

Traditional and Western Methods of Conflict Management in Aguleri/Umuleri, 1933-2010

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Abstract

Pre-colonial Igbo communities were faced with conflicts and these conflicts have always been resolvable through traditional methods for conflict resolution. These methods were instrumental for the facilitation of peace and harmony during this period as conflicts occurred at lower threshold resulting in few deaths. That notwithstanding, Igbo communities have always preferred peace to conflict as they had in place a traditional system of preventive diplomacy to resolve a potentially violent situation from escalating. With the imposition of the colonial system of conflict resolution in Africa, however, there occurred a considerable alteration. This situation was the case of Aguleri/Umuleri in Anambra State of Nigeria. The end of the cold war did not help matters either as Igbo culture was riddled with the scourge of violent intra and inter-state conflicts which have defied the western methods of conflict resolution. The attendant failures of these western methods to effectively resolve Aguleri/Umuleri conflicts have brought to the fore the imperative for the search for alternative or more appropriately complimentary methods to fit into the indigenous situation and to address the root causes of conflicts in the land. And, this condition has resulted in the demand for the traditional conflict management resource. It is therefore within this context that the study of the African traditional methods and institutions for conflict management has become imperative. Against this backdrop, this paper seeks to underscore the ultimate goal of traditional African methods of conflict management as against western methods. The paper has elected to do a comparative study of the traditional and western methods of conflict management in Nigeria with the age-long Aguleri/Umuleri

conflicts as a case study. For an effective and successful analysis, the paper adopted the Marxian theory. The paper discovers that there is a marriage of both the traditional and western methods of conflict resolution that has altered the early stability enjoyed in the area. The paper therefore, recommends that African people should evolve a hybrid-like conflict resolution culture derived from both western and traditional conflict resolution techniques because we live in a globalizing world.

Introduction

The African continent is currently plagued with conflicts ranging from communal clashes, ethnic and religious conflicts, insurgencies, border and boundary disputes, civil war and terrorism. Over the years, the various processes of de-escalation of armed conflict have involved largely the use of western colonial tools for conflict management which entailed the use of established western formal methods. These include the deployment of military forces, the use of peace keeping operations, judicial commissions of enquiry, high profile international negotiations under the auspices of international and regional organisations. In the case of African situation, western methods of conflict resolution hardly suits the social conditions on ground and completely excludes traditional methods which embraces the various aspects of peace processes ranging from preventive diplomacy, peacemaking, peace keeping to post conflict peace building.

As a result of this development, the western methods of conflict resolution have failed to recognise and address the root causes of violent conflicts in the African continent and as a result, attacks and counter-attacks, bloody clashes, threats and counter threats and insecurity of lives and properties have multiplied exponentially in the African continent. The activities of armed non-state actors and terrorists using highly unconventional means of conflict resolution have added another dimension to the state of insecurity, as contemporary African States are faced with new forms of conflicts to be resolved.

Accordingly, Joseph H.P. Golwa brilliantly posits that in Nigeria, for instance, the well threaded path of responding to armed conflict has been the dispatch of trigger-happy troops to the conflicts theatres. According to him, troop deployment is crucial for crises management, provided there is a robust political framework in place to address the

root causes and programmes in place for transforming the conflict on to non-violent spheres.¹

Theoretical Framework

The theoretical orientation of this study anchored on the Marxist theory and as such it is important to look into the basic assumptions of this approach to provide a base for the realization of the objectives of this research work. The central area of focus from this perspective is; the classes that exist in society, inequalities of society and how society functions to serve the powerful class and disadvantage the others, thereby causing conflict. The two classes that are in conflict are broadly taken into the ruling capitalist class and the peasant working class which aim to further their interests at the expense of the other group. Bordering these two classes are the small business owners which Marx referred to petty bourgeoisies. These groups are subject to either joining the working class or becoming part of the capitalist class if sufficient surplus is accumulated. Social surplus contributes to conflict in societies where classes exist and the struggle for control over profit. Thus one appropriates it and the other produces it.²

It is towards this direction that Karl Marx, through his historical materialism briefly stated in the context of this research as in Marxist sociology of conflicts which lay emphasis on two points; Human societies are whole or systems of interrelated parts i.e. institutions, belief etc and that human societies are always changing, through internal contradictions and conflicts. Marx emphasized the factor of the economy which he elaborated in social stratification of inequality in society, which he used to explain the power play and antagonism between two conflicting classes of interest, the capitalist and the proletarians.

The capitalists are the people who own and operate means of production in pursuit of profit and the proletarians are workers who sell their labour for wages. The mutual dependency of the two classes is not a relationship of equal or symmetrical reciprocity, instead it is a relationship of the exploiter and the exploited, the oppressor and the oppressed. Marx conflict theory draws attention to the power differences and the inequality that generate conflict and revolution as he maintained that contrasting class interests are central determinant of social process and therefore the potential for class conflict is inevitable. Accordingly, Halliday to further elaborate Marxist theory of

conflict, posits that conflict is a historical and social concept, pertaining to relations between different classes and social groups, and generated by differences in socio-economic positions, conflicts is not only inevitable given inequalities in wealth and economic position, but also a major dynamics factor in the politics of the international system as well as in the individual societies. The culmination of such conflicts can take place in one of two ways, or in a combination of the two; war and revolution. If these tenets of historical materialism is extended to the international scene, Halliday argues, then it suggest that the central concern of international relations becomes not security, and the actions of the nation states directed to defending and enhancing it, but rather conflict, and the ways which this is generated, conducted, and resolved. Hence in dealing with the conflicts as concerns the African and the third world situation it is imperative to reconsider Marxism, to appreciate its considerable strengths and learn from its undoubted weaknesses.³

Marx sees capitalism as a bondage which people struggle to be liberated. Therefore Marx's inside out analysis of capitalism leaves no doubt to the plight of the African and third world states in the face of ravaging and underhand capitalism and the conflicts it generated, which eventually compounded Africa's woes and conflict resolution.

The Aguleri vs Umuleri Conflicts

Background to the Conflicts

The two communities are located along the coast of river Anambra a tributary of river Niger and they are Located 32 Kilometers from Onitsha the commercial center of Anambra State, under the colonial administration, both communities were under the Onitsha district and today they are under the present day Anambra East Local Government with headquarters in Otuocha the strip of land at the center of the conflict jointly owned by the Aguleri and Umuleri communities.⁴

The origin of the Aguleri and Umuleri conflict is traceable to the process of imposition of colonial rule and the attendant subjugation of the various African communities and their institutions that have direct consequences on the process of the socio-economic well being of the people. The colonial intrusion and meddlesomeness into the affairs of African communities especially as was made visible in the case of Aguleri and Umuleri communities laid a foundation for the Aguleri and Umuleri conflict. The Activities of the European trading companies

specifically in this case the Royal Niger company, the Colonial administrators with the assistance of the colonial Christian missionaries operating within these communities in the 19th Century played an all important roles in generating ill-feelings and mistrust among and between these two conflict actors. The subsequent destruction of established traditional structures and methods that were in place for conflict resolution within these communities and their replacement with western method of adjudication and conflict resolution gave added impetus to the conflicts.

The epicenter of the conflict lies on the land in Otuocha jointly owned by the two communities, which the Royal Niger Company bought from the Umuleri communities in 1898. While the colonialist saw the sale of the land as perpetual transfer of right of ownership of the land to the Royal Niger Company, the leaders of Umuleri communities held different interpretations of the agreement and such the colonialists were able to hoodwink and deceive these community leaders to part with their community's valuable asset. It should be noted that these leaders were neither educated nor tutored to understand European legal norms and the legal implication of entering into such agreement on behalf of their community and as a result lost control of their lands to the ravaging colonialist and this was a major catalyst to the conflict that lasted for over a century.⁵

By 1900 at the onset of colonial administration, the British colonial government revoked the power and authority of the Royal Niger Company through the land Transfer Ordinance of February 25 1916 which facilitated the transfer of the land titles of the Royal Niger Company to the colonial government. Section 2 of this ordinance effectively transferred the land the Umuleri community sold to the Royal Niger Company in 1898 to the Governor General of Nigeria. This meant that the land automatically became a British government property and this brought about different interpretation of the provision of the Ordinance by the Umuleri and Aguleri communities. While the Aguleri saw the ordinance as an opportunity to reclaim the land, the Umuleri community also saw it as an opportunity for the control of the land. It was this growing pecuniary interest in Otuocha land that further escalated to skirmishes, violent confrontation, competition, rivalry and struggles that culminated to various legal tussles and litigations starting from 1933 that eventually led to the Aguleri and Umuleri conflicts till 2010.⁶

Management of the Conflicts

From the onset of the conflicts, colonial administrators were not interested in achieving peace within these two communities. This is true because colonialism in the first place lacked legitimacy among the African communities as it was seen as a foreign force that relied heavily on brute force, extensive violence and divide and rule in relating with its subjects. Again, colonialism relied on plethora of laws, rules and regulations that are strange and alien to the people as the people were neither consulted nor their opinions sought before making these laws. The laws were not properly interpreted to the people either and as a result of this what was obtainable was a complete alienation of the people and arbitrariness in the implementation of these laws by the colonialist. Little wonder that this was the case of the Aguleri/Umuleri conflict when in 1934 policemen were dispatched to quell the clash between these two communities who had long lived in peace before the advent of colonialism and as such litigation was the only option opened to the two communities to resolve their differences.⁷

Thus, the Aguleri and Umuleri communities got entangled in almost endless circle of litigation and counter litigation between 1920 and 1959 when the Privy Council in London disposed of the case without awarding the land to Aguleri or Umuleri. This episode represents the obvious weakness of the western method of conflict resolution bequeathed on the new Africa states by colonial administration. It is painful that subsequent Nigerian Governments after independence in 1960 did help matters as it adopted the underlying philosophy of the western colonial method of conflict management with its inherent flaws which involves a top-bottom approach of dealing with conflicts comprising of treating the conflict from the surface rather than addressing the root causes of the conflict and as much as possible resorted to confronting violence with greater violence, drafting of policemen and soldiers to quell conflict situation with the express instruction of shoot at sight of conflict actors and in some cases set up of judicial commissions of inquiry into the conflicts.

The point being made here is that no structures were put in place by the various Nigerian Government to explore a bottoms-up approach aimed at peace building, reintegration and finding lasting solution to the conflict hence the western method of litigation was allowed to drag

until in 1978 when the supreme court dismissed the case again without awarding the land to any of the conflict actors.

Following the 1995 Aguleri/Umuleri conflict, the military government of Anambra State under Colonel Mike Attah instituted a commission of inquiry into the conflicts headed by Justice Moses Nweje that recommended the clear demarcation of the Aguleri/Umuleri boundary lines but this recommendation was not implemented by the government of Wing commander Emmanuel Ukaegbu who was not keen about implementing the white paper. It was this failure to implement this recommendation that resulted in the devastating conflict of 1999-2000 leading to terrible consequence of wanton destruction of lives and properties.

Accordingly, Nwolise acknowledged the effort of the traditional rulers and leaders of thought with the encouragement and support of the state government that led to the application of the traditional formula which led to the resolution of the conflict. This formula involved oath taking and the declaration of “No More War Peace treaty and the performance of a blood cleansing ritual call Iko Mmee”. To give their declaration a spiritual force, all signatories to the agreement and members of the group took oath at the Ngene Awka Shrine to abide by the terms of this agreement and the oath was binding on every indigene of the participating communities and violators of the oath faced the wrath of the deities and ancestors.⁸

Conclusively, the oath taking brought about amicable settlement and relaxed the long standing tension between the two communities and provided the way for the restoration of peace reconciliation and social harmony with the conflict actors and this confirms the indispensability of the time tested, weather beaten and utility laden traditional method of conflict resolutions in resolving Africa conflicts.

Characteristics of Traditional and Western Methods of Conflict Management

The attendant failures of the western method of conflict resolution in finding lasting solution to conflicts especially within the African continent have brought to the fore the imperative of looking for an alternative method of conflict management and resolution to soothe the ravages of conflict in the continent. Thus this situation has opened up new debates, researches, and discussion on the need to revisit the traditional methods

of conflict management with the hope of making them an essential part of the arsenal in the management and resolution of contemporary conflicts especially within the African continent.

Oshita posits that doubts about the effectiveness of modern approaches to conflict prevention and resolution led to a search for alternatives or more appropriately complementary mechanisms. Within the dynamism of the African societies in the globalizing world, it is increasingly acknowledged that such a mixture has become both necessary and imperative. At the same time, the adoption or adaptation of traditional approaches as an appropriate response to new crises situation must take cognizance the uniqueness of each traditional method to its immediate society, history and culture.⁹ To this end, the South African example i.e. the South African Truth and Reconciliation Commission (TRC) with the principle of amnesty for truth was established after the collapse of the apartheid regime in South Africa to deal with the reconciliation of the South Africans in order to reconcile their painful past.

As a result of the foregoing Archbishop Desmond Tutu; Chairman of the South African Truth and Reconciliation Commission argue that Western-style justice does not fit with traditional African jurisprudence. It is too impersonal. The African view of justice is aimed at the healing of breaches, the redressing of imbalances, the restoration of broken relationships. This kind of justice seeks to rehabilitate both the victim and the perpetrator who should be given the opportunity to be reintegrated into the community he or she has injured by his or her offence.¹⁰

As part of this development, many African states as part of their peace building and reconciliation efforts are now turning their attention to the abandoned utility-laden indigenous methods of dispute resolution and reconciliation as against colonial imposed method that is exogenous and alien to culture, traditions and practices of the various African societies and communities. This is the case of the Gachacha courts in Rawanda, the Mato Oput process in Northern Uganda, to mention but a few.

It is on this premise also that Kofi Annan the former United Nations Secretary General officially acknowledged the evolution, value and essence of traditional methods of conflict management in his August 2004 Report Titled: “The Rule of Law and Transitional Justice in Conflict and Post Conflict Societies” where he maintained that: due regard

must be given to indigenous and informal traditions for administering justice or settling disputes, to help them to continue their often vital role and to do so in conformity with both international standard and local tradition.¹¹

Therefore, given the volatile nature of the contemporary African conflicts and their devastating effects on the political, social and economic lives of the African states and its development.¹² There is an urgent need for a more comprehensive, appropriate and relevant approach that addresses the underlying and root causes of conflicts within the African continent as wrongs committed in any particular state are best dealt with by those who are familiar with their root causes and the parties involved. Therefore, the academic context for this research is to make an empirically based assessment of the differences in the characteristic of the western methods of conflict management and the traditionally based methods in dealing with African conflicts.

This is highly imperative as the current efforts in seeking lasting solution to conflicts in Africa at the international levels relies more on regional and international mediation and peace keeping efforts.

Table 1: Traditional and Western Methods of Conflict Resolution

Traditional Methods	Western Methods
1. Not universally known for the simple reason that they are community initiated and community organized and are unique and endogenous to various cultures and societies that practice them. In other words, context specific and subjectivity of cultures makes it impossible for a single generally accepted traditional principle or approach that is pan – African in nature.	1. Conventional and imposed through colonialism therefore is exogenous and universally known hence not necessarily context specific and therefore its application comprises of status or cases that were generated by courts and other Institutions of states who have prerogative for enforcement of the rules. Therefore sizeable components of western methods are initiated by the states authorities and the assumption of universality has serious consequences for western method of Conflict Resolution efforts working in non western societies.

<p>2. They are predominantly informal, home grown, locally owned and culturally embedded norms, institutions and processes which have origin in customary practices developed through evolutionary processes which evolve progressively over a long period of time by means of socialization process of community or society whose member internalize this norms, processes and institutions and make them more acceptable to African societies.</p>	<p>2. Western methods are prototypes and follow a formal standardized pattern, procedures and precedence and therefore have universal application under the shadow of state control and as such are closely bound to western society who ensures that it is a universally accepted standard.</p>
<p>3. Emphasis on restorative justice which includes reconciliation, restoration of relationships between parties and conflict actors. Its goal is aimed at compensation for losses, healing of breaches, addressing imbalances restoration of broken relationships to rehabilitate and reintegrate conflict actors and repairs the damage inflicted on the victim, To restore a balance and to settle and eliminate future conflicts.</p>	<p>3. The focus is on retributive or punitive justice which its principles and procedures such as mediation and arbitration which have formal standards hence applied universally by those who train in them and accords full priority to prosecution and trials. Also more attention is given to the offender or perpetrator and the victim. Here the duty to prosecute is a stronger argument than the many contingencies and peculiarities the local context creates and punishment is meted on the offender for deeds or wrongs done.</p>
<p>4. Emphasis on truth telling and voluntary admission of wrong doings, the acknowledgement of guilt by the offender while acceptance and responsibility is a crucial element of the traditional method of conflict resolution which focus on emotion and relationship of conflict actors and factors in conflict. It is deeply rooted in spirituality of the people and the subjectively of their Cultures.</p>	<p>4. Western method relies on information available or evidence to arrive at the expected outcome of the trial which must be guilty or not guilty and evidence may be tampered with or destroyed and lack of proof automatically will lead to acquittal of a well known offender. Also trials may incite a well known offender to destroy evidence. Therefore this method does not focus on emotion and relationship of conflict actors and factors of conflict. It is arbitrary in application and seriously damage the victims trust in the whole system.</p>

<p>5. The ultimate goal of traditional method is reconciliation of conflict actors, lasting peace, restoration of social harmony including tendency to forgive and forget.</p> <p>While truth seeking through ritual public narrative is extremely important by developing conditions that are conducive for the conflict actors to engage with the past.</p> <p>Therefore, guilt and punishment, victim hood and reparation are viewed as collective and the offender must repair the damage they inflicted through compensation and reparation to individual family or community.</p> <p>While the community accepts responsibility for the deeds of a particular actor or engage in the healing process.</p>	<p>5. Western methods are much more offender oriented and do not give the victims the much needed attention they deserved in order to be healed of injustices they suffered and the real major risk is that this situation will eventually kill the prospects of peace.</p> <p>Therefore, western methods are designed to identify individual responsibility while trials and prosecution only recognize criminal guilt and not moral responsibility. Also the culture of denial in the western methods of trial and prosecution of offenders prevents victims from getting the desired justice.</p>
<p>6. There is a high degree of public participation and sharing of experiences, inclusiveness of participation and dialogue which ensures indigenous transparency and accountability, community focused outcomes and greater sense of unity and identify to pursue collective social and development peace objective which is essential for the restoration of relations of trust, harmony, and social cohesion which are basic ingredient for peace building especially after a violent conflict. All these impact positively on the community as members of the community act as witnesses, to sanctions, agreements reached and ensures compliance are achieved through a high degree of social pressure. The resultant consensus from the above can lead to win – win outcome.</p>	<p>6. Western method is much more distanced from the conflict actors and the procedures do not provide for inclusiveness since cases are confined to conflict actors and leaders of the conflict are prosecuted or defended by lawyers who represent conflict actors.</p> <p>The resultant outcome is win – lose situation that can be appealed to higher court while relations remained strained. This is the case even at the international level at the international criminal court based at Hague. The perception of the distance of internationally constituted tribunals to try war crimes and other cases from different countries where victim populations from these countries lack direct access to these tribunals. This situation obstructs the cause of justice and calls for question the basic legitimacy of such international judicial institutions for</p>

	effectively delivery of justice while dealing with local conflicts and war crimes arising from local conflicts. Therefore, it is important that wrongs committed in any particular country are best dealt with by those who are familiar with the root causes.
7. The processes of traditional methods are peoples and community initiated and driven by civil society actors, the community based processes initiated by Religious leaders, women groups, youths association, family, friends and neighbors age grades. While guilt and punishment, victimhood and reparation are viewed as collective in most African societies.	7. The western method is state initiated and state sponsored and the techniques processes, management and administration is strange to the people and as such there has been mixed feeling of distrust due to many of the inadequacies in its implementation and because of this situation conflict actors do not easily open up to dispute resolution mechanisms that are alien to them as conflict actors tend not to respect its outcome and the conflict has the potential of erupting again and again.
8. They are cheap and affordable to anybody seeking justice irrespective of social class or financial status.	8. There is a general disconnection with the western method of conflict resolution and the people as it is not people friendly, it is fundamentally competitive, time consuming through rigorous processes and procedures and expensive through the payment of professional and legal representation, payment of filing fees, payment for legal representation and the conflict actors do not remain friends again in after the determination of issues between them.
9. They are easier to operate and less time consuming especially in conflict form communities/societies as a result may be achieved faster though may be temporary leaving room for further negotiation and revision within the context of same community.	9. They are cumbersome, time consuming, energy sapping involving a long process of litigation and court processes with frequent delays and adjournments of sittings and is subject to corruption.

<p>10. Achieved peace hardly collapse easily because of fear of possible obvious consequences (sometimes even death) that may befall the party that crosses to break the agreement. In other words achieved peace is easier to enforce without fear or favour.</p>	<p>10. Achieved peace is most times fragile and unsustainable and is easier to relapse to outbreak of violence because of the consciousness of existing window of appeal to higher body that may be sought. In other words, achieved peace document is not easy to implement and prospects for a successful conflict resolution and sustainable peace is often not guaranteed because it is vulnerable to political manipulation and corruption.</p>
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Source: I Echebiri, 'Aguleri Conflicts', Ph.D Seminar presented in the Dept of History & Int'l Studies, Nnamdi Azikiwe University, Awka, 2016.

Conclusion

The attendant failures of the western method of conflict resolution in addressing contemporary African conflicts and the need for an alternative method of conflict prevention and resolution that will certainly address the underlying and the root causes of African conflicts with the hope of making them a major and acceptable tool in conceptualizing and resolving contemporary African conflicts and building a lasting peace in the African continent informs the overall idea that gave birth to this research efforts.

Given this development therefore, it is the view of this study that, African conflicts had its origin in traditional African societies and this suggest that as conflict is peculiar to other human societies so also conflict is inevitable to indigenous African societies. Therefore, African societies regard conflict as an inevitable aspect of their social, economic and political interactions. But, its impact on social, economic and political development of their various communities and as such traditional methods of conflict resolution in African setting had a spectacular features uncommon to the western methods of conflict resolution and the notable features of traditional methods were tailored towards equitable distribution of justice and the maintenance of peace and harmony. Thus, one can safely conclude that in the pre-colonial era, conflicts in the various indigenous African communities have always been resolvable. The most crucial component of traditional method is

truth telling which has become an indispensable and essential ingredient of conflict resolution in almost all African societies and communities. Regrettably, it is sad and painful to note that traditional method of conflict resolution is gradually fading out. While so many of them have been lost to the modern state system, other notable influences on the changing pattern of traditional methods of conflict resolution include the influence of foreign religions and western education which have created a new institutional framework for conflict resolution within the African states, while most other institutional framework for conflict resolution has been swept away by the forces of globalization.

Based on the foregoing analysis, African indigenous conflict resolution approach should be blended with western conflict resolution techniques. Though, only those aspects of western conflict resolution approach that can easily be adapted to Africans should be encouraged. This interaction is necessary on the ground that in a globalizing world of ours, isolation should be replaced with building cultural hybrid on every aspect of a people with their outside them.

Endnotes

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