the overall development in Africa particularly in Nigeria.

References

1. Abu Bakarr, B. (2003), Ethnic Conflicts and Management Strategies in Bulgaria,Sierra-Leone and Nigeria. PEFS Monograph 3. Ibadan; John Archers Press.

2. Akpomuvie, O. B. & Forae, F. O. (2006), Ethnic/Communal Conflicts in Nigeria: Types, Causes and Consequences. Nigerian Journal of PoliticalScience.10.(1&2).

3. Albert, I. 0. (2001), New Directions in the Management of Community Conflicts in Nigeria: Insights from the Activities of AAPW". In: Otite, O.and Albert, I. O. (eds), Community Conflicts in Nigeria. Ibadan:Spectrum Books limited.

4. Albert, I.O. (2001), Introduction to Third-Party Intervention in Community Conflicts. Ibadan; John Archers (Publishers) Limited.

5. Avruch, K & Black, P W. (1993), "Conflict Resolution in Intercultural Settings: Problems and Prospects" In: Sandole, D.J.D and Merwe, H (eds), Conflict Resolution Theory and Practice, Integration and Application Manchester: University Press.

6. Burton, J. (1990), Conflict Resolution and Prevention. London: Macmillan

7. Dokun, O. 0.P. (2005), Conflict and Context of Conflict Resolution. Ile-Ife:ObafemiAwolowo University Press Limited.

8. Heliriegel, D et al (2001), Organizational Behaviour. Canada; South Western College Publishing.

9. ldowu, W. (2005), A. Philosophical Analysis of Conflict in A frica. In: Albert, I. O. (ed), Perspectives on Peace and Conflict in Africa. Ibadan: ArchersPress

10. Imobighe, T A. ct al (2002), Conflict and Instability in the Niger Delta: The Warn Case. Ibadan: Spectrum Books Limited.

11. Jeong, H. W. (2000), Peace and Conflict Studies: An Introduction, Aldershot, Ashgate.

12. Lederach, J. P. (1995), Preparing for Peace: Conflict Transformation Across Cultures. New York: Syracuse University Press.

13. Lederach, J. P. (1997), Building Peace: Sustainable Reconciliation in Divided Societies. Washington D.C: United States Institute of Peace.

14. Miller, C. A. (2003), A Glossary of Terms and Concepts in Peace and Conflict Studies. Geneva: University for Peace.

15. Mitchell, C. & Banks, M. (1996), Handbook of Conflict Resolution: The

16. Analytical Problem-Solving Approach. London: Pinter

17. Moore, C. W. (1996), The Mediation Process: Practical Strategies for Resolving Conflicts. San Francis co: Jossey Bass Publishers.

18. Nwohse, O. B. C. (2005), "Traditional Models of Bargaining and Conflict Resolution in Africa. In: Albert, 1.0. (ed), Perspectives on Peace and Conflict in Africa. Ibadan: Archers Press.

19. Otite, O. (2000), Ethnic Pluralism Ethnicity and Ethnic Conflicts in Nigeria. Ibadan: Shaneson C. I. Limited.

20. Otite, O. (2001), "Aspects of Conflicts in Theory and Practice in Nigeria". In:

21. Otite, O and Albert, I. O. (eds), Community Conflicts in Nigeria. Ibadan Spectrum Books Limited.

22. Paul, C. &Anke, H (2002), Greed and Grievance in Civil War. Oxford: Centre forthe Study of Economics.

23. Paul, C. &Anke, H. (2004), Military Expenditure in Post Conflict Societies. Oxford University: Centre for the study of African Economics.

24. Rupensinghe, K. (ed) (1995), Conflict Transformation. London: St. Martin'sPress.

25. Shedrack, G. B. (2004), Protracted Communal Conflict and Conflict Management. The Bassa-Egbura Conflict in Toto Local Government Area, Nasarawa State, Nigeria. Ibadan: John Archers Press.

26. Shedrack, G B. (2005), Introduction to Peace and Conflict Studies in West Africa. Ibadan: Spectrum Books Limited.

27. Suberu, R. T. (2003), Ethnic Minority and Governance in Nigeria. Ibadan: Spectrum Books Limited.

28. Wilmot, W.W. (1998), Interpersonal Conflict. Boston: McGraw Hill Companies.