Traditional Multiple Level Conflict Resolution and Appeal Systems of the Igbo Group of Southeast Nigeria and the Challenges of Social Change

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Abstract

Every society, regardless of their level of socio-economic and political complexity, requires some degree of peace and order to remain a cohesive social unit and for attainment of her cultural, economic and socio-political goals. This explains why structures and mechanisms that check social behavior, minimize or resolve conflicts, and generally maintain peace and order constitute important cultural universals prominent in both primitive and modern societies. This review paper anchored on structural functionalism was thrust on four key objectives. First, it examined forms of conflict that characterized traditional Igbo society. Secondly, it discussed the nature and roles of extant systems of conflict resolution in addressing and resolving such conflicts. In this particular regard, the paper appreciated the hierarchal nature and multiple levels of conflict resolution or appeal platforms which aggrieved parties in the Igbo nation took advantage of. As third and fourth concerns, the paper compared Euro-American systems of conflict resolution with those of the Igbo group and examined impacts of social change on those traditional modes of conflict resolution. Specifically, urbanization, western education, new technologies, colonial experience, Christian religion and globalization have affected traditional models of dispute settlement in a number of ways. The author however noted that despite impact of aforementioned factors, that traditional conflict resolution systems of the Igbo group have remained resilient. They are still widely accepted and have consequently undergone some modifications instead of total decay. This paper thus strongly recommended a policy thrust toward strengthening Igbo traditional conflict resolution systems. The need for complimentary synergistic relations between such traditional conflict resolution systems and new western model was also emphasized. Such an arrangement will stimulate adequate resolution of most intra group social conflicts, boost cordial social relations, group conformity, social cohesion and overall attainment of set goals even in this era of modernization and globalization.

Keywords: Conflicts, Traditional Conflict Resolution Systems, Social Change, Social Cohesion, Peace and Order

1.0 Introduction

Every society requires some degree of peace and order to remain a cohesive social unit and for attainment of her cultural, socio- economic and political goals. The immense role of peace and order to growth and development of any society cannot be overemphasized. Nonetheless, such importance of peace and order does not deny or totally discredit the fact that dispute situations also make positive contributions to society. Indeed, dispute situations when carefully examined, are not mere pathological phenomena. They could be culturally symbolic and or intended to stimulate or resist social changes which eventually benefit human society in a variety of ways. This is a constructive or positive aspect of conflict.

 In recent times, the increasing frequency, intensity and spread of violent, destructive conflict are a major source of worry to the global community, governments, communities and individuals. Similarly, in a multi-ethnic and multi cultural setting like Nigeria, unresolved conflict situations now constitutes dominant part of intergroup relations which adversely affect overall socio-economic development of the nation. Such recurrent conflicts at global and national levels raise doubts about the efficacy of modern conflict resolution initiatives. This is against the backdrop of the well known fact that arrangements for conflict resolution and maintenance of peace and order are cultural universals across primitive and modern societies. The current preponderance of conflicts within and across communities and nation states were not typical of traditional societies and could be related to lapses in contemporary schemes.

However, in societies where persistent destructive disputes dominate, social harmony or group consensus becomes difficult to achieve and anarchy may prevail. To guard against such development, dispute settlement structures are usually intricately woven into the socio-political life of every society. This is also true of the traditional Igbo group of Nigeria. Such structures are enveloped and constitute core part of social institutions. They are dependable tools for societal survival as social collectives. They also represent safety valves for re-generating or re-building social ties and group solidarity when conflicts destabilize or puncture the status-quo.

Unfortunately, despite the importance of conflict resolution structures and legal institutions to every society, early Euro-American visitors to Africa (missionaries, explorers, traders and some arm-chair anthropologists) grossly discredited traditional African societies to have had no such arrangements. Using western forms of conflict resolution structures or legal institution as basis of analysis, they wrongly labeled traditional African societies to be

in states of brutal anarchy and lawlessness occasioned by lack of legal institutions. For instance, Nwanunobi (1992) pointed out that Max Gluckman wrote that the Barotse, a highly centralized people in central Africa had no legal rules because they had no courts. Similarly, Evans-Pritchard argued that in a strict sense, the Nuer of East Africa had no law since they had no one with legislative or judicial functions, (Nwanunobi, 1992).

The above views were largely untrue. Further studies particularly by African scholars have argued that the instruments and processes constituting conflict resolution and legal system of traditional African societies were not the same with their western counterparts. Furthermore, the nature of conflict resolution and legal institutions differ across cultural entities that make-up the African continent. They are also affected by the period (time) of analysis.

Against the above background, the absence of codified law, formal courts, police and prison apparatuses do not deny traditional Igbo group (and other traditional African societies) of conflict resolution apparatuses and or legal institutions. This paper is an attempt to fully account for such traditional conflict resolution strategies. Although without such modern or western-style structures before their initial contact with the West,, traditional Igbo society was relatively orderly and held together through time. They had socially accepted rules of conduct and multiple level conflict resolution and appeal systems which are examined in this paper. All these ensured that order and conformity remained the rule rather than the exception in traditional Igbo society.

2.0 Objectives of the Study

This review paper has four key specific objectives as follows:

(a) To examine forms of conflict and social deviance that characterized traditional Igbo society.

(b) To account for the nature, roles and efficacy of extant hierarchal and multiple level systems of conflict resolution in addressing and resolving conflicts among Igbo people including appeal options/ platforms available to the people.

(c) To briefly compare of Euro-American systems of conflict resolution with those of the Igbo group with a view to underscore the continued relevance of Igbo indigenous dispute settlement approaches to the Nigerian state

(d) To account for the effects of social change on those traditional modes of conflict resolution of the Igbo group.

3.0 Conceptualizing Social Conflict and Conflict Resolution Structures or Legal Institutions

Social conflict (or disputes) refers to forms of strained social relationship between individuals or social groups arising from issues like struggle over scarce resources, power and values, including differences in modes of interpreting reality, among others. Social conflict exposes negative feelings held by disputants towards each other. It is a crucial feature of interaction between individuals and groups across all known societies. It could be of varied dimensions including pathological or destructive conflict situations like wars or physical fights where rivals or disputants aim to injure or kill each other. There are also non violent, functional or constructive types. Conflict could also be merely symbolic within the cultural setting it is observed.

On the other hand, conflict resolution structures constitute key components of social control devices in any given society. It involves a mix of personnel, groups, rules and clearly defined processes through which societies settle disputes, achieve integration, solidarity and overall behaviour regulation of members. Conflict resolution structures or legal institution whether informal or formal types; usually have strong ties with political systems. This is understandable because a major objective of government everywhere is to maintain law and order in their territory.

While political systems of Euro-American states have perfected the principle of separation of powers into executive, judiciary and legislative arms, traditional Igbo society had political, legal and sometimes religious institutions interwoven in their functions. Traditional Igbo society had diffuse modes of social control which were neither codified into law books nor applied in formal setting all the time.

In view of unique character and often informal nature of legal structures of traditional Igbo society, it will be futile to demarcate or distinguish between 'law' and 'customs' in the area along the lines of Radcliffe Brown (1952), who opined that some simple societies have no law, although they all have customs which are supported by sanctions. It is also not useful to load emphasis on the relevance of 'organized physical force' for application of law which Radicliffe-Brown, Hoebel and Thurnwald saw as major features of the existence and operation of legal institutions in society. The truth is thatemphasis on use of organized force to maintain her legal institution was alien to traditional Igbo and other African settings.

Therefore, conflict resolution structures, law or legal institution in the context of traditional Igbo society could be defined as the sum total of all agents, processes and belief

systems adopted or instrumental to the attainment of order and consensus in society no matter how informal or diffuse and with or without a constituted authority using organized force to coarse people into submission and or to punish non conformists.

4.0 Theoretical Framework

A relevant theoretical perspective for examination of conflict and conflict resolution must take cognizance of the socio-economic and political complexity of the society under study. The conflict tradition which sees conflict resolution and social control as state control designed to protect the interest of a privileged few is obviously deficient in explaining the phenomena of conflict resolution in an acephalous primary group like Igbo traditional society. The exchange model with emphasis on personal rewards is more economic oriented and less sociological and anthropological.

This research adopts the structural functionalist framework. Conflict resolution structures of the Igbo group constitute part of the social structure of their society. The functions of these structures are defined in terms of the contributions they make toward resolving conflicts, maintaining consensus and group solidarity.

5.0 Who is the Igbo Group of Southeast Nigeria?

The Igbo group constitutes one of the three principal ethnic groups in Nigeria. They are found mainly in Anambra, Imo, Abia, Ebonyi and Enugu states including parts of Delta and Rivers states of Nigeria. According to Ifemesia (1979), the Igbo country covers an area of over 15,800 square miles. Nwala (1985) posits this area to be roughly circumscribed between 6o and 81/2 o East Longitude and 41/2 o and 71/2 o North Latitude. The descriptions comprise the forest belt area between the Cross River and Benin West of the Niger, and between the Igala to the North and the Niger Delta city states to the south.

The Igbo group is bounded and in close neighbourhood with the Tiv, Idoma and Igala in the North, Ijaw in the South, Urhobo, Edo and Isoko in the West, while Ibibio and Yako are at the Eastern boundary. Igboland is one of the most densely populated areas of West Africa.

The major occupation of the traditional Igbo group was agriculture, but they also engaged in other economic activities like fishing, mining, smiting and local crafts. Prior to contact with the West, they had relatively simple technologies for their productive activities

which was not on a large scale. The family served as the basic unit of production. There is a high spirit of industry reinforced by strong emphasis on achieved status in the Igbo society.

The physical feature of the Igbo area compose of rivers and their swamps, hills and the forests of particular importance was the dense tropical forest whose impenetrable nature influenced the lives of the Igbo people in a number of ways. It protected them from external attack and there was no conquest of the Igbo people through history as was the case of the Hausas of northern Nigeria.

The impact of the forest also united with other ideals of the Igbo society like love of personal freedom and zero tolerance to autocratic government to give birth to segmented lineage organization practiced in Igbo areas. Consequently, there had never existed a well-organized central authority or a monarchial ruler lording over the entire Igbo country. The people lived in small village republics (i.e. segmented village groups) on the basis of close genealogical relationship. According to Anigbo (1991) had pointed out that few traditional African societies had centralized governments while others are segmental lineage societies with strong kinship ties. According to him, density of population among the people does not provide an index to the type of political organization (centralized or uncentralized) that may emerge; hence the populous Igbo group and Nuer society had no centralized government while the tiny Tikopia had.

Each Igbo village group posses her paraphernalia of government and authority which is diffused among all adult males, the titled men, elders, secret societies, age-grades, women groups and influential or wealthy members among others.

Members of a village group not only see themselves as closely related to one another as to members of other villages, but also experience more interaction with one another and thereby internalize group norms that enhance social harmony and control. Chukwuezi (1990) noted that it is within the village group that various norms, values, ethos, conflict resolutions and other cultural practices that bind the Igbo group together are internalized.

The village group is therefore the base of social unit in the Igbo country within which are located diverse socio-political frameworks including conflict resolution mechanisms which operate to ensure consensus and social solidarity of the group in particular and of the total Igbo nation. Other social units range from the family, extended family, major and maximal patrilineages, among others.

6.0 Forms of Social Conflicts (Disputes) and Social Deviance that Characterized Traditional Igbo Society.

Nature of social conflicts or disputes in traditional Igbo society is varied. They include inter-personal and intra-family rows like those between spouses which are settled at night on bed; to those among hunting bands or age-set farm/work groups which are settled as they sit around the camp fire. There were also minor misdemeanors which a man is expected to meet with immediate physical retaliation to prove that he is man enough and or rely on his close kinsmen to give him support. However, over dependence on use of physical force to settle conflicts is strongly disapproved because of high value attached to achieving restraint even under severe provocation in Igbo society. Other forms of conflict are inter village, and inter community conflicts often over land possession and other forms of rivalry.

Causes of disputes in traditional Igbo society include acts of social deviance which contravene norms of the society such as incest, stealing of yam or cattle, murder of fellow kinsman, adultery, insubordination to elders among others. Thus 'social deviance' defined as behavior patterns of an individual or group which run contrary to socially accepted rules or norms of the Igbo society are major issues in most conflict situations in the area. Such behavior constitutes a threat not only to the integration of the members of the society but also to the legitimacy and security of the basic institutions that unite them.

In traditional Igbo society, social deviance range from minor deviant acts that require informal sanctions for their control to heinous offences *nso-ana*, which are heavily punished. However, often times an act or occurrence may be defined as socially deviant even where it did not involve the individual in any form of deliberate planning or execution. This is because the Igbo people do not significantly recognize the importance of nature in shaping events. Hence when a child is born with congenital abnormality, the parents are treated as social deviants and suffer social distance on its account (resulting in a conflict situation).

The offences that are considered heinous acts are murder, abduction, stealing especially of yam, committing suicide, sex offences (rape, incest, adultery), pre-marital pregnancy, defiling masquerade, marriage to an outcaste *osu*, and child birth abnormalities – e.g. child coming out with legs during birth or having birth deformities. These offences attract severe sanctions like ostracism, banishment, ritual cleansing, among others.

The minor deviant acts include maltreatment of spouse or disrespect to spouse, insubordination to elders, contravention of minor custom and alienation from the group by

not participating in burial and other social functions that unite them. These offences attract less severe punishments like fines, blames, ridicule and satire among others.

The factors that give rise to these deviations which ultimately produce conflicts include scarcity of means, frustrations of expectations and imperfections of socialization. All these aggregately expose the individual to the fake attractions of deviant behavior as a form of adjustment.

7.0 Nature and Roles of Extant Hierarchaltized Multiple Level Conflict Resolution Structures and Judgment Appeal Options/ Platforms among the Igbo Group of Nigeria.

There are many conflict resolution structures in traditional Igbo society. These are in forms of institutions, social groups and extra mundane (metaphysical) beliefs or orientations that resolve matters between disputants, and prevent or counteract individual tendencies to deviance. They negotiate, mediate, and arbitrate in dispute situations. They use tools like fines, banishment, and food commensality, ostracism, oath-taking, to punish or resocialize persons whose behavior violate role expectations to preserve the society from disruption. Green (1964) stressed the importance of these institutions in her assertion that the survival of a society depends on the balance between its institutions and the challenge they have to meet from circumstances of daily life. Igbo conflict resolution structures are uniquely rank ordered with upper level structures serving as appeal platforms for matters treated at a lower level. Examples of such conflict resolution structures and their position in the multiple levels are illustrated below:
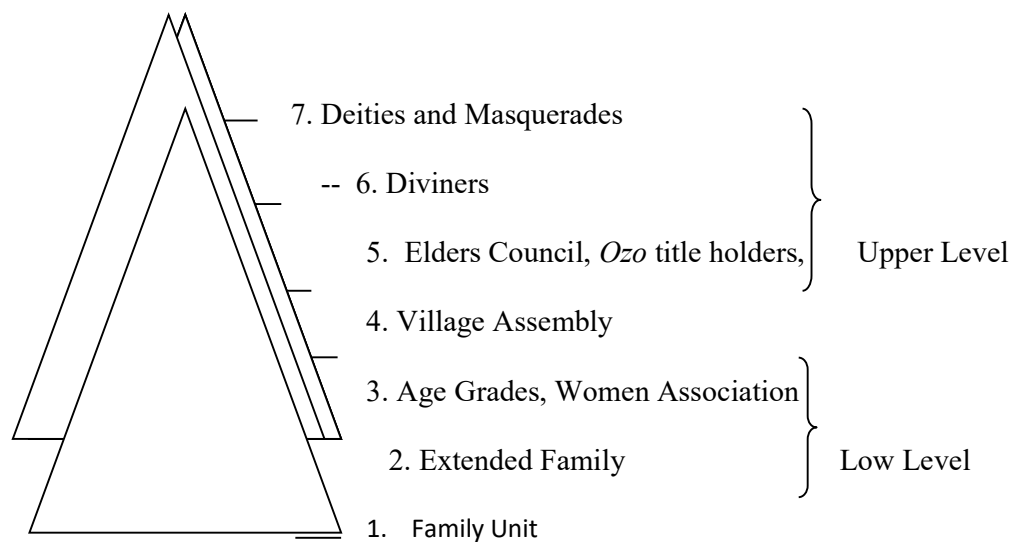

Figure 1: Hierarchical Ranking/Ordering of Conflict Resolution Structures of the Igbo Group of Nigeria.
(Sketch of Seven Step Conflict Resolution Structures among the Igbo Group of Southeast Nigeria)

(i)   Nuclear Family Structure

The family is the foremost socialization and social control agent to which the individual is exposed. It controls the quality and quantity of new members of the society by educating the child on the rules, norms, mores and folkways that govern the society.

In the society under study, the functions of socialization, social control and conflict resolution were executed by the nuclear as well as extended families. Nuclear family attends to disputes within the nuclear family setting between siblings, and spouses. It is usually presided by the father and elders of such families. Appeals are taken to the extended family.

(ii)   Extended Family Assembly (*Izu Umunna*)

The extended family is a grouping into one functional unit of three or more generations of people linked by marriage, descent or adoption. They share a putative father and cannot inter-marry. Ifemesia (1979) defines it as the smallest unit of political authority which is made up of nuclear families or households tracing patrilineal descent from a common father.

According to Orjiekwu (1983), the family as a conflict resolution structure and agent of social control uses both methods of 'training' and restraining'. In Igbo society, the training was achieved by educating the child in the code of manners, conventions, customs, morals and laws of his society. At times, stories of heroes or of tragedies that befell disputants or defaulters are used to illustrate the essence of good behavior.

The family restrains the child by meting out punishment as need arises. In a proven case of stealing, the culprit is rubbed with charcoal and paraded round the village with the stolen object hanging down his neck. He was humiliated in the process especially as his peer group sang derogatory song during the parade.

The extended family assembly *izu umunna* sat to decide the action to take in respect of adult offences. Every adult male has the right to contribute to the general deliberations at the assembly. The elders reserve the right to take the final decision after private consultations among themselves *igba izu*. The disputants or deviant members are customarily expected to comply with whatever punishment or face stiffer measures.

In the Igbo society, a person who falls out of line with his extended family is likened to being a bastard. For this reason, individuals carefully avoid violating the norms or not to comply with the judgment of their family group thus controlling their social behavior and effectively resolves most conflicts. However, persons not satisfied with decisions of the

extended family over a dispute situation can appeal to the next level which is the village assembly.

(iii)   Age Grade Groups (*Otu Ogbo*)

The age-set was a vital institution in fostering social cohesion on traditional Igbo society. Their membership though voluntary cut across lines of descent and comprised males within the same age bracket, usually three-to-five year range.

There is an elaborate initiation ceremony *mputa ogbo* that gives recognition to the newly formed age grade. The age grades in Igbo society are formed at village level but each one is aware of their counterparts in other villages.

On formation, the age grade took up a name of choice which was kept throughout the lives of its members and after. However, their duty and position in the community changed as the members grew older.

Age grades in Igbo society perform economic, judicial and socio-political functions. In particular, they resolve disputes between age mates. They also encouraged cooperation and healthy competition among members. Above all, they exercised considerable discipline over their members and were handy to implement the decisions of the village assembly or council of elders. According to Ifemesia (1979) the age grade performed a most important function in guarding public morality. It was careful of its own good name and would not hesitate to punish those who would tarnish or disgrace its.

Also, age grades achieve social control of members by making good behavior a pre-requisite for benefitting from her social welfare services. A deviant member is unlikely to attract the sympathy of his age set in times of bereavement or economic downturn.

The fact that every adult male is supposed to join an age grade made the males subject to meaningful socialization that facilitated their internalization of societal values. There is no doubt that an adequately socialized male is at the same time adequately controlled and self-regulated. It is for this reason that Eisentadt (1965) argued that age grade in a society is a pre-requisite for the socialization of the young and for their development into adult.

Age grades deliberate on disputes involving members or matters delegated to them by the village assembly. They pronounce fines, denouncement, ostracism and other stringent measures for deviants or disputants. Members or disputants who are dissatisfied with the decisions of the age group may appeal to the village assembly or council of elders. They are

not only a strong agent of social control but also a versatile institution that affect many aspects of life of the Igbo man

(iv)   Women Association (*Umuada*)

The *Umuada* is an association of women married outside their natal home.

At birth, every female in the community is an *ada* and qualify as a member of the *Umuada* association. But she plays no practical role in the association until adult age especially after she is married.

In traditional Igbo society, the *Umuada* association was a formidable conflict resolution structure and agent for the control of social behavior of their members and of the larger public. Their influence was felt both in their lineage of procreation and in their husband's lineage. It is for this reason that Green (1954) described women organization in Agbaja as 'double charter residence'- having of a foot in two camps which is both an inter-village and an intra-village character.

They arbitrate between quarrelling couples and call the wicked husband or disrespectful wife to order. In the words of Ifemesia (1979), the women collectively bring social pressure to bear upon a tyrannical husband by gossiping about him in the market place or subtly humiliating him in other ways.

The women were called in to advice and impose sanctions on youths who deviated from the acceptable mode of behavior. Because the *Umuada* are not easily appeased, the youths and other people try to avoid violating rules made by them. The *Umuada* also check male authority and ensure that the rules that they enact do not transgress the accepted social values. They serve s peace emissaries in inter-village rivalries and mediate/ resolve conflicts at their natal and matrimonial homes.

The *Umuada* take cases of deviance of their members' very seriously. Members avoid the severe sanctions that such behaviours attract by behaving in line with social regulations.

In performing the above social control functions, the *Umuada* often adopt mechanisms like fine, demonstrations, gossip, praise and blame or expulsion of members as a way of expressing disapproval and to secure their demands. Forde and Jones (1967) made similar observation in their statement that women association express their approval and secure their demands by collective public demonstrations including ridicule, satirical singings and dancing strikes.

In sum, the *Umuada* association was crucial in conflict resolution and social control in traditional Igbo society. They enjoy profound respect even in contemporary times and their verdict in all mattes is taken seriously. Appeals may however be taken to council of elders, and *ozo* title holders group

(v)   The Village Assembly

The village assembly is a powerful conflict resolution and agent of social control in traditional Igbo society. It steps into cases where the decisions or measures taken by lower structures like nuclear and extended family seem to have failed or not acceptable to disputants. In this regard, it coordinates and monitors other agents and hears appeals on their decisions and actions. Sometimes, they delegate their functions to other agents like masquerade or age grade groups depending on specific circumstances of the case at hand.

The village assembly comprises all the adult males in the village who come together at the village square to democratically deliberate and arrive at a decision in respect of any matter/dispute brought before it.

Like in the family assembly, every male has a right to an opinion or to be heard *onu okwu* but the final decision is synthesized from the consortium of opinions by a privileged council of elders after their period of private consultation *igba izu*.

Uchendu (1965) noted that the right to participate in *izuzu* (private consultation) is a greatly cherished and respected one and is restricted to men of discipline, prestige; men who have wisdom to understand and appreciate all schools of thought and achieve a compromise which the assembly can accept. Chukwuezi (1991) affirms Uchendu's view and described the elders in Igbo society as superior among equals who listen to the contributions of the members of the assembly in order to arrive at decision.

The role of the village assembly in conflict resolution, governance and social control cannot be over-emphasized. People detest to be brought before the assembly and consequently avoid disputes and deviant behaviors. The assembly may impose sanctions like fines, banishment, ritual cleansing, among others on offenders.

(vi)   Festivals

Festivals are periods of public feasting and rituals. Its role in conflict resolution bothers on instilling self-regulation before, during and after festivals. It also stimulates the need to

forgive. In Igbo society, festival dates coincide with the end of harvest season when the people have enough leisure and plenty of food to celebrate with. On festival days, the people stop working and enjoy these traditional gestures and moments without which life could not be human.

There are many festivals celebrated in traditional Igbo society and for various reasons. Many festivals are held in honour of a deity for instance. *Iwa-ji* (new yam festival), which is an act of public worship or propitiation for the divine powers of the 'Ana' deity who has made the bountiful harvest of yams possible.

Festivals are important instruments of conflict resolution of social control in Igbo society because people are not expected to quarrel or misbehave at such periods. They are expected to resolve their differences before major festivals or attract the wrath of deities. People who are of dubious character are also not allowed to partake in the prestigious sessions of the festivals like in wrestling matches. Some festivals like new yam festival was preceded by a week of peace during which the entire village was expected to be peaceful, avoid conflicts and abide by all rules of good behavior as a sign of appreciation for the kindness of the *ana* deity who ensures good harvest.

(vii)   *Ozo* Title Holders association

The *Ozo* title holders association was the most prestigious association in traditional Igbo society. Membership to *ozo* society was secured by payment of fees to the title holders' treasury and by performing the stipulated rites amidst heavy feasting of the people. A pre-condition for taking *ozo* title is that the individual must be a free-born, of good character and sound public opinion.

The *Ozo* title not only bestows social and political status on the individual, it also exposed him to a litany of privileges and obligations. These obligations are social control in nature. The initiate swears to uphold a higher standard of behavior and to debunk falsehood throughout life. He is under obligation to maintain the norms and values of his society and to expose behaviours that run contrary to those norms for appropriate action.

Cases of dispute and appeals within and outside the family were often brought to the *Ozo* title society for settlement. Similarly, disputes from members of the village assembly were referred to the *Ozo* society for settlement. They particularly address landed matters.

In resolving conflicts and social control of disputants, the *Ozo* society employs mechanism like oath-taking, fines and ostracism to bring their members and the entire people to conformism.

(viii)   Masquerade Groups

In traditional Igbo society, membership of masquerade groups were restricted to initiated male adults. In absence of sophisticated secret societies, the masquerade groups are the nearest approximation.

Masquerades, referred to as *mmonwu* were conceived as ancestral spirits whose interest in the affairs of their living descendants compels them to visit the community during festivals, funerals and when things are not normal in the community. Masquerade also visits Igbo villages during festivals and uses the opportunity to caution individuals who behave contrary to social norms. The appearance of masquerades is also a sign that the village still enjoys some measure of tranquility with their ancestors. If masquerades fail to appear during important males festivals, such is seen as uncustomary and depicts the dissatisfaction of the ancestors over the behavior of the living. This is in order to attract masquerades during festivals and to prevent the 'merciful' deities from becoming angry and withdrawing their services.

These masquerades performed varied functions of rule application, entertainment during festivals/funerals and social control. They may be brought in to discipline children who are disobedient or to flog women who cook when others have gone to bed. Night masquerades that appeared only at night performed the social function of using satirical songs and ridicule to criticize the defects in the behavior of any member of the community and thereby press for change.

Writing on the role of masquerades in rule application among the Igbo group, Ogbonna (1984) argued along with P.M Weil that the masked figures provide a mechanism through which the probability of sustained divisive conflict is decreased by converting secular actions of rule application into sacred, supra social actions. This assertion is very true of Igbo society.

Takena Tamuno (1966) have observed that masked dancers purporting to represent the spirit cult were used whenever there was difficulty in enforcing law and order in Igbo communities. This is another indication that masquerades were probably more efficient

than the ordinary human elements in rule application. They are at the apex of conflict resolution structures of the Igbo group.

As conflict resolution and social control agent, the masquerades were unchallengeable. They intervened in land disputes, summoned people for communal work and collected levies from deviants.

They were dreaded and thought to have power of life and death. Individuals were therefore socially restrained from deviant behavior for fear of attracting the wrath of masquerades. To disobey the masquerade is to be at crossroad with both the living and the dead which most Igbo people avoid. Matters or disputes resolved by masquerades are most difficult to appeal against if any party is still aggrieved or dissatisfied.

(ix)　　**Diviners** *(Dibia Afa)*:

The traditional belief system of Igbo society accommodated the services of diviners (*dibia afa*) who provided the background to crucial problems and uncovered prospects of the future. The diviners explained why misfortunes or mysteries occurred and at times relate them to lapses in individual or communal behaviour. The individual or group whose deviant behavior was implicated in the misfortune was required to offer sacrifices to appease the spirit or to undergo ritual cleansing after which they must adjust and be of good behavior. It is in this regard that diviners serve as agents of social control and conflict resolution.

It was not uncommon however for the diviners to attribute the deviant behavior to factors outside the individual. Green (1964) have pointed out that the Igbo (diviners) often associate some cases of erratic anti-social behavior to some circumstances in a former existence or to the activities of a supernatural being rather than as a direct fault of the individual concerned. The author agrees with Green that the practice often made the deviant to be tolerated in his society. But this is not without the danger of actually increasing non-conformism since it rationalized deviance and made the individual to expect deliverance from his 'possessor' rather than task him to adjust his behavior. Nonetheless, diviners lived up to expectation as instruments of conflict resolution and social control in traditional Igbo society and were accordingly respected.

(x)   Deities

Many deities abound in Igbo society and served the religious needs of the people. Additionally, they act as agents of social control because as Parkin (1972) observed commitment to a single faith is a sophisticated means of social control. Deities are believed to punish erring members of the community for offences openly or secretly committed. They fight the course of people whose rights were tampered with for no just cause. The maltreated individual in company of the shrine priest was expected to make a formal report to the deity and leave the deity to pursue the matter.

The earth deity *ana* among the Igbo group was responsible for good harvest, health and children. The deity was believed to be seriously offended when sacrilegious crimes like incest, murder or adduction are committed in an area. The people therefore restrain themselves from such crimes to avoid severe punishment that the deity might impose in such circumstances. On the other hand, cleansing rituals and sacrificial services are promptly administered through the deity's priest *eze ana* when such crimes occur and before the deity turns out her wrath.

Deities made their mark by exploiting religious and ritual practices to which the people were strongly committed. It is therefore safe to agree with Parson (1952) that religion is closely related to the integration of the social system; and that the ideal type of a fully integrated society of a certain kind would have one completely integrated religious system. The traditional Igbo society had such integrated religious system.

Nwala (1985) have further reported that the desire for social order and justice gave rise to the belief in the gods as agencies of social control in the Igbo country. These gods (deities) are adjudged as very successful in the function in the Igbo environment.

Comparative Analysis of Euro-American Systems of Conflict Resolution with those of the Igbo Group

The observations in the cases of Igbo, Ndenduli, Arusha, Tiv and Lozi among others attest to the fact that African cultures had indigenous conflict resolution and or legal systems. This disagrees completely with attempts to extend evolutionary thought to the growth of law or legal systems in Africa. The evolutionary scheme which is fraught with ethnocentrism has argued that western legal categories were not only at apex status in relation to their African counterparts, but that they also offered sufficient analytical framework for understanding traditional African conflict resolution and legal institution of the old. One of such mistakes is

evident in the work of Maine (1861) who in his 'Ancient Law' argued that human societies undergo three stages of development. To him, the first stage of development to which most traditional African societies belonged had no law except that disputes were settled on ad-hoc basis with rules connected to previous decision by a senior male agnate who prescribed over the group. Like Morgan, Maine had defined political organization as government claiming authority over a definite territory. He went on to emphasize that absence of constituted authority to make and enforce law was common among ancient people (Igbo group inclusive).

Similarly, Radicliffe-Brown and Evan-Pritchard both of whom also identified conflict resolution and laws with situations where there are some authorities; may have been influenced by Maine. Similarly, colonial masters drew extensively from the views of these writers and relied not on rules derived from indigenous systems. Rather they enforced laws made in Britain and other foreign lands.

On the contrary however, we have noted that conflict resolution structures and law existed in traditional African societies as the Igbo example has shown, except that people like Maine and his colleagues did not see them in that perspective. The conflict resolution structures and or legal institutions of pre-literate African societies may lack the legislature or an enactor; it may have no judges or codified principles;   organized, severe societal disapproval when breaches occurs may be absent but they still mirrored societal expectations to individuals. They also settled and regulated conflict within the social group and established boundaries of social relationships all of which are the functions of law in western states.

Rivers in his book 'Social Organization' has therefore de-emphasized the importance of a machinery for the enforcement of authority as an index for the existence of conflict resolution and law. He posited that group sentiments were sufficient to stimulate acceptance and obedience to rules thereby making the creation of such machinery unnecessary. On his part, Malinowski (1926) recognized how the element of motives or reciprocity channeled people into conformity more than sanctions could. He therefore warned that law should be defined in terms of functions and not by 'form' or 'structure'.

The mores, customs, folkways and conventions as well as the role of preponderant witch craft, magic and the belief system of traditional Igbo society have fulfilled all the functions of written laws or formal legal systems for the group that they need not envy or copy the Euro-American formats. Previous forced imposition of those Euro-American legal

approaches via colonialism has not fully benefitted Africans through reduction in deviant acts and promotion of order in the system.

In his distinction of traditional conflict resolution and laws of Africans and that of the West, Onwuejeogwu (1992) made it very clear that the aim of traditional African courts, such as those of the Igbo and Lozi were rather to mend broken relations between two parties. In contrast, the Euro-American system wants to find the guilty and punish him adequately irrespective of whether the relation between the two parties are broken or repaired.

Traditional African conflict resolution and legal institution had no coded (written) laws to which references are made. In some societies even the customs which are relied upon are very vague and imprecise. This is not so with Euro-American system.

Except in a few states like the Lozi and Tivs, there were no designated judges to listen to cases. Instead the matter is brought before a group for settlement directed discussion. The village assembly and council of elders in Igbo society represent good examples of groups to whom disputes are taken.

Traditional Igbo conflict resolution and legal system had no singular body charged with the responsibility of making laws like the western legislature. Even kings, community heads or council of elders cannot be said to make laws but only facilitate their implementation. The source of most African (Igbo) laws as Nwanunobi (1992) observed are lodged in antiquity, handed down by ancestors or were of divine origin. However, some laws like the *iwu* among the Igbos were enacted by the living while *omenana* were customary laws which no one really made or could strike out. They were handed down from generation to generation.

Effects of Social Change on Traditional Modes of Conflict Resolution of the Igbo Group

According to David Korten (1972), societies throughout the world are finding themselves in the midst of change; new possibilities, new expectations, new pressures are uprooting the lifestyle of nearly all the world's cultures. This important observation is also true of the traditional legal systems of Igbo society.

The effects of western education, Christian religion and urbanization on the traditional systems have been far reaching. While urbanization reduces the face-to-face nature of interaction in Igbo societies and thereby weaken the effects of social control mechanisms; western education and religion have caused the neglect of the vital roles of the traditional

belief systems which hitherto were regarded with awe and were very useful in holding the people together.

Furthermore, the colonial experience the Nigerian state underwent brought with it modern judiciary and police apparatuses through which people can now seek redress for the wrongs done to them. Nwankwo (1992) [had] observed that with the introduction of the new systems, those committed to the old status-quo are now accused of taking laws into their hands. Consequently allegiances are shifted to new western arrangements. Igbo people now sue their kinsmen to court instead of bringing the matter to the family or village assembly. All these contributed to destabilization and weakening impact of traditional conflict resolution and legal system of contemporary Igbo speaking states of Nigeria.

Nonetheless, because of the relevance of traditional legal institutions to African people, there has been documentation of customary laws in the five Igbo speaking states and the establishment of customary courts. Nigeria for instance operates customary courts as well as the western model of courts.

Conclusion

The level of social cohesion in traditional Igbo society was reasonably high. This was because the Igbo group had conflict resolution structures constituted of reliable mechanisms and agents for controlling and re-integrating deviants and for settling varieties of dispute. Accordingly, order in the traditional Igbo context was not necessarily secured through the 'imperative theory' which suggests the existence of a sovereign who was capable of enforcing any failure to comply with sanctions.

Means of keeping in line included deep commitment to rules of the group, desire to maintain economic co-operation with others as well as efficient conflict resolution and social control mechanisms operating within every social aggregate. Traditional Igbo society had effective conflict resolution structures or legal institutions whose relevance to the economic, political and socio-cultural life of the people left much to be desired. The need to revive, re-energize and sustain such beneficial traditional structures and to complement imported western models at least in the five Igbo speaking areas of Nigeria is strongly canvassed in this paper. To this end, traditional conflict resolution strategies should constitute the first port of call for resolving conflicts in the Igbo nation after which any of the parties could appeal to contemporary western models. This is particularly important given the fact that despite the impact of social change, most of the traditional conflict resolution structures of the Igbo

group have remained resilient. The synergy and cooperation between the two systems can also decongest prisons and reduce workload of the courts.

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