

Traditional Institutions and Conflict Resolution in Contemporary Africa

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Abstract

The failure of post-colonial African states in providing solutions to the incessant crises confronting them has been traced to their detachment from their institutional and cultural values. The argument is that modern techniques at resolving internecine conflicts in the continent have not yielded optimal results over the years. Whereas, in traditional African societies, the mechanism put in place to address conflicts prevented the atrophying of the communities and occasioned activities that promoted peace among members of the societies. Traditional Africa's approaches to conflict resolution are believed to be largely guided by unique norms, values, as well as cultural and traditional settings of the community. These promoted their capacity to co-exist peacefully, to commune together, to respect one another, to forgive and to reconcile. In order to see how these can be replicated in contemporary Africa, research efforts have been dedicated to proffering alternative models that are contextually based, and more suitable for African societies. Therefore, in contribution to the volume of research in this area, this paper examines the indigenous institutions of conflict resolution in traditional African societies using the Yoruba societies as reference points. Specifically focussing on Ipetu-ljesa community in Oriade Local Government area of Osun

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State, Nigeria, the paper x-rays the role of the indigenous institutions of conflict resolution in Africa, the challenges they face in contemporary times as well as possible ways of engaging this model for conflict resolution in African societies.

Key Words: Conflict, Conflict resolution, Traditional Institutions of Conflict Resolution, Africa.

Introduction

Conflict takes various forms and dimensions in different societies, which may require diverse resolution approaches from one society to another. This is pointer to the fact that conflict and conflict resolution have divergent dynamics and are characterised by a complex host of actors, issues and motives, which exist in extended families, tribes, ethno linguistic and religious groups (Appadorai, 2002). When underlying factors remain unaddressed, conflict can lead to hostilities, violence and war. Unresolved conflict preys on peoples' minds and could distract them from their most important tasks. Consequently, societies, right from time immemorial, have devised appropriate mechanisms for addressing conflicts, knowing that the efforts put in place may determine whether they will thrive or degenerate.

For this reason, in traditional African societies, the people had to establish several institutions to address internecine conflicts pervading the environment. These institutions helped to facilitate conflict management, resolution and transformation in these societies. The approach adopted by these institutions is aimed at producing a win-win situation anchored on truth which is a covenant logo that disputants or parties in conflict must not miss. It is these institutions that enabled individuals in the society to interpret the norms which occasioned peace, thereby limiting crises in the society (Ogunjugbe, 1993).

However, at some point, Africans suffered from invasion and oppression which led to their knowledge being eclipsed by western knowledge, imposed on them through western institutions after colonialism. Yet, indigenous populations have managed to survive and thrive for centuries based on preservation of their indigenous institutions which also sustained their cultural values and livelihood systems. This much is true of indigenous Yoruba society in Africa. The Yoruba people were able to preserve and pass on their cultural

history through oral tradition and artefacts, among other means (Olaoba 2010). Hence, the indigenous African cultural values survived and thrived despite forceful invasion of colonial legacies. What is notable about the preserved cultural values is that they largely emphasise a communal way of life which presents a tale of a common brotherhood that promoted the necessity of peaceful coexistence (Makinde, 1978).

This sense of communal living, as against the individualistic one characterising the West, helped to get necessary cooperation from disputants and promoted conflict resolution. Given that the success of any conflict resolution effort is largely dependent on whether parties to the conflict are even interested in resolving it (Kleiboer 1996), and that this further depends on the shared need to have harmonious cohabitation in the society, the situation that obtains in contemporary African societies is that the over reliance on foreign legal systems has not generated the much needed shared orientation that will bring about sufficient results in terms of conflict resolution. As a result of this, scholarly works are increasingly channelled into how some indigenous conflict resolution practices could be revisited and adopted in contemporary times. Against this backdrop, this study will unearth the indigenous institutions of conflict resolution in Africa, particularly among the Ipetu Ijesa Yoruba community in Osun State, Nigeria, as possible alternative dispute resolution model for contemporary African societies. However, before going into this, the next few sections of the paper will discuss the research methodology, various relevant concepts to the research as well as the theoretical framework adopted for the research.

Methodology

Guided by a constructivist perspective, this paper is based on a phenomenological study of the inhabitants of Ipetu-Ijesa community in Oriade Local Government of Osun State, in South West, Nigeria. However, evidences from other Yoruba communities were gathered and used to support the analysis for the purpose of generalisation. Using interviews conducted through focus group discussion, the research question was focussed on the effectiveness of the Indigenous Institutions of Conflict Resolution. This information was gathered using purposive sampling which targeted key personalities within the age range of 50 and 90 who had vast

knowledge of the custom and tradition of the society. Primary data gathered from this were used to corroborate the secondary data sourced from content analysis of journal articles, monographs and other scholarly publications.

Conceptual Analysis

In order to avoid conceptual ambiguities, the two key concepts of institutions and conflict resolution are clarified below, as employed in this paper.

Institutions

The use of the term institution has become widespread in the social sciences in recent years reflecting its growth in several disciplines, including Sociology, Political Science, Economics, Geography and Peace Studies to mention a few. Regardless of this, however, there has been no unanimity in the definition of the concept, a fact which has led some scholars to give up matters of definition and propose getting down to practical matters (Hogson, 2006). At the same time, several scholars maintain that it is not possible to carry out any empirical or theoretical analysis of how institutions or organisations work without having some adequate conception of what an institution is. Institution may be defined as an establishment or organisation set up in societies for the purpose of achieving some goals which could include educational advancement, enforcement of laws and order, socialisation and fulfilment of religious needs, among others (Heywood 2005). So, institutions are set up in societies as a matter of necessity in order to achieve religious, educational, professional, legal and social objectives.

However, in traditional Africa institutions are referred to as the embodiment of humanly devised rules that constrain or enable individual and collective behaviour, encompass formal and informal rules, norms, and values, and have the power to enforce decisions based on those rules and values (Beall and Ngonyama, 2009). Hence, leaders of indigenous institutions play significant roles in local and grassroots communities in relation to socio-cultural and economic development, and the administration of justice in the political system. They play two important roles: a proactive role to promote social cohesion, peace, harmony and co-existence; and a reactive role in resolving disputes which have already occurred. The focus of this study will be on their reactive role in the resolution of conflict.

Conflict Resolution

Conflict is an inevitable characteristic of human existence. It is a situation which arises from interaction of individuals who have or think they have incompatible ends (needs) in which the ability of one actor to gain his needs is dependent on the choices or decisions another actor will take (Fisher, 2011). Hence, the perceived incompatibility may be real or unreal and could lead to feelings of anger, mistrust, fear, envy, and suspicion which could escalate into violence if not managed properly. In order to avoid this, individuals and societies often employ a problem solving approach which is called conflict resolution. This approach enables conflict actors to work together in an effort to resolve the conflict (Tilley, 2010). So conflict resolution connotes a relatively stable solution that identifies and deals with the underlying causes of conflict with the aim of transforming the relationship upwards. It refers to the methods and processes involved in facilitating the peaceful ending of conflict and retribution (Bar-Tal, 2004). According to Burton (1988), this involves termination of conflicts by means of analytical procedures like dialogue, negotiation, mediation, adjudication and arbitration, and other methods, which address the root problems of conflict.

Conflict resolution is geared towards mutually agreed solutions that symbolise the end of a conflict. However, there is a distinction between the concept of conflict resolution and conflict management. Where the latter focuses on temporary measures of control and containment of conflict, the former focuses on long term procedures that allow the conflict actors to resolve their key incompatibilities with a mutual acceptance of each other's continued existence without any form of further violent behaviour towards each other (Kleiboer 1996). Therefore, conflict resolution focuses on building relationships in order to avoid further threat to peaceful coexistence.

Theoretical Framework

This section is a foundational review of one of the existing theories that serve as a guide for developing the arguments used in this work.

Relational Theory

The relational conflict model developed by Stephen A. Mitchell attempts to provide explanations for the violent conflicts between groups by exploring

sociological, political, economic and historical relationships between such groups. It is founded on the belief that cultural and value differences as well as group interest all influence relationships between individuals and groups in different ways. It opined that at the sociological level, differences between cultural values are challenges to individuals or group identity formation processes and create the tendency to see others as intruders who have to be prevented from encroaching upon established cultural boundaries (Best, 2011). So, individuals function in a cultural matrix which accounts for their abilities to interpret and explain their environments. Thus, ideas, beliefs, and material creations are all shaped by the surrounding social framework and are reflected in and produced by the culture rather than being universals of human behaviour which apply across cultures.

The theory further maintains that the culture, in turn, influences the social, governmental, and hierarchical structures of society which, in turn, influence the individual and a people's day-to-day activities (Ornstein & Ganzer, 1997). As Mitchell (1988) states, individuals "adhere" to these old patterns because they provide a sense of security; they are both "familiar" and "familial," maintaining comfort as well as preserving "loyalty and connection." So conflict resolution based on this should be situated within the established and acceptable indigenous practices of a society because what is accepted as reality depends on their social contexts and knowledge systems.

However, critics argue that in explaining a social reality like conflict, the cultural factors which show that people and nations bring different values that determine their interactions have not been able to capture the whole story (Mills, 2005). Ringstrom (2010) takes it further by asserting that it restricts us to our personal desires and to affection for a few persons nearest to us whereas, our task, if society is to move forward, must be to free ourselves from this prison by widening our circle of compassion to embrace all people and culture. Despite this criticism, there is reasonable validity in the idea that the theory emphasises that the rules which we live by are either historically or culturally situated which is the basis for this research. It also implies that the sense of connection in relationships is an essential aspect of human well-being which, to a large extent, determines peoples' actions and counter-reactions.

Findings and Discussions

Indigenous Institutions of Conflict Resolution in Yoruba Societies

This paper identifies and discusses the indigenous institutions of conflict resolution in Yoruba societies. These include the political institution, which encompasses the institution of kingship and family heads, the social institutions, which embraces the age grade associations and secret societies; the market institutions as well as the religious institutions.

i. Kingship Institution

The court of the king was the highest court and is presided over by the king who is the highest authority of the institution. He is supported by a council of chiefs and lords who are subordinate to him but assist in the system of administration. Each of these chiefs has subordinates who with them form sub-council for the government of the society. They all function as advisers who are responsible for the governing of different parts of the country or state. As the apex of the hierarchy of chiefs, the king is a sacred figure regarded as the representative of the supernatural on earth. He is viewed as a god that lives in the midst of humans; hence, he is respected and revered. These, coupled with his political status, enable him to have the final say on issues of conflict; hence, his ability to resolve even the most difficult conflicts that spring up in the society.

ii. The Family Head Institution

Another institution, though of a lesser influence and having a lesser range of jurisdiction, is the institution of family heads. This is the institution of *Baale* in Yoruba societies. They are elders in their respective families or compounds but also remain so in the larger society. This institution is headed by the oldest in the extended family that may also possess ritual and oracular power. Such personalities have the power to judge and decide cases affecting his compound, provided that it does not involve an outsider in which case the matter will have to be referred to a higher authority to avoid bias. The *Baale* is also supported by *Iyaale* or *iya kaa* who is the overall head of all the women within the extended family. She is usually the oldest amongst the women folks and is responsible for apportioning of duties to other women within the family. She also settles disputes amongst women; hence, she

assists the *Baale* in the day-to-day running of the *agbo-ile* (extended family). The most notable thing about this institution is that it places much emphasis on the age factor because of the belief that the individual(s) would have observed the actions of forbearers and thus learning from their good deeds and shortcomings be able to pass good judgement.

iii. Age Grade Institution

The age grade associations are social institutions that embrace all the people which were born about the same time in a society- either in a town or in a village. In some traditional African communities, persons within a specific period of three, four or even five years age bracket form an age grade. In some other communities, the female wing of the age grade operates independent of the male wing. The institution was established based on the assumption that the proper companions for youths were to be sought among those in the same age of physical development. In the pre-colonial period, the newly formed age grades had to prove themselves for maturity by defending the community against hostile neighbours or enemies. Hence, the group serves as a watchdog institution against crimes and culprits in the society (Olaoba, 2010). They were acclaimed to have been so influential such that they played an important part in the judicial system of the Yoruba society (Fajana, 1968). Aside from this role, they were responsible for the resolution of conflict among members. They operated a well-structured, time-proven social system geared towards conflict resolution, reconciliation, and maintenance and improvement of inter-personal and inter-group relationships. So they foster unity and responsibility in the society.

iv. Secret Society Institution

Secret societies are organisations whose members are sworn to secrecy about its activities. They are often political, economic, religious or social in nature. In traditional Africa, they function as channels or embodiments of the means of canalising supernatural power. Their ideologies and way of life often help redefine how an entire community is administered, so, members are very influential and powerful. They are found among the Yoruba of West Africa, the Poro and Mende of Sierra Leone as well as several other African societies (Olaoba, 2002). An example of such society is the *Ogboni*

group, popularly found among the Yoruba of West Africa. Secret societies played significant roles in the economic, political and social aspects of different communities in Africa. They also serve as very strong administrators of justice and often claim superiority and intelligence over other institutions. Hence, they collectively provide an institutional structure that lay down various rules of conduct, prescribe certain forms of behaviour, and also engage in conflict resolution in the larger community. However, whenever conflict resolution is referred to this group, it usually signifies that the conflict is complex or has defied every effort at resolving it. So they served as the supreme tribunal for conflict resolution. Their success was anchored on extra-judicial means which usually make their activities revered and hence facilitated peaceful co-existence of people in the society.

Market Institution/Professional Institutions

The markets form an institution that exists to facilitate exchange, co-ordinate and allocate resources, goods and services between buyers and sellers, between producers, intermediaries and consumers in indigenous Africa. This institution is a professional association responsible for regulating the trade system in indigenous Yoruba societies (Olaoba. 2010). It has several administrators responsible for monitoring the trade system but is usually presided over by a female head referred to as *Iyaloja*. She and her subordinates serve to limit transaction costs, time and money spent locating trading partners, comparing their prices, evaluating the quality of the goods for sale, monitoring performance as well as negotiating agreements among trading partners (Rubin, 2004).

What is most notable about the markets in traditional Africa is that they serve as significant meeting points or association sites for diverse ethnic and social collaborations. The economic and social exchange, which take place on a regular basis in the markets, are the epitome of social engagement and cooperation. For instance, at times of tension in the market where conflict becomes tangible and a conflagration of regular outcome, the internal and external institutions and actors in the market space are able to diffuse tension surrounding disputes, and are able to reinstate order. These components are a reflection of the value placed on traditional market trading spaces in the society and remain essential to the livelihood and wellbeing of the people. Hence, the market

institution played a very crucial role in maintaining peace and order and harmonious coexistence through the various commodity associations that form this important institution.

Religious Institution

This institution is made up of shrine elites, a title which is primarily derived from their guardianship of the shrine and their sacred lineage with founding saints- the ancestors- who are often deceased persons, typically one more remote than a grandparent, from whom one is descended. It also includes deities- god or goddess- who were believed to be so well recognised by the Yoruba and other African societies so much that their personalities had to be consulted and invited in every scene of conflict resolution. The religious authority of shrine elites is distinguished by their control over symbolic powers that help to create patterns of voluntary obedience and compliance among local populations (Olaoba, 2002). This is acclaimed to be responsible for their success rate in resolving conflicts in indigenous Yoruba societies because the people believed that the ancestors, personified in the shrine elites, are always watching, hence, they try as much as possible to ensure that conflicts are resolved to avoid the wrath of the ancestors and deities. It is for this reason that the religious institution in traditional Yoruba societies serves as a body that does not only help to minimise conflict but also ensures that conflicts were resolvable in the society. However, the success rate of these mechanism was largely due to the socio-political orientation of African people who lived a communal way of life which makes them to view conflict resolution as a necessary condition for human existence.

Communal and Mutual Relationship as Facilitators of Conflict Resolution in Ipetu Ijesa

The notion of community in traditional African society derives from the cultural conception of man (Ebijuwa, 2007). On this conception, a person is not supposed to be isolated from the rest of the community. The communal lifestyle of Africans is based on the popular African notion of *I am because we are*, which makes the survival of the group to be dependent on the spirit of togetherness. As a result, whoever puts into jeopardy the concrete realisation of the communal objectives becomes the enemy. This is why

the value of communal life is inculcated in every child at the early stage. They grow up with this orientation and end up appreciating the value of communal bound. In Ipetu Ijesa, these values of communal life is inculcated into indigenes through orientations embedded in hospitality, arranged marriages, invitation to festivals, and mutual assistance through the Owe and Esusu practise.

Hospitality

The practice of hospitality in Ipetu-Ijesa entails the demonstration of friendly disposition towards people, including strangers. The importance of this is often reiterated by the family head during clan meetings. Hospitality is indeed part of Yoruba group identity that reveals and expounds welfare in the society (Ogunjulugbe, 1993). Hospitality is seen as being connected to good neighbourliness and the idea of being one's brother's keeper. It involves exhibition of good, affectionate and friendly disposition towards others. In Ipetu Ijesa, it is associated with the fact of providing drinks, food and shelter for those in need in the society. It also conjures up the idea of welcoming someone outside the household, based on the belief that fellow human beings outside their communities of origin need social safety and a form of companionship. Hence, it is a prominent form of provision of solidarity without community borders. This act solidifies relationship and cordiality, and may be returned in the future or turned into a mutual tradition which cements understanding. Ultimately, this creates an amiable environment for conflict resolution whenever conflicts occur. Disputants are often given to the resolution of the disputes because of the hospitality they had enjoyed in time past from each other and because they want such conditions to be enjoyed still.

Arranged Marriages

Marriage is a social affair often supervised by the family head in Ipetu Ijesa. The practice, like what is observed in other traditional African communities, is not contracted solely for the purpose of companionship and procreation. It is often used to initiate conflict resolution between opposing parties to a conflict. An example of this was showcased in indigenous Yoruba society during the Yoruba/Dahomean war of the 19th century which produced

the inter-marriage between the Alaafin and Agàjà who both exchanged their daughters as a means of commencing and solidifying understanding in the conflict environment and initiating peace and harmony (Olaoba, 2010). In Ipetu-Ijesa, this practice is further used to solidify a relationship between friends who want to remain so for life by gaining mutual trust or to return a very important favour that was granted to the initiator. This practise was usually promoted and encouraged as a way of ensuring peace among individuals or families when conflict occurs (Ogunjulugbe, 1993). It ensures that the marriage creates a bond among families who then see the need to remain on good terms.

Invitation to Festivals

Festivals serve as entertainment, identification of times and season, celebration of religious ceremonies and rituals. Among the Yoruba people, this serves as a connector of the social world of the people with the unseen world. Members of the communities are usually invited to the festivals to celebrate hundreds of gods, each representative of some natural or spiritual element worshiped for an immense variety of purpose, ranging from protection to procreation and other social aids.

In Ipetu Ijesa, this communal practice is usually instituted and supervised by the Kingship institution. It is also conducted as a means of promoting wide participation in all the affairs of the group in Ipetu Ijesa indigenous society. Example of this is the Awèjoye festival which is usually hosted by each royal family and some important dignitaries in the community. On the day of the event, the royal male children (*Emese*), in the company of one of the chiefs, organise the killing of bush animals which is handed over to the king in preparation of the feast for the event. They later proceed to the farms to harvest farm produce like yam, kola nuts and palm wine for entertainment. All sorts of merriments like food, dance and other forms of entertainment then continue. After this, every one disperses to their various houses looking forward to the following year when the festival will once again be celebrated or when it will be their own turn to reciprocate the gesture during a different festival. The goal of this practice is to solidify a communal bond among the people. Hence, it is a way of promoting social cohesion among members of the society. Participating in festivals has further

implications in the society as it is seen as sharing and preserving communal bonds. In times of conflict resolution, the idea of wining and dining together is invoked to remind disputants that there is a communal bond to be preserved. And this helps prevail on the disputants to let go of their grievances to consolidate the brotherhood.

Owe and Esusu Practice (Mutual Assistance)

Mutual assistance is another communal practice in Ipetu Ijesha. It is known as *owe* and *esusu*. In the *owe* system, the age grade institution often assist members of their society in activities such as clearing of new farmland, weaving of mats, building of houses and harvesting of crops. These activities often require additional hands. *Owe* is done on a reciprocal basis, with the belief that each member of the society will always have an occasion when he would equally need the assistance of others. Participants in the *esusu* practice, on its own part, are mostly members of professional bodies. They contribute money and this is given out on a rotational basis, depending on who has the most pressing need. This enables people to embark on capital projects which require huge financing beyond what an individual can raise on his/her own. So, this creates a sense of inter-dependency, which fosters an environment where being in harmony with one another is more profitable than holding on to grievances that might cost the person in the nearest future.

These practices, discussed above, are dividends of Yoruba traditional cultural practices and, in some ways, they deter conflict through their observable promotion of strong and harmonious relationships between the inhabitants of the community. They help to create an ideal environment for conflict resolution due to the people's interdependency on each other, which necessitates mutual exchange of privileges, favours and obligations.

Indigenous Conflict Resolution in Ipetu Ijesa

The major sources of conflict in indigenous Africa were land, chieftaincy positions, personal relationship issues, honour, murder, intra and inter-ethnic rivalries, matrimonial fall-outs and family property. In resolving these kinds of conflicts, the principles of equity and justice, which are entrenched in African customs and traditions, were upheld. In Ipetu Ijesa indigenous

African society, for instance, there is no award for winning in a dispute because the end result of conflict resolution is to accommodate all parties involved in the conflict through genuine collaboration and compromise. This is usually facilitated by the various indigenous institutions of conflict resolution. In doing this, unnecessary competition is avoided by the conflict actors because the ultimate aim is amicable settlement through mediation, arbitration, adjudication, reconciliation and *isile* (Oracular interventions/rituals).

i. Customary Mediation

Mediation in Africa displays a tradition of connectivity or togetherness in the process because Africans consider themselves as a whole or a group and for this reason approach issues collectively and holistically. This is embedded in the indigenous mediation efforts in Ipetu Ijesa. For instance, the mediation process, facilitated by the appropriate institution of conflict resolution is usually conducted in the open, at the entrance of a chief's palace or at an open place in a family house. This enables the general members of the community to participate in the mediation process. The participation is in form of asking questions and giving advice on the issue since conflicts among individuals or groups are seen as affecting the core of the community. However, in some cases, mediation is conducted behind closed doors, when there is the need to have some confidentiality. In the process, the issues raised by the contending parties are appraised with a view to determining the areas or aspects in which every person involved in the conflict erred. This evaluation is guided by a high level of sincerity, exhaustiveness and propriety that undergirds the contending points. Disputants are reminded of the core values and norms of the society throughout the mediation process. So their stand is to find lasting solutions to a conflict before further degeneration.

ii. Customary Arbitration

Arbitration of dispute is founded on the voluntary submission of the parties to the decision of the arbitrators who are chiefs or elders in their communities after mediation efforts have failed. This is done under the agreement that parties will be bound decisions arising from the customary

arbitration. Whereas the modern arbitration is mostly private in nature, customary arbitration is not private. As discovered in the findings in Ipetu Ijesa, it is usually organised to socialise the whole society, so like mediation, the community is mostly present. Parties could arise from the whole process and maintain their relationship and where one party got an award the whole society was witness and see to it that it was enforced. Conflict resolution by this method was therefore generally conciliatory and aimed at preserving existing relationships rather than the mere declaration of rights and liabilities that does not necessarily achieve enduring justice.

iii. Customary Adjudication

The customary adjudication process in Ipetu Ijesa is a furtherance of the arbitration procedure. It is projected towards formalising the rule of law. Like what is observed in some other African communities, this method is punishment inclined. The punishment was, however, not considered as the ultimate rudiment of conflict. Rather, it only served a form of correctional purpose and prevention against conflict re-occurrence. Adjudicatory task also involves rapt attention, skilful listening, application of custom and tradition and the readiness of disputants to develop confidence in the resulting verdict. These adjudicators were usually the apex of the institutions of conflict resolution that respected custom and norms, revered the supernatural and engage absolute truth in the process of peace-making. They ensure proper monitoring and examination of evidence in order to ascertain that the verdict will facilitate peace and harmonious relationship in the community. These personalities, as observed in other southern Yoruba societies, make use of cross-examination of facts which were gathered (Olaoba, 2000). At the cross-examination stage, the adjudicator is joined by another individual who is there to invite the ancestors to the conflict resolution scene and to ensure the promotion of the ethical modules of the society through restoration of peace and harmony.

iv. Reconciliation

This approach is usually the last stage of every conflict resolution process in Ipetu Ijesa. It involves the soothing and pacification of the disputants. The success of this depends on the expertise and experience of the

pacificator. As a neutral third party in the reconciliatory process, he/she must possess the ability to listen, readiness to appraise objectively and understand the mood of the parties to the conflict. He/she must enjoin the disputants to shift the grounds of their annoyance and aggression by exhibiting forgiveness through apologising and showing evidence of reconciliation, sometimes with sharing of a drink or meal from the same cup or plate. Thus, the responsibility of the pacificators, as observed in other African communities is anchored on assuaging injured feelings and restoration of peace (Olaoba, 2010).

v. *Ìsilé. (Oracular Intervention)*

Ìsilé is the last resort employed by the Ipetu Ijesa community to resolve any conflict that has defied all resolution efforts. It is usually facilitated by the *Yèyé-Ró* (the head of the female chiefs) in the presence of other high chiefs in the community. Jointly, they proceed very early in the morning, between the hours of six and seven to the end of the King's market which is usually used for such practice. The oracle is then consulted regarding any member of the society that has refused to resolve any conflict they are involved in. The belief underpinning this practice is that such individuals threaten the wellbeing of the society and can bring about calamities. After this, the leader proceeds by chanting some incantations and proclaiming several curses on such individuals in order to dissociate the belligerents as members of their community and thereby avoid impending dooms, which the community believes will be made to befall the community by the gods. Activities surrounding *ìsilé* are meant to restore the balance of the society, which is anchored on a shared sense of brotherhood and connectivity. As a result of this, the *ìsilé* is dreaded by the people of the society, hence they would rather opt for the alternative which is resolution of all conflicts. This is a pointer to the fact that people of Ipetu Ijesa traditional society employ all means possible to facilitate conflict resolution in their community. They are compelled to seek the *intervention* of deities and the cult of ancestors to ensure that all matters are resolved. However, this is not a regular practice; it is only carried out as a last resort to effect peace after every other effort has failed.

While some of these approaches seem to be on the extreme sides, it should be noted that they are situated in the culture of the people, and though one may not totally agree with some, these practices make sense to the people themselves because of the cultural understanding they possess about these practices. Institutions of conflict resolution are also able to find appropriate solutions to the existing conflicts because of these shared values, norms and complexity embedded in the culture of the society. More importantly, conflicting parties are more likely to accept outcome of these processes than from other sources because they do not entail loss of face and are backed by social pressure. The end result is ideally a sense of unity, shared involvement and responsibilities, and dialogue among persons/groups in conflict. However, it is necessary to point out that it is becoming increasingly difficult for some of these practices to retain their originality in the face of modernisation. The society, just like so many other African communities, is facing several challenges which make these indigenous practices and institutions less relevant.

Challenges Confronting Indigenous African Institutions of Conflict Resolutions in Contemporary Times

The indigenous institutions of conflict resolution in Africa have been severely weakened by colonial legacies. However, the major issue is that there were not much attempt to revitalise these institutions as nationalist leaders of the era of decolonisation simply went ahead to adopt western institutions instead of reclaiming what was lost. These neglect led to a duality of institutions in Africa- one in indigenous Africa and the other in modern Africa (Miles & Vaughan, 2003). These have also led to contradiction between modern and indigenous institutional courts. For instance, some individuals convicted through an indigenous institutional authority may appeal to the formal court, and get acquitted. This process of government intervention in the customary system is bringing about an increasing difference between the authority of institutions recognised by district officials and that of community elders in remote rural areas. As a result, the trust of the society in the indigenous system of conflict resolution has been degraded. So the potential effectiveness of indigenous conflict resolution is diminished where indigenous authority has eroded and formal authority has increased.

The other challenge raised by group discussion participants is that the government does not provide the right support to consolidate indigenous conflict resolution mechanism with the formal court system in the community. More so, where government actually provides support and training for local elders in order to absorb them into the modern system, the process of selecting the participants is usually questionable (Muluken, 2020). The government officials select their close friends and kin. This leads to political manipulation and affects credibility and trustworthiness of the newly imposed leaders. As a result, elders assigned by district authorities are not in a position to settle conflict according to the historical customary law; rather they serve to implement the modern administration legal codes.

Scholars also argue that in the name of collaboration with modern institutions, the historical structure of indigenous systems has become involved in political manipulation. For instance, in the past few years government-sponsored elders of communities who engage in mediation and reconciliation are either paid by the government or by NGOs. Conflict resolution thereby became a profitable activity for indigenous leaders who promote local government agendas in return for per diems and other personal incentives (Tenaw, 2016). So the system is devoid of proper structure which makes most people to opt for the modern system of litigation. This situation hinders the indigenous leaders from developing their capacity in a contemporary world. It also affects the ability of the institutions in transforming and meeting the realities of the modern world.

Conclusion

Institutions of conflict resolution in indigenous African societies play an important role in managing and resolving conflict. However, their approaches to conflict resolution is largely guided by unique norms, values, as well as cultural and traditional settings of the community. From the Ipetu Ijesa experience, the peculiarity of their techniques involves some communal practices which promoted the capacity to co-exist peacefully, to commune together, to respect one another, to forgive and to reconcile. In juxtaposition to what occurs in today's modern formal litigation system, the argument is that it is important for the original African values to be revisited, refined and adopted as African model of conflict resolution.

Recommendations

Based on the findings of this paper, it is clear that limited support from different national governments, lack of clear legal mandates, and limited capacity for oversight of system performance put in danger the ability of indigenous institutions to facilitate conflict resolution in the contemporary African societies. To enable culture to play a significant role in the reconstruction of Africa, it will be necessary to establish educational and training programmes based on progressive African cultural values for officials, civil society actors and the society at large- keeping in mind that not all aspects of cultures can be adopted for some of them are not progressive. Where such has already been established but failing to make much difference as a result of some of the challenges discussed in this paper, efforts should be put in place to address the challenges. Laws or bills that could incorporate indigenous institutions of conflict resolution into the current governing structure should also be made. This will allow traditional institutions of conflict resolution to function in harmony with current modern government structures.

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