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# **The Role of Traditional Rulers in Protracted Communal Conflicts in Nigeria**

*A thesis submitted to the University of Kent's*

*School of Politics and International Relations*

*for the degree of*

*Doctor of Philosophy*

*By*

**Tonson John Damishi Sango**

March 2013

## Dedication

*To my parents Damishi and Esther Sango, and family*

## Abstract

This thesis questions the view that the contemporary role of traditional African rulers is pre-dominantly in mediating and resolving social conflicts within States. The thesis argues that while Chiefs and Emirs in Nigeria play a significant role in resolving conflicts within their ethnic communities, their role is less significant when communal conflicts escalate in intensity and scope. By analysing the interaction between (a) the actions and strategies of traditional rulers, and (b) the escalation, de-escalation and re-escalation of conflicts involving or affecting their ethnic communities, this thesis finds that the cultural role of traditional rulers contributes to re-escalating past conflicts, thereby making communal conflicts protracted. Edward Azar's Protracted Social Conflict (PSC) theory serves as a foundation on which this thesis develops an analytical framework for mapping the Ife-Modakeke conflict and the Jos-Plateau conflict in Nigeria. Both conflicts have a history of sporadic violence that spans three political eras; pre-colonial, colonial and post-colonial. The fact that some of the traditional rulers that govern the affected communities also existed from pre-colonial times, presents an opportunity to analyse their past and present actions/strategies in relation to the conflicts' protracted cycle, as well as the political and contextual dynamics that shaped these actions. Although PSC theory serves the purpose of explaining the role of historical and contextual factors in shaping the genesis of PSCs, it focuses more on the role of the State as the sole intervening actor that influences the process dynamics of PSCs. However, the role of traditional actors cannot be neglected when analysing protracted communal conflicts involving identity groups such as *Ife* and *Modakeke*, because of their centrality in the governance of ethnic communities in Nigeria. As such, this thesis modifies Azar's PSC theory to include traditional rulers as secondary intervening actors in protracted communal and social conflicts.

## Acknowledgement

Having researched and written a Masters dissertation on “Conflict and Regional Security in West Africa”, the discovery that traditional rulers play a conflict resolution role in the ECOWAS Council of Elders as part of the organisation’s regional conflict management mechanism fascinated my curiosity. Thus, after presenting my dissertation in the form of a paper titled “West African Regional Security: Conflict Management, Integration and Collective Security” alongside Gordon Burt and Hugh Miall at the Conflict Research Society conference, London, 4 September 2007, I was inspired to research further into the role of these traditional “elders” at the national and community level. The Masters in International Conflict Analysis had adequately equipped me with the necessary skills to begin the PhD in September 2007, but it was the critical input of my supervisors, Dr. Anne Hammerstad and Prof. Hugh Miall, that soon shaped this thesis into its current focus on the role of traditional rulers in protracted communal conflicts. During its initial stages, Prof Michael Burgess of the Centre for Federal Studies gracefully provided me with a bibliographic list of all publications on Nigerian federalism, sending me off to a good start. In 2009, the introductory chapter of this thesis was presented at the International Conference of Nigerian Students, University of Hull, 4-5 April, under the title “Managing Protracted Social Conflict in Nigeria: The Role and Relevance of Traditional Institutions of Governance”. The two theoretical chapters in Part I were also presented at the Fourth Annual Conference of the Research School of Politics and International Relations, University of Kent, Canterbury, 21-22<sup>nd</sup> May 2009, under the title “Tools for Analysing Social Conflicts: Concepts and Theories”. From July 2009, I was able to visit Ile-Ife, Modakeke, Jos and other communities in Plateau State experiencing protracted communal conflicts in Nigeria. I am grateful to Dr Joseph Golwa and Dr Bakut T. Bakut of the Nigerian Institute for Peace and Conflict Resolution (IPCR), under whose auspices I conducted and completed my field work in December 2012. I also thank Rev. Philip Aderinto and Prince Mang Chaimang who accompanied me during my visits to these volatile areas, and for helping to transcribe interviews in *Yoruba* and *Aten*.

Upon returning to Canterbury in 2010, funding from the University of London’s Institute of Historical Research in the form of the ‘IHR Friends Bursary’ enabled me to

carry out research at the National Archives at Kew and the British Library. Findings from the two historical chapters in Part II of this thesis inspired me to write a two-part article on “Nigeria’s future: Separation or Unity” which was published by Think Africa Press in 2011. More funding from the Sidney Perry Foundation and the University of Kent’s International Office enabled me to reduce my teaching commitments and focus on writing up the two case-study chapters in Part III. The findings from these cases were presented in a paper titled “A Conflict Analysis Model for Studying the Role of Traditional Nigerian Rulers in Internal Protracted Social Conflicts” at the International Symposium on Interdisciplinary and Comparative Approaches to Ethnic Conflict, Sabanci University, Turkey, 5 - 6 May 2012. I owe eternal gratitude to my supervisor Dr. Anne Hammerstad who offered more than enough support throughout the entire course of the PhD. I am humbled by your patience and graciousness. I would also like to thank my second supervisor, Prof. Hugh Miall who not only supervised my Masters dissertation, but also offered much needed advice and encouragement in the writing-up stage of my PhD programme, serving as the impetus that was needed to conclude and submit this thesis. I also thank Dr. Kiyoko Miyamoto, based then at the University of Kent’s Conflict Analysis Research Centre, for the many intellectual discussions we had – from which I learnt a lot. Her warm friendship certainly made the journey easier. I am also grateful to Dr Ruth Blakely for providing additional support and facilitation during the most difficult times in the course of writing up. I also thank my colleagues – Hugo Hansen, Tom Vandenkendelaere, Govinda Clayton – for their friendship and encouragement. I owe a special thanks to my parents, Damishi and Esther Sango whose generous financial support made this journey possible. Additional funding was also provided by the Sidney Perry Foundation, Churches Together in Britain and Ireland and the University of Kent International Office. I am grateful to David Philipot and Hazel Lander for their generosity. I also owe special gratitude to Precious Nwosisi, for her love and support. This thesis is equally hers. Last but not least, I thank God who makes all things possible.

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## Abbreviations

PCC	Protracted Communal Conflict
PSC	Protracted Social Conflict
TSD	Time Series Design
ICJ	International Court of Justice
CBM	Confidence building measures
ADR	Alternative Dispute Resolution
NPP	Nigerian Peoples Party
NCNC	National Council of Nigeria and the Cameroons
AC	Action Congress
LGSC	Local Government Security Committee
MPU	Modakeke Progressive Union
SDP	Social Democratic Party
NRC	National Republican Convention
UPN	Unity Party of Nigeria
CSO	Civil Society Organisation
BPU	Berom Progressive Union
UMBC	United Middle Belt Congress
UPGA	The United Progressive Grand Alliance
NNA	Nigerian National Alliance
HRW	Human Rights Watch
JDA	Jasawa Development Association
PDP	Peoples Democratic Party
ECSO	Ethnic Civil Society Organisation
JNI	Jama'atul Nasril Islam
USAID	United States Agency for International Development
LGA	Local Government Area
BECO	Berom Educational and Cultural Organisation

## Chapter 1 :

### Introduction to Traditional Institutions from a Conflict Perspective

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#### Introduction

Many of the violent social conflicts occurring within African States today are not new, but rather continuations of past unresolved conflicts which, in some cases, even predate the existence of the colonial State and its contemporary form – the modern State. Such protracted social conflicts (PSCs) not only reflect the inadequacy of the modern State and its institutional forms in managing and resolving domestic conflicts, but also represent a challenge for conflict researchers who are trying to understand why many African conflicts have proven difficult to resolve (Copson, 1994; Kacowicz 1997, Forrest, 1998). There are many factors that explain why conflicts persist in Africa, with some scholars pointing to the failure of the State system (Herbst, 1996; Bates, 2008 ), the role of ethnicity in creating deeply divided societies (Lustick, 1979; Horowitz, 1993), the role of resources (Blench, 1996; Alao, 2007, Herbst, 2000) and the role of external States (Azar, 1990). However, analysing the role of traditional rulers (Chiefs and Kings) in PSCs enables a better understanding of their contribution to the root causes of PSCs, as well as their role in sustaining the conflict over decades. While the contemporary manifestations of pre-colonial conflicts may appear to be disconnected from their historical beginnings, the historical dimensions of PSCs continue to form part of the conflicts narrative during contemporary episodes of intermittent violence. Like these PSCs, many indigenous African institutions of governance also pre-date the coming of the colonial State into Africa, and have managed to survive the radical political changes that followed from its coming. This makes it even more interesting to chronologically study the actions of traditional rulers, their interactions with State actors during the colonial and postcolonial context of the conflict, and the effect of these actions and interactions on the escalation, de-escalation and re-escalation of the conflict.

## **Traditional indigeneship versus modern citizenship in Africa**

The term “traditional ruler” is quite limited in fully describing the actors that are the subject of this thesis, and carries with it several unintended connotations which need to be clarified. Historically, the rulers that governed ethnic communities, kingdoms and empires in Africa were largely referred to as “native rulers” by Western explorers and later colonial officials after them (Hailey, 1979). The independence movements of the 1950s-70s in Africa led to a rise in nationalism and pan-Africanism, which resulted in a shift in terminology. From the colonial “native” rulers, it became more dignifying to refer to indigenous African leaders as “traditional rulers” – a term which lays more emphasis on their cultural relevance and historical precedence over Western imposed leaders and structures of governance. After the independence era, most of the former colonies in Africa retained the institutional form of the colonial State, while at the same time preserving the indigenous governance institutions of the ethnic communities that constituted the new independent States.

As a result of the aspirations of new States towards democracy, the term “ruler” has also become inadequate because of its connotation that indigenous African rulers are above the rule of law and not subject to the constitution of the State. It also implies that law-abiding “citizens” of the State are first of all “subjects” of their traditional rulers (Mamdani, 1996). However, in this thesis, the term ‘traditional ruler’ refers to locally selected leaders of ethnic communities who are actors within a wider institutional structure of governance which is usually developed indigenously by people of common descent, in accordance to their customs and traditions of leadership. This definition is also problematic because it excludes some traditional institutions which were reconstructed and formally recognised by the British during the colonial era<sup>1</sup>. To claim that traditional institutions are ‘indigenous’,

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<sup>1</sup> The principle of Indirect Rule which was applied throughout the British Colonies necessitated the creation and centralisation of native structures in order to facilitate colonial governance.

suggests that these institutions were constructed by the “natives” and not by external imposition.

The term indigenous is derived from the word ‘indigene’ which means a native of a particular place (Klein, 1966:787). Within many societies such as Nigeria, being a native member of an ethnic community comes with certain ‘rights’ and ‘privileges’ which bestow a superior status to the indigene over the non-indigene (Alubo 2006:70). As such, the term ‘indigene’ and ‘citizen’ must also be differentiated because of their usage within the Nigerian context. The dichotomy between the two concepts is known in the literature as the “citizenship crisis” (Golwa and Ojiji eds. 2008, Alubo, 2006) or “crisis of citizenship” (Geschiere, 2003). Simply put, a ‘citizen’ refers to a person who is legally recognized as a national of a country. In other words, citizenship is considered to be a status that is bestowed upon indigenous people by virtue of the Nigerian constitution. While non-indigenes of “Nigerian” ethnic groups can gain Nigerian citizenship by fulfilling certain legal requirements set out in the Nigerian constitution of 1999 (e.g. via naturalisation), they cannot become a traditional ruler because such rights are reserved for only native members of the ethnic community. However, in a multi-ethnic country such as Nigeria the situation is more complex than this. As Professor Sam Egwu (2003:37) noted:

“indigeneship is conferred on a person whose parents or grandparents were a member of a community indigenous to a particular state. Indeed as one moves out of his/her local government of origin where he or she can lay claim to and authenticate his/her indigeneship of a state, the quality of citizenship diminishes”.

This citizenship crisis is further described by Alubo as “a situation, practice and experience where some bona fide Nigerian citizens are subjected to discrimination and various forms of exclusion from rights, privileges and opportunities as enjoyed by indigenes” (Quoted in Golwa and Ojiji eds., 2008:2). Although this will be discussed in much detail later in the thesis, it is worth stating here that the citizenship crisis is in part a

manifestation of the institutional dichotomy between traditional and modern structures of governance.

### **The Structure of Traditional Governance**

Traditional institutions of governance are organised upon other social institutions such as the extended family, providing a sense of oneness between the present and the past, the living generation and their blood related ancestors. According to Felix Amankona “tradition is a term referring to a particular form of social organization, the basis of which is the recognition and integration of kinship structures” (Amankona, 2005). As such, traditional institutions become a symbol of identity and loyalty for ethnic communities. Furthermore, traditional governance is centred upon the structural and functional relationship between the traditional rulers (Chiefs, Kings), the rules (customs, laws, and norms), and the ruled (ethnic society). Structurally, this involves how the institution is organised (hierarchical or anarchical) and what units or actors constitute this organisation. Functionally, it involves the roles or functions different traditional actors play in the overall functioning of traditional governance.

Firstly, the **rulers** are ‘traditional actors’ who have legitimate traditional authority to make governance decisions on their peoples’ behalf and to represent their ethnic community as leaders. Because the traditional institution may consist of different kinds of traditional rulers, it is important to distinguish between paramount and subordinate traditional rulers. In this thesis, a paramount ruler refers to a traditional ruler who is recognised by the State government as the highest traditional authority within an ethnic community. On the other hand subordinate rulers are appointed by the paramount ruler, to be representatives or agents of his or her traditional authority at different communal levels and areas. In other words, the subordinate chiefs facilitate the government of the paramount chief. Subordinate chiefs can further be categorised into domiciliary and non-domiciliary subordinate chiefs. The domiciliary chiefs are those who are resident within the

community of the paramount ruler and are an integral part of the daily functioning of the chiefdom, kingdom or emirate. Non-domiciliary chiefs are those who may or may not be resident in the community but have been recognised by the paramount ruler as influential indigenes of the community and are bestowed with honorary chieftaincy titles (Ayttey, 2010).

Secondly, the **rules** are the age-old customs, norms and values which serve as the precedent for guiding the functioning and decision making processes of traditional governance. These age old rules have over the years become institutionalised into customary law and traditional religion. Dele Olowu and John Erero further reaffirm that the traditional institutions “are rooted in African indigenous history, tradition and culture” (Olowu and Erero eds., 1997:3). These institutionalised customs and traditions also highlight the values which tend to be associated and preserved by the traditional system such as transparency, justice, accountability, predictability, and popular participation (Ayttey, 2010: 1185). Despite the democratic seeds that can be found in traditional governance, such rules have become subordinate to the constitutional laws of the modern state. In fact, contemporary African political leaders such as Nelson Mandela (1984) argued that the traditional governance in Africa was highly democratic prior to the modern State. He asserts:

“Then our people lived peacefully, under the democratic rule of their kings. ... All men were free and equal and this was the foundation of government. Recognition of this general principle found expression in the constitution of the council, variously called Imbizo, or Pitso or Kgotla, which governs the affairs of the tribe. The council (of elders) was so completely democratic that all members of the ethnic group could participate in its deliberations. Chief and subjects, warriors and medicine men, all took part and endeavoured to influence its decisions. There was much in such a society that was primitive and insecure, and certainly could never measure up to the demands of the present epoch. But in such a society are contained the seeds of revolutionary democracy.” (quoted in Ayttey, 2010:1186)

Although Mandela himself, being from the *Thembu* lineage of traditional rulers in South Africa (Guiloinéau, 2002) is intrinsically disposed towards a favourable view of traditional governance, he has also been a proponent of a liberal democratic constitution which excludes traditional rulers in the modern governance of South Africa.

Finally, the **ruled** are the people or “subjects” (Mamdani, 1996) whose lives are governed by the traditional rulers and the rules of traditional governance. In Nigeria, citizens who reside in settlements that are geographically located far away from municipal centres (where the seat of government is based, and development is concentrated) tend to be more reliant on traditional governance structures for support than their urban counterparts. By having limited access to state and local government officials, as well as infrastructural development and security, citizens become actively engaged in preserving indigenous structures of governance, thereby becoming more subjected to traditional rulership (Olowu and Erero eds., 1997:5). On the other hand, citizens residing in urban centres also tend to subject themselves to traditional governance as a way of recognising and accepting the indigeneship rights of ‘host’ communities. These individuals perform the function of legitimising traditional rulers by recognising his or her position, as well as honouring the rules – customs and traditions – from which the traditional ruler’s position is derived. This dynamic role of legitimising and re-enforcing traditional institutions places power in the hands of the ruled. The structure, functions and rules that constitute the traditional institution of governance in relation to the varied and changing context of Nigerian ethnic societies will be extensively discussed in later chapters. However, it is important to review existing institutional forms of traditional governance.

### **Decentralised and centralised traditional systems**

Within the literature, traditional systems of governance in Africa are divided into two main types; decentralised and centralised traditional systems. The decentralised system of governance was a common kind of traditional political organisation in pre-colonial Africa,

which was based on consensus and existed in different forms, according to ethnic adaptation. This system of government consisted of tribes that existed as separate political entities and governed themselves independently. Crucial to this system was the idea that power must not be concentrated in one person's hands and that the emergence of a rigid hierarchy of authority was undesirable. A further distinction between decentralised systems can be made as Ayittey (1991:37) further elaborates: "tribes that dispensed with chiefs but governed themselves peacefully were called stateless societies". These "stateless societies"<sup>2</sup> were usually peaceful and decisions were generally based on consensus building. Institutions such as the *Ibo* Village assembly in Eastern Nigeria, the *Baito* assembly in Eritrea and the *Kiama* council of elders of the Kikuyu in Kenya are notable examples of such decentralised traditional institutions. Although some communities with decentralised traditional systems are described as "stateless" because they were not politically organised under a single governing authority, they were also considered to be democratic societies none the less. In *Citizens and Subjects*, Mahmood Mamdani (1996: 41) espouses that in pre-colonial African societies, decentralised systems of traditional governance were representative of "democratic forms of organisation". Mamdani also faults the influence of colonial indirect rule in centralising such systems, resulting in the creation of "decentralised despotism" (Mamdani, 1996:39). In other words, traditional rulers who were installed in by the colonial State to govern previously decentralised communities, became authoritarian and corrupt because they lacked legitimacy in the eyes of the people they were appointed to govern. The view that decentralised systems are more democratic is one that has been held also before Mamdani. Lord Hailey in his classic report on *Native Administration and Political Development in British Tropical Africa*, highlights that "in Northern Nigeria, there are some who go as far as to hold that the village moots or clan assemblies of the pagan areas<sup>3</sup> are

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<sup>2</sup> Also referred to as "stateless communities" – See Mamdani, 2006: page 40

<sup>3</sup> North-central Nigeria, also known today as the Middle-Belt region which encapsulates Plateau State

not only more representative but are better adapted to the purpose of progressive administration than the more highly organised Empires" (Hailey, 1979: 15).

On the other hand, the centralised system of governance was mostly found in the larger ethnic societies which emerged in Africa, in the forms of Kingdoms, Emirates and Empires. Centralisation implies that power is concentrated in the hands of a central authority, a ruler or monarch. In some cases, such rulers had absolute power which was even deemed as a divine right, but in most others there were checks and balances in place to foster accountability and prevent the abuse of such power. Furthermore, centralised systems can be distinguished into *indirect rule* and *assimilation* according to their process of formation and administrative structures. According to Ayittey (1991:38) "there were two discernible political subcultures...the first was an imperial rule that afforded the vassal states extensive local independence or autonomy...and the second required the vassal states to assimilate an allegedly superior foreign culture". An example of the former can be seen in the Asante Empire (present day Ghana), and of the latter in the Sokoto Caliphate (present day Northern Nigeria) respectively. The organisational structure of centralised systems varied according to the ethnic community in question. However in the case of empires such as the Asante empire, centralisation usually took the form of a confederacy which afforded the vassal states some level of autonomy, and did not distort the indigenous institutions of subjugated people (Busia, 1967:29). However, tributes were paid to the central administration and the empire was governed by a central authority, one ruler – the *Asantehene* - who sat on the golden stool.

The distinction between decentralised and centralised traditional systems of governance is also crucial for this thesis because the role of traditional actors in protracted conflicts may vary according to the system of traditional governance in place. The role of traditional rulers in conflicts is likely to be more critical in centralised traditional systems

where the power to make decisions on war and peace reside in the hands of one traditional ruler, and vice versa.

### **Debates on the relevance of traditional institutions in contemporary states**

With the advent of colonialism, the governance role of traditional institutions began to change as they became instruments of the colonial administration under the policy of indirect rule. As in the case of Nigeria, the indirect rule system of administration by the British, which was later changed into the native authority system, was based upon the utility of chiefs and native rulers in governing the people. Indirect rule and the Native Authority system was a system whereby the British colonial administration sought to govern their colonies through the use or co-optation of traditional rulers. The use of traditional authorities as agencies of imperial rule was only valuable when locally established and recognised institutions were used. According to Hailey (1979:14), who conducted a thorough appraisal of the Native Authorities in Nigeria in 1940, "their value depends largely on the care taken in ascertaining the real seat of indigenous native authority before making the grant of those statutory powers which mark the position of a native authority as part of our administration". As such, the use of traditional rulers as agents of indirect rule marked the beginning of the erosion of their legitimacy and credibility, as they were subsequently viewed by their people as puppets of the colonial administration who neither served the interest of their people nor satisfied their communal needs (Amusa and Ofuafor, 2012: 409). During the colonial era, chiefs were used as tax collectors and played the role of intermediaries between the colonial head and the local people. Following the Second World War and the emergence of a new generation of Western educated Nigerians, independence movements were born and these new young and enthusiastic leaders began to perceive traditional institutions as old fashioned, weak and inapt to handle the new post-war global economic and political challenges to confront the State (Cowan, 1958: 13-17).

Since the end of colonialism, debates on the relevance of traditional institutions within the modern State have been conducted within the political discourse of almost all African states, with varying issues and scope according to the state in question<sup>4</sup>. In a few states such as Lesotho and Swaziland, traditional institutions of governance continue to exist as constitutionally recognised monarchies. In others such as Rwanda, debates continue on whether the exiled King Muami Kigeli Ndahindurwa, should be restored. Yet in others such as Nigeria, traditional institutions exist without any constitutional recognition at federal level but are formally recognised by state laws and financed by state and local government authorities.

Within the literature on traditional institutions, there are three separate strands of argument about the relevance of traditional institutions in the democratic governance of African States. In line with the findings of the 2007 UNECA<sup>5</sup> concept paper titled “The Relevance of African Traditional Institutions of Governance”, the three schools of thought on the relevance of traditional rulers can be categorised into; the sceptical, the credulous and the balanced strands. Scholars in the *sceptical strand* contend that chieftaincy is anachronistic, a hindrance to the development and transformation of the continent, undemocratic, divisive and costly” (UNECA, 2007:10). Their scepticism is based on certain assumptions about traditional institutions. Kilson (1966) and Zack-Williams (2002) both consider chieftaincy to have been corrupted by the colonial system of indirect rule, as well as the “despotic” post-colonial military regimes. As a result, the traditional institution has lost its credibility and capacity for accountability. Mamdani (1996) also highlights the concern that under traditional authority, people in South Africa live as ‘subjects’ rather than ‘citizens’ and that democratic governance will be impossible to achieve with such systems in place.

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<sup>4</sup> For a series of papers to this effect, see Christian Lund (ed), 2007. *Twilight Institutions: Public Authority and Local Politics in Africa*.

<sup>5</sup> United Nations Economic Commission for Africa

A polar view to the sceptical strand is provided by proponents of traditional institutions who belong to the *credulous strand*. Their view assert that “traditional institutions are indispensable for political transformation in Africa, as they represent a major part of the continents history, culture, and political and governance system” (Davidson, 1992; Fallers, 1955). In his argument, Davidson (1992) links the ineffectiveness of the modern state to its failure to restore Africa’s history due to its neglect of traditional institutions. This view may be over-generalising the relevance of traditional institutions and neglecting the fact that they change over time and may contribute to escalating social conflicts.

A more balanced view, which is more suitable for the analysis in this thesis, is put forward (by UNECA, 2007:11), as one which:

“acknowledges the limitations of traditional institutions, that the colonial state largely transformed chieftaincy into its intermediate administrative institution, and that the post-colonial state often co-opted chiefs to facilitate the extension of despotic control over citizens. This view nonetheless recognises the fact that traditional institutions constitute crucial resources that have the potential to promote democratic governance and to facilitate access of rural communities to public service.

Sklar (1994) and Skalink (2004) believe traditional institutions to be the foundation upon which "mixed governance structures" can be constructed. Such structures will allow the traditional rulers to serve as custodians and representatives of the interest of local communities within the modern State’s political structure. Other African scholars such as Osaghae (1987) also agree that a political structure built upon the foundations of traditional institutions can serve to establish and promote accountability in governance. In like manner, Ake (1987) and Ayittey (1992) also articulate their argument that indigenous political values and practices must be harmonised with modern democratic practices if the gap between state and society is to be reduced. This balanced view represents the perspective suitable for this research because it recognises the possibility of a duality

(constructive and destructive) in the role of traditional rulers in protracted communal and social conflicts. The relevance of traditional institutions of governance is evident historically but subtle in contemporary times because of the neglect of traditional institutions by the modern State. As such, on one hand traditional rulers are still perceived as embodiments of the culture and traditions of African people, as protectors of their history and heritage, thus deriving legitimacy and power from the people. The modern State on the other hand is often perceived as too modern, capitalistic, corrupt and a Western creation for the neo-colonial control of African resources (Badejo and Ogunyemi, 1989:183). Irrespective of the arguments mentioned above, it is a well-known fact that traditional institutions of governance constitute an enduring part of the everyday lives of the majority of Nigeria's population living in rural and urban areas.

### **The role of traditional rulers in conflict analysis and conflict resolution**

Having adopted a balanced perspective on the debate on the relevance of traditional institutions in the modern state, this debate cannot be properly conducted without first of all investigating what the contribution of traditional rulers have been to the deadly protracted conflicts that continue to weaken the Nigerian State. To this end this thesis seeks to answer the central question; *“what is the role of traditional rulers in protracted social conflicts in Nigeria?”* If traditional rulers are found to have played more of a constructive role i.e. they have contributed more times to the de-escalation or resolution of protracted social conflicts, then it will be argued that traditional institutions should be maintained by the State, in order to harness their conflict resolution potential. On the contrary, if traditional rulers are found to have played more of a destructive role i.e. they have contributed more times to the escalation or re-escalation of violent protracted social conflicts, then this thesis will argue that the traditional institutions may need to be reformed or even overhauled as a step towards seeking for solutions to ending the deadly cycle of protracted social conflicts in Nigeria.

This central research question emerges from a renewed interest in researching indigenous African institutions in general. While there has been wide cross-disciplinary interest in researching traditional institutions of governance since the post-independence era of Nigerian history (Otite, 1973; Reed, 1982; Ake, 1990; Ayittey, 1991; Miles, 1993; Mamdani 1996; Olowu & Erero .eds., 1997; Harneit-Sievers, 1998; Vaughan, 2000), the objective of this thesis is to contribute particularly to a more recently growing body of research within the Conflict Analysis<sup>6</sup> discipline (e.g. Rabar and Karimi .eds., 2004; Blench et al, 2006; UNECA, 2007; David E., 2007). Although there is no general consensus on what the “Conflict Analysis” tradition is, what distinguishes this emerging body of research from other scientific works, can be identified as its use of conflict theories, empirical cases of conflict or conflict resolution processes to investigate or illuminate the role of traditional actors. As the next chapter will show, current researchers who utilise a conflict analysis approach to the study of African traditional institutions have focused more on their *constructive roles* during conflict resolution processes (e.g. as negotiators or mediators during domestic conflicts within their ethnic community), leaving their otherwise *destructive roles* as instigators or participants in violent social conflicts (such as conflicts between their ethnic community and “external” actors such as other ethnic, religious and political groups, or the State) under researched. Furthermore, the few researchers that have investigated the contributions of traditional rulers to causing or escalating violent social conflicts have not conducted their analysis over the extended timescale of protracted conflict. These two gaps within the Conflict Analysis literature on traditional institutions of governance will be addressed in this thesis.

To address these gaps, this thesis develops a theoretical framework in Chapter One which enables a linear historical analysis of the dual roles (constructive and destructive) of traditional rulers during the escalatory and de-escalatory phases of two cases of on-going

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<sup>6</sup> For a detailed discussion on Conflict Analysis as a discipline and its scientific variants (such as Peace Research), see Nicholson Michael (1992), *Rationality and the Analysis of International Conflict*. England: Cambridge University Press. Pp. 22-26

violent protracted conflict in Nigeria. Using a longer historical period when researching the role of traditional actors enables this analysis to provide insight into when and how these communal leaders have shaped the course of the protracted conflict, from its ‘genesis’ through to its current phase. The theoretical framework developed later in this research, relies mainly on Azar’s theory of Protracted Social Conflict (PSC)<sup>7</sup> to construct the analytical foundation upon which the protracted nature of violent social conflicts can be understood. By identifying the contextual, process-level and actor-level factors that contribute to the emergence of deadly protracted social conflicts (which in Azar’s case was the Lebanese civil war of 1975 - 1990), Azar’s PSC theory and its successive modifications<sup>8</sup>, provide a helpful starting point for analysing the role of traditional rulers in protracted social conflicts in Nigeria. However, due to the dissimilarities between Nigeria and Lebanon at context, process and actor levels, Azar’s theory is modified in Chapter One, before it can be more adequately applied to answer my research question. In particular, the re-conceptualisation of “traditional rulers” as intervening actors (alongside the State) which can influence the course of a protracted social conflict during its escalation or de-escalation stages, is a key feature of this theoretical modification.

This modified theoretical framework is then applied to two separate cases of ongoing protracted social conflict in Nigeria; the Ife-Modakeke conflict (Chapter Five) in South Western Nigeria, and the Jos-Plateau conflict in Central Nigeria (Chapter Six). As will be discussed later in this chapter, these conflict cases are considered to be two of Nigeria’s most protracted conflicts, with root causes and episodes of violence which can be traced as far back as the pre-colonial era. Furthermore, although these conflicts have been referred to by other conflict researchers with different labels such as “ethnic”, “political” or “religious” conflicts, they are both considered here as protracted social conflicts which

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<sup>7</sup> Edward Azar (1938 - 1991) was a professor of government and politics at the Centre for International Development and Conflict Management, University of Maryland, U.S.A. His theory of Protracted Social Conflict was developed using the case of the civil war in Lebanon between 1975 and 1990.

<sup>8</sup> For example Hugh Miall’s Conflict Transformation theory; See Miall, Hugh (2004)

involve ethnic parties that have thriving traditional institutions of governance with politically active traditional rulers. However, both conflict cases also differ in their contextual, process-level and actor-level characteristics, and as such, present the potential for differing findings on the role of traditional rulers. It will be interesting to discover how these different dynamics affect/effect the role of traditional rulers, and vice versa. Findings from both cases will inform academic and policy-orientated discussions about how and whether traditional rulers have served and can continue to serve a more positive and constructive role during the escalation and de-escalation processes of PSCs in Nigeria. Furthermore, it is hoped that the findings from Nigeria will encourage further research into other protracted conflict-ridden communities and States in Africa where traditional structures of governance exist as parallel or integrated to modern State structures.

### **Methodology**

This research utilises a methodological approach which comprises of three qualitative techniques that are common within conflict research; mapping of conflict case studies, semi-structured elite interviews, and open focused group discussions. Conflict mapping has been described as “a first step in intervening to manage a particular conflict. It gives both the intervener and the conflict parties a clearer understanding of the origins, nature, dynamics and possibilities for resolution of the conflict” (Ramsbotham et al, 2005 p74). Although the aim of this research is not to intervene in any of the two conflict cases, protracted conflict mapping can serve as a useful tool for identifying the parties and issues involved in the conflict. Conflict mapping will then enable a more adequate analysis of how parties and issues change over the course of a PSCs cycle, and particularly the role of traditional actors in influencing these changes. Although both conflicts studied in this thesis have very long historical cycles, spanning from the pre-colonial era, this thesis focuses on conducting a more detailed mapping of the post-colonial era as this marks the beginning of independent statehood in Nigeria.

Having used conflict mapping to establish the history, the parties and the issues of the conflict, the next step is to identify the indicators of escalation and de-escalation, over the historical period in question. Riots, mass protests, violence and destruction of property are all considered to be indicators of escalation, while the reduction or absence of the above indicates a de-escalation of the conflict into its latent phase. These events will be analysed chronologically to determine what role traditional rulers played and how their role contributed to re/escalating the conflict into violence, or de-escalating the conflict into a period of relative peace. In the final chapter, a comparison is drawn between the role traditional rulers played which have contributed to escalating (constructive roles) and deescalating (destructive roles) the protracted conflicts studied (See Figure 1 below). This methodological approach can be likened to what Druckman refers to as time series analysis (Druckman, 2005: 172). According to Jupe (2006), Time Series Analysis (TSA) is a “research design in which measurements of the same variables are taken at different points in time, often with a view to studying social trends”. In the next chapter specific variables are identified as indicators of conflict escalation, de-escalation and re-escalation. These are then measured in relation to the actions (and inactions) of traditional rulers, with a view to making inferences about the relationship between their role, and the conflicts progression/regression.

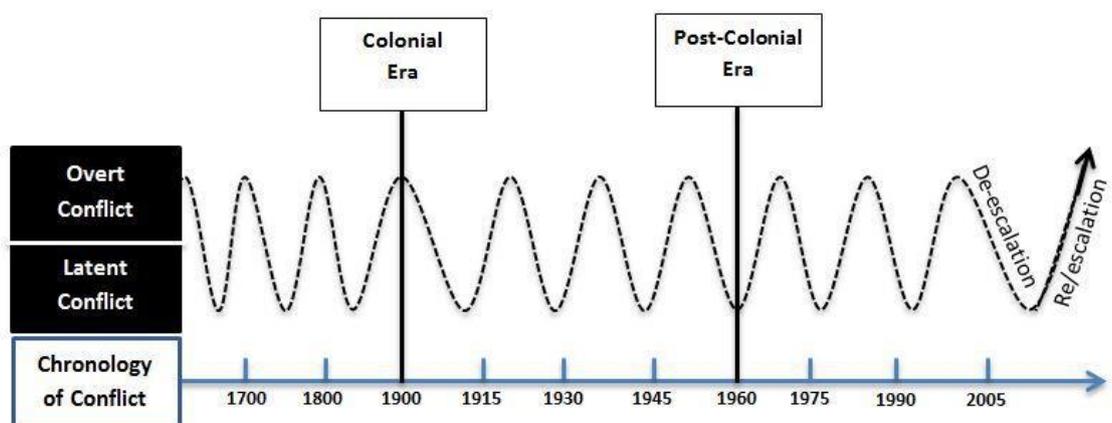


Figure 1: Time-Series Design for Analysing Protracted Social Conflict

To complement the conflict mapping above which is primarily based on secondary sources, I will also draw on primary data which was collected through a total of forty (40) semi-structured interviews with elites from the two case study communities affected by protracted conflict. These interviewees included traditional actors (paramount traditional rulers, heads or other representatives of the traditional institutions) state actors (politicians, government officials at local, state and federal level) and civil society actors (leaders of ethnic and religious organisations). While specific themes (i.e political Access, identity acceptance, and security) were used to structure the interview guide and to enable consistency in questioning, the questions were open-ended and gave more room for expanded discussion to both the researcher and the interviewee. As Bryman (2008:438) notes, “in a semi-structured interview the researcher has a list of questions or fairly specific topics to be covered, often referred to as an interview guide, but the interviewee has a great deal of leeway in how to reply”. Furthermore, the sequence of questions asked was largely determined by the direction of the interviewees responses in order to maintain the flow of the discussion.

The interviews were transcribed using Nvivo 10 software, and thematically analysed. According to Braun and Clarke (2006:79), “thematic analysis is a method for identifying, analysing and reporting patterns within data. It minimally organises and describes your data set in detail”. In accordance with Azar’s theory, denial of the **access** (to the superstructure of the State), **acceptance** (of ethnic/communal identity) and **security** (physical protection and infrastructural development) needs of an ethnic community are the fundamental factors that give rise to protracted social conflicts, and make them intractable. As such, the interview questions were structured and analysed in order to identify the themes which highlight the roles played by traditional actors with regards to the denial or satisfaction of these communal needs. It was expected that the responses from traditional actors will be biased towards their constructive roles, while political and civil society actors will be critical of their constructive role. However the findings from this interviews and focused group

discussion with youths from the affected areas, reveal that most political actors emphasised the constructive role of traditional rulers, with only a few being openly critical of their role.

Six focused group discussions were carried out with youths from the affected ethnic communities, between the ages of 18 and 35. Each group comprised of between twenty and thirty people who all shared the same ethnic identity, and whose ethnic group is involved in the conflict. While themes of the discussion were generally similar to the semi-structured interviews conducted with elites, the discussion generated new and interesting insights about the role of traditional rulers in the escalation and de-escalation stages of the protracted conflict. In particular, the youths were more openly critical of traditional rulers and their role during the conflict. As with the elite interviews mentioned above, all focus groups were audio recorded, transcribed and analysed thematically. Due to the subjective nature of interview responses when researching conflicts, in this thesis traditional actors can only be deemed to play a constructive role when the outcome of their role leads to: a de-escalation of the conflict in the form of cessation of violence, or prolonged periods of relative peace for the communities in conflict. In other words, by focusing on win-win outcomes, mutually exclusive efforts aimed at protecting one group's legitimate interest at the expense of the other cannot be considered constructive, especially if it leads to a re-escalation of the conflict.

### **Conflict Case Studies**

This thesis will analyse two cases of protracted social conflicts in Nigeria – the Ife-Modakeke conflict and the Jos-Plateau conflict. Nigeria is Africa's most populous country with a population of more than 160 million people. More importantly for this research, it is a multi-ethnic state which consists of more than 250 distinct ethnic groups, all of which have a system of traditional governance in place. Some of the ethnic groups in Nigeria today have transnational communities which transcend the political boundaries of the Nigerian state, extending into neighbouring West African States. This is because prior to

colonial rule, the territorial entity known as Nigeria was inhabited by several distinctive kingdoms and city states which covered parts of modern day Benin Republic, Chad and Niger. Soon after independence, Nigeria adopted a presidential system of government with a federal constitution which creates autonomous political constituencies known as states. Osun state today, where the Ife-Modakeke conflict takes place, was part of the territory formerly administered by the old Oyo Empire of the Yoruba, while Plateau state, where the Jos-Plateau conflict takes place, was home to a conglomeration of several minority ethnic groups such as the Aten, Berom and Tiv (Smith, 1990).

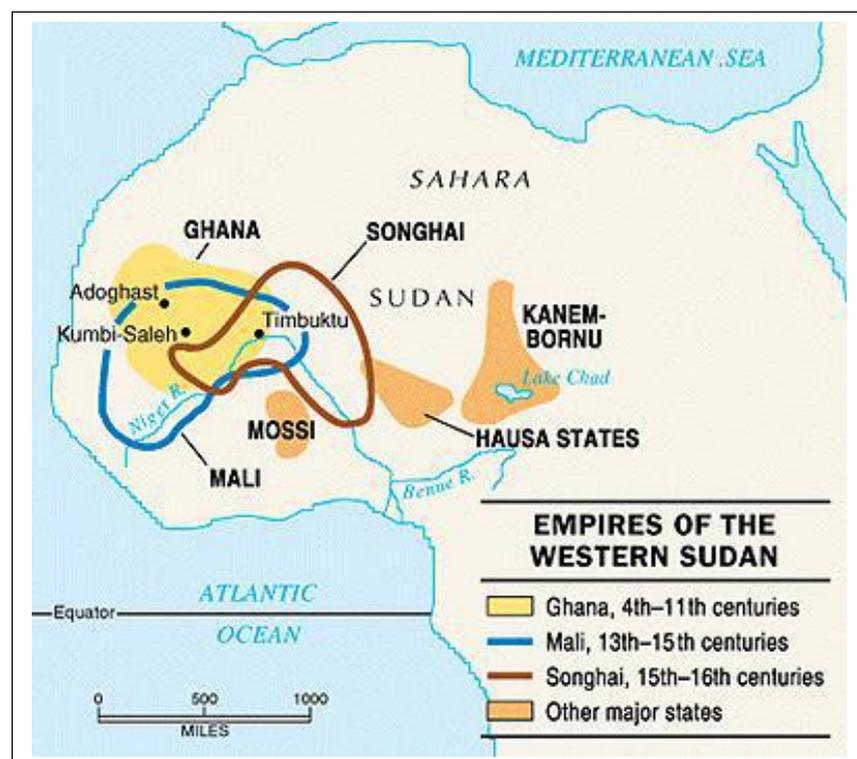


Figure 2: Pre-Colonial State Formations in West Africa<sup>9</sup>

The two conflict cases present interesting dynamics which will affect the nature of the findings. Apart from being one of the longest protracted conflicts in Nigeria, the case

<sup>9</sup> Historical patterns of conflict between pre-colonial states and empires were not taking into account during the partitioning of Africa into Westphalian States by European powers. (Image sourced from [http://wps.ablongman.com/wps/media/objects/419/429222/thumbs/ch11\\_200.html](http://wps.ablongman.com/wps/media/objects/419/429222/thumbs/ch11_200.html) Accessed 23/01/2013)

of Ife – Modakeke is particularly interesting because of two other reasons. Firstly, the conflict is primarily between “Ifes” and “Modakekes” – both parties which belong to the same ethnic group – *Yoruba*. As such, it may be considered as an intra-ethnic protracted communal conflict (PCC). Secondly, the Yoruba operate a distinctly centralised traditional system, where the paramount traditional ruler possesses a significantly greater amount of power and influence due to its deep rooted history, and the high population density of Yoruba indigenes. These factors distinguish the Ife-Modakeke conflict from the Jos-Plateau conflict. In 2009, I visited Ile-Ife community during the period leading up to the coronation ceremony of the Ogunsua of Modakeke (paramount traditional ruler of the Modakekes) – an event which was widely considered to be a milestone towards the resolution of this protracted conflict.

The Jos-Plateau Conflict presents more complex dynamics due to the existence of multiple levels of conflict. On one level is the conflict between the Anaguta, Afizere and Berom - ethnic groups that consider themselves indigenous to Plateau state, and lay claim to traditional ownership of Jos (capital city of Plateau state). On another level, is between the Berom (as the largest ethnic group amongst the indigenous groups) and the Hausa “settlers” who are “resident” in Jos. The conflict re-escalated in 2001, as ethnic tensions between the Hausa “settlers” and the plateau “indigenes” assumed a religious dimension that reflects pre-colonial sentiments. The conflict spread into other communities where Christians and Muslims reside and widespread violence ensued. In November 2008, the conflict re-escalated again following a hotly disputed local government election in Jos and more than 300 hundred people were reported killed (BBC, 29 November 2008). Furthermore, the Jos-Plateau case presents interesting dynamics with regards to the role of traditional institutions because the Plateau ethnic groups have relatively weaker traditional rulers by virtue of their minority population and decentralised systems.

By analysing two cases of protracted social conflicts in Nigeria, and by analysing the historical development of the traditional institutions of these affected communities (under the pre-colonial, colonial and post-colonial historical contexts), the relevance of traditional institutions can be more fully determined. This is based on the fact that the historical context and its structural characteristics condition the roles of traditional rulers during times of conflict. Utilising a conflict analysis framework in the study of traditional institutions will enable an appreciation of the changing nature of traditional institutions, as well as the varying degree of relevance they possess with regard to their impact on a conflict at different stages of escalation or de-escalation<sup>10</sup>.

### **Chapter Outline**

This thesis is structured into three parts which constitute a total of six chapters. *Part one* constitutes two theoretical chapters. The first chapter moves from here to develop an analytical framework for analysing the role of traditional actors in protracted social conflict. This chapter elucidates some of the conceptual and analytical difficulties of the study by exploring and problematizing some of the conceptual tools that are used in the mapping and analysis of protracted conflicts. Edward Azar's Protracted Social Conflict theory is synthesised with insights from other more recent theoretical perspectives on intra-state conflicts involving traditional rulers in the developing world. This analytical framework informs subsequent mapping of the complex conflict dynamics within which the actions of traditional rulers is analysed. Chapter two moves on to explore the variety of peace strategies and instruments which are available within the purview of traditional institutions. By exploring the non-violent strategies of African traditional rulers, the chapter highlights the principles of African alternative dispute resolution, as embedded in African traditional mechanisms of dispute resolution. These principles are categorised into Party and Third-Party strategies in order to distinguish between the negotiation and mediation roles of

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<sup>10</sup> The model that captures these phases of conflict is analysed in chapter two.

traditional rulers. Finally, the chapter discusses issues with operationalizing the analytical framework developed.

*Part two* constitutes two chapters which focus largely on the historical evolution and contemporary experience of traditional institutions. Chapter three traces the history of Nigerian traditional institutions with the aim of understanding their evolving role and relevance in the governance of Nigeria's ethnic communities. Because the nature and structure of traditional institutions are constantly changing, so also has their role in society. By tracing the developments in Nigerian history during the pre-colonial, colonial and post-colonial eras, the role of the traditional rulers is traced in tandem with the changing political structures and constitutional context of the Nigerian federation. Chapter four then follows from the previous chapter to discuss the contemporary structure of traditional institutions of governance under Nigeria's third republic. In particular, it examines the structural relationship between the traditional institutions and the modern States institutions of governance. This is then followed by a discussion on the political role of traditional rulers and the state of current debates on Nigerian traditional institutions.

*Part three* constitutes two case-study chapters which apply the analytical framework developed in Part I. Chapter five maps the Ife-Modakeke conflict, while chapter six maps the Jos-Plateau conflict. More specifically, these chapters analyse the roles of traditional rulers in the conflicts' historical and contemporary dimensions. Finally, the conclusion chapter brings together the findings from the case studies. Similarities and differences will be analysed and then compared with theoretical assumptions. Areas where the role of traditional rulers proves to be constructive as well as destructive will be discussed. Furthermore, the chapter makes some recommendations on improving the constructive role of traditional rulers as key agents of peace in modern Africa.

## PART I

### THEORETICAL FRAMEWORK

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The two chapters that make up this first part consist of a theoretical framework which serves as the foundation upon which research into the role of traditional rulers in empirical cases of protracted conflicts can be conducted. By building on Edward Azar's Protracted Social Conflict theory, Chapter 2 updates Azar's theory in order to make it more suitable for analysing PSC cases which are contextually and historically different from the Lebanese civil war. In particular, the analytical framework developed in the next two chapters highlight two main additional components: (a) the protracted communal conflicts (PCCs) studied in this thesis pre-date the establishment of the colonial State and therefore cannot be explained by Azar's conception that PSCs begin with the rise of multi-communal States. (b) The continued existence of traditional rulers and institutions of governance which also pre-date the modern Nigerian State, presents another actor (alongside the State) which has the legitimacy and capacity required to influence the satisfaction or denial of communal needs. Azar's PSC theory only focuses on explaining the role of the State as the sole intervening actor during the process dynamics of PSCs. Having developed an analytical framework for analysing PCCs in Nigeria, Chapter 3 then conceptualises the conflict resolving roles that traditional rulers might be expected to play at the different stages of a protracted conflict. In particular, the chapter identifies factors that are indicators of 'constructive' and 'destructive' roles. Furthermore, the chapter examines the fundamental similarities and differences between the Western and African conception of conflict resolution.

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## Chapter 2 :

### A Framework for Analysing Protracted Communal Conflict

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#### Introduction

The aim of this chapter is to examine the key concepts and theoretical models that constitute the foundation for understanding and analysing social conflicts in general. In particular, this chapter develops an analytical framework which captures the essential process of how competition between ethnic communities within multi-communal States, can lead to the emergence of protracted communal conflicts (PCCs). This framework also conceptualises the dual role (constructive and destructive) that traditional rulers can play in the genesis, process dynamics and outcome of PCCs. In order to distinguish a conflict approach to the study of traditional rulers from other approaches, this chapter conceptualises traditional rulers as ‘secondary intervening actors’ within Azar’s Protracted Social Conflict (PSC) theory. To inform this conceptualisation of the role of traditional actors within conflict situations, this chapter draws from the literature on traditional governance in Africa. In particular, the classic works: “Warfare and Diplomacy in Pre-colonial West Africa” by Robert Smith (1989), and “Nigerian Chiefs” by Olufemi Vaughan (2006) are two significant examples. Because of the inter-disciplinary nature of this conflict approach, it is relevant to clarify its scientific position.

Within the field of Conflict Analysis and Resolution, there is a slight distinction between researchers who engage in conflict analysis, and those who engage in conflict resolution or peace studies. Fisher et al (2000:17) defines conflict analysis as “a practical process of examining and understanding the reality of a conflict from a variety of perspectives. This understanding then forms the basis on which strategies can be developed and actions planned”. In other words, conflict analysis researchers tend to have an interest in understanding the causes and behaviour of conflict, as a step which implicitly informs the search for adequate solutions (e.g. Ostien 2009), while conflict resolution

researchers are more involved with the process of developing, experimenting and implementing adequate solutions to manifest conflicts (e.g. the collection of essays in Zartman, 2000). Although this distinction is not always apparent in practice, it is necessary to understand the implication of both for this thesis. The analytical framework developed in this chapter aims to inform our understanding of the causes and complexities of PCCs in Nigeria, while at the same time pointing towards possible constructive roles that could be played by traditional rulers - as powerful intervening actors within ethnic communities.

By updating Azar's PSC theory and synthesising it with insights from the literature on African traditional institutions of governance (mainly historical accounts during the pre-colonial and colonial period, and more recent anthropological studies<sup>11</sup>), this chapter identifies the relevant factors that are indicators of the "constructive" and "destructive" roles of traditional actors. The next chapter builds on this framework by reviewing the nature and scope of traditional power, and its application at different stages of conflict escalation, de-escalation and re-escalation. However, it is relevant to clarify some definitions of the term 'conflict' and how the concept of 'communal conflict' is applied in this thesis.

### **Understanding Conflict**

In everyday life, the common use of the term 'conflict' denotes an overt and violent interaction between two or more parties who are in disagreement. However the phenomenon of conflict is wider than violent behaviour and can be more complex than a simple disagreement over positions. According to Bercovitch (1984), perspectives on conflict are etymological and may be classified as either 'actor-oriented' or 'system-oriented'. He asserts that;

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<sup>11</sup> A good account on traditional rulership among ethnic groups in Africa is: Fortes and Evans-Pritchard eds., *African Political Systems*, 1940.

“From an actor-oriented perspective conflicts are necessary, indeed inevitable; from a system-oriented perspective conflicts may be undesirable, because they may interfere with the goal of system maintenance” (Bercovitch, 1984:4).

In other words, by adopting an ‘actor’ or ‘system’ perspective on conflict, one may be motivated to embrace conflict as an essential part of human interaction, or a problem which needs to be addressed or resolved. But because of the destructive effects of wars and other forms of violent conflicts on political order, conflict is viewed as a dangerous idea. Exclusively adopting either perspective will be inadequate for this research, because the aim is for a holistic understanding of the role of traditional rulers (actors) whose communities are engaged in or affected by violent protracted social conflicts (system). The underlying assumption is that the involvement of traditional actors may be constructive (informed by a systemic view of a conflict) or destructive (informed by an actor-based view of a conflict). Thus a combination of both views offers a richer foundation for conceptualising their role in PCCs.

### **Definitions**

Earlier definitions of conflict focus on the behaviour of parties as overtly observed. Coser (1956) defines conflict as “a struggle over values, entailing behaviour that is initiated with the intent of inflicting harm, damage or injury on the other party”. Such a definition is narrowed to differences in opinion and the focus is on the parties engaged in a conflict. Broader definitions have been offered to promote an understanding of the relationship between social systems and social conflict and thus seek to explain the underlying situations that promote mutual incompatibility. Curle’s (1971) definition of conflict as “any situation where human beings are being impeded from realising their potential, however that may be defined”, entails that the inhibition of human potential by structural factors such as resource distribution and political representation are significant in conceptualising conflict. Thus conflict is a form of behaviour as well as a situation which may be physically expressed, or systematically observed.

Conflict can also be understood from the perspective of the parties involved and thus the assertion that defining conflict is a subjective exercise. In most conflicts where the parties involved have incompatible values, their values can be narrowed down to their competitive perspectives of each other. According to Burton (1970), “the parties’ perception transforms a situation into a conflict situation, and it can also transform a conflict from one of violence and coercion into one with mutually beneficial outcomes”. This perceptual view of conflict is credible because values are not fixed but are flexible and can be changed over time or when exposed to a different interpretation. Thus a conflict situation can be identified when the parties are aware that they possess mutually incompatible values or goals. Bercovitch further explains that “subjective approaches to conflict are concerned with the parties’ orientation and with devising tools and strategies for rectifying conflict-producing misperceptions” (1984:5)

However there is an objective perspective to understanding conflict which is more consistent with this thesis. Unlike the subjective view, this perspective defines a conflict situation as any observable situation whereby the actions of parties engenders mutually incompatible goals. The difference between these conceptualisations of conflict also implies upon their perspective on how to resolve conflict situations and whether or not conflicts are resolvable. Thus while subjectivists will focus on changing the misperceptions of actors, objectivists seek to change the underlying structures that give rise to this misperceptions. Utilising both actor-oriented and system-oriented perspectives will offer a richer insight into the dynamics of social conflict within multi-communal States and the role of traditional actors in these conflict situations. The closest to a synthesis of both perspectives is the Conflict Triangle of Galtung (1971:125)

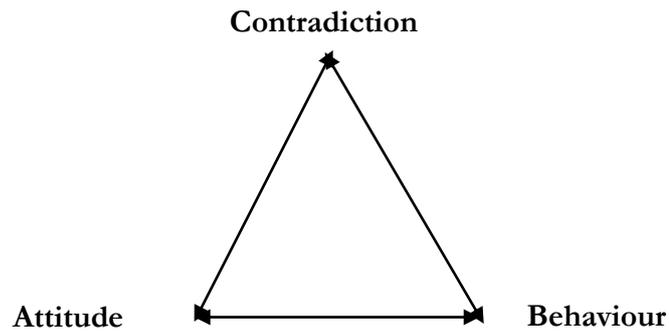


Figure 3: Galtung's Conflict Triangle

In his definition, Galtung offers a three-dimensional perspective of conflict which conceptualises it as a contradiction (systemic), behaviour (actor), and attitude (actor). With such a model it is easier to identify various forms and expressions of conflict. Conflict attitudes comprise of the psychological and cognitive processes that the parties in a conflict may be experiencing; such as fear, tension and resentment. Such factors are often the first signs of a 'cold' relationship between conflicting parties who are yet to exhibit any observable form of conflict. Conflict behaviour on the other hand is observable and characterises overt conflict. A conflict may have begun psychologically from the moment an incompatibility is recognised in their relationship. However, until this latent conflict escalates in the form of polarisation or violence, it cannot be observable behaviour which can be analysed within the scope of this thesis. Finally, contradiction refers to the incompatibility between parties which can be as a result of the systemic design that places actors in a competing position.

With such a tripartite perspective of conflict, this thesis can focus on understanding the structural (e.g. State formation processes), functional (e.g. customs and traditions of leadership) and psychological factors (personality traits) that condition the role of traditional actors in protracted communal conflicts. This model also allows for a variety of strategies to be considered in exploring ways in which traditional rulers can contribute to ending the vicious cycle of PCCs. However, before analysing the stages of this vicious and protracted cycle of conflict, it is necessary to understand the meaning of the term

“communal conflict” and how it is applied in this thesis. This entails a discussion on the levels of analysing social conflict.

### **Levels of Analysing Social Conflict**

Galtung’s triangular model aids an understanding of conflict in general, but in order to understand the patterns of social conflict, Galtung’s triangle must be complemented by a ‘levels of analysis’ approach which traces how conflict develops from one social level to another (e.g. how conflict at the family level can spill over into the community, and intra-communal conflicts can then spill over into neighbouring communities, eventually engulfing the State). In the analysis of international conflict, the levels of analysis can be categorised into the State, Regional and Global levels. Thus international conflict is regarded as a conflict which involves two or more states, their respective armies and alliances, and clearly defined military objectives. However, the nature of social conflicts within States is very different from the Clausewitzian conception of war because of several factors including: new types of non-state parties such as factional groups; rapidly changing and complex dynamics and highly unpredictable outcomes. As noted by Kaldor

“Although most of these wars are localised, they involve a myriad of transnational connections so that the distinction between internal and external, between aggression and repression, or even between local and global are difficult to sustain” (1999:2).

Aside from the problem with categorisation highlighted by Kaldor, there are also multiple definitions of social conflict. According to Ramsbotham et al (2000:63), this is because “some differentiate in terms of conflict parties, others in terms of conflict issues, and others in terms of conflict causes, but most in terms of hybrid lists that seem to muddle diverse categories”. In this thesis, ‘social conflict’ refers to a conflict occurring within a State, which involves politicised groups, systematic struggles and organised violence. The conflict can be manifested in a political, economic or socio-cultural form and the parties involved include (but are not limited to) communal/identity groups, local and

state government actors. Using this definition, social conflict will be analysed bottom-up at three main levels in this thesis: communal level, inter-communal level, and state level.

### **Communal Level**

The communal level is the domain of ethnic/identity based groups which occupy a territory considered to be their traditional or ancestral land, located within the political boundaries of the state or local government council. An ethnic community within a modern political state may have distinctive binding characteristics such as ethnicity, culture, language or history. In many multi-communal States, ethnic communities continue to prioritise communal cohesion and identity over national cohesion and identity. As such, there is a great degree of group solidification which occurs at the expense of intergroup harmony. This is inevitable as communal groups compete with each other for access to the state, acceptance of identity and legitimacy. In Africa, the proliferation of identity groups (formed on the basis of ethnicity, religion or ideological disposition) who are calling for the recognition of their rights to self-determination, further justifies the need to study conflict processes at the communal level. More interestingly for this thesis, by studying the conflict processes within the ethnic community (e.g. conflicts over family inheritance, grazing/farming land, or political alliances), the role of paramount and subordinate traditional rulers within the community can also be studied. It is expected that traditional rulers will have more of a significant influence on the conflicts that emerge within their domain.

### **Inter-Communal Level**

While some of the conflicts that occur within ethnic communities can be resolved within the group, more serious conflicts can emerge when two or more ethnic communities are involved. At the inter-communal level, social conflicts usually involve neighbouring communities when there is a spill over (for example through displacement of people from one ethnic community) or when two or more ethnic communities are in competition over

scarce political, economic or socio-cultural resources. Inter-group competition normally signifies that both communal groups prioritise communal interest over national interest, and consider the other to be a threat to achieving such interest however defined. The role of traditional rulers in inter-communal conflicts can vary also. While at the communal level, traditional rulers may be conditioned by communal interest to play a more constructive role and aim to resolve disputes within the community, their role at the inter-communal level may become destructive as they seek to define the other group as an enemy, thereby strengthening their own community's cohesion (e.g., McLauchlin and Pearlman, 2012).

### **State Level**

In the ideal Westphalian model, the state level is usually the highest level. Security at this level cannot be compromised if the State is to survive, and communal or inter-communal conflicts which escalate to this level are treated as threats to national security (Buzan, 2003). At this point, the State can become a party to the conflict in the process of trying to contain it through coercive measures. In extreme cases, conflicts that begin at the communal or inter-communal level can escalate into full blown civil wars at the state level. Although traditional rulers may have lesser influence over conflicts at the state level once the conflict becomes securitised, their role becomes more aligned with that of state actors as they seek to remain relevant while reconciling communal interest with national interest.

Although real conflict situations are often a combination of multi-level dynamics, it is helpful to adopt this 'levels of analysis' framework so as to aid in the subsequent analysis of how protracted communal conflicts are caused, and escalated to include more groups at different levels. In general these levels of analysing social conflict are not entirely exclusive and empirical conflicts usually overlap between several levels. Having used Galtung's model and the levels of analysis framework to understand the meaning and levels of social conflict, it is important to now examine the genesis, process dynamics and outcomes of protracted communal conflict.

## **Protracted Communal Conflict**

In order to understand the dynamics of seemingly endless communal and inter-communal conflicts within African States such as Nigeria, it is important to understand that such violent conflicts are mostly continuations of unresolved conflicts which can be traced as far back as the pre-colonial era before the Nigerian State was ever conceived. As such, these protracted communal conflicts must be conceptualised holistically (taking into consideration their historical dynamics) in order to better understand how traditional rulers have influenced the conflicts cycle. In the late 1980s and early 1990s Edward E Azar in his study of violent conflicts within developing States (which he termed “protracted social conflict”) made the observation that:

“Many conflicts currently active in the underdeveloped parts of the world are characterized by a blurred demarcation between internal and external sources and actors. Moreover, there are multiple causal factors and dynamics, reflected in changing goals, actors and targets. These conflicts do not show clear starting and terminating points”. (Azar, 1990:6)

More recently his theory of Protracted Social Conflict (PSC) has become prominent in the Conflict Resolution field as well as to other relevant researchers (Leventis and Tsokkalides, 2007; Coleman P.T, 2003, 2004, 2006; Colaresi and Thompsons, 2002; Malaquias, 2001; Rouhana N. N, 1999; Gidiron B. et al, 1999), for identifying the factors that give rise to severe conflicts which greatly undermine human, communal, national and even international security. As such, this section will only build on Azar’s PSC framework in order to develop an analytical framework which aids in (a) identifying the factors that give rise to protracted communal conflicts, (b) measuring the actions and strategies of traditional actors and their effects on the horizontal escalation of PCCs (from latent to overt stage) and the vertical escalation of PCCs (from communal to inter-communal and to State level), and (c) analysing the outcomes of escalated PCCs on the communities involved and their traditional institutions.

## **Genesis of PCCs**

The 'Genesis' component of Azar's PSC theory consist of the conditions that are responsible for generating conflict relations, where such did not exist prior to these conditions. These conditions are part of a process whereby an awareness of contradictory needs emerges in the perspective of two or more communities. In particular, Azar identifies four key variables which characterise the genesis of PSCs, namely: *Inter-Communal Competition, Deprivation of Communal Needs, The role of State Governments and the Role of the International Community*. This section also identifies *the Role of Traditional Institutions of Governance* as a key variable which influences the genesis of PCCs.

### **Inter-Communal Competition:**

The rise of multi-communal States through colonialism or through other historical patterns of State formation is the most significant factor that creates the context which enables protracted communal conflicts to thrive. According to Azar (1990), the most important unit of analysis in PSCs is the communal group (defined by ethnicity, culture or religious identity) which can be located at the communal level of analysis. As in the case of many post-colonial states a multitude of identity groups came to be grouped under a single State. This established the foundation for inter-communal competition and conflict. Many West African States experienced severe ethnic and sectarian violence, as well as other forms of identity related conflicts immediately after they achieved independence from colonial powers in the 1950s and 60s. These newly independent States lacked the social cohesion needed in order to stabilise the State and for nation building to be peaceful. In countries that had been colonised by Britain, a contradictory political terrain can be observed. Because the principle of divide and rule was applied during the process of colonisation, it was strategically beneficial to colonial powers to group different conquered territories into single political and administrative units. In Nigeria at least 250 distinctive nations were amalgamated into the colonial state of Nigeria in 1914 (Smith, 1990:1-7).

Following the post-World War II exit of imperial powers and the achievement of independence by West African states, the colonial boundaries of the State were retained despite efforts by identity groups to formulate new state boundaries which were in line with historical boundaries and patterns of state formation. This reflected an underlying grievance among ethnic societies who sought to exist as distinct nations. The relationship between identity groups is at the core of the problem of PSC's, because the historical pattern of rivalry and contest between these groups still very much exists. Lack of integration and harmony between communal groups, can foster the emergence and persistence of PCCs. As in the case of the *Tiv* and the *Jukun* ethnic groups in Nigeria, whereby clashes can become protracted and historical rivalry perpetuate new hostilities. Secondly, because some of the communal groups are more dominant than others in population and influence, the majority groups come to dominate the politics of the new State and thereby depriving minority communities of their needs. This leads us to the second important factor in the genesis component of Azar's theory which is need deprivation.

### **Deprivation of Communal Needs:**

The second factor in the genesis of PSCs is need deprivation. The natural existence of human needs drives individuals to form identity groups and communities in order to protect and satisfy these needs. Human needs can be defined as those things which are a necessity for human and communal survival and wellbeing. While human needs are located on the individual level, they can also be translated into communal needs when expressed collectively. Unlike interests, needs are ontological and thus are considered to be non-negotiable. Because we live in a world of physical and material scarcity, individual and communal needs are seldom met equally and as is the case in most less developed countries, one community may enjoy the satisfaction of their communal needs while others suffer acute or partial deprivation. This is not surprising considering the point raised earlier

that in multi-communal States, larger identity groups may come to dominate the State and thus become unresponsive to the needs of minority communities. Azars identifies three basic needs which can be identified when analysing communal need deprivation, namely: *Access needs, Acceptance needs and Security needs*. Access needs are defined by the degree of representation a community is considered to have in government. This representation translates into a sense of communal participation in the decision making processes at all government levels. Acceptance needs are defined by the degree to which the ethnic, cultural and religious identity of a community is recognised by other communities within the State. Although identity recognition can be translated as the absence of ethnocentrism in inter-communal relations, recognising and respecting the traditional ruler of a community is considered as the highest and most measurable form of identity recognition in this thesis. Security needs are defined by infrastructural and developmental factors that improve the overall quality of life such as the roads, schools, hospitals and physical security. The failure of governing authorities (State government and traditional rulers) to address grievances that emerge from deprivation of communal needs as defined above, can “cultivate a niche for a protracted social conflict” (Azar, 1990:9).

The deprivation or satisfaction of communal needs is significantly dependent upon the allocation and distribution of the means through which they can be satisfied. According to Azar this is a function of access to the superstructure of society i.e. social institutions such as political authority or the market. Therefore equal and effective participation in society is a crucial determinant for satisfying physical needs. However in West African settings, as well as in many other stratified societies, this is rarely the case as a result of a combination of high poverty levels, corruption, and the natural scarcity of resources, in comparison to a great and heterogeneous demand for them. This situation often leads to the marginalisation of minority communities in multi communal States because of their disadvantaged position in size and the limitation in options available to them in attempting

to redress their grievances. Grievances that arise from need deprivation are often expressed collectively by the members of the identity group, and thus they resort to self-determination strategies which involve the strengthening of traditional institutions in the communal governance and negotiation of needs.

The extent to which communal groups can redress marginalisation in the distribution of social goods is dependent upon the level of access to economic decision making, which in turn is determined by the overall distribution of political power. For example a minority group which is under represented in economic decision making processes may discover that it is difficult to correct any imbalances due to the lack of sufficient access in comparison to majority communities who may have more representatives. Meanwhile if getting more representatives and thus achieving an improvement in the marginalised communities negotiation position, becomes its preferred strategy, then the political power available to that community to elect or appoint more decision makers becomes a limitation. According to Azar, “it is in this nexus that the deprivation of physical needs soon leads to discord over the just and fair distribution of political and economic power” (Azar, 1990:9)

Tolerance and acceptance of communal identity largely influences the level of access to political and economic power. If the ruling elites of a society accommodate and recognise alienated identity groups, then the management of conflicts that arise from the unequal distribution of political and economic power can be more easily achieved. This is because deprivation of needs and means of satisfying them, are deeply rooted in the refusal to recognise or accept the unalienable rights of other communal groups to exist within the same political space. In post-colonial States, PCCs can be escalated because communal marginalisation promotes a sense of insecurity, and fosters great cohesion within identity groups and thus works to promote collective violent action as a desperate response. This fosters ethnocentric sentiments which work contrary to the nation-building process that is required to achieve unity and progress in multi-communal States. As individuals begin to

associate themselves more with their ethnic groups and rely on traditional institutions to satisfy their human needs, their sense of patriotism and civic duty towards the State is eroded. This leads us to the role of the State government as the third factor in the Genesis of PCCs.

### **The Role of State Governments:**

In the modern world, the State is the sole political authority which exists to govern and regulate society (through the use of force when necessary), protect citizens and to satisfy the needs of the communities and individuals within it. This suggests that while the State on one hand carries the sole responsibility of satisfying the access, acceptance and security needs of individuals and communities, on the other hand it also has the power to deprive its citizens of these collective goods. This summarises the significant role which the State as an ‘intervening actor’ can play in the prevention or escalation of protracted social conflicts. However many multi communal States often characterised by “incompetent, parochial, and authoritarian governments that fail to satisfy basic human needs” (Azar, 1990:10). Azar further elaborates that;

“Indeed an ideal state characterised by a fair and just mode of governance should be able to satisfy human needs regardless of communal or identity cleavages, and promote communal harmony and social stability” (Azar, 1990:10).

Empirically, African States whose democratic history is not as enduring in comparison to their Western counterparts, have experienced military dictatorships which further contributed to institutionalising corruption and undermining the legitimacy of the State as an intervening actor in PSCs. Indeed military intervention into politics in post-colonial Nigeria has contributed in thwarting democratisation projects and further cultivating an attitude of pessimism towards the role of the State as an actor which is able to satisfy the needs of its constituent communities. Furthermore, the capacity of the State to satisfy communal needs has been further eroded because political authority tends to be

monopolised by a coalition of hegemonic communal groups who strive to pursue their interest and to maintain a stronghold on State power and the states' mechanism.

According to Azar,

“The monopoly of political authority by one or more groups denies the state a capacity for fair and successful governance. As a result the means to satisfy basic needs are unevenly shared and the potential for protracted social conflict increases” (Azar, 1990:10).

In general, less economically developed multi communal States can be considered inevitable breeding grounds of protracted social conflict because a limited economic capacity, coupled with communal competition, the State is left with limited options in terms of coping with the growing demands to meet the needs of its diverse population. As such, in seeking to increase its capacity to satisfy communal needs, the State can either turn inwards towards traditional institutions to assist in governing communities and mobilising resources to meet communal needs, or turn outwards towards the international community to assist with aid and capacity building. Both options have significant implications on the process dynamics of protracted communal conflicts but Azar's framework only focuses on the role of international linkages. As such, this section and the next two chapters will provide a more detailed discussion on the role of traditional rulers.

### **The role of Traditional Institutions of Governance:**

Within the political and administrative governance of most ethnic communities, traditional institutions are the *sine qua non* by virtue of their existence prior to the colonially imposed State structure and its successor after independence. However, the legal authority of most traditional rulers has been eroded by a series of reforms under military and democratic regimes which were aimed at cementing the civic authority of the secular State at the expense of indigenous institutions and forms of governance (See Chapter 4). As already discussed in chapter 1 of this thesis, the institutional conflict between the modern

State and traditional institutions of governance became the focal point of politics during the post-independence era. However, while the State seeks to impose its dominance over traditional forms and institutions of governance, its reliance on them to satisfy communal needs (e.g. through organising self help community projects) can be perceived as counterproductive to its purpose. Using the indirect rule hypothesis, citizens can become more loyal and committed to communal aspirations at the expense of the State if they perceive the State to be an ‘oppressor’ (a tool to be used by dominant/powerful communities to deprive the needs of minority/weaker communities). This can lead to further stratification of divisive tendencies between communal groups and thereby generating PCCs which can escalate and ultimately result in the subversion of the State.

However, the State’s efforts to subdue traditional institutions as ‘sub-state actors’ under its superstructure can ensure accountability in the governance of communal groups through traditional rulers, thereby fostering the satisfaction of the access, acceptance and security needs of their communities. In extreme cases, the State allows traditional rulers to be appointed into State positions of power as Ministers, Senators and Representatives of their communities, while in others they are only given positions which allow them to perform the less political role of advising elected State officials. Either way, traditional institutions themselves cannot survive without the integrity of their communal group, which in turn greatly depends upon the protection afforded it by the law that governs the State. Although many traditional institutions are organised and actively maintained by the independent efforts of the indigenes of their community, the financial demands of administering traditional institutions also depends on the overall economic capacity of the State. Thus, communities who lack the economic capacity to finance their traditional system of governance must rely on the State. And when the State in turn also lacks the economic capacity to act, it turns to the international community.

### **The role of the International Community:**

Outside the domestic realm, the international realm is also significant for studying PCCs especially within regions which have porous borders or overlapping ethnic ties. Azar identifies 'international linkages' as being relevant in assessing the role of the state in preventing or fostering protracted social conflicts. According to Azar (1990:11),

“the formation of domestic social and political institutions and their impact on the role of the state are greatly influenced by the pattern of linkage with the international system”.

Two models of relations with the international community can be identified: economic dependency and clientelism. When weak States are in a dependent relationship with international actors (such as developed States or regional and global institutions), they are at risk of being vulnerable to protracted social conflicts because such a relationship “not only limits the autonomy of the State, but also distorts the pattern of economic development, impeding the satisfaction of security needs” (Azar, 1990:8). For example less developed countries that depend on the Bretton Woods institutions for loans and financial assistance, will have to implement quick fix economic policies, which may not favour the long term goals of equal distribution of social benefits amongst communities. Excessively depending on the international community can also make States vulnerable to international pressure because of conditions that accompany international aid (e.g. Structural Adjustment Programs) which can be contradictory to domestic priorities. Moreover, according to Azar, “dependency often exacerbates denial of the access needs of communal groups, distorting domestic political and economic systems through the realignment of subtle coalitions of international capital, domestic capital, and the state” (Azar, 1990:11). However while excess dependency can serve as an indication of a State's lack of capacity to prevent domestic PCCs, it can be a source of stabilising fragile States especially during the post conflict stage.

Client relations with the international community on the other hand is characterised by a complementarity whereby the patronage of weak States is exchanged for the

protection by stronger States. In a client relationship, weak States offer loyalty and tend to sacrifice some degree of their autonomy and independence in exchange for protection offered them by strong states. However, clientelism doesn't always guarantee the satisfaction of the needs of communal groups. This can be seen in the case of Nigeria's conflict with Cameroon over the Bakassi peninsula. Although Nigeria may have decided to patronise great powers by taking the case to the International Court of Justice (ICJ), the court's decision to cede the territory to Cameroon aggravated the grievances of the Nigerian communal groups who have resided in the peninsula for countless years and still consider it to be their ancestral land. According to Azar

“Client loyalty and obedience involves some sacrifice of autonomy and independence, which induces the client states to pursue domestic and foreign policies disjoined from, or contradictory to, the needs of its own public” (1990:11).

Indeed the factors that give rise to protracted social conflicts can be endogenous or exogenous. While these factors can combine in any particular order to generate PCCs which can escalate into PSCs, the deprivation of the needs of communities based on their identity is the most important factor (Aruch, 1998; Cleary, 2002, Cromatie, 2005; Medin et al, 2006). In analysing cases of PCCs and PSCs, the genesis factors can be analysed by examining the historical dimensions of the conflict in order to identify which communal needs were specifically denied, how they were denied, the role of traditional rulers in depriving such needs, and how this escalated the conflict both horizontally and vertically. Having identified the genesis factors that give rise to Protracted Communal and Social Conflicts, the next section analyses the “Process” factors that activate or trigger latent PCCs into overt conflicts.

## **Process and Dynamics of PCCs**

While the 'Genesis' component highlights the factors that give rise to latent protracted communal conflicts situations, the 'Process and Dynamics' component of Azar's theory explains the factors that are responsible for escalating latent PSCs into an overt form. At the overt stage, conflict situations which are hitherto perceived by communities become observable behaviour in the form of polarisation, discrimination or violence against competing communal groups. Azar (1990:13-14) also identified three key variables that can shape the escalatory and de-escalatory dynamics of PSC processes, which can be identified as: *Actions and Strategies of Communal Groups*, *Actions and Strategies of the State*, *Systemic Mechanisms of Conflict*.

### **Actions and Strategies of Communal Groups:**

Within a communal context which is characterised by fear and distrust between communal groups as a result of need deprivation and competition, a single event can serve as a 'trigger' which escalates latent protracted communal conflict into its overt form. Such triggers serve as turning points in the communal relations, where individual grievances are recognised and expressed collectively by the community. For example, a series of instances when the needs (access, acceptance or security) of individual members of the community were deprived may lead to widespread grievances without necessarily causing any major changes in existing patterns of communal relations. However, an occasion when the need of an influential member of the aggrieved community is deprived, this individual victimisation is then collectively acknowledged by the members of his or her community. This acknowledgement then serves as the 'trigger' which escalates the already existing conflict and not the underlying cause of it. In some cases, politicians or other influential individuals can play the "ethnic grievance card" in the hope of mobilising the support of members of their community for their own personal interest, rather than that of the community (Aapengnuo, 2010). However, unless there has been an underlying deprivation

which is widespread and gone unrecognised for a prolonged period of time, mass mobilisation is difficult and thus can become one of the ways of differentiating between grievance based conflicts and greed based ones. As tension increases,

“the victimized communal groups begin to draw the attention of their constituents not only to the event itself, but also to a broad range of issues involving communal security, access, and acceptance needs such as selective poverty and political inequality” (Azar, 1990:12).

This makes it easier for communal groups to broaden their scope for organising and mobilizing resources or recruiting new members to their cause. This is one of the distinctive characteristic of PSCs; that there is usually a change or spill-over in stated goals of communal actors in order to sustain the deadly protracted conflict cycle. The extreme effect of such can be observed in war economies. As communal organisation and stratification increases, communal groups formulate more diverse strategies such as civil disobedience, guerrilla warfare or secessionist (Azar, 1990). However the more coercive their strategies become, so also does the response they get from the ruling elites or their constituents. At this point, the role played by traditional institutions may increase or decrease tensions. As agents of the State, traditional actors may become predisposed to playing down violent communal actions because of the fear of being held accountable by the State. On the other hand, traditional actors also risk losing the legitimacy afforded them by their subjects, as well as their very lives, if they do not align with the interest of their community during tense moments of communal expression of grievances (Adedoyin, 2009)

Because minority communal groups are disadvantaged in an asymmetric relationship with majority groups who also have more control of the State machinery, they often seek the assistance of other communal groups within or outside the State. In regions such as West Africa, where the retained boundaries of the Colonial State were not drawn in harmony with pre-colonial communal boundaries, PCCs which have escalated can easily spill over into neighbouring states which share ethnic and cultural ties with victimised

communities. Furthermore, States who have no cultural link to the parties of a PCC can also become involved because of national interest. As Azar asserts, “by manipulating communal tensions, a neighbouring nation can enlist the support of disenfranchised groups to subvert their nations’ ruling regime.” (1990:14)

As analysed above, the actions and strategies of communal groups and their traditional rulers can influence the vertical escalatory dynamics of PCCs, at the Communal and Inter-communal and State levels of analysis. However, the responses of formal political actors also influence the process and dynamics of protracted conflicts. As such the State’s actions and strategies are the next crucial determinant of the process and dynamics of PCC’s.

#### **Actions and Strategies of the State:**

A range of actions and strategies can also be deployed by the State in response to communal grievances that are expressed collectively. Depending on the demands of the community and the implications they carry for State security, the ideal action in the interest of peace and conflict prevention, is for the State to accommodate the demands of communal actors and seek to satisfy their needs. However this is rarely the case because not only is accommodating diverse communal needs an expensive strategy for the State to pursue, it can also be perceived as a sign of State weakness because States actors fear that accommodating the grievances of one group will lead other aggrieved communities to also take collective action. Also because communal groups are already in competition for the control of the State’s superstructure, identity groups also fear that they may lose their influence and stronghold on the state mechanism and thus often resort to coercive strategies such as military repression or instrumental co-optation (Azar, 1990:14).

Although coercive strategies are considered the default strategy of State actors in dealing with communal dissent, it can work against the State when excessive force is

applied, inviting an equally coercive response from communal groups which is justified to the international community. Coercive State strategies also afford the communal group more legitimisation of their cause. An example of this can be seen in the case of the Niger Delta conflict in Nigeria when Ken Sarowiwa (a human and environmental rights activist) and nine members of his Ogoni community were executed by the Nigerian military government of General Sani Abacha (Welch, 1995). This resulted in widespread criticism of Abacha's regime and subsequent sanctions from the international community, who actively carried on the campaign for the needs of the Ogoni community.

Another strategy which is often deployed by the State as a viable option for mitigating communal grievances is co-optation. By getting members of the community and their traditional rulers to work in the State's interest, communal groups soon abandon their initial cause in favour of a compromise which can result in an intermittent end to violence. However, failed attempts to co-opt communal groups can lead to a re-escalation of the conflict, thereby making it even more protracted. As Azar points out, "failure of this strategy further justifies coercive, repressive options, leading to an upward spiral of violent clashes" (1990:14). As violence becomes intense and the conflict re-escalates, the State then resolves to containment as a strategy. By trying to contain the conflict within its national boundaries, the State seeks to avoid international involvement in order to save face and maintain its integrity, sovereignty and legitimacy. This is quite difficult especially when PSCs have escalated to a highly destructive level whereby the State mechanism is starting to fail as a result. When containment fails as a strategy, then States are left with no choice but to seek external assistance through their existing dependency and clientelist linkages. As Azar notes, "The existing dependency and client ties facilitate direct or indirect intervention of external powers, which not only amplifies the scope of the conflict, but also makes it more protracted" (Azar, 1990:15). Besides the actions and strategies of the communal

groups (and their traditional rulers) and the State, there are also systemic mechanisms which also shape the process and dynamics of PCCs.

### **Systemic Mechanisms of Conflict:**

Systemic mechanism refer to inbuilt variables within the psychological framework of the communities involved in a conflict, which are generated and sustained by the conflicts deadly protracted cycle and re-enforces their negative perceptions of each other (Azar, 1990:15). Because it is the identity of communal groups that forms the core reason for need deprivation, the fear of marginalisation or loss of communal integrity is at stake. This can lead to an enduring set of antagonistic perceptions and interactions within and among communal groups. For example if two communities have experienced a history of violent protracted conflict, the horrific memories of lost ones may continue to re-enforce feelings of bitterness and hatred among their constituents, and these can be passed on from generation to generation. Such memories which can then create and solidify communal rivalry and thus further justify the need to re-escalate the conflict in the future. In line with the scapegoat hypothesis (Smith, 1999), these negative pre-conceptions of the other group conditions the belief systems of the communal group to the extent that fighting or dissenting members of rival communities become accepted as part of their identity or culture. Over long periods, exposure to PSC leads to a psychological mind set which promotes a culture of violence and makes it even more difficult to resolve the conflict or transform the relationship between communal groups out of the deadly PSC cycle. This can result in a close mindedness, which makes “proposals for political solutions become rare, and tend to be perceived by all sides as mechanisms for gaining relative power and control” (Azar, 1990:15). Therefore, for conflict researchers such as Mitchell (1981) and Azar (1990), it is also important to analyse the perceptions and cognitive processes generated through long term experience of conflict interactions.

Azar's 'process and dynamics' component highlights the importance of communal actions and strategies in shaping the escalation of latent PCCs into overt PCCs. As leaders of their community, traditional rulers by implication have an important role to play in shaping the process dynamics of PCCs.

### **The Outcomes of PCCs**

Having identified the factors that characterise the genesis, process and dynamics of PCCs, the 'Outcome' identifies the consequences that overt protracted conflicts can have. Like many severe violent conflicts, the destructive effects on life and property cannot be undermined. However, unlike most conflicts which result in zero-sum outcomes, all parties loose. This is because protracted conflicts tend to have no clear winner and no clear end point (Azar, 1990:16). All parties stand to lose more than they gain because not only do their actions re-enforce the conflict, the destructive effects serve to sustain the cycle of the conflict. It is almost impossible to determine a clear termination point when analysing PCCs because while outcomes such as military victories or negotiated agreements may lead to a cessation of violence, such is only temporary so far as the underlying causes (need deprivation) are not satisfied. As such, the conflict can deescalate to a latent stage, with the potential to re-escalate in the future when triggered.

Apart from the negative-sum outcomes identified above, protracted conflicts also have the potential to result in more destructive outcomes than other forms of violent conflict. As PCCs re-escalate to the point of violence, normal economic activity is suspended, development programs cease to function and the economy depreciates (Azar, 1990:15). The State begins to spend more than it makes, and such spending goes on short term security expenditure in response to widespread violence, rather than the longer term provision of welfare and the satisfaction of underlying communal needs. In particular, Azar identifies four key consequences of PCCs, namely: *Deterioration of Physical Security, Institutional Weakness, Psychological Desensitisation, and Increased Dependency on the International Community.*

### **Deterioration of Physical Security:**

The loss of life and property is evident whenever protracted conflicts escalate into violence. Scarce resources are injected into the acquisition of weapons and military logistics, thereby further undermining the security of both the victimised groups as well as the dominant ones. This expatiates on the earlier point made that all communal parties in a PCC suffer loose. Even more dangerous is the vicious cycle of conflict and underdevelopment which leaves PSC-laden countries more incapable of independently seeking solutions. According to Azar, “apart from physical destruction, PSC institutionalises underdevelopment through the destruction of physical and social infrastructures” (1990:15). When analysing empirical cases of protracted communal conflicts, human casualties and infrastructural damage can be used as indicators of the level of horizontal escalation. However, this thesis will focus more on analysing the qualitative outcomes of the conflict in relation to how the destruction of lives and property contributed to re-escalating the conflict.

### **Institutional weakness:**

Escalated protracted communal conflicts can cause socio-economic and political institutions at all levels to degenerate and become paralysed thereby making access to the means of satisfying individual and communal needs incapacitated. PSCs can lead to State weakness, thus rendering the State incapable of performing its key functions of “regulation, extraction, allocation, and arbitration” (Azar, 1990:16). PSCs reinforce and strengthen pessimism throughout the social fabric of society, thereby demoralising political and traditional actors and who are meant to mobilise the search for peaceful solutions. When conflict becomes more protracted, communal cleavages become petrified and the prospects for cooperative interaction and nation-building become poor. As communal conflicts continue to re-escalate over many decades, they become accepted as the norm within the

consciousness of affected communities, thereby building a sense of inertia among political elites and masses.

The effect of PSCs on traditional institutions of governance in Africa ought to be studied more broadly in order to contribute to this framework. In particular, the effects of PCCs on the chieftaincy system of the *Ifè, Modakeke, Berom, Afizere, Anaguta, Aten* and *Hausa* communities in Nigeria will be studied in this thesis. This will give more insight into the effects of protracted conflicts on centralised and decentralised traditional institutions that operate at all levels of society.

### **Psychological Desensitisation:**

The psychological consequences of protracted communal conflicts are subtle but can be crucial to understanding why PCCs persist. Because of the difficulty in overcoming memories of the atrocities committed during a violent conflict, fear and suspicion continues to characterise the relationship between warring communities. According to Azar, “with the continued stress of such conflict, attitudes, cognitive processes, and perceptions become set and ossified” (1990:17). The ossified mind sets of warring communities make them insensitive towards each other’s grievances and are difficult to reconcile. The psychological effects of PCCs can be the latent impulses which motivate a re-escalation of past conflicts in the future. Furthermore, the warring communities can become psychologically desensitized towards any efforts at trying to resolve a protracted conflict, thus a siege mentality develops which inhibits constructive negotiation for any resolution of the conflict (Azar, 1990:16). Through the analysis of the semi-structured interviews conducted in this thesis, reoccurring themes which indicate psychological desensitisation to (a) the other community, and (b) the conflict resolution process, will be highlighted.

### **Increased Dependency on the International Community:**

As discussed earlier, dependency and cliency are international factors which can contribute to generating PSCs. Thus increased dependency on the international community can be a cause and an effect of PSCs. International actors are drawn into the conflict as they respond to appeals for aid by communal groups or States. In supporting the State, international actors enforce their interest on the State, thereby making its constituent communities more aggrieved by the further loss of access and decision making power. On the other hand, aggrieved communities are worse off after experiencing series of escalations and therefore become more dependent on the State to satisfy its needs through the mobilisation of foreign aid. Although external intervention can be useful when both communal groups and their State institutions are paralysed as a result of reoccurring protracted conflicts, the questions remains about the best method of channelling such external support. Funding the needs of communities via State authorities which are dominated by one group (or a coalition of majority groups) does not guarantee that these funds will be appropriated for the stated needs. Whereas, directly funding the needs of communities through their traditional rulers also raises the question of undermining the sovereign authority of the State.

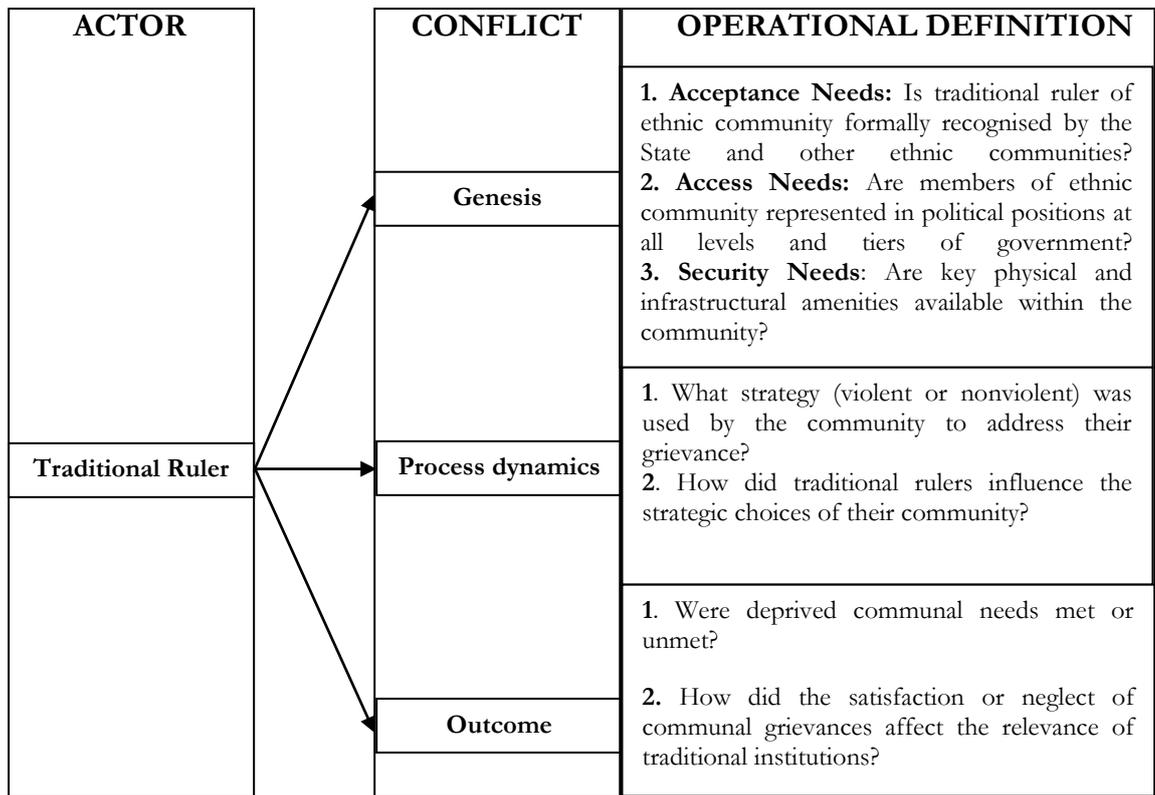


Figure 4: Operationalizing the role of traditional rulers in protracted conflicts

### Escalation, De-escalation and Re-escalation of PCCs

All conflicts change over time and pass through different stages according to activity and intensity. Understanding the stages of a conflict facilitates responding adequately to the situation because different strategies can be more effective when utilised by the appropriate actor and at the appropriate time (Zartman, 1985). Based on the genesis, process and outcomes of PCCs analysed above, conflict can be conceptualised to escalate horizontally or vertically (See figure 5 and figure 6 below). Horizontal stages focus on how a conflict originates into its latent stage, and can escalate into its overt stage after being triggered. Along this horizontal spectrum, escalated protracted conflicts can then deescalate back to a latent stage following an intervention which leads to cessation of violence. Vertical stages refer to the process of conflict escalation and de-escalation along the levels of analysis described earlier in this chapter. As conflicts within a single community escalate

horizontally (in intensity), other communities can become affected through spill over effects or by association. Having escalated to the inter-communal level, protracted inter-communal conflicts can further escalate to the State level where the State becomes a party because its survival is threatened. This section will focus on analysing the horizontal stages as the vertical stages have already been discussed earlier. There are three key horizontal stages which will be used to guide our analysis of cases of protracted conflicts in this thesis.

The first stage is the **latent** stage when two or more different parties begin to have incompatible goals or interests. At this stage conflict may still remain concealed but as several factors begin to operate, the incompatibility escalates into a contradiction and communities become polarised as they are perceived to be in a position of *competition*. At the stage of polarization, both parties have identified and realised that they are in a conflict situation and there is a breakdown in communication between them. At this stage parties begin to consider their strategies as well as that of their opponents in order to explore the best line of action to resolve the situation. If they fail to resolve the contradiction through constructive strategies, the conflict then escalates into a *confrontation*. During confrontation, the conflict has become more visible and supporters on both sides may become increasingly agitated and involved in confrontational behaviour such as rioting, assault, kidnapping and demonstrations. At this stage parties may begin to gather resources such as engaging in an arms race, and soliciting the support of allies, or neighbouring communities within and outside the State. Failure to find a constructive solution to the conflict at this point will lead to an escalation into the overt stage.

The **overt** stage is usually characterised by intense *violence* and *warfare*. At this point human casualties increase tremendously and property and infrastructure are destroyed rampantly, at a high scale, and normally within a short time. The parties involved have demonised the each other and are usually unwilling to communicate or meet eye to eye to explore constructive solutions. The value of human life also reduces during crisis and

strategies such as raping, ethnic cleansing and torture are employed by the communities. At this point the violence can be terminated through a ceasefire, the surrender of one party, or the exhaustion of both parties, or through third party intervention. Although violence has ceased, the conflict remains overt as tension remains rife and communities remain segregated.

The **covert** stage is marked by a decrease in the intensity of violence and *restrategising* by parties. This may be as a result of the intervention of a third party who is either more powerful than both parties in order to impose a solution such as a ceasefire, usually in favour of peace and humanitarian concerns; or an agreement between the parties to negotiate their differences with or without the help of a mediator. These efforts may then lead to a constructive agreement which can bring intermittent peace if honoured by both parties. Failure to reach a satisfactory solution can lead to a re-escalation of the situation in the form of confrontation and violence, thus leading to a repeated circle of hostility that characterised protracted conflicts (Fisher et al, 2000: 19).

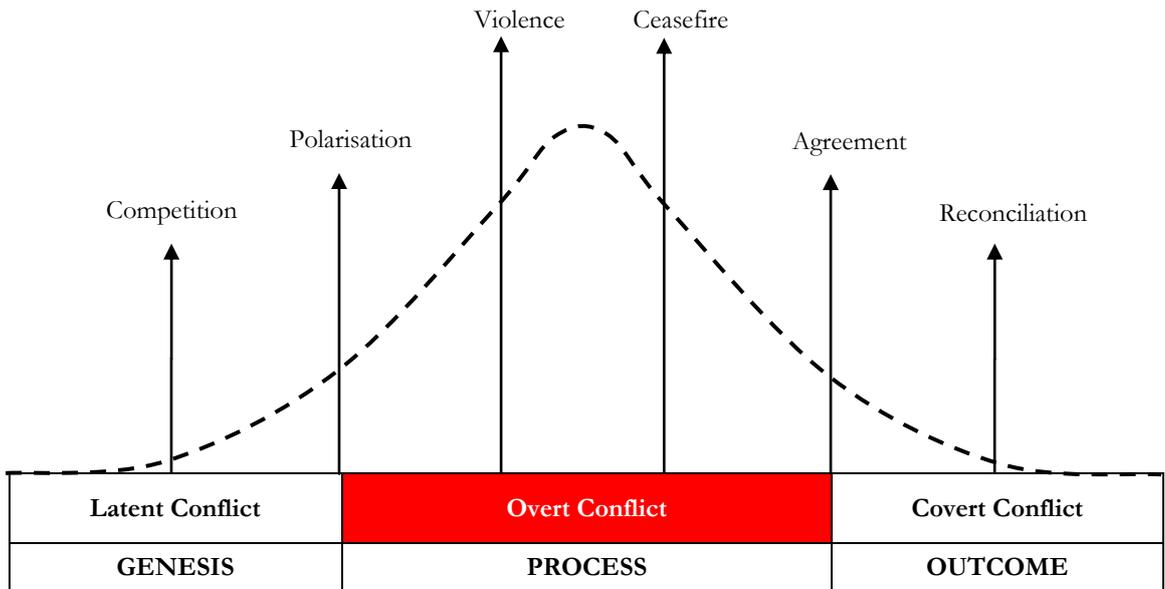


Figure 5: Horizontal Stages of Conflict Escalation, De-escalation and Re-escalation

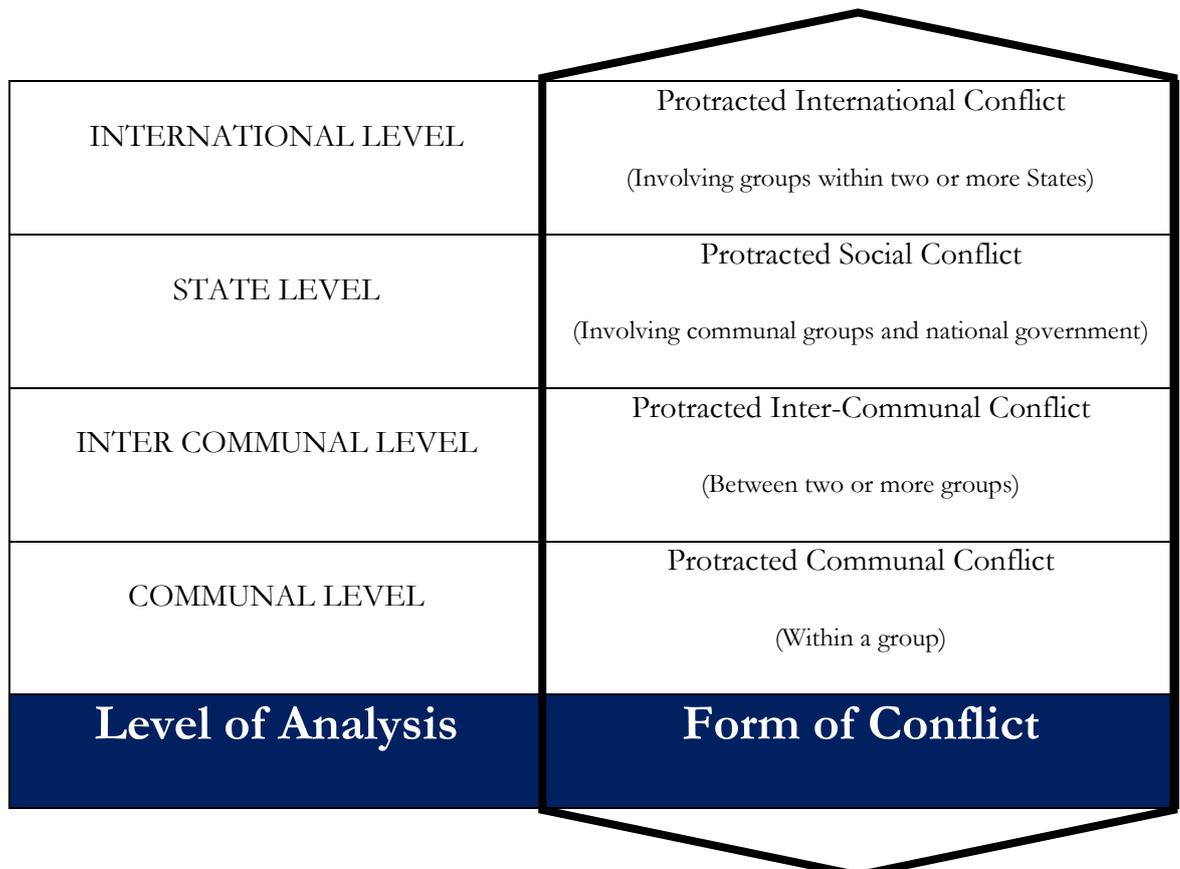


Figure 6: Vertical Escalation of Protracted Communal Conflict

## **Conclusion**

Building on Azar's PSC framework, this chapter has set out a theoretical framework which identifies key factors that contribute to generating and sustaining protracted communal conflicts, and making them difficult to resolve. Firstly, Azar identifies "the rise of multi-communal States" as the genesis of PCCs. This rise is attributed to two main factors: colonialism and historical forms of State formation. Although the genesis of the protracted conflicts analysed in this thesis predate the colonial State, historical patterns of State formation adequately explain how ethnic groups developed their political community and identity on the basis of a common enemy (Scapegoat hypothesis). For example, the pre-colonial relations between Hausa and the indigenous ethnic groups of Plateau State became characterised by conflict due to the unification of independent Hausa States into a single Islamic Caliphate (Sokoto), and the subsequent attempts to annex the Plateau ethnic groups through wars of conquest.

Secondly, this chapter conceptualised the role of traditional actors within the 'genesis', 'process dynamics' and 'outcomes' of Azar's PSC framework. Within the genesis of PSCs, Azar identifies "need deprivation" as one of the key variables that can generate communal grievances. This discussion was extended by analysing how communal groups can seek the support of traditional institutions of governance to facilitate the satisfaction of communal needs (Access, Acceptance and Security), especially when the State is dominated by other communal groups who are insensitive to their needs. Within the process dynamics of PSCs, Azar identifies the "actions and strategies of communal groups" as one of the key variables that can escalate latent conflicts into overt and protracted conflicts. This variable was extended by analysing how traditional rulers (as legitimate leaders of ethnic communities) can influence what actions and strategies are employed by their community in communicating their grievances and satisfying their communal needs. Within the outcome of PSCs, Azar identifies "institutional weakness" as one of the key consequences

of overt protracted conflicts. This discussion was extended to emphasise on how traditional institutions can also be weakened by protracted conflicts which affect their communities.

Finally, this chapter also conceptualised the difference between horizontal and vertical escalation (See Figure 5 and 6). Vertically, conflicts that begin within one community and continue over a long period of time (Protracted Communal Conflicts) can escalate and spill over into neighbouring communities e.g. through displacement of people. As PCCs escalate and engulf more communities which become parties to the conflict themselves, PCCs become Protracted Inter-Communal Conflicts (PICCs) whereby each communal party seeks to secure its position by relying on indigenous institutions and structures of governance. Furthermore, as PICCs continue to escalate in intensity, the State can become involved as a party. At this stage the conflict becomes a Protracted Social Conflict (PSC) in accordance with Azar's original conceptualisation.

Having identified the actions and strategies of communal groups as one of the key factors that influence the escalatory and de-escalatory dynamics of PCCs, the next chapter will go deeper into exploring the range of strategies within the purview of traditional rulers as leaders within their communities.

## Chapter 3 :

### Conflict Resolution Strategies of African Traditional Rulers

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#### Introduction

In multi ethnic States such as those found in Africa, violent protracted conflicts have often emerged between competing communal groups, which can result to destructive effects across all levels of society. While the strengthening of institutions with the capacity to end the destructive cycle of conflict continues, the use of violent strategies by both traditional and State institutions is a major setback because such coercive strategies such as repression do not resolve the underlying grievances which generated the conflict. Because much research has already been done on how to resolve protracted conflicts (Azar, 1990, Miall 2001), this chapter focuses on exploring the range of constructive strategies that are predisposed to traditional rulers within two possible scenarios: as '*Parties*' engaged in a protracted conflict, and as '*Third Parties*' intervening in a protracted conflict. This discussion will facilitate a deeper understanding of the institutional and social factors that condition the strategic choices and positions of traditional rulers whose communities are affected by protracted conflicts. Based on the hypothesis that traditional rulers play both constructive roles (which foster the peaceful resolution of grievances) and destructive roles (which support or escalate violent conflicts), it is useful for this thesis to distinguish between the 'Party' and 'Third Party' strategies of traditional rulers. However, it is important to note that whether a protracted communal conflict escalates into violence depends not only on the role and preferred strategy of the group's traditional rulership, but also on other political processes within and beyond the community. As such, this chapter also explores the political power of traditional rulers within the Westphalian State construct, and how this power (whether desirable or not) influences the conflict resolution strategies of traditional rulers as parties and third parties.

Before analysing the conflict resolution strategies of traditional rulers, it is imperative to firstly engage in a theoretical discussion about the core values that underpin conflict resolution practice from an African and a Western perspective.

### **Western *versus* African Principles of Alternative Dispute Resolution**

Alternative dispute resolution or ADR as a concept refers to the idea that conflicts of all kinds can and should be resolved through nonviolent means. It is the search for non-conventional methods of resolving and transforming conflicts in such a way that all parties are satisfied with the outcome. The practice of nonviolent conflict resolution can be found in all civilised societies, particularly in African and Western traditions. The proceeding discussion of both traditions aims to develop a unified understanding of the principles that underpin alternative dispute resolution as practiced by pre-colonial and post-colonial African societies. This unified perspective draws upon relevant values of traditional conflict resolution in Nigeria, and establishes the foundation for exploring the possibility of incorporating these ideas into the modern Western framework of conflict resolution which is currently used by practitioners to define the role of traditional rulers.

### **Western Principles of ADR**

Conflict Analysis and Resolution has emerged into a distinct field of study within Western scholarship. As the study of conflict has become increasingly popular across all scientific disciplines, theories have been developed to understand this phenomenon. However, Conflict Resolution theories are concerned with the search for effective methods of addressing social conflict at all levels of society. From a Western perspective, the resolution of social conflicts can generally be conceptualised into three broad interpretations: conflict prevention (Leatherman, 1999; Wallensteen, 2011), conflict management (Zartman, 2008; Himes 2008) and conflict transformation (Lederach, 1996; Ramsbotham et al, 2005; Miall, 2001).

Conflict Prevention refers to actions and initiatives taken to avert a possible conflict, and is sometimes referred to as preventive diplomacy. Former UN secretary-general Boutros-Ghali defined preventive action or diplomacy as an “action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the later when they occur” (Ghali, 1992). This definition is simplistic as it does not make a distinction between actions that are taken to prevent PCCs from re-escalating. A more practical definition is that of Clement, who defined conflict prevention as “a set of instruments used to prevent or solve disputes before they have developed into active conflicts” (1997). In line with horizontal escalation model developed in the previous chapter, Clements definition considers conflict prevention to be actions or strategies employed when a conflict is still in its latent stage.

Conflict prevention is can be further categorised into two forms; structural prevention and operational prevention. As stated by Ghali,

“operational prevention which refers to measures applicable in the face of immediate crisis, and structural prevention, which consist of measures to ensure that crises do no arise in the first place or, if they do, that they do not recur” (2007)

In other words, operational prevention is a more short term reactive strategy deployed to prevent an imminent escalation of violence, while structural prevention is a long term strategy which is aimed at eliminating the underlying causes of conflict so as to prevent a future re-escalation. Another concept which goes a step further than structural prevention is conflict provention (Burton, 1990). According to John Burton, “prevention” (operational) has a negative connotation, as it is reactive not pro-active, while provention aims to create conditions that enable positive relationships between communities to thrive. According to Burton,

“Conflict provention means deducing from an adequate explanation of the phenomenon of conflict, including its human dimensions, not merely the conditions that create an environment of conflict, and

the structural changes required to remove it, but more importantly the promotion of conditions that create cooperative relationships.” (Burton, 1990:3)

Whether or not a narrow or broad definition of conflict prevention is more useful to the discipline is an on-going debate, with scholars such as Swanstrom and Weissmann in favour of a broader approach because among other things, a broader view “acknowledges the importance of economic and social development, as well as security, military, and judicial measures...”(2005:22). They further argue that a broad definition is more inclusive because it captures several kinds of informal actors, not just formal state and international organisations.

Conflict management is another interpretation of conflict resolution which emerged within Western literature, although there is yet to be a unanimously agreed definition of its meaning. The term conflict management has sometimes been used to describe the entire field of conflict research. However in this thesis, conflict management implies the termination of conflict through coercive strategies such as suppression or containment. As defined by Tanner, conflict management refers to “the limitation, mitigation and/or containment of a conflict without necessarily solving it” (2000). As such, conflict management is a process that is initiated during the violent stage of a protracted conflict. Although formal coercive activities such as military peacekeeping operations are typical examples of conflict management initiatives, the concept can be broadened to include ‘informal’ actors such as traditional rulers who can shape the process dynamics of protracted conflicts. Swanstrom and Weissmann (2005: 24) further categorise conflict management strategies into two forms: destructive and constructive engagement. Whereas destructive engagement focuses on processes that eliminate violence, constructive engagement focuses on initiatives such as trust and confidence building measures (CBM) which are essential for successful conflict management.

Conflict transformation is a concept which has emerged more recently within the Western Conflict Resolution tradition. The term emphasises the resolution of conflict through mutually satisfactory outcomes. Ramsbotham et al regard conflict transformation as the deepest level of conflict resolution, whereby there has been “a deep transformation in the institutions and discourses that reproduce violence, as well as in the conflict parties themselves and their relationships” (Ramsbotham et al, 2005:29). Miall argues that conflict transformation is emerging as a distinct theoretical perspective from the other concepts of prevention and management. He argues that;

“Contemporary conflicts require more than the reframing of positions and the identification of win-win outcomes. The very structure of parties and relationships may be embedded in a pattern of conflictual relationships that extend beyond the particular site of conflict. Conflict transformation is therefore a process of engaging with and transforming the relationships, interests, discourses and, if necessary, the very constitution of society that supports the continuation of violent conflict” (2001:4)

This approach is relevant to this study because of the focus on local actors and their intervening role during the genesis, process dynamics and outcomes of protracted conflicts.

### **African Principles of ADR**

Africa is culturally diverse and the practice of dispute resolution varies from place to place. However, the ‘community based’ nature of dispute resolution is common amongst African societies. This is typified by the use of open public spaces such as the ‘village’ or ‘market square’ as avenues for mediation or negotiation. As Best puts it, “African ADR attaches more significance to community interests than individual needs” (Best, 2005:96). When intervening to resolve communal conflicts, there is an emphasis on spirituality as a mechanism for deterring disputants from undermining the resolution process. In some ethnic communities, the venue for resolution would be the palace of a traditional ruler or a “community shrine” where the spirits of ancestors are invoked to partake in the process. Whether or not these spirits actually participate is unverifiable, however a religious setting

and the rituals that characterise it are powerful symbols that lend legitimacy and credibility to the resolution process, as well as divine authority to the traditional ruler.

As practiced since pre-colonial times, the “traditional African” conflict resolution process began with community consultations and the collection of materials to be used during the rituals prior to any mediation or negotiation talks. According to Best, this is characterised by a brief moment of silence which is a symbol of “the sanctity and dignity of the people, the community, the leadership, and the process itself” (2005:99). This moment of silence which is observed before talks begin is a significant indicator of the underlying religious values that continue to shape the role of traditional institutions within their community. Although the widespread influence of foreign religions such as Christianity and Islam has undermined the traditional processes of conflict resolution in Africa, many still consider traditional African religions to be more useful for ensuring the effectiveness of the process. As in the case of the Yoruba society in Nigeria,

“the spirit of gods such as Ogun (god of iron), Sango (god of thunder and storm) or Shampona (god of small pox) could be invoked to wreak calamity on guilty persons who want to lie or interfere with the process, or enemies that may invoke the wrath of the gods against the community” (Best, 2005:99)

Invoking deities as an effective way of ensuring truth telling and for building trust during a conflict resolution process also depends on the belief systems of the parties involved. Spiritual principles can be more useful when resolving conflicts between parties that share the same faith system. This ensures not only the accuracy of information disclosed during the process, but also the acceptability of proposed solutions. Another principle of the African ADR is the use of proverbs and songs. This is can be observed before and during a negotiation or mediation process, when community elders and other subordinate chiefs utter age ancient sayings as a way of connecting the present with the past through oral tradition. This is a learning and socialisation process for elders who

become skilled mediators having attended several ADR meetings, and for the younger generation who are only starting to learn the methods and values of the process. At the end of the process, some communities require the oldest person in the community to slaughter and consume a sacrificial animal as a sign of sealing the peace deal. It is not in every case that a resolution is reached immediately and whether or not a peace deal is signed depends on the stage of the conflict (ripeness) and if parties as well as third parties are ready to reach an agreement.

In traditional African societies, women were not allowed into shrines as such they could not participate in the decision making process except of course a woman is involved in the dispute being settled. The process of ADR which took place in shrines was gender discriminatory despite that fact that any decision taken was equally binding on women and children. African ADR also tends to be gerontocratic as elders play a critical role in the entire process. According to Zartman:

“In traditional African mediation the agent is a neutral and powerless third party, armed with personal characteristics such as wisdom and integrity but without the means for providing inducement and sanctions – a moral mediator rather than a mediator with muscle, or in more standard terms, a mediator as formulator but not as manipulator. The mediator functions as an ombudsman, intervening between authority and citizen, tempering justice with mercy and sentences with reintegration” (2002:22)

It is evident that African alternative dispute resolution differs significantly from Western ADR in its practices as well as its principles. However it reflects the existence of a tradition of non violent conflict resolution within pre colonial and some post colonial African societies and also portrays the deep rooted mediation and negotiation role of traditional institutions. Moreover in contrary to Zartman’s assumption above, mediation within the framework of traditional society is not always conducted by a single mediator. Leaders may only facilitate the process but more generally it is usually a group or communal responsibility.

## **Traditional Forms and Expressions of Political Power in Africa**

The concept of 'power' is one that is ambiguous and although much has been written about power, it is still difficult to define. Conventionally, the term power is often translated to mean military capabilities or wealth and resources. Since conflict can be understood as a struggle of power, it can be assumed that in an asymmetric conflict, the side with more power wins. However this is a false assumption as in the case of the war between United States and Vietnam, where the 'stronger' power suffered defeat. Joseph Nye offers a different explanation of the concept of power, which simply defines power as "the ability to affect the behaviour of others to get the outcomes one wants" (in Chester et al, 2007:389). It is important to distinguish between methods used to affect the behaviour of others. A party can exercise power coercively (hard power) by using threats and inducements. This is otherwise known as the "stick and the carrot" strategy. However an alternative non coercive way is by attracting and co-opting them to desire or support the outcomes that one wants (Chester et al, 2007: 389).

In general, coercive or hard power which is associated with threats and inducements is not favourable for achieving mutually beneficial outcomes, and often it is the use of coercive strategies by conflict parties that triggers the escalation of latent conflicts into violence. As such hard power or 'threat power' is often a destructive form of power. Actors such as states or transnational cooperate organisations often have the capacity to express hard power and to obtain favourable outcomes more easily because they possess great military or financial strength. However not only is hard power limited in terms of negotiated outcomes, it also limits the kind of actors that intervene effectively as mediators. Alternatively soft power is associated with bargaining and compromise. Boulding (1989) further distinguishes between "exchange power" and "integrative power". While the former is illustrated as "do what I want and I will do what you want", the latter is associated with "persuasion and transformative long-term problem solving i.e. together we

can do something that is better for both of us”. Soft power is also much deeper than persuasion and involves attraction. In the words of Nye, “soft power uses a different type of currency - not force, not money - to engender cooperation, an attraction to shared values and the justness and duty of contributing to the achievement of those values. In a mediation process, power relations between the conflicting parties’ are equally as important as the mediators influence on the parties. As described by South, “the reality is that the process of mediation, possess a triadic rather than dyadic power dynamic” (South, 1999: p 23). While it is crucial for a mediator to balance the powers of conflicting parties so as to enable a fair and mutually beneficial outcome, the form of mediator power also determines if he is perceived by the parties as been neutral and impartial.

As parties involved in a conflict, traditional institutions are assumed to be incapable of expressing ‘hard power’ because of structural restraints which excludes coercive mechanisms such as those available to the State. However this does not imply that traditional actors are incapable of expressing their power in other coercive ways such as through violent mobilisation of their people. Traditional institutions of governance by their very nature represent the legitimate political authority within ethnic groups. In many African societies, traditional and modern structures coexist side by side and their relationship is often considered to be in conflict. However according to Vaughan,

“by emphasising the normative and utilitarian attributes of indigenous institutions in the structural transformation of Asian and African states, some notable revisions in the modernisation paradigm have anticipated the adaptability of these structures to modern political development” (2006:4)

The legitimacy of traditional institutions is derived much more from the people who they govern, than from the State which they belong to. As noted in chapter one, modern institutions of governance have sought to replace and extinct traditional structure of governance in many post colonial States, however these institutions have remained

resilient. They continue to thrive amidst the radical political changes that affect their communities. This is partly due to the legitimization of their authority by citizens who possess a high level of identification with their ethnic groups. Rather than marginalising indigenous structures of governance by continuously regarding them as dysfunctional, the State authorities offer some recognition of their legitimacy but in certain cases still contend with issues concerning the limits of their authority as well as their constitutional role. However as failure to satisfy the human/communal needs or aspirations leads to loss of legitimacy, the State is often at a relatively disadvantaged position. The dynamics and complexities involved in this institutional relationship will be discussed in detail in the next chapter.

### **Negotiation Strategies of Traditional Rulers**

As pointed out in the previous chapter, traditional institutions of governance especially in multi-ethnic societies are significant local actors who are often in the position of making decisions and choices that may lead to escalation of protracted communal conflict into violence. In taking such decisions on behalf of their ethnic groups or community, it is the responsibility of these traditional actors to ensure that the needs of their people are satisfied without recourse to violence where possible. Not only do violent strategies result in further violence and destruction, they do not address the underlying issues faced by ethnic groups and communities. This is why scholars such as Fisher advocate for the use of negotiation as an effective way of resolving conflicts peacefully.

Negotiation is defined by Fisher as “a basic means of getting what you want from others. It is back and forth communication designed to reach an agreement when you and the other side have some interest that are shared and others that are required.” (Fisher et al, 2003: xvii). However there are two paradigms of negotiation theory. According to Hopmann in his 1995 article, the two paradigms are bargaining and problem solving. Bargaining emerged from the work of early scholars such as Nash (1950) and Ikle (1965)

who used game theory to explain the dilemmas of negotiating in international conflicts. This kind of negotiation is often positional and process has been summarised as one that “produces agreement through concessions and convergence” (Hopmann, 1995; p26). In other words in bargaining, parties tend to hold on to their positions firmly and try to change the other’s position by inducing promises or threats. Failure to cede will then lead to a convergence to an initial zone of possible agreement (Fisher, 2003:3-7).

Problem solving on the other hand emerged from the works of scholars such as Rapoport (1960) who expanded the concept of bargaining to include ‘debate’ and laid the foundation for the concept of “integrative bargaining” (Walton and McKersie, 1965). Integrative bargaining in contrast to distributive bargaining refers to “a situation in which the parties may jointly enlarge the benefits available to both so that both may gain from creating a larger amount of value to be shared by them” (Walton and McKersie, 1965:4-6). This is a departure from traditional negotiation which is perceived as a zero-sum game where one party’s gain is the loss of others, to a non-zero sum game where both win-win outcomes are possible and jointly sought by both parties.

The problem solving paradigm has been further developed into concepts such as problem solving workshops (Azar, 1990) and principled negotiation (Fisher et al, 2011.). According to Burton, problem solving must adhere to four major principles in order to gain a constructive outcome; “The solution is not an end product because it is an ongoing process; change in conceptualisation of the problem; dealing with a problem in its total environment; and dealing with it at its source and origin” (Burton, 1990: 202-204). This is a much broader understanding of problem solving which advocates all possible means of changing the game completely rather than playing by the rules.

Traditional institutions of governance as legitimate representatives of their ethnic groups can employ the above strategies of negotiation in seeking to satisfy the needs and interest of their communities. In seeking to satisfy group or communal physical security

needs such as better infrastructural development, improved of health care services etc. traditional actors can find themselves in a conflictual situation especially when these needs are constantly denied. Given the power and legitimacy of these institutions, they can choose violent strategies such as confrontation and for example decide to mobilise their group against the state or federal institutions in a bid to meet the security needs of their community. However, non violent strategies like principled negotiation should rather be used by traditional institutions when they seek the satisfaction of communal needs because the strategy is more likely to bring a positive win-win outcome.

There are a variety of actors and stakeholders that traditional institutions interact with and thus may be in a conflict situation with i.e. in a situation of incompatibility of goals, interest or ideas. These range from formal state political institutions such as those of governance, corporate actors such as those involved with developmental activities, traditional institutions that represent the interest of other ethnic groups, and transnational actors who are engaged with local communities. Indeed every conflict situation is different and it will be interesting to explore the conditions under which negotiation can be an effective strategy for each different kind of actor. Although this research is primarily concerned with conflict at communal level, it seeks to find areas of possible collaboration with different kind of actors, through problem solving or other non violent alternative dispute resolution strategies. However this will depend on the kind of issues in the conflict and how they are viewed by the parties involved.

### **Third Party Mediation by Traditional Rulers**

A third party is one that comes into a conflict situation with the sole aim of helping the conflict parties find a solution. Based on the previous discussion on conflict transformation, the deepest kind of resolution that should be sought is one that satisfies the interest or needs of both parties, as well as transforms their relationship into a peaceful and constructive one. Mediation refers to the process of involvement or intervention of a

third party in conflict. It is a concept which is not entirely separate from 'negotiation' because mediation is a form of negotiation which includes the involvement of a facilitating third party in the process. The third party is referred to as a mediator.

Bush (1996) defines mediation as "a process of facilitated or assisted negotiation in which the mediator facilitates the parties own negotiation process". Thus crucial to mediation is the fact that the parties involved feel and retain control of the process and its outcome. This implies that the mediator must be impartial and neutral. Within legal circles, forms of mediation such as arbitration or adjudication are considered to be formal and binding processes. This kind of mediation does not give the parties control over the process (Pearson and Thoeness, 1987). Thus it is the fact that mediation gives control of the process and outcome of negotiation to the parties involved and the mediator is considered impartial and neutral that makes facilitative mediation a veritable strategy of intervention. A wider interpretation of mediation is offered by Bercovitch who describes it as

"a process of conflict management, related to but distinct from the parties' own negotiations, where those in conflict seek the assistance of, or accept an offer of help from an outsider (whether an individual, an organisation, a group, or a state) to change their perceptions or behaviour, and to do so without resorting to physical force or invoking the authority of law"  
(Zartman and Ramuseen, 1997:130)

In determining the success or efficacy of mediation, some scholars such as Hampson (2001) have subscribed to the concept of "ripeness". This concept was introduced by Zartman (1985) and posits that "in order for third-party interventions such as mediation to be effective, a conflict has to reach a plateau or the level of a hurting stalemate" (Hampson, 2001: 391). In relation to the conflict escalation model, this implies that only during or after conflict has become violent and destructive, can third party mediation be successful and effective. In other words when parties no longer feel they can use coercive means to secure

their interest or positions and thus seek alternative strategies. However a conflict must not necessarily become violent or destructive before third parties intervene. Mediation is not only a strategy of managing and resolving violent conflicts but also for prevention.

Besides the timing of intervention, another factor that determines the success or effectiveness of mediation is the ability of the third party to balance the powers of the parties involved. In a conflict situation involving two or more parties, they can be of equal (symmetric) or unequal power (asymmetric). In a situation where the conflicting party's possess relatively equal power, the mediation process can be quicker and the mediator is expected to be more neutral and impartial. However this is not the case when mediating parties that are asymmetric. The likelihood is that the 'stronger' party will not be willing to negotiate on equal terms with the 'weaker party' or will attempt to influence the outcome of the process in its favour. This case presents an all-lose situation for both parties because there are costs to be shared by both the oppressor and the oppressed. According to Ramsbotham et al, "in severe asymmetric conflicts the cost of the relationship becomes unbearable for both sides. This then opens the possibility for conflict resolution through a shift from the existing structure of relationships to another" (2005: 21)

A relevant form of mediation power possessed by traditional institutions can be traced to their personalities. In traditional African society, the chief or king (the head of the traditional institution who is known by various names such as *oba* or *emir* etc) was considered to be semi divine, a leader who was given authority and legitimacy from the gods or ancestors. Thus he was to be feared and respected by the people. As such the head of traditional institutions of governance was considered perhaps the wisest person in the town, one who possesses knowledge of all things physical and spiritual, a skilled actor in community arbitration and dispute resolution, a mediator. In modern states, traditional rulers remain influential people who command the respect and loyalty of their "subjects". One explanation of their prevalent influence is offered by Gutkind who posit that "despite

their loss of power to a new Western-educated elite, chiefs remained influential in urban areas, because they reflected critical linkages between indigenous values and the destabilising forces of social change” (Gutkind, 1966). In other words, traditional rulers are perceived by members of their ethnic groups as the embodiment of traditional culture, values and historical heritage. They are the link between the modern generation of Africans and their forefathers as such they are still highly revered by many citizens.

Recognising the potential for traditional institutions to be effective third parties is incomplete without ensuring that such powers are utilised and expressed in a “soft” manner. In a way which seeks to influence other parties by attracting and co-opting them rather than threatening or inducing parties. As a mediator, the mode of expression of traditional power can be indirect in order not to compromise the neutrality of the third party and to jeopardise the credibility of the mediation process. However this then is considered as manipulative. On the other hand directly expressing power by a mediator on the basis of been a skilled actor is traditionally unacceptable. Thus instead of perceiving mediation as a dyadic process whereby the third party must be completely separated from the conflicting parties’ negotiations, it should be understood as a triadic process whereby the mediator systematically alters the power dynamics. As such, the role of informal actors such as traditional rulers, religious leaders and other heads of non-state institutions can be crucial for peaceful change (Kohnert, 2004; Miall, 2007).

### **Principles of Traditional rulership**

Normatively, traditional institutions of governance as discussed in Chapter One consist of a range of organs that stretch from the palace of a Paramount Traditional ruler, to every family compound within a particular ethnic community, creating a mechanism of governance that is highly organised. At the core of this organised system are the individuals that drive it daily, through their actions within and beyond their local community. Analysing the principles embedded in the practice of conflict resolution by traditional

institutions entails a discussion on the attitudes that are associated with a traditional ruler, and how these influence their behavioural role. The position of a traditional ruler is one that is still regarded as honourable and respectable by many Africans. Due to the admiration for the regalia and style of traditional rulers, the position is highly sought after in Nigeria and succession to chieftaincy positions is often a cause of communal and inter communal conflicts between interested parties (Albert, 2008). Thus the questions arise; what qualities are culturally expected of a traditional ruler by the people? In other words, what are the guiding principles of traditional rulership? Furthermore, and of particular importance to this study, how do these principles correspond with the principles of negotiation and mediation as discussed earlier? The next section provides some answers.

### **Humility**

Within most ethnic communities, a paramount traditional ruler is regarded as the highest socio-cultural position which comes with enormous power and responsibility over the entire community or ethnic group. As such the key to earning the respect, obedience and admiration of the community is through humility<sup>12</sup>. This key principle manifests itself in the attitude and behaviour of traditional rulers. Psychologically, a traditional ruler must be seen as a servant of the people, approachable and understanding, one who is able to relate with every individual in his community irrespective of age, gender, status or physical characteristics. As a humble traditional ruler, the chief must be prone to correction, able to accept advice and constructive scrutiny from his subordinate chiefs and subjects. Behaviourally, the actions of the traditional ruler in governing his community must be taken with love and respect. The community's interest should always be at the heart of the traditional ruler's concerns and inform his actions. These actions should also be carried out with respect for the norms and cultural practices of the community. According to a former

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<sup>12</sup> For an extended discussion on the nexus between humility and leadership, see Morris J.A, et al (2005), "Bringing humility to leadership: Antecedents and consequences of leader humility", *Human Relations* Vol. 58, No 10. (Sage Publishers)"

State Governor in Nigeria, respect is reciprocal as such, rulers who show humility by respecting themselves in the way they conduct their actions for example by not getting drunk and misbehaving amongst their subjects, will naturally attract the respect of those around them. As a he explained, “these days you see some traditional rulers mingling in beer parlours and motels, I think if they respect themselves very well, respect will get respect”<sup>13</sup>.

In terms of conflict resolution, humility translates to understanding other parties' needs during negotiations. Stalemates which usually occur in negotiation processes due to hard-line positional bargaining require humility on the side of the actors to be overcome. Humility in negotiation entails the willingness to give and take by shifting the focus from the party's positional goals to their needs, and to work with the other party towards a constructive win-win outcome (Azar, 1990; Burton, 1987). Curry categorises humility together with virtues such as meekness and asceticism, as submission strategies of conflict resolution (Curry, 2007:4). However submission does not necessarily translate to weakness or defeat but rather to a willingness to resolve protracted conflicts by compromising unrealistic goals.

### **Truth and Justice**

In many cultures in Nigeria, the word of the traditional ruler is considered to be the word of spiritual ancestors, or deities. As such it is considered sacred. Thus it is expected that truth and justice will always be obtainable from the traditional ruler who is endowed with the wisdom of the gods. Although defining such concepts as truth and justice can be elusive, a basic and practical understanding translates them to transparency and fair judgement. As one paramount traditional ruler explains;

“The traditional institutions are the father of all and they have to do justice. Failing to do justice, favouring one side at the expense of another will begin to cause a lot of trouble. It's

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<sup>13</sup> Joshua C. Dariye, Former Governor of Plateau State. Interviewed by Tonson Sango, 2009.

not like with the politicians; you can't play politics with the position of a traditional ruler. You have to maintain peace and you have to maintain truth and justice. If there is no justice there will be no peace, and if you want peace in your domain you must try to maintain the truth, speak the truth. If one is guilty, tell them you are guilty, this is what you have to do"<sup>14</sup>

In administration, the application of transparency is observed in the inclusion of the community in the decision making processes through the feedback mechanism of the traditional institution. Such decisions arrived at through a process of community wide consultation, and taken based on a consensus are always considered to represent the public interest (Onwubu, 1975). Despite their spiritual position, Paramount traditional chiefs should also consult with their subordinate chiefs in making crucial decisions and should enjoy the support and cooperation of their subjects when actions are taken. This allows for checks and balances to be performed on the power and actions of paramount rulers. However, it is not always the case as Paramount traditional rulers sometimes do not consult with the other organs of the institution before making decisions. Furthermore, the subordinate traditional rulers sometimes act in support of every decision taken by their paramount ruler, without considering the interest of the community but rather their own personal interests of remaining in the favour of the paramount traditional ruler.

In adjudication and mediation, the truth about a conflict situation must be searched and ascertained before a just resolution can be reached. This search involves establishing the facts about the situation; the causes of the conflict, the issues, and the parties involved. This will usually entail rigorous processes of fact-finding, consultations with community members or stakeholders, and in some cases spiritual entities. The use of spirituality as a tool for conflict resolution and adjudication is common practice for example in a court of Law where a religious instrument such as the Bible is used for oath taking before testimonies are made. Some traditional rulers are ascribing greater importance to the use of traditional religion as a tool for administering truth and justice, and for deterring conflicts

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<sup>14</sup> Oba Francis Adedoyin, Ogunsua of Modakeke. Interviewed by Tonson Sango, 2009

within a community especially because “the gods of the traditional religion do not forgive”. As a traditional ruler describes, “if you go to court now and you are going to give any statement or give any evidence in court, they will ask you to go and swear but after swearing on Bible or Koran, a lot of lies are going to be told. But by tradition you can’t simply come here to tell lies. If you tell lies you are going to blame yourself”<sup>15</sup>. However this approach of conflict resolution has its backdrops as not everyone in the community adheres to the traditional religion and can refuse to take an oath to traditional gods on the basis of their own faith.

The efficacy of the traditional institution as a conflict resolution mechanism rests significantly on its ability to deliver justice to the people. It is on this basis that trust for the traditional mechanism of conflict resolution is developed. The more people trust the traditional system of dispute resolution based on fairness and justice, the more they respect the traditional actors that drive the system. As mediators, Traditional actors should not be seen as corrupt judges who rule in favour of the highest bidder and who themselves cannot be trusted as neutral mediators. In mediation, neutrality is usually difficult to attain and traditional rulers often find their judgements questioned especially by the party who is disfavoured by their judgement. As such parties in conflicts tend to disregard the decisions of traditional rulers and seek for justice in the state courts. However as legal judgements do not guarantee an end in hostility between conflicting parties, traditional rulers often find themselves adjudicating conflicts which were deemed settled.

### **Tolerance**

Another crucial element of traditional rulership is tolerance. As a “father of all”, a traditional ruler is expected to relate to every member of his community irrespective of tribe or religion. Although in many cases, a traditional ruler belongs to a particular religion, he/she should be seen to be accommodating of other religious groups. As a traditional

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<sup>15</sup> Oba Francis Adedoyin, Ogunsua of Modakeke, Interviewed by Tonson Sango, 2009.

ruler explains, “If it comes to religion we relate with the entire religions whether Christian or Muslim and at the same time we don’t forget the traditional worshippers. When a time comes to pray for the land we call them to do whatever is needed”<sup>16</sup>. Psychologically, tolerance involves the ability to have an open mind to issues. This does not imply that a traditional ruler must not have a set of principles or beliefs that guide him/her personally, but must be able to understand, accommodate and appreciate the principles and beliefs of others, so long as those beliefs do not inhibit the practice of his own.

Behaviourally, a traditional ruler should not show favouritism for members of his tribal or religious affiliation in the governance of the community. He must be seen among different groups, not necessarily indulging in the practices of such a group, but associating with them as members of his community. This association displays solidarity and signifies acceptance of diversity. As one traditional ruler explains;

“I will not just dabble into politics because I know I am the father of all the politicians so if I regard myself as the father of all the politicians then there will be no problem for me. If you are PDP (Peoples Democratic Party) I will treat you as PDP if you are AC (Action Congress) I will treat you as AC, there is no problem. I will not say you will win by all means. When I am not a party man and I am not taking part in your politics, I will not say he will lose elections. So some traditional rulers because of their hidden agenda or because of what they want they will say that ‘I will see that you beat him in the elections’. It is not constitutional, if you come for advice I will advise you and likewise you know a good father will treat all his children equally”<sup>17</sup>.

However, traditional rulers are sometimes in a position that contradicts the principle of tolerance and acceptance of other identities. This is evident when members of different ethnic groups migrate into their domain over a period of time, and begin to form ethnic clusters which threaten the dominance of the host ethnic community. As in the case of the

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<sup>16</sup> Chief T.A. Falonepe, Chairman of Ajo Ife Me Fe Fa (Ife Communities Council), Interviewed by Tonson Sango 2009

<sup>17</sup> Chief Folorunsho Obasola Omisakin, the Obalufe of Ife, interviewed by Tonson Sango, 2009

Ife-Modakeke crisis analysed in chapter six, the traditional rulers of “indigenous” ethnic groups can exhibit intolerant behaviours towards “settler” ethnic groups in their quest to protect the interest of their own community.

In mediation, the principle of tolerance can also be understood as neutrality. Traditional rulers as mediators must not be perceived as biased because it defeats the credibility of the conflict resolution process (Hilary, 2007). The lack of tolerance by traditional rulers can also place them in a position of conflict because intolerance results in the denial of the acceptance needs of the ‘other’ group or groups.

### **Cultural Affinity**

Traditional rulers are considered to be embodiments of the culture and traditions of a people. As such, having the knowledge of these cultures and traditions are crucial for good traditional rulership. The traditional ruler as a symbol of cultural identity is a regulator of cultural reformation through the invention and re-invention of tradition (see Hobsbawm, 2000). A traditional ruler should be able to communicate with the people in their indigenous language, he should be seen with regalia that represent the cultural subscriptions of the community, and he should keep alive positive cultural practices such as events and ceremonies that preserve the identity of the community. The role of communication is crucial for traditional rulers in performing their governance and conflict resolution roles. Firstly, they communicate more effectively to members of their ethnic group who do not speak or understand fully the English Language – Nigeria’s official language. This entails that in addition to been culturally enlightened, the contemporary traditional ruler is also expected to be educated and exposed to other cultures. These enable the traditional ruler to play his role more effectively in an evolving modern/post modern social context. Secondly, the traditional rulers communicate government laws and policies to the local community, majority of whom are not able to consume such information directly either because of a language barrier, or because they lack access to

technological mediums of communication such as radios and television sets where government policies may be communicated in local languages. In the same vein, a traditional ruler is expected to also represent and negotiate the interest of his community with the State government. This information and feedback function of traditional rulers constitutes part of their 'political role' which is discussed in detail later in this thesis.

Within the context of multi-ethnic states where the cultural norms and traditions of an ethnic group are constantly been challenged by that of others, the traditional institutions act as a "shock absorber" for diffusing tensions that can degenerate to violent and protracted conflicts. As a traditional ruler explained, "truly we are supposed to be like a shock absorber when there are problems, because we believe that if the worst's comes to worse, it is our people that will suffer. If our people are going to be killed, do you rule over stones or over trees? So you see it is a very heavy responsibility that we have to bear"<sup>18</sup>. In a conflict, knowledge of cultural variations is crucial for solutions to be reached between parties of different ethnic or religious backgrounds. This is because methods and procedures for resolving conflicts that are known to be the norm and are effective in one cultural setting may fall short in another because of the variations in meanings that people attach to things. A handshake between traditional rulers in one culture may symbolise a sign of peace and friendship, but in another may be considered disrespectful. For example it is a custom among the Yoruba ethnic group in Nigeria to prostrate on the ground when greeting a traditional ruler as a sign of respect and loyalty. A handshake between a traditional ruler and a member of the community is unacceptable except offered by the traditional ruler. As a former Governor explains, "at some level enlightenment has come but the thing is that it should enhance it [*traditional institution of governance*] rather than destroy it. I think that the people who have preserved it jealously are the Hausa community and the Yoruba people because even if Olusegun Obasanjo [*Nigeria's former President*] goes to his

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<sup>18</sup> Chief Yakubu Chaimang, The Ataa Aten of Ganawuri. Interviewed by Tonson Sango, 2009

village, he prostrates to the Oba, but here [*Ron Kulere ethnic group in Plateau State*] we shake our chiefs. Even going to burukutu [*Local alcoholic drink*] houses with them, it is not good.”<sup>19</sup> However, in mediating between parties in a conflict, established traditions are regarded as more acceptable standards for arriving at a solution. These traditions also form the judicial precedents of customary law. As such cultural awareness, education and exposure are important attributes for the modern chief.

### **Conclusion**

This chapter engaged in a theoretical discussion of non-violent strategies of conflict resolution within the purview of African traditional rulers. It progressed from the assumption that traditional institutions are significant actors who have a responsibility to foster the political economic and socio-cultural development of their society, and thus have a moral obligation to seek for alternative nonviolent strategies for satisfying the needs and grievances of their communities. With the aid of conflict resolution perspectives developed from the Western and African traditions, party strategies such as negotiation and bargaining were explored in detail. It was noted that the most constructive approach to negotiation for traditional rulers is problem solving which aspires for a win-win outcome. The principles of this strategy include dialogue, trust and confidence building, and focusing on the underlying causes of conflict rather than on positions. African alternative dispute resolution was explored within the context of traditional society and some principles of the process such as community based ownership and spirituality, were highlighted. It was observed that there is a sharp distinction between Western and African ADR in areas such as gender and gerontocracy.

This chapter also examined third party mediation which considers traditional rulers as having the capacity and skill of an intervening actor with the necessary attributes to assist disputing parties to reach a solution. Discussions on some principles underlying this

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<sup>19</sup> Honourable Joshua C. Dariye, Former Governor of Plateau State, Interviewed by Tonson Sango, 2009.

strategy such as neutrality and impartiality were treated, and the reality of expressing these principles was identified as paradoxical. Crucial to the success or failure of mediation is the nature of mediator power. Two broad categories of power namely hard and soft power were examined and the advantages and disadvantages of soft power were identified. It was suggested that mediation should be understood as a triadic participatory process rather than a dyadic isolatory one.

## PART II

### HISTORICAL BACKGROUND

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Although the analytical framework developed in Part I enables the mapping of cases of protracted communal conflicts, and aids in identifying the contributions of traditional rulers to protracted conflicts, these cannot be done without a proper understanding of the wider context. As such, the chapter in this Second Part examines the historical precedents that define the political climate under which traditional institutions in Nigeria have thrived. The analysis details the political experience of traditional institutions during the late pre-colonial, colonial and post-colonial eras. The later sections of this chapter emphasises on the impact of constitutional and regime changes on traditional governance structures among the case study communities to be analysed in Part III.

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## Chapter 4 :

### The History of Nigerian Traditional Institutions of Governance

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#### **Introduction**

The end of colonialism and the birth of the Nigerian State on the 1<sup>st</sup> of October 1960 signified a turning point in the socio-political history of the diverse peoples that were captured within its boundaries. Prior to this, the societal context of the Nigerian area was characterised by independent and distinct ethnic groupings, varying in demographic and geographic size, as well as in socio-cultural practices and governed by traditional institutions of chieftaincy and kingship. While some kingdoms such as that of the Yoruba and Hausa included more than twenty million inhabitants and had highly organised and centralised traditional governance institutions, others such as the Berom operated decentralised systems of governance and were far smaller in population. However the emergence of a new multi-ethnic and multi-cultural Nigerian state resulted in the creation of a new national identity and a need for all ‘Nigerian ethnic groups’ to work in unity towards preserving their indigenous identities, while building a strong state that is capable of governing its citizens well. The journey of nation-state building and good governance in Nigeria is one that has been dawdling as a result of several factors such as protracted communal conflicts and institutional weakness. While the continuation protracted communal conflicts represent the existence of disunity between Nigerian ethnic groups, the institutional weakness of the State highlights the inadequacy of government to satisfy the needs of all the ethnic communities within Nigeria, especially at the grass-root level. As Olufemi Vaughan noted, “the crisis of the post colonial Nigerian state is intimately connected to the massive gap between state agencies and diverse local communities” (Vaughan, 2000: pg 6). The existence and resilience of pre-colonial traditional institutions of governance which continue to be the nearest form of government to grass-root people

is perceived to be a blessing to local communities, as well as a threat to the authority of state institutions of governance.

This chapter is generally concerned with the evolution of the traditional institutions of governance within the pre-colonial, colonial and post-colonial phases of Nigerian history. Particularly, it focuses on the traditional structures of governance while using key developments in the nation-state building process of the post-colonial phase, to illuminate the evolution of the traditional institution into its contemporary state. The parallel analysis of the traditional institutions of governance (chieftaincy and kingship institutions) on the one hand and the state building process on the other, is undertaken with the aim of understanding and conceptualising the following; (a) the differences and similarities in the nature, structure and roles of traditional institutions of governance within the pre-colonial and post-colonial societal context of Nigeria; (b) the effects of the actions/policies of state government on traditional institutions of governance and vice versa; (c) the contemporary structural and functional relationship between the traditional and state institutions of governance. It is hoped that the institutional crisis between state and traditional institutions of governance in modern Nigeria can be resolved by clearly understanding and reconciling the roles and functions of traditional and state actors in the area of peace and conflict resolution. This way, the strengths of both institutions could be harnessed to the efforts of preventing, resolving or transforming protracted communal conflicts and creating an atmosphere of sustainable peace to allow for meaningful political, socio-cultural and economic development to thrive.

## **Pre-colonial Structure of Traditional Institutions of Governance**

As earlier mentioned, the traditional institutions of governance vary in their structure, functions and values across the different ethnic groupings of Nigeria. Each community had their indigenous institutions such as chieftaincy systems; age set system and family or clan systems. In Nigeria traditional institutions of governance can be classified into two types; *the decentralised* and *the centralised* traditional system. As Ayittey (1991:37) elaborates, “Tribes with chiefs and their attendant administrative and judicial institutions were referred to as chiefdoms or states; tribes that dispensed with chiefs but governed themselves peacefully were called stateless societies”. The terminology used in the literature to describe these two types of systems varies but for the purpose of this research, they will simply be referred to as centralised and decentralised traditional systems of governance. These traditional systems of governance were utilised by over two hundred and fifty different Nigerian ethnic groups within their communities and still continue to function within the post colonial State. They will be discussed in turn so as to distinguish between the two systems in terms of **structural composition, functionality and tradition**. However because the adaptation of both systems varied according to ethnic groups, it will be impossible to capture every single variation in this chapter, as such this chapter will only develop a generic framework for analysing these institutions, bearing in mind that such a framework may vary according to ethnic adaptation.

### **Decentralised Traditional System**

This traditional system of governance was practiced in many ethnic communities of Nigeria especially among the Igbo of South-Eastern Nigeria and among some of the tribes of central Nigeria such as the Berom. The decentralised traditional system of governance is so called because of the underlying idea of the system which is; that ultimate power must not rest on any single individual but the responsibility to govern was a collective responsibility of the entire community. This system is also regarded as the consensus based

system, in reference to the process of decision making in such a system. Among the Igbo in Nigeria, this system was historically eminent until the advent of indirect rule which attempted to centralise it. This consensus element of the Igbo decentralised system has been praised by scholars as a democratic principle which gave the pre-colonial Igbo system of administration civility. As Harneit-Sievers (1998: pg60) noted, “even in current debates in Nigeria, most people continue to view Igbo society as being traditionally based on democratic principles as expressed in the common proverb *Igbo enwe (ghi) eze*, 'the Igbo have no king'”. The absence of a king or Paramount Ruler for the entire Igbo race is an idea that has never really been conceived by the Igbo because of the nature of their society. Anthropological and historical accounts have described Igbo society as ‘stateless’, ‘acephalous’ and ‘segmentary’ (Ayittey 1991; Green 1947; Forde and Jones 1950). This is because the society was composed of autonomous villages which were without any rigid hereditary chieftaincy and where authority was shared amongst different representatives of family clans.

The administrative structure of the Igbo decentralised traditional system of governance constituted of the **family** as the lowest institution. The family which is usually an extended family system typically consist of a father, mother, sons and daughters, and other relatives such as cousins, nephews and nieces. According to Uchendu (2007: 84) “the classic conception of the extended family is a kinship unit with four major characteristics: a unit marked by geographic propinquity, of occupational integration, strict authority of the presiding elder or patriarch over the component nuclear families and stress on extended rather than nuclear family relations”. The idea of the extended family system holds that any relative of the family who is present at any time in the house constitutes part of the family and the eldest male in the family is regarded as the head of the family (for an extended discussion on the extended family system see Victor Uchendu, 2007). As the head of the family, the eldest male who is usually the father is the symbol of authority and is

shouldered with the responsibility of governing his family, as well as representing and protecting their interest in the lineage ('Umunna'). The roles and responsibilities of the eldest male in the family as a traditional actor are discussed later in the chapter in order to illuminate the functioning of the decentralised traditional system as a conflict management and resolution mechanism. Suffice it to say that the eldest male is the lowest Traditional Actor in the hierarchy of traditional conflict resolution actors within the framework of the decentralised traditional system of governance.

From the bottom-up, the **lineage** or '**Umunna**' is the next significant institution in the administrative hierarchy of the Igbo decentralised traditional system. The Umunna is described as "the localised patrilineage which is made up of the descendants, in the male line, of a founder ancestor by whose name the lineage is sometimes called" (Ilogu, 1974:11). This conglomeration of families with a common patrilineal descent may be called differently depending on the peculiar dialectal variations of the Igbo community; however its functions are the same. The umunna usually has a shrine or compound where all the elders of the families that constitute the umunna meet to discuss issues of common interest. In general the umunna functions as a cultural refinery where norms and traditions are practiced, tested, and constantly reinvented. This is because the umunna make minor rules of conduct and behaviour such as marking out days of work, worship, market and so on. Ilogu (1974) further elaborates that the umunna or lineage could refer to two or more lineage relationships because the offspring of a common ancestor are an umunna, and their offspring's in turn are also another umunna, and so on. In any case the meetings of the umunna is chaired by the eldest man and usually aided by other men with influential personalities, but decisions are taken collectively.

The **Village Assembly** is the next and traditionally the highest ranking institution in the hierarchy of the Igbo decentralised traditional system of administration. A traditional Igbo village is usually founded by a family or group of families who may have been the first

to occupy a piece of land (subsequently referred to as ancestral or indigenous land), and thereafter began to bear offspring who then constitute the lineage made up of their respective families, and generations later the conglomerations of lineages from a single paternal decent make up the village. However this is not always the case as there were at least two kinds of village groups among the Igbo. As Ilogu notes, the other type is “a cluster of hamlets made up of homesteads or compounds whose occupants are members of various lineages (Umunnas), all of which do not claim ultimate common descent, and therefore can intermarry. The village in this instance is mainly a geographical unit providing some considerable solidarity based on neighbourhood rather than on immediate 'blood relationship'” (1974:11). The village assembly constitutes of the representatives of the different lineage heads in the village. Here, disputes which the umunna cannot resolve are brought to be discussed by the elderly men of the village. However women were also part of the assembly. As Van Allen (in Grinker et al eds., 1997: 538) noted, the village assembly meetings were usually attended by both elderly men and women of the village, although men were more likely to speak and the women only spoke on matters that affected them directly. When deliberations have been heard, a few title holders (or heads of lineages) will make consultations and then retire in order to come to a decision. A spokesman then announced the decision, which could be accepted or rejected by the assembly. The village assembly was also responsible for defending the village against intruders or wild animals.

In some larger communities which were regarded as towns consisting of two or more village groupings, there was also a town assembly which was organised in the same way as the village assembly. The leadership of the village or town assembly varied according to the type of village or town. In villages made up of clans and lineages from a common ancestor, the head of the village or town assembly is the eldest male of the family from which all the lineages in the village trace their roots from. In other cases where the village or town was composed of lineages of different ancestral decent, the head was selected by the

representatives of all the families at the village assembly. The mode of selection is by open ballot and according to Van Allen (Grinker et al eds., 1997: 538), some of the leadership qualities included “a combination of wealth and generosity with 'mouth' - the ability to speak well. Age combined with wisdom brought respect but age alone carried little influence...” However it is adequate to describe the traditional Igbo decentralised system as a gerontocracy. Although a leader was usually selected to head the village or town assembly, such a person’s decision was not final and decisions were still reached by consensus. Even though the decisions of the Village Assembly did not have any binding force of law because of the decentralised nature of authority, the decision went "through a process of establishing itself by common consent or of being shelved by a series of quiet evasions" (Green, 1964:137). As such the leaders (traditional actors) had to have the ability to persuade the people about the rightness or wrongness of a decision, before such a decision is collectively accepted and enforced. The system of succession also varies but in general the leadership rotates among the constituting villages.

<b>Traditional Institutions</b>	<b>Traditional Actors</b>
Town Assembly	All elderly males each representing a clan or village group that make up the town
Village Assembly	Elderly males each representing a lineage that make up the village
Lineage Assembly	Elderly males each representing a family descended from a common ancestral family
Extended Family	Eldest male in the family

Figure 7: Decentralised System of Governance Among the Igbo

Although among many Igbo communities the method of succession to leadership of the Village or Town Assembly head was rotational among the constituting villages, the system was slightly different in other Igbo communities as well as some ethnic communities in central Nigeria who also practiced a decentralised system. In general the variations to this system are on two levels. Firstly, the postulation that all Igbo's traditionally practiced a decentralised system of governance whereby power was not centralised has been challenged by authors such as Hahn-Waanders and Grau who claim that "the discovery of archaeological findings at Igbo-Ukwu in the holy city of Nri seem to suggest the existence of a one thousand year-old tradition of Nri sacral kingship and hegemony over large parts of Igbo land" (Harneit-Saviers: 1998, pg 60). As such there may have been some form of centralised traditional authority amongst some Igbo chiefs prior to colonialism. Secondly, ethnic groups such as the Berom also traditionally organised their society based on family, lineage and kinship structures. The Beroms despite their large population in central Nigeria never had a centralised traditional institution of governance prior to colonialism, instead they were organised in small clusters of villages. However, in their case, selection and succession processes differ sharply with that of some Igbo communities. According to Nyam and Jacobs (2004: 2-3), "the chiefs, Begwom, were chosen from certain royal lineages whose right to produce candidates for the chieftaincy was generally based on either the leadership of a wave of migration or priority of settlement in a particular area". As such at the village level, the Beroms had a semblance of a central authority; a traditional ruler whose position was hereditary, however as a unified ethnic group, the highest decision making body was the Gbong Duk Shot (Berom Tribal Council) where all the respective village heads will meet to discuss and deliberate on issues relating to the Berom communities. The Berom tribal council functions similarly to the Village or Town Assembly of the Igbo's, and the leadership of the Berom tribal council was also rotational among the different traditional heads of the villages<sup>20</sup>.

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<sup>20</sup> For more on this, see analysis of the Jos-Plateau conflict in chapter six

Although the above structure of traditional Igbo decentralised system of governance is typical to many Igbo and non Igbo communities, the advent of colonialism brought about the attempt to centralise such systems in the country, hence the introduction of ‘warrant chiefs’<sup>21</sup> among the Igbo’s. This centralisation and its effects on the structure of the traditional decentralised system will be discussed further later in the chapter. However, many ‘stateless’ societies in Nigeria still maintain all or part of this social structure with more or less variation.

### **Centralised system**

The centralised system of governance is also practiced among some ethnic groups in Nigeria. Contrary to the popular assertion, this system of governance was not only practiced by large ethnic groups (such as the Yoruba and the Hausa) who needed to tighten their grip and control over a large empire or kingdom, but was also practiced amongst relatively smaller ethnic groups such as the Igala of central Nigeria (see Boston, 1968). The idea of the centralisation implies that power is concentrated in the hands of a central authority, a ruler or monarch. In some cases, such rulers had absolute power which was even deemed as a divine right, but in most cases there were checks and balances in place to foster accountability and prevent the abuse of such power. In other words the structure of authority was organised in such a way that the traditional institution functioned from the monarch at the top to the family at the bottom and vice versa, with the aid of administrative, judicial and spiritual institutions which form part of the system. This centralised system of administration fostered effective communication between the Paramount Chief and his subjects. Also there was a further distinction in the administrative structure of centralised systems, which can be categorised as *indirect rule* and *assimilation*. According to Ayittey (1991: 38) “there were two discernible political subcultures...the first was an imperial rule that afforded the vassal states extensive local independence or

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<sup>21</sup> More about warrant chiefs in the later section on post-colonial phase

autonomy...and the second required the vassal states to assimilate an allegedly superior foreign culture". An example of centralised indirect rule can be seen among the Yoruba Kingdom of Nigeria, and the assimilation culture can be seen in the Sokoto Caliphate<sup>22</sup> (Present day part of Northern Nigeria).

Using the Yoruba town of Ile-Ife (Present day Osun State, Western Nigeria) which is considered as the original homeland of the entire Yoruba ethnic group, we will examine the structural, functional and value aspects of the centralised traditional system of the Yoruba. Reflections will also be drawn on other Nigerian communities such as the Hausa of Katsina to compare the variations in the practice of centralised chieftaincy in Nigeria.

Ile-Ife is regarded in Yoruba history as the cradle of all Yorubas, where the progenitor of the Yoruba race Oduduwa first settled. I will not delve into the rich and vast history of the Yoruba's here as this will be dealt with later in chapter five, but suffice to say that the traditional institution of the Yoruba's began in Ile Ife, and was subsequently adapted by other Yoruba towns that emerged, as the descendants of Oduduwa the first Ooni (paramount chief) of Ife, expanded the kingdom. Historically the Ooni of Ife was the highest paramount ruler and spiritual head of the entire Yoruba ethnic group. As such the traditional institution of governance was highly centralised. However as will be discussed later, the establishment of new Yoruba towns with their own leaders meant that the power at the centre gradually weakened and subsequently became decentralised after colonialism, as Yoruba chiefs began to seek self-determination and the right to govern their territories independent of the Ooni.

Structurally, the components of the centralised system of the Yoruba's and the decentralised system of the Igbo were quite similar, although their relationship differed. At the bottom of the hierarchy is the *Ebi* (**extended family**). As Falola and Adebayo (2000:14) describe,

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<sup>22</sup> With administrative headquarters in present day Sokoto State

"The family included everyone who could be ascertained to be related by blood, the dead ancestors, and the unborn children. Many activities, be they economic, political, or spiritual, were performed within this *ebi* or *idile* circuit. Every *ebi* had its rules and regulations. Members of the same *ebi* were resident in a single compound (*agbo ile*) and might also have had a recognised head called the *baale*. The **baale** was usually the oldest male member of the *ebi*. He had authority over all members of the family and his functions included seeing to the economic livelihood of members and preserving the harmony and continuity of the family".

The family was the most basic and significant political unit among the Yoruba. Not only do the Yoruba trace their history to one family from which they all originated, but also other kingdoms such as Dahomey and Benin also claim their origin from this same family of Oranmiyan. As Fage and Oliver put it, "The family was the most important unit in daily life, and the specific patterns of family organisation throughout the region had much in common...understandably the *ebi* family principles were extended to the political superstructure. The leading states of this 'Ebi Commonwealth' (as it has been called) were Oyo, Benin and Dahomey" (Fage and Oliver, 1975: 226). The family usually have a meeting place called Akode which is usually a compound among the group of families that make up a lineage. It is at the Akode that issues such as adultery and minor quarrels are resolved. Besides the *baale* who is the eldest male in the family and who is the symbol of authority at the family level, a younger person is also appointed to be a *loogun* (head of the warlords) in each family. It is believed that the combination of the wisdom of the elders (*baales*) and the strength of the youth (*loogun*) is what drives the community. A conglomeration of several extended families with or without a common ancestor, make up a village or quarter.

From the bottom-up, the next administrative organ in the hierarchy of the centralised system of the Yoruba of Ile-Ife is the *Ajo* (**Village or Quarter Assembly**). In Ile Ife, there are six quarters or villages and each one has its own *Ajo*. The *Ajo* meetings are usually held in the palace of the Oba (traditional high chiefs) of that quarter. At these meetings, all the *baales* in the quarter as well as the *looguns* meet to discuss issues

concerning their village as well as to select a delegation of five people amongst them who will represent the village in the *Ajo-Ife* (Ife town assembly). It is interesting to note here that the Obas of each quarter are hereditary chiefs who enjoy some level of autonomy in governing the affairs of their quarter. In describing his roles, the Oba-lufe, one of the traditional high chiefs who are in charge of Iremo quarters had this to say;

“Well my primary role is to mobilise my people for meaningful development. That is the first one, and then I have judiciary powers or role to play. I have to sit down, listen to complaints here and there, summon the two parties and I give verdict. But this is not the court of enforcement. They may go to any length and I don't stop them. If you say two plus two and this one says it is seven while another says it's four I will judge for who is correct. But if they are not satisfied they can go further, they have the right, and they have the privilege to do that”<sup>23</sup>.

The next institution in the hierarchy was the Ajo-Ife (**Ife town assembly**) which was organised in the same way as the Village assembly but at a higher level. The Ajo-Ife consists of five representatives from each Village assembly of the constituting quarters and is answerable only to the Ooni of Ife (Paramount traditional ruler of Ife). Primordially one of the constituting quarters (Iremo) is considered to be the most senior based on the position of the ancestral family of that village in Yoruba history. As such one person is chosen from the delegation of five from Iremo to become the leader of the Ajo-Ife. The town assembly represent the ears of the paramount ruler on the ground and as one leader of the Ajos described, “The Ajos are not spiritual worshippers, they are not chiefs that can be promoted, but they tend to be a temporiser between hard-line chiefs and the town. A major link between the two, the Ooni can listen to them for the truth about the town”<sup>24</sup>

The highest governance institution in the hierarchy is the Ooni (**Paramount Chief**) chieftaincy. The Ooni of Ife was a very powerful chief whose influence stretched even

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<sup>23</sup> Chief Folorunsho Obasola Omisakin, Oba-lufe of Ife, Interviewed by Tonson Sango, 2009

<sup>24</sup> Chief T. A. Falonepe, Chairman of Ajos, Interviewed by Tonson Sango, 2009

beyond the town of Ile Ife. Traditionally he has always been given a prime position among the chiefs of the entire Yoruba ethnic group because of the significance of Ife in Yoruba history. However with subsequent developments such as the migration of the descendants of the first Ooni out of Ife land, different autonomous Yoruba towns were established and since then the Ooni's traditional territory has been significantly reduced to Ile Ife and his powers gradually been reducing (For more on this history see Samuel Johnson,1966). The roles of the Ooni included political, economic, ceremonial and spiritual roles. He was the 'president' and the 'commander in chief'. As the chairman of the Ife Development Board explains in this short story;

“It was in history that when the Europeans were here and there was a conflict between *Ataribo* and *Ekepe*, that they had to take the Ooni from here to Lagos. Because they asked them who can resolve this conflict, they said only one person, who is that person? They said the Ooni of Ife. And the oyibo (white) man had to send people to bring the Ooni to Lagos. Those days you don't see the face of the Ooni, he backs you when he is talking alright. Now they took him from here to Lagos and it is also in history that while he was leaving here, every other Oba on his way had to vacate their throne. And they had to do so until he returned to Ife. You see that was how great the powers were”<sup>25</sup>

It is well known that the resolution of conflicts and disputes was a major role for the paramount ruler, who was respected by people within and beyond his kingdom. However, the paramount ruler functions with the aid of his subordinate chiefs. Directly under the Ooni are chiefs to his right and to his left hand side. On the Right hand of the Ooni are the high chiefs representing each of the constituent quarters of Ife. These chiefs are hereditary and if any one dies, they are replaced by selecting the next person from the royal family of the quarters involved. In addition, to the high chiefs, there are two chiefs on the right hand side who are selected by the Ooni. They are chiefs that can be chosen from anywhere. The consideration is that they must be elite usually successful men in business or in law, or in

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<sup>25</sup> Pharmacist Jide Elugbaju, Chairman of Ife Development Board, Interviewed by Tonson Sango, 2009

any profession such as traditional or Western medicine, or be experienced in spiritual matters. These two positions of non representative chiefs were created to allow for all Ife indigenes that are not from royal families to also become part of the traditional institution. The roles of the chiefs on the right are mainly administrative and they also advise the Ooni on administration and decision making. On the left of the Ooni are the promotional chiefs which are selected from particular families regarded as *modewas* which are not entirely royal families. As Lange (2004: 555) explains, “the distinction between royal and non-royal Obas [*chiefs*] can be based on the example of the Ife court, where the *modewa*...are in the middle position between the non-royal clans of the Oduduwa section of the population and the Oduduwa inclined King”. These chiefs are domiciliary chiefs who have to be in the palace all the time. They are regarded as the ‘aprons’ of the Ooni because they sit in the royal court to listen to cases. They are called promotional because the chiefs can rise in rank up to the highest that is called the “Lowa”. Finally, also under the Ooni but not answerable to the chiefs on the right or the left, are the isoro (spiritual) chiefs. The isoro chiefs are considered very important because they are the ones who take care of the gods. According to the Chairman of the Ajo;

“They are very many and uncountable. Because history says that Ife has 401 deities and the only one that speaks among the deities is the Ooni. He is the four hundred and first deity, so he is a deity himself. Each of these deities has their own spiritual caretakers or spiritual heads. The head of the spiritual chiefs is the Obadio who is the worshipper of oduduwa shrine. You know that oduduwa is the progenitor of Yoruba land and the head of his worshippers is Obadio. So we can have as many as 401 spiritual chiefs but not all of them are seen or known publicly”<sup>26</sup>.

The spiritual element of the traditional institution is a vital part of the system in Ile-Ife because not only is the Paramount ruler considered to be a deity himself, but also represents a link between the people and their ancestors. The relationship between

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<sup>26</sup> Chief T. A. Falonepe, Chairman of Ajos, Interviewed by Tonson Sango, 2009

spirituality, traditional law, and the conflict resolution role of traditional actors will be discussed in detail later in the chapter, but suffice to say now that the organisational structure of the centralised traditional institution in Ife is considered as an effective mechanism for the administering of justice and maintenance of peace among the people. As the Ajo chairman summarises;

“You see the traditional system is very useful and functional. For example if there is a quarrel in the family, we go to the feet of the father to solve the matter no matter how old he is. But if we refuse to abide by his solution then we go to the akode. Akode is where the family meets. A family may comprise of ten to twenty houses and they will have a central house we call it akode where they meet periodically, usually monthly. So if a matter is settled there either about family lands or properties, so if it is unresolved, then the bales and elders will go to the Ajo of their quarters [community assembly], and from there it goes to the Ajo-Ife [Assembly of all six communities] and then to the Ooni. As such you see what is a family problem involving hundreds of people will be represented by just less than 30 people before the Ooni”<sup>27</sup>.

<b>Traditional Institutions</b>	<b>Traditional Actors</b>
Town Assembly	Ooni (Paramount ruler of the town)
Village Assembly	Oba (High traditional chief who governs a quarter or village)
Lineage Assembly	Baale (Elderly males each representing a family compound of two or more extended families)
Extended Family	Bale (Eldest male in the family)

Figure 8: Centralised System of Governance Among the Yoruba

Based on the above analysis, it is evident that the traditional system practiced in Ife was not only centralised with a hereditary paramount ruler who governed the society, but also organised with an elaborate network of institutions which stretched down to every family compound, and among which power was separated into administrative, judicial and

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<sup>27</sup> Chief T. A. Falonepe, Chairman of Ajos, Interviewed by Tonson Sango, 2009

spiritual roles. However within this centralised system, it can also be observed that some degree of autonomy was given to the constituent villages or quarters within Ile-Ife; this represents some elements of decentralisation at the village level. Although this structure can be said to be generic in many Yoruba towns with minor variations, the case of Abeokuta continues to be the obvious example of decentralisation within the Yoruba ethnic group (see Olowu and Erero, 1997:21, and Insa Nolte, 2002).

Among the Hausa ethnic group of Northern Nigeria, the centralised system was also practiced. In the old Hausa state of Katsina for example, the organisational structure is much like the one described above. As King (2001: 342) explains,

“If we look more closely at the *hausa* communities, we find that the basic social unit was the *gida* (household), which was under the leadership of the senior male member, the *maigida*. The *gida* consisted of close kin of the *maigida*, their slaves, *barori* (clients), and attached strangers. Some members of the *gidaje* (*households*) might also be members of broad kinship networks, known as *dangai* or *zuri'a*. It was the *gidaje*, however, that made up the *birane* (*cities*), *gari* (*town*), *ungowoyi* (*streets*), *kauyuka* (*villages*), or *tungage* (*rural hamlets*). The *gari* or *birni* would have a *maigari* (*Town head*) appointed by the Sarkin Katsina (*Paramount King of Katsina*) or one of the senior officials. The head of the less permanent settlements, *unguwoyi* and *kauyuka*, would be a member of the oldest group of settlers in the area. Within the larger settlements there would also be heads of the larger occupational groups, such as the Sarkin makera (head of smiths), Sarkin pawa (head of butchers) and Sarkin baka (head of hunters). Alongside these were the religious leaders of the community, such as Sarkin arna (head of the non-muslim cults), magajiyar bori (head of the bori cult), and the Imam of the settlement, if it had a mosque. Over these local communities was the superstructure of the state, centred on the institution of the Sarkin Katsina”

King further explains that although at the beginning of the seventeenth century, the political community of Katsina was made up of several towns and villages which remained largely autonomous in their internal affairs, but subordinate to the Sarkin Katsina (paramount traditional ruler of Katsina), the political system was transformed by the end of

the century and the Sarkin Katsina through his network of chiefs exercised sovereign authority as Katsina grew larger. It can be said that towards the end of the nineteenth century, around the inception of the era of colonialism, the traditional institution of the Hausa was much more centralised, and their paramount ruler enjoying more sovereign power compared to that of the Yoruba. This may be as a result of the growing empire of the Hausas that was flourishing at this time compared to the Yoruba Empire which was declining.

### **Colonial State Building and its effects on Traditional Institutions**

The process of state building in Nigeria can be said to have begun with the colonisation of the territory known today as Nigeria and the subsequent amalgamation of the Northern and Southern protectorate into one political entity in 1914. This section focuses on the period leading to 1960 when Nigeria became an independent country with new political structures. As at this time, traditional rulers around the country had experienced a drastic shift in their role and functions. This shift was the result of about eighty years (1880 - 1960) of imperial British rule, within which most Nigerian ethnic groups were conquered and subjugated under the system of indirect rule. Nigeria under colonial rule was initially composed of the Northern protectorate (1900) which was dominated by the Hausa and Fulani ethnic groups who were mostly Muslims, and the Southern protectorate (1906) which was largely Christian and dominated by the Yoruba and Igbo ethnic groups, among several others. Colonial officers continued to administer the two regions separately until Frederick Lugard, the British High Commissioner of the Northern protectorate returned to Nigeria and unified the Northern and Southern protectorates to form a single political entity in 1914. However the new Nigeria was only a loose affiliation of three distinct administrative regions - Northern, Western and Eastern regions each having a governor. Lugard established the Nigerian council, on which six traditional rulers were selected to serve from all over the country in order to advise and

implement colonial policies. The involvement of colonial authorities in governance of the country's regions gradually reduced as more control was given to traditional rulers in order not to interfere with the internal cultural peculiarities of each of the three regions. In 1918, Lugard was replaced by Hugh Clifford as the governor general of Nigeria and began to implement reforms which introduced new legislative institutions in the Southern Region and gave more autonomy to the traditional rulers.

Indirect rule was a system in which the colonial administrators governed the people through their already established traditional governance institutions of chieftaincy and kingship. The effect of indirect rule on the traditional institutions is twofold: firstly, indirect rule led to the centralisation of decentralised chieftaincies, as well as the classification of traditional rulers, and secondly it affected the roles and functions of these traditional rulers by reducing their powers and replacing their original roles with exploitative ones. This centralisation took several forms in different parts of the country. For example among the Igbo ethnic group in Eastern Nigeria, the British introduced warrant chiefs, who were chiefs that were given a warrant to collect taxes from the people. As elaborated by Van Allen, "Igbo land was divided into Native Court Areas which violated the autonomy of villages by grouping many unrelated villages into each court area. British District Officers were to preside over the courts, but were not always present as there were more courts than officers". (Grinker et al eds, 1997:401) As such representatives (warrant chiefs) were selected to be part of the Native Court and were in charge of enforcing the instructions of the District officer in their respective villages.

This system corrupted the Igbo traditional institution as most of those selected to be warrant chiefs were not recognised leaders in their communities. The growing dissent against the warrant chiefs, and their corrupt practices soon erupted into the Aba women's riot of 1929 and subsequently, led to further reforms in the traditional institutions in Igbo land. These reforms brought about the introduction of the Native Authority in 1937, which

was an attempt to diffuse power from the hand of any single chief to the hands of the entire community. As Noah noted, "under the native authority system of indirect rule, the British envisaged mass participation of the populace. The idea of mass representation meant setting up Native Authorities consisting of all members of the village councils of all the villages in the clan". (Noah, 1987:81) The circle of centralisation and decentralisation eventually led to a chieftaincy crisis in the East of Nigeria where there was a 'mad rush' to acquire all sorts of chieftaincy titles, every man trying to become a king of his own right. Only much later after independence did government intervention attempt to stabilize the Igbo chieftaincy.

In other parts of Nigeria, the indirect rule system affected the traditional institution of governance differently. For example in areas such as the Northern protectorate where strong centralised chieftaincies were established, their power was weakened by the colonial authorities by stripping them of some of their sovereign roles, as well as reducing their territorial influence through the creation of administrative Provinces out of chiefdoms. These Provinces were governed by colonial administrators especially because of imperial interest in the strategic relevance of such areas. In some cases such as that of the Plateau Province, new chieftaincies were established which were independent of the former centralised emirates of the North, and they were empowered by the colonial government to rule over such Provinces. As discussed in chapter five and six, the colonial legacy of indirect rule and its effects on the traditional institution of chieftaincy constitutes a source of protracted communal conflicts in modern Nigeria.

### **Constitutionalism and Traditional Rulers**

The history of constitution making in Nigeria can be divided into two phases; the colonial (1860-1960) and the post colonial (1960 - 2010). In this section, both eras are examined with the purpose of understanding the creation of new institutions, and the evolution of the roles of traditional rulers under each constitutional context. As earlier

mentioned some traditional rulers were selected to be part of the Nigeria Council which was established by Lugard, but the appointment of Hugh Clifford came with the introduction of new reforms to the Lugardian administrative institutions. These reforms were captured in the new constitution which he drafted.

### **The Clifford Constitution of 1922**

Governor Hugh Clifford became the man who introduced Nigeria's first constitution which became known as the Clifford Constitution of 1922. During his era as governor, he was critical of the institutions that were established under Lugard for their ineffectiveness, especially the Nigerian Council and the Lagos Colony Legislative Council. Clifford replaced these institutions with a single Legislative Council for the entire country known as the Legislative Council of Nigeria. As Ihonvbere and Shaw noted, "the so-called Clifford Constitution provided for a legislative Council of 46 members, made up of 27 official and 19 unofficial members, of which three members were to be elected by all adult males in Lagos and one in Calabar" (1998:17). Although the Clifford constitution and its reforms are always credited for introducing the principle of voting in Nigerian democracy, two shortcomings can be identified; firstly it failed to foster unity among Nigerian ethnic groups as the Northern Province was deliberately excluded from participating in the Council, rather Clifford himself assumed the responsibility for governing the North through proclamations. As Falola noted, "Despite its name, the jurisdiction of this new council was restricted to the Colony of Lagos and Southern Provinces. In other words, the Northern Provinces were excluded from the new council's legislative authority". (2000:161). Secondly, Governor Clifford refused to implement the recommendations of the National Congress for British West Africa, a body constituted of indigenous West Africans who sought for an end to the appointment and deposition of traditional rulers by the colonial government amongst other things. These early nationalist already perceived the danger that colonial interference with the traditional institution posed to the traditional

system of governance. Their demand for indigenous control of the appointment and deposition of traditional chiefs was contrary to the policy of indirect rule and as such was met with stiff resistance (see Inhonvbere, 1998:17). As such, the legitimacy of traditional rulers from the perspective of the people continued to depreciate, and the respect they enjoyed from their communities declined further as they continued to be agents of colonial rule.

### **The Richardson Constitution of 1946**

By 1939, the Southern Province was divided into two. Thus Nigeria constituted four administrative Provinces, namely the Northern Province, Western Province, Eastern Province, and the Colony of Lagos, each of which was inhabited by “Nigerians” of different ethnic and cultural affiliations. After the Second World War in 1945, nationalism was at its peak in Nigeria and the new class of independence activists continued to pressure the colonial administration for more inclusion of indigenous people in the governance of the country. Hence in 1946, Sir Arthur Richardson, Nigeria’s governor, introduced a new constitution known as the Richardson Constitution of 1946, which was to correct some of the ills of the previous constitution. Firstly, the constitution stretched the authority of the Legislative Council of Nigeria to include the Northern Province which was previously excluded. This was seen as a step towards achieving national unity at the legislative level (Atofarati, 1992). Secondly, Regional Councils were created for each of the Regions. These councils had no legislative powers and were generally advisory. In the Northern Province, a bi-camera system was in place consisting of the Northern House of Assembly and the Northern House of Chiefs. It is important to note here that the House of Chiefs consisted of all “first class” traditional rulers as well as some “second class” and “third class” chiefs who were nominated by the government (Dudley, 1968:27). This system of classification of chiefs was also another creation of colonialism which was introduced as a remedy for the inequality in the power of Nigerian traditional rulers. In the Western and Eastern

Provinces, a unicameral system was in place with each Province having a House of Assembly. In both cases traditional rulers also participated within this set up.

Thirdly, the Richardson constitution also allowed for the Native Authorities to be more involved in central governance. As Post and Jenkins describe, the constitution “linked the Native Authorities throughout Nigeria to the central institutions of government by leaving to these local bodies the selection of the majority of the Unofficial Members of the three Houses of Assembly”. (1973: 30) This implied that the traditional rulers of the Eastern Province continued to wield considerable influence over the administration of their areas through the Native Authorities. Despite the ambitious attempt to unify Nigeria, the Richardson constitution was rejected by the nationalists mainly because consultations were not made during the process of writing it. As such it was soon replaced by the Macpherson constitution in 1951. If anything, the creation of a unified legislature only exposed the ethnicity that characterised the administrative Provinces of Nigeria, and the Provincial Councils further deepened these sentiments by laying the foundation for ethnic political parties. As Dudley noted, “The constitution which was intended by its author to bring the peoples of Nigeria into closer unity and to foster the spirit of cooperation between them, had instead revealed the wide gap which separated the North from the South, a gap already recognised by the British administrator and which they did very little to bridge (1968:22)”.

### **The Macpherson Constitution of 1951**

The increasing agitation of nationalist who had emerged in each of Nigeria’s Provinces, eventually caused Governor John Macpherson to begin nationwide consultations for a new constitution and in 1950 a constitutional conference was held in Ibadan to review the draft before it was passed into law. This constitution became known as the Macpherson Constitution and it introduced some changes to the previous structure of governance. Firstly it granted legislative powers to the provincial legislative houses, with each legislating over issues that affected its region. This further deepened regionalism in

Nigeria and also solidified ethnicity as ethnic political parties and associations consolidated power in their distinctive regions. The Western Region like the Northern Region, also introduced a bicameral system with a separate legislative chamber (House of Chiefs) for traditional rulers while the Eastern region due to its “chieftaincy complications”<sup>28</sup>, continued to have only one legislative body. Secondly the constitution also allowed for majority of the members of the central Legislative Council and the provincial councils to be elected. Although Traditional rulers continued to play an evident role in the decision making process by participating in the House of Chiefs and the Native Authorities, their influence was no longer automatic as new elite politicians who were elected to be members of the regional Houses of Assembly emerged, and this new political class was considered more capable of modern governance. As Tibenderana explains, “out of the total fifty emirs and chiefs who formed the membership of the Northern Regional house of Chiefs in 1952, twenty-three had received formal education up to elementary level or higher” (1983:521). In the Eastern region, the Macpherson reforms signified the beginning of the end of the formal political role of the traditional rulers. As analysed by Post and Jenkins, “Ibadan from 1949 to 1954 witnessed the virtual elimination from the political scene of the chiefs...the products of the tutelary and evolutionary approach upon whom the British had once hoped to build the modern nation of Nigeria” (1973: 30). Under Macpherson, the Nigerian political system continued to undergo disruption because of the conflicting structural arrangements, which Elias described as “neither ‘regional’ nor ‘federal’”. (Cited by Falola, 2000: 166)

### **The Lytleton Constitution of 1954**

The continuous escalation of tensions between ethnic political parties and the politicians that represented them under the Macpherson era soon led to outbursts of violence and riots. In what was called “the first contemporary case of ethnic violence”,

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<sup>28</sup> For more on this see Nwaubani, 1994

about 36 people were killed and hundreds injured during the tour of Action Group's<sup>29</sup> Chief Obafemi Awolowo in Kano city – Northern Province (Ihonvbere and Shaw, 1998:23). The nationalists in Nigeria continued to express dissatisfaction with colonial governance, and even after the Macpherson reforms, calls for total self governance did not cease. Hence another constitutional conference was called in London in 1953 and subsequently in 1954 to explore solutions to the grievances of Nigerians. The Lytleton Constitution of 1954 (otherwise referred to as the Federal Constitution) was the product of this series of conferences, and in it proposed a new federal arrangement for Nigeria. One of the key features of this arrangement was that the provincial councils were to have greater control over their affairs, as opposed to the previous constitution where power was concentrated in the central legislature. The introduction of politically elected representatives at the central legislature which replaced the system of provincial nominations also helped to reduce ethnic regionalism in Nigeria. Consequently, Lagos ceased to be a colony and was made the capital city of the three Provinces. As more control was given to Nigerians in the three Provinces, traditional rulers and the new politicians continued to collaborate in governing their territories and in protecting their regional, political and cultural interests through the House of Chiefs, the House of Assembly, the political parties and the Native Authorities. However, the main responsibility of administration resided in the hands of the politicians. According to Falola and Adebayo's observation;

“The traditional role of the chiefs in their various communities did not prepare them for the additional political responsibilities entrusted them through the membership in the Council of Chiefs...Although the chiefs could be said to champion the interests of their subjects, it was obvious that the political parties hijacked the legislative affairs in each region” (2000:171)

Other scholars such as Dudley (1968) argue that in some parts of the country such as the North, the traditional rulers wielded more power over the affairs and the politics

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<sup>29</sup> The Action Group was the leading political party in the Western Region

of their territories. Concerning the overwhelming support for the Northern People's Congress in the 1959 elections, Dudley observes thus;

“...there is identification of the party with the whole administrative framework of the Native Authority. The party is, in fact, the Native Authority and whatever are its deficiencies, the Native Authority is nevertheless the central institutional reference point of social action for most, if not all, northerners. Socially habituated and psychologically conditioned to thinking in terms of the Native Authority as represented by the Emirs, District and village heads, Councillors and Alkalis, it is but normal to expect that the majority of the populace will support the party identified with it. It follows that opposition to the Northern People's Congress becomes opposition to the Native Authority” (1968: 139)

However the reason for these opposing findings on the relevance of traditional rulers in the late colonial era can be based on the fact that the loyalty of their subjects varied according to the degree of colonial distortion. Governor Lugard in his time had signed pacts with Northern Emirs to protect Islamic civilisation. As such the North was shut off from much of the influences of Western education to which the South was exposed (Mathews, 2002:156)

Ethnicity continued to dominate politics under the Lytleton era and debates between the countries three main parties (Action Group in the West, National Council of Nigerian Citizens in the East and the Northern People's Congress in the North) led to further constitutional conferences in 1957 and 1958, which eventually led to the country's independence. The Lytleton constitution became the road map for what was to become Nigeria's independence constitution. However despite its strengths, the Lytleton constitution failed to address the question of minority ethnic groups in the Middle-Belt and their place within the context of the hegemonic battle for Nigeria's regions by larger ethnic groups. In 1957, the Sir Henry Willink Commission attempted to resolve the problem of minorities by exploring the possibility of creating states from the existing regions; however its efforts were fruitless (Ihonvbere, 1998:25). It must be noted that as the Nigerian

political terrain was reorganised into new political units or regions, and the Nigerian dialogue became dominated by nationalist discussions, the question of indigeneship, minorities and traditional boundaries became more prominent and threatened to jeopardise the strength of nationalism.

### **Postcolonial Era: The Independence Constitution of 1960**

Despite the efforts at allowing for more Nigerian participation in the process of constitutional making, the nationalists still disputed the fact that Britain continued to exercise control over Nigeria. This colonial control was evident in the power to enact laws for the colony which was still reserved by the Queen of England. Furthermore the Governor General and the regional governors continued to be representatives of the colonial government responsible to her Majesty. As such the call for independence was intensified and soon it was achieved, with the independence constitution of 1960 as the guiding document. Among other things, the constitution withdrew the legislative powers of the Queen over Nigeria (Falola, 2000:173), and included a section on Human rights in order to address the fear of domination by the majorities. Although the institutional arrangements of the previous constitution were maintained at independence, the introduction of a House of Chiefs in the Eastern Region which was approved in 1959 was a new development. As earlier mentioned, the chieftaincy crises in the East which began at the advent of colonial rule had led the region to undergo phases of reforms which further complicated the chieftaincy. The appointment and subsequent abolition of the warrant chiefs resulted in an explosion of chieftaincy titles, and a conflict of supremacy between traditional chiefs and non traditional chiefs in the East. The Native Authority system which was introduced to salvage the situation was also abolished in 1950 after it proved to be inefficient and redundant (Nwaubani, 1994:353). The Native Authority system was replaced by the Local Government Ordinance whereby a democratic three-tier structure composed of County, District and Local Council was introduced. This formally relegated

the Igbo chieftaincy out of the league of active governance. However, around 1955 during the peak of nationalism, certain minorities in the East such as the Ijaw and the Efik soon began to mount pressure on the NCNC (National Council of Nigeria and the Cameroons) for their traditional rulers to be recognised. A study of the chieftaincy situation in the East by G.I Jones was Commissioned by the Eastern regional government and he came up with two notable recommendations among others; that there was almost a unanimous feeling among the Igbos that their traditional rulers should be allowed back into the council and if possible made head of the councils, and secondly that a House of Chiefs should be created (Nwaubani, 1994: 357). The NCNC further articulated the concerns of their constituencies in the constitutional conferences of 1957 and it was recommended that a system of classification be introduced before the House of Chiefs can be created. As Nwaubani summarises;

“By the time of the 1958 Nigerian Constitutional Conference, a classification formula had been evolved for chiefs in the Eastern Region. As indicated by the Conference Report, there were to be 17 first class chiefs: 8 traditional paramount rulers, and 9 others, representing the nine Provinces proposed for the region. There were also to be second class chiefs, to be selected by and from among the clan heads, village group heads, and village heads to represent all the divisions of the region, according to population. The Conference agreed that a House of Chiefs should be established with a total membership of not more than 80, consisting of 17 first class chiefs, 59 second class chiefs, and five special members.” (1994:359)

The system of classification of chiefs which was crucial for stabilising the chieftaincy in the East was developed with the consideration of key factors such as; historical and socio-political antecedents. As further elaborated by Nwaubani;

“The first class consisted of the "natural rulers" of the areas where chieftaincy was recognized as an age-long indigenous political institution-Arochukwu, Bonny, Calabar, Oguta, Onitsha, and Opobo-and one chief from each of the twelve Provinces into which the region was ultimately carved. The second-class chiefs were so chosen that each clan had one, so that the chiefs became clan leaders. But, in practice, the first-class chiefs chosen as provincial

representatives, like the second-class ones, were all political appointees, sponsored by the NCNC. Apart from these two categories, the others were appointed by 'traditional' groups such as village councils, and were not officially recognized by the government". (1994:360)

Despite the return to prominence of the traditional rulers in the Eastern Province, the 1960 constitution formalised the supremacy of the politicians over them. This implied that fate of the traditional institution was in the hands of the "new men" who had the powers, to recognise, install, and depose traditional rulers. However the traditional rulers in the Northern and Western regions continued to wield significant influence over the political affairs of their region. As such while independence signified the rise of a new era in Nigeria's political and socio-cultural history, it also marked the beginning of the decline of constitutional roles for traditional rulers.

After independence, the high hopes generated by the euphoria of the nationalist struggles began to diminish as the new country's unity came into question. No sooner than the Nigerian State was born, did separatist movements begin to surface<sup>30</sup>. This was evidence of two realities; that the new Nigerian State was far from being a nation-state, and that its institutional structure of the regional parliaments was inadequate for fostering national unity. The Northern leaders were determined to dominate the Federal government by their numerical advantage in the House of Assembly and through the strategic elimination of opposition forces from the other regions. As Sklar explains, "In 1962, the Northern-controlled Federal Government, led by Prime Minister Abubakar Tafawa Balewa, eliminated a serious threat to the Northern political elite by imposing a caretaker administration (under an emergency powers act) on the Western Region and imprisoning a resolute adversary, Obafemi Awolowo, leader of that region's dominant political party, on charges of treason" (2004: 3-4). Tensions continued to mount especially during a census conducted in 1962/63 which the regions accused each other of

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<sup>30</sup> For a more extensive discussion see Tamuno, 1970

inflating their numbers<sup>31</sup>. While the politicians with their respective political parties continued to actively engage and improve in the game of politics, traditional rulers were confronted with the challenge of adapting to ‘new’ rules of the game. This situation was described by G. N. Uzoigwe as “the paradox of monarchism and republicanism” (Falola, 2000:181). As Vaughan further elaborates,

“It is the paradox of a group of leaders who, while standing at the apex of the country’s culturally diverse communities and projecting the significance of communal values, are expected to support the objectives of modern state structures. While these leaders operate outside the purview of the state, they retain the unquestionable ability either to accommodate and occasionally confront government policies, or to innovate outside the narrow confines of modern structures.” (1991:308)

The chaos generated by covert ethnic tensions on the one hand, and institutional contradictions on the other soon led to the revision of the independence constitution in 1963 for a republican constitution.

### **The First Republic (1963-1966)**

Under the new constitution of 1963, Nigeria became a republic by adapting a republican style of government and abandoning the constitutional monarchy, thus stripping the queen of England of her remaining constitutional powers. This gave birth to what is known in Nigerian history as the first republic. Under the 1963 constitution, Nigeria became a republic with four geo-political units namely; the Northern, Eastern, Western and the Mid-Western region. The Mid-Western region was carved out of the old Eastern region following demands by some Yoruba groups to be independent. These four regions were the political turfs upon which the new political class through their regional parties continued to consolidate power. The role of ethnicity in Nigeria’s emergent politics was considered to be crucial for the success of political parties seeking to win votes. However it also served as a hindrance to the unification of the new republic. As Jackson expressed,

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<sup>31</sup> For more on this census crisis see Diamond Larry, 1988: 31

“the ethnic ties of the parties were simultaneously their strength and their weakness. It ensured regional political security yet, at the same time, it weakened the possibility of any group making serious inroads into the political fief of their opponents” (Jackson, 1972: 283). Under the new Constitution, the federation was governed by a President (Dr Nnamdi Azikiwe of the NCNC party), a Prime Minister (Sir Abubakar Tafawa Balewa of the NPC), and Regional Premiers in charge of the four regions. In order to solidify the autonomy of the four regions, the republican constitution allowed for the regions to have their own constitution. At the central government, competition for the control of the legislative houses became rife between the politicians of the four regions.

During this political period, traditional rulers played official and unofficial roles. Officially, the 1963 constitution retained the House of Chiefs as the upper legislative chamber for each region. As such some traditional rulers were also legislators, while others were even appointed by the federal government to be ‘ministers without portfolio’. Also some traditional rulers were selected to be part of the federal legislature. The Parliament of the Federation consisted of the Senate and a House of Representatives. The Senate consisted of twelve Senators representing each Region, four Senators representing the Federal territory (Lagos) and four Senators selected by the President, acting in accordance with the advice of the Prime Minister. It is interesting to note here that Section V, subsection 42 (2) of the 1963 constitution states that "The Senators representing the Federal territory shall be (a) the Oba of Lagos, who shall be an ex-officio member of the Senate, (b) a Chief selected in such manner as may be prescribed by Parliament by the White-Cap Chiefs and War Chiefs of Lagos from among their own number and (c) two other persons selected for that purpose in such manner as may be prescribed by the Parliament." (Nigeria, 1963)

Unofficially, traditional rulers continued to have great influence on the activities and policies of the regional political parties. According to Sklar (2004:494), institutions such as

the Native Authorities and the House of Chiefs constituted what he called 'the unofficial elements' of political party structure. The chiefs having played a more eminent role in the emergence of the political parties, continued to advise the parties regarding their position on national and regional matters.

As the three main regional parties; The Northern People's Congress (Northern), the Action Group (Western) and the National Council of Nigerian Citizens (Eastern) made efforts to dominate the federal parliament, they began strategising for the country's first general election to be held in 1964. This resulted in a faulty census in 1962 where each region had in a bid to secure political dominance, inflated the figures of their respective regions. The census of 1962 had generated so much tension between the regions that the existence of the Nigerian federation was threatened. As an independent foreign newspaper observed:

"It has been announced that 're-numeration' has been going on in the North, which has given rise to a suspicion, prominently voiced by members of the NCNC...that an attempt will be made to increase the Northern figures to restore the Regions present preponderance. So far has this argument gone that whatever final figures are produced will be rejected by those whose political position they endanger. Indeed not only the present Federal Coalition, but the very survival of the Federation is at stake, since, if the census argument continues, the legitimacy of the Federal Government after the next election would be questioned..." (West Africa, 1962)

The 1962 census figures as published in a pamphlet of the ministry of information were 22 million for the North, 12 million for the East, and 8 million for the East (including the mid-East) for a total of 42 million. In January 1963, the Daily Times quoted the final figures submitted to the cabinet as 30 million for the North, 12 million in the East, and 10 million in the West and Mid-East - a total of 52 million (Diamond, 136). The Prime Minister, Abubakar Tafawa Balewa intervened into the census crisis and

declared that a new census be held in 1963. He personally took responsibility of the census and consulted with the regional governments in order to restore confidence (Diamond, 1988:135). The result of the 1963 census which amounted to 55.6 million - even more than the inflated first census, was again contested between the regional political parties. The premiers of the Northern and Western Region – Ahmadu Bello and Samuel Akintola accepted the results, while the premiers of the Mid-Western and Eastern region - Dennis Osadebay and Michael Okpara rejected it. The resulting ethnic tensions between the regional politicians and their ethnic political parties became visible and even some traditional rulers were willing to use their position in the Native Authority to chase out those who were not from the same ethnic group. As Mackintosh observes, “one member of the NPC even pledged to use his position as a District head to draft all the Native Authority policemen at his command...to deal with the Ibos” (Quoted in Diamond, 1988: 142).

As the political parties continued to trade words and accuse each other of ethnic favouritism and prejudice, traditional rulers who have been relegated to the background continue to support their regional politicians. As in the case of the Western region, the paramount traditional ruler – the Alaafin of Oyo was considered to have endorsed the campaign of Samuel Akintola by bestowing upon him the title of Are Ona Kakanfo, or Commander-in-Chief of the Yoruba nation, in the race to the general election (Post and Vickers, 1973:122). Following the dominance of the Northerners in the Federal legislature after the elections, and the intra-regional violence that followed the regional elections, Nigeria became very unstable. Thus in January 1966, a group of young Igbo officers led by Major Kaduna Nzeogwu overthrew the government through a coup, and this marked the beginning of military rule.

### **Military Rule I (1966-1979)**

The new military regime justified its intervention based on the instability that characterised the first republic and their intervention was considered as a welcomed development by many Nigerians. As Ihonbvere (1998: 49) describes, "The military putsch of January 1966 came to most Nigerians as a welcome relief from the prevailing conditions of insecurity, uncertainty, violence, bitter politics and deepening socio-economic crisis". General Aguyi Ironsi took over control of the military government as Supreme Commander and began to dissolve the democratic institutions of government at the federal and regional levels. In their place, he established a Supreme Military Council which was to take over the functions of the Federal Military Government, and military governments in each of the regions. However the local governments and Native Authorities were still preserved although they were brought under the Inspector-General of Police. General Ironsi appointed Lt.Col. C.O. Ojukwu as Military Governor of the Eastern Region, Lt.Col.F.A. Fajuyi for the West, Lt.Col. D.A. Ejoor for the Mid-West and Lt. Col. H. Katsina for the North (Ihonbvere, 1998: 52)

Ironsi's government continued to struggle with the task of meeting the high expectations of Nigerians. However, ethnic sentiments grew as Northerners felt aggrieved about the killing of many of their politicians including Ahmadu Bello, the premier of the Northern Region. Furthermore, Ironsi decided to appoint many of his trusted Igbo kinsmen as part of the Supreme Military Council<sup>32</sup>. This and other factors such as the proclamation of decrees which suspended the political structures of Nigeria, led to widespread riots especially in the North where Igbos were constantly harassed, leading to a mass exodus of Igbos to the East. These riots eventually led to the killing of Ironsi in another coup in July, which was led by Hausa-Fulani officers and was considered as a retaliation of the earlier coup. Before his death, Ironsi was an advocate of the inclusion of

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<sup>32</sup> See Ihonbvere, 1998: 55

traditional rulers in governance and had established the Williams Commission on Constitutional Review, with the mandate to, among other things, "determine how party politics and regionalism violated traditional chieftaincies and institutions and advance possible remedies" (Ihonbvere, 1998: pg 57). Despite the ethnic riots that characterised the regions, Ironsi focused on building the strength of his government by maintaining a close relationship with traditional rulers. As Ihonbvere puts it,

“Ironsi did little to bring the sponsors and participants in these riots to book. Rather, he intensified his romance with traditional rulers and chiefs. In fact, he was in Ibadan on 28 July 1966 to open a conference of 'natural rulers' when he was overthrown in what is now known as 'July Return Match' a supposed reaction to the Ibo-sponsored Nzeogwu and Ironsi coups by the Hausa-fulani” (1998: 59).

Lt. Col. Yakubu Gowon, a Northerner emerged as Nigeria's Head of State and began to explore ways of saving the Nigerian nation, whose existence was threatened by, among other things, the tensions and mistrust between Hausas and Igbos. However, Ojukwu, the Military governor of the Eastern region raised concerns over the selection of Gowon as head of state, due to the fact that Gowon was lower in rank to him. Relations between the Federal Military government and the Eastern Military government grew worse as the Eastern region began to call for secession. Gowon initiated a constitutional conference to discuss the future structure of Nigeria's democratic government, and also created 12 more states in an effort to counter the ethno-regionalism that had sharpened. But his efforts failed to prevent the secessionist movements in the East. Eventually, the declaration of independence made by Ojukwu of the Eastern region, as the 'Independent Republic of Biafra' marked the beginning of a civil war that lasted three years. The traditional rulers in the East supported its secession. As Nwabueze explains, "On 30 May 1967, the military governor of Eastern Nigeria, Lieutenant-Colonel Odumegwu Ojukwu, acting on a mandate given him three days before by a joint resolution of the consultative assembly for the

region and the advisory council of chiefs and elders, proclaimed the secession of the region from the federation of Nigeria" (1982:179).

The civil war ended in January 1970 with a successful overthrow of the rebellion in Eastern Nigeria by the government of Gowon. Gowon then began to implement programmes of reconciliation, rehabilitation and reconstruction. He also started a transition programme to hand over power to civilian rule but when in 1974, this transition was suspended, another coup followed. This led to the emergence of Brigadier Murtala Mohamed as head of state, who justified the coup on the grounds of corruption (Bah, 2005:32). Mohammed was assassinated six months later in a failed coup attempt, and his deputy General Olusegun Obasanjo took over. Until he handed over power to civilian rule in 1979, Obasanjo had implemented certain reforms which also affected traditional institutions. Firstly, the Local government reforms of 1976 reduced the powers of traditional rulers by stripping them of their legislative and executive roles through the abolition of the Native Authority system. These roles were now given to the Local Government Authorities charged with running the affairs of the local council. Instead a Traditional Council<sup>33</sup> was created for each council with the functions of observing and advising the local government authorities. The functions of the Local government Traditional Council included:

“Formulating general proposals as advice to local governments; harmonizing the activities of local government councils through discussion affecting them generally, and giving advice and guidance to them; Co-ordinating development plans of local governments by joint discussion and advise; Making determinations on religious matters where appropriate; Determining questions relating to chieftaincy matters and control of traditional titles and offices, except where these are traditionally the exclusive prerogative of the Emir or Chief in which case the Council’s function shall be advisory to the Emir or Chief (Lawal, 1984:83)

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<sup>33</sup> Also called Emirate or Oba Councils

Secondly, the Land Use Decree of 1978 reduced the powers of traditional rulers by stripping them of any legal authority over land matters in urban and rural areas. This decree also authorised the military governors of the states to establish state Land Use and Allocation Committees that would advise the governor on all land matters, especially the management of 'communal lands' (Vaughan: 2000:149). This decree had revolutionary legal and traditional implications. As Vaughan explains, "with a stroke of the pen, the Land Use Decree accomplished a legal revolution, abolishing the customary proprietary rights of families and individuals - and of traditional rulers-over both developed and undeveloped land" (Vaughan, 2000: 149). Some traditional rulers in Eastern Nigeria opposed the decree, sparking a 'confrontation' between the state authorities and the traditional rulers. In the then Oyo state, the Ooni of Ife and chairman of the Council of Chiefs, Sir Adesoji Aderemi, rallied other chiefs to oppose the decree. As Vaughan describes;

"He called an informal meeting of the state Council of Chiefs at his Onireke residence in Ibadan. Attended by twelve senior obas, the forum condemned the reforms and vowed to challenge their implementation...the obas argued that the new land reform was an affront to cherished Yoruba values...At a press conference, Sir Adesoji urged the Federal Military Government to reverse its decision, claiming that to put land under the control of local and state authorities was to expose it to political patronage and partisan politics." (2000: 149)

The military government in Oyo state embarked on a campaign to win the support of the people for the Land Use decree by convincing them of the 'benefits' of the decree. The governor of Oyo state, Brigadier David Jemibewon promised that the land use decree will lead to the abolition of royalties (known as *isakole*) paid to traditional rulers and communal heads by tenants (Vaughan, 2000: 150). The growing popularity of the Oyo State military government among the people forced the traditional rulers to compromise their position. In exchange for their support of the decree, the traditional rulers demanded that "parcels of land which came under the administration of rulers, chiefs, established families and other in various quarters and compounds, would need to

be administered in such a way as to involve these people to ensure respect for their traditional position" (Vaughan, 2000: 151). Furthermore, the state authorities appointed four of the paramount traditional rulers to the state Land Use and Allocation Committee. Lastly, the creation of more states also reduced the powers of traditional rulers by reducing the size of their chiefdoms or emirates. This contributed to the later crisis over political and traditional boundaries in Nigeria.

### **The Second Republic (1979-1983)**

Military rule ended and the democratic experiment was rekindled with a new Presidential constitution which ditched the parliamentary style of government for an American style presidential system. The constitution was the product of the Constitution Drafting Committee which was inaugurated in 1975. During the drafting process of the constitution, a minority of the members had suggested for the inclusion of a house of chiefs in each of the 19 States of the Federation. However the committee rejected the proposal by claiming that it would "greatly increase the cost of administration to have a house of chiefs in every state" (Vaughan 2000: 153). However, some senior traditional rulers were appointed to a federal body known as the National Council of State, to advise the national government. Furthermore, the 1979 Constitution formally removed all legislative roles for traditional rulers at the federal level; instead it formalised the pre-existing Council of Chiefs at the state level. According to the Constitution which was promulgated by the Military, "The Council shall have power to advise the governor on any matter relating to customary law or cultural affairs, inter-communal relations and chieftaincy matters. The Council shall also have power to advise the Governor whenever requested to do so on: (a) the maintenance of public order within the State or any part thereof; and (b) such other matters as the Governor may direct." (FGN, 1979)

Despite the accomplishments of the Constitution Drafting Committee in creating the 1979 constitution which strengthened Nigeria's federalism through its presidential system

of government, its shortcomings were reflected in the ethnic political parties that re-emerged during the general elections. The National Party of Nigeria (NPN) was considered the successor to the predominantly Hausa-Fulani Northern People's Congress (NPC), the United Party of Nigeria (UPN) was considered a resurrection of the predominantly Yoruba Action Group (AG), and the Nigerian Peoples Party (NPP) was considered as a rejuvenation of the old NCNC with its Igbo core. In the presidential election of 1979, Shehu Shagari of the NPN was declared winner by the Federal Electoral Commission. Despite dissatisfaction among the leaders of the other parties that Shagari had not won the required votes for a conclusive victory, the Supreme Court upheld his victory and this led to further ethnic sentiments.

The Constitutional Drafting Committee in anticipation of potential ethnic tensions also introduced the federal character principle during the drafting process of the constitution. This principle was to prevent the possibility of ethnic clashes by guaranteeing the representation of each ethnic group, at all levels of government. As Osaghae elaborates; "simply defined, the federal character principle is a variant of the consociational principle of proportional representation or quota system where the main objective was to ensure that the kaleidoscope of the country's diversity was reflected in composition of government at all levels. The principle was to apply to appointments to ministerial and other top government positions, and the composition of the armed forces, public service, and other agencies of government" (Osaghae, 1998:115). However, the federal character principle was limited by two factors; firstly the existing states did not correspond to ethnic and religious divisions. Secondly, it solidified the dominance of majority ethnic groups as they had more states, and this led to increased agitation by minority ethnic groups for participation and recognition. (Osaghae 1998).

The second republic collapsed due to the controversies that characterised the post-1983 election period. The NPN again won a landslide victory in the presidential election,

and also won other states which were considered to be opposition states. The elections were marked by violence and unrests, and almost every result was been contested in court. Thus in December 1983, the military intervened again.

### **Military Rule II (1983-1998)**

The military intervened through a coup which was exercised with the motive of addressing the endemic corruption and politics of 'do or die' that thrived during the second republic. The new head of state Major General Buhari stated in his maiden broadcast stated that;

"The last Federal military Government drew up a program with the aim of handing over political power to the civilians in 1979. That program as you know was implemented to the letter and the 1979 constitution was promulgated. However, little did the military realise that the political leadership of the Second Republic would circumvent most of the checks and balances in the Constitution and bring us to the present stage of general insecurity. The premium on political power became exceedingly high that political contestants regarded victory at the elections as a matter of life and death struggles and were determined to capture or retain power by all means" (Quoted in Ojo, 1998:42)

Buhari's government focused on the economy, corruption and the reformation of the Army. He had prioritised the economy over democratic reforms because of the looming economic crisis that threatened Nigeria. As such the position of traditional rulers under his regime remained unchanged, as pressure from civil society groups, politicians and the international community continued to mount on his regime to declare its programme for return to civil rule. Buhari's Chief of staff General Ibrahim Babangida who disagreed with his approach, overthrew his government through a coup in August, 1985.

General Ibrahim Babangida's government immediately set up a political bureau to discuss issues regarding the return to civil rule. Among other things, the bureau recommended that no role be given to traditional rulers in the constitution, citing that "they must not have any roles beyond the local government...and such roles must not be in

conflict with the roles of political office holders” (FGN, 1987:151). The Bureau also recommended that traditional rulers should no longer be called “rulers” as this is a misnomer. However, the 1989 Draft Constitution made a provision for a Local Government Traditional Council and its earlier functions, but limits it to the discretion of the state legislature. According to Ojo, "This is an institutionalisation of the advisor role accorded to traditional rulers in the Guidelines for Local Government Reforms of 1976. As from now on, the House of Assembly of the state has the power to create such a council according to the peculiarities of the state. It needs to be mentioned that the council has no executive, legislative or judiciary powers" (in Fajoyomi, 1998: 54). The constitution further defines a ‘Traditional Ruler’ as “a person who by virtue of his ancestry occupies the throne or stool of an area or has been appointed or elected to it in accordance with the customs, traditions and usages of the area and has traditional authority over the people of that area or any other person who, prior to the commencement of this Constitution, has been elected or appointed by instrument or order of the Government to exercise traditional authority over an area or community in the State recognised as such by the Government of a State” (FGN, 1989).

The return to civilian rule was in sight as two ‘grass-root’ political parties were registered by Babangida’s regime – The National Republican Convention (NRC) and the Social Democratic Party (SDP). The much anticipated third republic was aborted when Babangida annulled the June 1993 presidential election which was conducted. He resigned from been the head of state and inaugurated an Interim National Government headed by Ernest Shonekan to supervise a smoother transition to civilian rule. However the military took over government again after four months with General Sani Abacha as Nigeria’s new head of State. In 1994 General Abacha summoned another constitutional conference and a draft constitution was made in 1995. However the contents were never published until

after Abacha's death in 1998. The draft constitution had also retained the State council of chiefs and the Local Government Traditional Council.

The Fourth Republic was heralded with the writing of the 1999 Constitution. The constitution is considered to be the most radical amongst all the constitutions of Nigeria with regards to the position of traditional rulers as it completely omitted any mention of them. However the State Council of Chiefs and the Local Government Traditional Council continue to exist by state legislation. The fourth republic will be discussed in detail in the next section in order to contextualise the contemporary role of traditional rulers within Nigeria's 1999 federal constitution.

## **Federalism and the Role of Traditional Institutions of Governance**

The evolution of traditional institutions of governance can also be discussed at the local, state and federal government levels which characterise Nigeria's federal arrangement since the 1999 constitution. Nigeria has since its independence in 1960 developed into a federal state. As discussed previously, an American style federal structure was conceived and adopted as a system of government which was more suited for a multi-national and multi cultural state like Nigeria. This federal structure constituted of three tiers of government; federal, state, and local government, and three arms of government; executive, legislative and judiciary arms. Although the practice of federalism in Nigeria is the question of a separate debate, it is sufficient to highlight that the principle was for each of the constituent states to enjoy some level of autonomy from the federal government which will allow each constituent state to make their own laws and policies geared towards the peculiarity of the people in that constituency. With the return of democratic rule in 1999, the 1999 constitution of Nigeria completely omitted any role for traditional rulers, and not even a mention was made about traditional institutions. As such under the current State structure in Nigeria, traditional institutions of governance have no formal constitutional role. However, they continue to play formally recognised political roles within the framework of bylaws that were legislated by constituent states, as well as more informal political roles within loosely defined channels of interaction. This section examines both the formal and informal political structure and functions of traditional rulers at the local, state and federal government levels.

### **Local Government**

Constitutionally, the local government is the lowest level of government in Nigeria. The idea of creating Local Government Councils as stipulated in the local government reforms of 1976 was to bring the government closer to the people and to facilitate rapid development (Dibie, 2003:191-192). A Local Government Area (LGA) typically consists of

a number of villages, wards or Districts. In some cases, a Local Government Area is dominated by a single ethnic group, and the boundaries of the local government area correspond with the traditional boundaries of that ethnic group. However in other cases, two or more ethnic groups can be represented in one Local Government Area, all of which claim traditional ownership of parts of the land. And even in some other cases, a single ethnic group is spread over two or more Local Government Areas. The ethnic composition of a local government area has significant structural and political implications for the traditional institutions that are represented at the local government council.

Structurally, the Local Government Council is headed by an executive chairman and other elected councillors each representing the respective wards that make up the Local Government Area. Every local government authority includes a body known as the Local Government Security Committee (LGSC). The local government security committee as the case maybe is headed by the executive chairman of the local government, and consists of all the traditional rulers of the LGA, the police, and other stakeholders such as religious rulers. The LGSC meets regularly, usually monthly or as the situation requires, deliberating on the security concerns of the Local Government Council. Traditional rulers play a vital role in this committee and the chairman consults them often in order to know the true situation on the ground in an event of an actual or potential crisis. Thus the traditional ruler can be said to be answerable to the local government chairman. However this is not the case in practice especially in cases whereby an ethnic group occupies more than a single Local Government Area and the jurisdiction of the paramount traditional ruler of that ethnic group stretches beyond the boundaries of one Local Government Council. Generally, many hold the view that Paramount traditional rulers are “the fathers” of the people and should not be subordinate to local government chairmen who are usually younger and considered inexperienced compared to the traditional rulers. This view is against the practice where the Local Government Council is responsible for disbursing the

salaries of traditional rulers as this depicts superiority of the Local Government Council over the traditional rulers. This view is mostly held among the members of large ethnic groups who perceive their traditional ruler as exceeding the Local Government Authorities in status and relevance. Adherents of this view justify it with the argument that traditional rulers will not be able to perform the function of checking and balancing the local government authorities if they rely on them for payment. As a civil society actor expressed;

“I think the traditional rulers will need to be independent. The idea of asking traditional rulers to go and be collecting money from the local government is not on. There should be a separate purse for traditional rulers. It should be disbursed from the top [*State or Federal Government Level*] not from the local government. No, why should a traditional ruler be going cap-in-hand [*as if to beg*] to a local government chairman, then when he calls him tomorrow to order, will he be able? If he disobeys him, he knows he will be coming next month to collect his pay and he can decide to sit on it. But whereas if he is not dependent on him he will call you to order”<sup>34</sup>.

While in some states, the traditional ruler receives his or her monthly salary from the local government council, other states pay it directly to them from the state government, signifying the autonomy of the traditional institutions from the local government. This variation exists due to the principle of federalism which allows for each of the Nigerian States to create policies that are applicable to their peculiar social characteristic. While every state receives a monthly allocation of finances from the federal government, and in turn the state pays each of its Local Government Councils their share. By law five percent of the allocation of each Local Government Council within the state is meant for the salaries of state recognised traditional rulers within the Local Government Area. As such some states make the five percent deduction before disbursing the balance to the Local Government Councils. In such states, the responsibility to disburse the salaries of traditional rulers is

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<sup>34</sup> Pharmacist Olajide Elugbaju, Chairman of Ife Development Board, Interviewed by Tonson Sango 10/09/2009

then given to the State Traditional Council (STC) or the State Ministry of Chieftaincy Affairs – both bodies established at the state government level.

Functionally, there tends to be an institutional crisis between the local government authority and the local traditional rulers over who has the final say in governing the local population. In cases where the paramount traditional ruler in a local government area is a high class chief who governs a kingdom which stretches beyond that local government area, the local government authority tends to have less control over the traditional institution, and makes frequent consultations with the traditional ruler before taking crucial decisions. Whereas in cases where the traditional rulers in the local government area are lower classed chiefs, the local government authorities have more control over them, and as such rarely consult them in administering the council. In both cases there tends to be tension between both the traditional ruler and the local government authorities as both institutions compete for relevance. This institutional crisis can result in overt conflict between the two authorities where the traditional ruler falls out with the local government chairman as a result of lack of consultation or involvement in the decision making processes of the council. As a result of this institutional dysfunction, the functional relationship between the traditional rulers and the local government authorities can be described as one that is more anarchical rather than hierarchical.

Another organ known as the Local Traditional Council exists in each Local Government Council which is separated from and independent of the local government authority. This council is more informal and is made up of all government recognised and non-recognised traditional rulers of the communities that make up the council. These rulers include the paramount rulers, the subordinate District heads, village heads and ward heads. The Local Traditional Council meets regularly to discuss issues affecting the peace of the communities represented in the Local Government Area, as well as issues relating to chieftaincy matters. The meetings are usually presided by the most senior traditional ruler

(based on classification) in the local government area. In some cases where the local government consist of only a single ethnic group, the regular meetings organised by the paramount traditional ruler with all his subordinate chiefs, function in place of the Local Traditional Council. In other cases where a single ethnic group dominates more than two Local Government Councils, a Joint Local Traditional Council is augmented for all the Local Government Areas involved.

Traditional rulers and local government authorities also work closely on issues that involve developmental projects, land, culture and the administration and collection of taxes. Although the number of roles may vary from council to council as the harmony between the local government councils and traditional institutions also vary, the role of the traditional institution is crucial for successful local government administration (Vaughan, 1995; ECA, 2007). The traditional rulers act as the “eyes, ears and mouth” of the council. They monitor their communities, they listen to information given to them by their subjects either in the form of complaints or concerns, and when such information require actions that are beyond their authority, they channel these queries to the relevant state institution that have the authority to act on it.

### **State Government Level**

The State government is a higher authority than the local and it is at this level that more major decisions relating to peace and security are taken. Due to the availability of state security institutions as well as resources, the state is expected to maintain peace and order within its domain. However, even the state is not immune from crisis and as in the case of the Jos-Plateau conflict discussed in chapter six, the intervention of state actors such as the police and the army have failed in preventing the recurrence of violence. Traditional rulers also play formal and informal roles at the state level.

Formally, a body known as the State Traditional Council or State Council of Chiefs as it is called in some states, exists at the state level and is comprised of all the most senior traditional rulers in each of the Local Government Councils of the State. The State Traditional Council meet regularly (weekly or monthly) to deliberate on issues that concern them, and to advise the state government on matters of peace and security. In cases where only a single ethnic nationality dominates the state, the council usually has a permanent president. The permanent president will be the most senior paramount traditional ruler in the state in terms of classification. In cases where two or more ethnic nationalities dominate the state, then the presidency is rotated between the paramount rulers of the dominant ethnic groups. The State Traditional Council has the power to make decisions regarding issues of chieftaincy, culture and peace. However their actions are regulated by the Ministry of local government and chieftaincy affairs, which is also at the state level<sup>35</sup>.

This ministry is a separate institution of the state government which is headed by a Commissioner, and is in charge of liaising directly with traditional rulers and the state and local councils of traditional rulers. For example, when a paramount ruler dies, it is the responsibility of the traditional council to report the death to the ministry of chieftaincy affairs who will take the necessary steps to ensure that a suitable date is fixed for burial. Also, during the process of selecting a new paramount ruler for a vacant throne, the king makers of the affected community will normally select a successor according to the customs and traditions of doing so. Usually the community will have a structure of selection that may include a group of traditional rulers who are traditional kingmakers who select the best candidate from ruling families or indigenes. However, when a successor has emerged, his or her name is submitted to the Ministry of Chieftaincy Affairs who will subject the nominee to a screening process, and when approved, a date is fixed for the coronation ceremony where a Staff of Office is handed to the new paramount ruler. The

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<sup>35</sup> This institution is known by a variety of names from state to state such as; Ministry of Local Government, Chieftaincy and Community Development, Ministry of Chieftaincy and Judicial Affairs.

Staff of Office is usually a staff or a document, which is an instrument of authority bestowed upon the traditional ruler. It symbolises the recognition and legitimisation of the chieftaincy by the state. Furthermore, in the creation of new chiefdoms and new chieftaincies, the State Traditional Council and the Ministry of Chieftaincy affairs also work closely. Normally the Ministry does not reject candidates for chieftaincy positions which have been recommended by the State Traditional Council. As the Permanent Secretary of the Ministry of Local government, Chieftaincy and Community Development in Osun State elaborates:

“Well the council of Obas as it is presently constituted is made up of about 83 members and among them you have the chairman who is a permanent chairman; the Ooni of Ife. And when you look at the historical importance of Ile-Ife, you can understand why he is made the permanent chairman. You know it is believed that everybody emanated from here. So that honour and privilege has been given to whoever is the Ooni to be the permanent chairman. Then you also have deputy chairmen about eight of them, then you have vice chairmen, then you have permanent members and we have rotational members. You see essentially government does not dabble into who becomes member of the council; it is at the instance of the council itself. The council will have deliberated and say okay so and so Oba we want him to be elevated or promoted to the level of a permanent member. And this is it, it is usually granted. You see and for you to attain any position in that place, usually the council of Obas will look at your own historical antecedent to see that historically you actually belong to the genuine children of oduduwa, oduduwa who is supposed to be the progenitor of all Yoruba’s. That is the way they do it”.<sup>36</sup>

While the State Traditional Council will normally deliberate on the cultural, traditional or historical aspect of chieftaincies, the ministry of chieftaincy will normally be concerned with the logistical, financial and judicial aspects of chieftaincy. As earlier mentioned, the salary of government recognised and classified traditional rulers in a state are sourced from a five percent deduction which is made from the funds allocated to the

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<sup>36</sup> Permanent Secretary, Ministry of Local Government, Chieftaincy and Community Development, Osun State. Interviewed by Tonson Sango, 2009

local governments from the federal government. In some cases the Ministry of Chieftaincy will make the deduction and then disburse the funds to the State Traditional Council who will in turn pay each traditional ruler their salary. Also in deposing traditional rulers who have been charged with grave misconduct or breaking the law, the State traditional Council also works with the Ministry of Chieftaincy affairs to ensure that the bylaws of the state and the customary laws of the people are adhered to in deposing traditional rulers from office. The ministry will normally consult with the Governor of the state and any other relevant bodies such as the courts or the police, before deposing a chief (See Mamah, 2000; Iriekpen, 2009). During this process, tension may arise especially over the motive for deposing a traditional ruler. This is because some people may perceive the deposition of a traditional ruler by state actors as vindictive rather than just.

The Governor of the state is also the president of the State Security Committee (SSC); a body which includes the president of the State Traditional Council, the Commissioner of police, the leaders of major religious groups, and the State Security Service. This committee also meets regularly and work together especially in information sharing and dissemination in order to ensure early warning and rapid response in times of conflicts and other forms of security threats. Because the role of the traditional institutions at the State Security Committee is considered to be advisory to government, there is no legal requirement for the state to consult with the traditional institutions before making decisions. As such in some cases, the state governor often fails to consult with the traditional councils before taking decisions on issues that affect them directly e.g. relating to chiefdoms, and sometimes ignores the advice of the traditional council even when they offer such without been asked. In general, state governments that have failed to involve traditional institutions in governance have had a rough time with maintaining law and order, especially when both the state government and the traditional institutions are antagonistic towards each other. This was the case in Osun state during the administration

of Governor Adebisi Akande who refused to recognise the Ooni of Ife as a paramount traditional ruler (Amodu T, 2008). In such crisis situations, the intervention of state actors from the federal government usually restores normalcy.

### **Federal Government Level**

As Nigeria continues to search for internal peace and political stability, resolving the power tussle between state institutions of governance and traditional institutions is crucial. At the federal government level, the removal of a role for traditional institutions through constitutional reviews and through the abolition of the former Legislative House of Chiefs was conceived as the best solution to this power tussle. By limiting the role of traditional rulers to the state government level, it was conceived that ethnic tensions and regionalism will be reduced significantly, thus enhancing the strength of the central federal government and furthering the unity of Nigeria. Despite the removal of any formalised role for traditional rulers at the federal government level, they continue to offer their advice and opinions on federal issues, and even enjoy the respect and recognition of federal government officials (see Lucky, 2010). While federalism and the creation of states in Nigeria may represent the best hope for keeping the country united, “federal character policies may also create structures hostile to legitimate ethnic grievances and regional agendas” (Suberu, 2001: 206).

The minority question in Nigeria is not a new one and as discussed in the previous chapter, policies such as zoning and institutions such as the National Character Commission have been introduced to address this issue. However as conflicts such as the Ife-Modakeke conflict in Osun state, and the Jos Conflict in Plateau state have shown, the creation of states and even local governments has not laid to rest the fears of minority ethnic groups being dominated by majority ethnic nationalities. As such the questions arise of how to achieve effective collaboration between state and traditional institutions in order to have a stronger institutional framework of governance? How this framework will ensure

adequate representation of all ethnic nationalities in Nigeria, and more importantly, how the framework will define the peace and conflict resolution role of traditional institutions vis-a-vis the state institutions. The failure of modern state institutions and traditional institutions to collaborate in governance often leads to crisis and the further intrusion into politics by traditional rulers.

<b>Levels of Government</b>	<b>Institution</b>	<b>Traditional Actors</b>
Federal	No Formal Institutional Framework	None
State	State Government Security Committee	President of the State Council of Chiefs (working alongside other actors such as police, under the leadership of the Governor of the State)
	State Traditional Council	Selected traditional rulers representing the local traditional councils of the state, presided by most senior chief.
Local	Local Government Security Committee	Head of the local traditional council of chiefs (working alongside other actors such as police, under the leadership of the Chairman of the Council)
	Local Traditional Council	Selected traditional rulers such as village, ward and District heads, headed by most senior traditional ruler in the local council

Figure 9: Structure of Traditional Institutions in Nigeria's Federalism

## **Conclusion**

In this chapter, the evolution of the traditional institutions of governance was examined through historical analysis of the pre-colonial, colonial and post colonial phases of Nigeria. It was established that in the pre-colonial context, traditional governance institutions were the highest authority of the kingdoms and empires of modern Nigeria. The structure of both centralised and decentralised traditional governance institutions represented a highly organised network of individuals, stretching from the palace of a paramount leader, to every family compound within a community. It was noted that the advent of colonialism and the British policy of indirect rule affected the structure, function and socio-political position of traditional rulers. Where strong and established chieftaincy institutions existed, they were used to facilitate colonial governance. In areas where weak and decentralised traditional institutions existed, the institution was centralised by the colonial government. Lastly, the experience of the traditional institution in the post-colonial phase was examined chronologically. This highlighted the varying effects of state-level events such as constitution making and regime change, on the traditional governance institutions. It was concluded that the 1999 constitution remained the most radical in terms of its position on traditional rulers as no mention was made of them. However the lack of a constitutional role does not affect the relevance of the traditional institutions to local communities. As Vaughan stated, "since traditional rulers remained the embodiment of local ideologies and communal identities, this constitutional rebuff did not eliminate the political significance of traditional rulers and title-holders in the post-military era" (Vaughan, 2000: 153). The next two chapters will analyse two cases of protracted communal conflict in Nigeria in order to ascertain the role of traditional rulers.

## PART III

### CONFLICT CASE STUDIES

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Having examined the turbulent history of Nigeria's political climate and the effects of colonial and post colonial policies on traditional institutions in general, this part turns to the analysis of conflict cases in Nigeria. With the aid of the Protracted Communal Conflict (PCC) analytical framework developed in Chapter 2, and the conceptualisation of the strategic and institutional positions of traditional institutions in Chapter 3 and 4, this final part analyses the Ife-Modakeke PCC and the Jos-Plateau PCC. With both conflicts considered to be rooted in pre-colonial times, they provide the opportunity to analyse (a) the escalatory, deescalatory and re-escalatory dynamics of the conflict (both horizontally and vertically), and (b) the role of traditional rulers in shaping the genesis, process dynamics and outcomes of the protracted conflict over time. This analysis allows for a more detailed discussion on the effectiveness of using empirical case-studies of protracted conflicts and conflict mapping and analysis techniques to identify and compare the constructive and destructive roles of traditional rulers.

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## **Chapter 5 :**

### **The Ife-Modakeke Protracted Conflict**

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#### **Introduction**

The Ife- Modakeke conflict which is extensively discussed in this chapter is not a new conflict and has been going on for centuries. As such there is plenty of secondary sources in the form of books and journal articles available on the subject. In addition to these, there are also newspaper reports, official government publications and memos relating to the conflict. This chapter relies on these materials for data on the historical aspects of the conflict. However, it also relies heavily on original interviews for information of contemporary issues regarding the conflict, and the role of traditional rulers. This original research includes one-on-one semi structured interviews with traditional rulers of the affected communities (Ife and Modakeke), leaders of indigenous civil society groups (such as the Modakeke Progressive Union and the Ife Development Board), state and local government officials (Commissioner of Chieftaincy, Permanent Secretaries and Directors, Local Government Chairmen), religious leaders (Christian and Muslim leaders from Ife and Modakeke communities) and other individuals from each of the communities, who were considered highly knowledgeable about the issues surrounding the conflict. Furthermore, focused group discussions were conducted with a selection of youth from both Ife and Modakeke communities. Secondary and primary sources are also used to facilitate an accurate description of the conflict, as well as an analysis of the conflict and conflict resolution roles of traditional rulers, which is as objective as possible.

#### **The Genesis of the Conflict**

The Yoruba are one of three dominant ethnic groups in Nigeria (alongside the Hausa and Igbo ethnic groups). They occupy most of the territory known as Western Nigeria and are spread over parts of West Africa, especially Benin Republic and Togo. As a result, a lot of extensive research has been conducted into different aspects of Yoruba existence,

including but not limited to political, socio-cultural, and economic issues. In addition to possessing a very rich cultural heritage, the Yoruba's also possess a deep history which spans from the pre-historic to the contemporary era. This section is concerned with the emergence of the modern Yoruba towns of Ile-Ife (also called Ife) and Modakeke in present day Osun State, Nigeria, as recorded in Yoruba history. Three phases are of particular interest here, namely; Yoruba mythology and the position of Ile-Ife, the emergence and expansion of Yoruba land into an organised political entity, and the evolution of the modern Osun State, which represents the current context of the protracted communal conflict between the Ifes and the Modakekes since 1980.

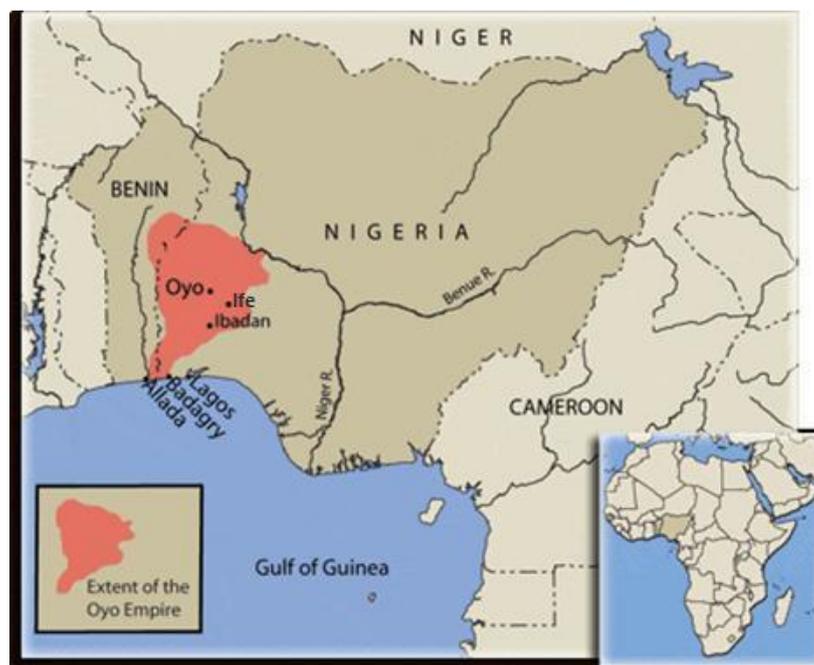


Figure 10: Map of Nigeria showing extent of Oyo Empire<sup>37</sup>

<sup>37</sup> *Source:* Map redrawn by author based on the original retrieved from [http://upload.wikimedia.org/wikipedia/en/a/ab/Oyo\\_Empire.gif](http://upload.wikimedia.org/wikipedia/en/a/ab/Oyo_Empire.gif) (Accessed September 29, 2010).

## **The Formation of Ile-Ife Community**

As earlier discussed in chapters four and five, there is an intricate relationship between spirituality, legitimacy and law in the traditional governance of ethnic communities in Nigeria. This is also the case with the Yoruba. According to the Yoruba spiritual legend of creation, the world was created by god at Ile-Ife. As Ambe describes:

The Yoruba creation myth holds that the Supreme Deity or God of all gods (*Olorun*) created everything that is and ever shall be. He did so with the able assistance of lower gods. The chief of the lower gods is known as *Orisha* or *Orish Nla*. *Olorun* assigned *Orisha Nla* the task of moulding human figures out of clay. However, only He, *Olorun*, gave humans life, which He did while all His helpers, including *Orisha*, were in a slumber. The Yorubas believe that the centre of the universe is Ile Ife or 'Wide House'. It is from here, according to the Yoruba legend that all human beings originated and then spread out to other regions. (2006: 35)

Although this legend is renown among Yoruba people, some have criticised it and instead offer their own version of the origin of the Yorubas. This alternate view is based on the legend of *Oduduwa*, the first Yoruba who resided in Ile-Ife and is regarded as the progenitor of the Yoruba ethnic group. There are two versions of the story regarding the arrival of Oduduwa to Ife. While the more mythical one claims that he descended from the sky at Ile-Ife, the other claims that Oduduwa was a prince in Mecca who migrated to Ile-Ife and established an organised Yoruba ethnic group (Chazan and Abitol, 1988: 31). Both versions however claim that Oduduwa's children then facilitated the expansion of Yoruba territory and established several kingdoms including the Kingdom of Benin. The accounts of the origin of the Yorubas based on the myth of the creation of Ile-Ife as 'the centre of the world', and based on the migration from Mecca or descending from the sky of Oduduwa – the first Yoruba, may differ, but there is a consensus among Yoruba scholars on certain issues with relation to the origin of Yorubas. As Chazan and Abitol summarise:

“First, all Yoruba recognize that they share a common history and culture and all accept Ife as a common center. Second, the different variations of the myth attempt to account for the

dispersal of the sons or grandsons of *Oduduwa* and for the creation of many diverse and distinct political entities. They are therefore also concerned with laying claim to special states for a given area within the pan-Yoruba political hierarchy. Third, in the local versions of the expansion of the Yoruba from Ife, pragmatic considerations and power concerns play an important role. The eventual domination of the descendants of Oduduwa over local inhabitants is explained in terms of their physical superiority. Fourth, the myth of origin contains the basic elements of Yoruba cosmology. The first Yoruba, Oduduwa, though associated with the earth, is also viewed as the emissary of the creator, *Olorun*, and the sons of Oduduwa are acknowledged as representatives of the sky gods, the *Orisa*. ...Man, in the world, must relate both to the earth and the ancestors and to the sky gods, who control natural forces. Finally, the myth of origin of the Yoruba is essentially a charter for the [traditional] rulers, the descendants of Oduduwa. It provides legitimacy for the distribution of power on a regional basis and regulates the types of relationship between the rulers and the ruled.” (Chazan and Abitol, 1988: 31-32)<sup>38</sup>

### **The Emergence of Modakeke Community**

Having established among other things that the town of Ile-Ife occupies a sacred and significant position in Yoruba history, and that other Yoruba states or cities such as Oyo were established by the sons and grandsons of Oduduwa, this leads to the next discussion on the emergence of Modakeke. According to the history, among the Yoruba states that were established by Oduduwa’s children, Oyo became very famous for its military strength, and grew to become the political centre of the old Oyo Empire (See Figure 10), while Ile-Ife continued to remain the spiritual centre. As Gordon describes,

“Ife was the spiritual capital of the Yoruba kingdoms, but it never attained much military and political power due to a poor location within the forest belt. Ife, however, may have inspired the development of the greatest of the Yoruba kingdoms, Oyo, located in the better-situated savannah region and one of the oldest kingdoms in Africa.” (2003: 11).

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<sup>38</sup> For more on Yoruba myths and Legends, see **Johnson Samuel (1997), *The History of the Yorubas* (Nigeria: CSS Bookshop)**

The Alaafin is the paramount traditional ruler of Oyo, and according to the mythical history, a descendant of the first Alaafin *Oranyan*, who founded Oyo and who was one of the sons of Oduduwa. This great Yoruba kingdom of Oyo experienced its golden years between the sixteenth and eighteenth century, as one of the most prominent kingdoms in the savannah. However, in the nineteenth century the kingdom lost its grip following an invasion by Fulani jihadists from the Northern Caliphate of Sokoto. (Johnson, 1997: 231; Chazan and Abitol, 1988:30)

The Fulani invasion of Oyo resulted in chaos and civil wars between Yoruba towns and settlements, as well as in the mass migration of Oyos (Yorubas who resided in Oyo) to other Yoruba towns. These fugitives who migrated in different bands either formed new settlements in conquered areas which then transformed into towns and city states such as Ibadan and Abeokuta, or formed communities in other Yoruba towns. The Oyos that migrated to Ife – perceived as their original home - were “well received and protected” by the then Ooni (paramount traditional ruler) of Ife, Oba Akinmoyero (Johnson, 1997: 230). The cordial relationship that existed at the beginning soon grew frosty when an Ife war chief, Okunade the Maye, who was also the autocratic leader of Ibadan, was expelled and later killed by Oyos in his attempt to recapture the city during the Gbanamu war of 1830. (Albert and Ottite, 1999: pg 145) The Ifes reacted by enslaving the Oyo refugees in Ile-Ife, while setting other fugitives free. As Samuel Johnson explains:

“Before long, a feeling of disaffection became evident between the Ife citizens and the exiles. The Owoni [*Ooni*] spared the Ife refugees, but enslaved all the Oyos making them 'hewers of wood and drawers of water' after having murdered the Asirawo their chief. One of the Asirawo's sons enslaved was the afterwards renowned chieftain of Modakeke, Ojo Akitikori by name. The Oyos built their houses, cleaned their farms and performed all sorts of menial work for them.” (1997: 230)

This marked the beginning of an era of protracted intra-ethnic conflict between the Oyos and the Ifes. However, the relations between Oyos and Ifes varied over time, as

different Oonis who came in succession to one another had different approaches to governing the Oyos settled in Ife. While Oonis such as Oba Gbanlare and Oba Winmolaje were favourably disposed to the Oyos, using them as warriors to defend Ife from invasions from neighbouring Yoruba towns, others such as Oba Gbegbaaje sold many of them into slavery. The Ife's expressed their anger at Oonis who favoured the Oyos by murdering them. The murdering of the Ooni by Ifes became so rampant that when Oba Adegunle was to succeed the throne, he did so, on the condition that his subordinate chiefs will not murder him. As Johnson elaborates,

"Adegunle succeeded to the throne: he was partly of Yoruba descent on the mother's side and hence was the benefactor of the Oyos all his days. Before he accepted the crown of Ife, he made the chiefs to take an oath they would not find a pretext for murdering him as they did his predecessors, but would allow him to die a natural death; They readily agreed to this request" (1997: 231).

However, Oba Adegunle, who had a reputation for been a farmer (and was given the nick name *Ab'ewe ila gbagada gbagada* - One whose Okra leaves are very broad) began to gather arms and ammunition in preparation for any attacks from his Ife populace. Notwithstanding the oath, The Ife chiefs soon launched a vicious attack on Adegunle in what was described by Johnson as a 'civil war'. However Adegunle was able to repel their attacks as he was adequately prepared. After the failed siege against him, Oba Adegunle summoned Wingbolu - who was the chief of the Oyo settlement which was emerging into an important section of the community-to enquire of his neutrality during the siege. Having assured the Ooni of his loyalty and innocence, Wingbolu found favour in the eyes of the Ooni, who decided to emancipate the Oyos. As Johnson elaborates,

"...the Owoni who had some strains of Oyo blood in him was resolved not on exterminating the Oyos as some others would have done but rather on emancipating them. He appointed them a settlement outside the walls of the city deputing one Adeworo to accompany Wingbolu to the site and mark out the settlement. On the Oyo chief himself, he conferred the

title of Ogunsuwa, signifying One whom Ogun (the god of war) has blessed with fortune. That has become the title of all the chief rulers of Modakeke to this day. By a royal proclamation all Oyos were to leave the city of Ile-Ife for the new settlement, and accordingly the settlement grew rapidly from new arrivals every day. The new settlement was named Modakeke, a term said to have been derived from the cry of a nest of storks on a large tree near the site. ...Modakeke was in 1884 a town of between 50,000 and 60,000 inhabitants." (1997: pg 231-231)

## **Wars between Ife and Modakeke**

### **Precolonial Era:**

With the emergence of Modakeke as a separate 'emancipated' settlement for the Oyos, following the declaration of the new Ooni of Ife – Oba Abeweila, Ifes attempted to murder the Ooni but the 'Modakekes' assisted in crushing any uprising against him. The Ifes eventually succeeded in murdering Abeweila by poisoning, and soon after laid a siege on the new settlement - Modakeke. Modakekes defeated the Ifes and succeeded in sending them on exile from Ile-Ife, for years. According to Johnson,

"Modakeke was soon besieged by the Ifes, but they were repulsed with a heavy loss in dead, wounded, captives. The Modakekes captured about 12,070 of them, but they had not the heart to enslave their former masters and benefactors and hence all were released. Thirty days after this defeat, one Ogunmakin an Ife chief receiving re-enforcement from Oke Igbo, Modakeke was again attacked. The Ifes were again badly beaten and they were pursued right home, and the city of Ife taken by an assault. The victors now ventured to sell their Ife captives as slaves, but reserved of their women-folks for wives. The Ifes escaped to Isoya, Oke Igbo, and other Ife towns where they remained for many years till about the year 1854 when the Ibadans were engaged in the Ijebu Ere war. (1997: 232)

At this time, Ile Ife – 'the cradle of the Yoruba race' was laid desolate and this troubled one Chief Ogunmola of Ibadan, prompting him to initiate negotiations with the Modakekes for the return of the Ifes and their king to Ile-Ife. Because the town of Ibadan had emerged to be one of the most powerful Yoruba city-states after the fall of old Oyo, and Modakekes being Oyos themselves, they respected the wishes of Chief Ogunmola.

They allowed the Ifes and their reigning Ooni – Oba Kubusi to return to Ile-Ife on the terms that the past will be obliterated and no restitution will be demanded of the Modakekes, not even of their wives who might have been appropriated (Johnson, 1997: pg 233). The Modakekes on the other hand, continued to acknowledge the supremacy of Ifes over them and agreed to participate in the Ife assembly. As such the Ifes and Modakekes lived peacefully together again for years until the outbreak of another Yoruba war in 1878.

At the beginning, the Ifes and Modakekes fought together against other Yoruba towns such as Egba. However, suspicion grew rife between the Ifes and Modakekes, as the allegiance of the Modakekes during the Yoruba wars was more with Ibadan (who were Oyos), than with Ifes. As Johnson asserts, “the position of Modakeke to Ife is analogous to that of Belfast to the South of Ireland; the Modakekes are Oyos and of the same tribal affinity with Ibadan with which their own safety is linked” (1997: 452). This worried the Ifes as they were interested in reclaiming territories which belonged to Ife but were conquered by Ibadan, but the Modakekes will not enter into any allegiance against Ibadan. Soon, Ifes grew anxious in their zeal to attack and conquer Ibadan, and for them to succeed meant that the Modakekes were to be conquered first. Hostilities soon resumed between the two communities, as Ifes began to kidnap and murder Modakekes, while Modakekes in turn raided the farms of Ifes and captured slaves. Successive attacks by the Ifes, Ijebus and Ekitis on Modakeke failed to obliterate the town. At this time, the British who had colonised Lagos through the Gold Coast sought to penetrate the hinterland and colonise rest of the territory known later as Nigeria.

### **The Colonial Era:**

In 1886, Capt. A. C. Moloney, the first Governor of the Lagos colony decided to intervene in the wars happening between the Yoruba towns in the hinterland, as a first step towards penetration and colonisation. He wrote a letter addressed to each of the kings, chiefs and elders of the Yoruba towns, informing them of his return to Lagos as Governor,

and of his desire to ensure that peace returns to the hinterland. Following series of negotiations, a peace conference was held and agreements were drawn based on the terms of each of the parties. With regards to Ife and Modakeke, the agreement states that:

“In order to preserve peace the town of Modakeke shall be reconstructed on the land lying between the Osun and the Oba rivers to the North of its present situation, and such of the people of Modakeke as desire to live under the rule of the Bale and Balogun [traditional chiefs] of Ibadan shall withdraw from the present town to the land mentioned, at such times and in such manner as the Governor, his envoy or messenger shall direct after conference with the governments of the parties principally concerned, and such of the people as desire to live with the Ifes shall be permitted to do so but shall not remain in the present town of Modakeke, which shall remain the territory and under the rule of the King and chiefs of Ife, who may deal with the same as they may think expedient.” (Quoted in Johnson,1997:529)

The peace treaty of 1888 systematically removed the Modakekes from their initial settlement in Ife and led to their migration to other towns such as Ibadan, Gbongan and Ede. Thus this marked the end of the existence of a territory known as Modakeke, and ushered in a period of peace in Ife land. However, with the penetration of the colonial government into the hinterland, and the unification of British protectorates into the colony of Nigeria, the Yoruba towns were classified under the Western Province, and administered by a British Lieutenant Governor. As discussed in Chapter four, the system of indirect rule was introduced, and traditional rulers were used by the colonial government for tax collection and local administration. As such the system of classification of traditional institutions was introduced, and this system threatened to undermine the peace that had been achieved between the Ifes and Modakekes. As Mayowa elaborates:

“Between 1915 and 1923, the population of Ile-Ife was sparse, and the king of Ife consequently received a paltry stipend as salary. When the king, Oba Ademiluyi (or Ajagun) observed that his salary was not comparable with the salary of the Baale [lesser chief] of Ibadan, he raised a query. The Resident Officer of the Province explained that the size of the salary varied according to the population of tax payers in any community. From that time

onward, Ademiluyi started thinking about how to bring the Modakekes back to Ile-Ife. They had already been begging to return. The move was vehemently resisted by most of the chiefs. They sent a joint letter, dated 27 May 1915, to the Commissioner of Oyo Province. In spite of this resistance, the arrangement was concluded in 1922. The first batch of about 300 Modakekes came back to Ile-Ife in 1923. They were settled on the lands of Chief Obalaaye, Fegun and Obalejugbe, with the provision that they would constitute only a quarter of Ife town and not a separate town." (Mayowa, 2001: 210)

As the Modakekes - as they were now called-, were resettled in Ife by Oba Ademiluyi, the paramount ruler of Ife, their traditional ruler – the Ogunsuwa - and other lesser chiefs of Modakeke were given salaries for their contribution to the native administration of Ife and the Ogunsuwa was also allowed to be one of the judges of the native administration court. According to Albert, these arrangements ensured that peace was sustained between the two communities, throughout the reign of Oba Ademiluyi Ajagun (Albert and Otite, 2004). The Modakekes also began to enter into private arrangements with owners of land in Ife, to allow them to make use of their land for farming. For the Modakekes, these arrangements were financially and economically beneficial. While the Modakekes used the farm lands owned by Ifes as a source of generating wealth which was crucial for maintaining their families and for their survival, the Ife landowners benefited from the tributes (known as *Ishakole*), which was paid them by the Modakeke farmers. According to Mayowa, *Ishakole* "usually took the form of given number of tins of palm oil, palm wine, yams or any other farm produce or money on which the contracting parties agreed" (Mayowa, 2001:210)

The payment of *Ishakole* or land tribute, by the Modakekes continued until around 1946 when the Modakekes under the aegis of their ethnic association cum civil society group - the Modakeke Progressive Union (MPU) began a legal tussle to eradicate the payment of *Ishakole*, criticising it as 'exploitation'. By this time, the population of the Modakekes in Ife had grown tremendously and their perception of the Ife landlords as 'lazy

palm wine drinkers' contributed to the protests against *Ishakole*. However when the MPU petitioned the Ooni of Ife (Oba Aderemi) about their concerns regarding the land tribute, he offered them a separate virgin farmland in exchange for their leaving the farms of the Ifes. The colonial government soon intervened but regarded the issue as a private issue - between individual Modakekes and the individual Ife landlords for which agreements were entered with. This was displeasing to the Modakekes, who then took the matter to the Ife Native Authority court, but failed to get a favourable judgement. As Mayowa describes:

"The verdict was unfavourable to the Modakekes and they appealed to the Supreme Court. Dissatisfied with the verdict of the Supreme Court, they then appealed to the West African Court of Appeal- again without success. Having realised their complete failure, the Modakekes agreed to accept the Ooni's original offer to migrate to a virgin farm settlement, but the Ooni now declined to proceed, saying that the land had been acquired by the Native Authority"  
(Mayowa, 2001: 211.)

### **Post Colonial Era:**

Having arrived at a deadlock situation, the Modakekes continued to live under the status quo up to the post colonial era. The post independence era serves as a significant milestone in the Ife-Modakeke conflict because it changed the wider context within which both communities belonged. Nigeria's independence constitution of 1960 established the equality and freedom of all Nigerian citizens, and also created new political territories, modifying the socio-political landscape and changing the dynamics of socio-political and economic relations between Ife and Modakeke. This will be discussed in the next section on the dynamics of the conflict, but suffice to say that the introduction of the Land Use Decree promulgated in 1978 by the regime of General Olusegun Obasanjo, led to a renewed protest by the Modakekes against the payment of Land tributes to Ifes, citing the Land Use Decree's stipulation that "all land belongs to the state" as a premise for their action. At this time, the Modakekes had not only refused the continuation of land tributes to their Ife landlords, but also identified themselves as a separate and distinct people and

town from Ife. This struggle eventually deteriorated into a war in 1981, when the new Ooni – Oba Sijuwade Olubuse II declared at his coronation ceremony that “Modakeke would no longer be called Modakeke but **Isale-Ife**” (Mayowa, 2001: pg 211). While the Ooni may have intended the renaming of Modakeke to Isale-Ife as a way of portraying that the community was part of Ife, the Modakekes perceived this an attempt to undermine their identity.

### **The Role of Traditional Rulers in the Genesis**

From the above account of the genesis of the Ife Modakeke conflict, the following can be posited; Firstly, the initial break down in the peaceful communal relations between Ife and Modakeke occurred in the pre-colonial era and was caused by several factors including the interest of the communities with regards to economic and political factors, and the role of their traditional rulers in facilitating the protection, attainment and satisfaction of communal interests. Secondly, the conflict was further aggravated by specific traditional rulers who during their reign, either sought to exterminate the Modakekes through violence, or sought to defend themselves with the aid of the Modakeke warriors. Thirdly, the Colonial government facilitated the termination of violence between Ife and Modakeke by implementing the Peace treaty of 1888 which recommended the migration of Modakekes from Ife to new settlements. However, the colonial government’s policy of indirect rule was later indirectly instrumental to the resettlement of Modakekes in Ife, which led to the resumption of hostilities between both communities. Lastly, the conflict between both communities was further sustained by the approaches adopted by each party. While the creation of Western courts by the colonial government provided an avenue for resolving the conflict, this approach did not prove effective in addressing the grievances of the Modakekes who adopted it. Furthermore, the opportunity for resolving the conflict was lost when Oba Aderemi decided to change his approach from informal conflict resolution, following the exhaustion of formal approaches by the Modakekes.

Having examined the background the Ife-Modakeke protracted conflict during the pre-colonial, colonial and early post-colonial eras, and the roles that the traditional governance institutions of both communities played, the next section examines the dynamics of the conflict from 1980 - the period when war resumed between Ife and Modakeke - to 2009.

### **The Conflict Dynamics from 1980 – 2000**

This section examines the Ife-Modakeke conflict within the post-colonial Nigerian context between 1980 and 2000. As mentioned in the previous section, the emergence of Nigeria as an independent State in 1960 had significant implications for inter-communal relations. Ife and Modakeke, which are both Yoruba communities who inhabited different parts of Yoruba land during the pre-colonial era, were categorised under the Southern Protectorate during the colonial era. After the amalgamation of the Southern and Northern Protectorates into the colony of Nigeria in 1914, most of Yoruba land including the Ile-Ife area was then categorised under the Western Region, which had its capital at Ibadan. By 1945, each region (Western, Eastern and Northern) consisted of colonial Provinces and the Western Region was categorised into six Provinces namely, Abeokuta, Benin, Ijebu, Ondo, Oyo, and Warri. Furthermore, these Provinces were subdivided into administrative divisions, each of which had one or several Native Authorities. Throughout the colonial era and up to the early years of the independence period, Ile-Ife, Modakeke and neighbouring areas belonged to the Ife-Ilesha division, of the Oyo Province, of the Western Region, with a Native Authority headquarters at Ife.

In 1967, the Western Region was transformed to the Western State following its separation from Lagos – which became a state of its own. As discussed in chapter four, after the end of regionalism in Nigeria, symbolised by the Nigerian civil war of 1967 – 1970, the creation of new states was perceived as strategy for transforming the country into a federation and for fostering National unity. Hence the Western State was again divided

into three new states in 1976, namely; Oyo, Ondo, and Ogun states. Ile-Ife and Modakeke communities were now categorised under Oyo State, with Ibadan as the new state's capital. It is within this context that the 1981 war between Ife and Modakeke erupted again.

### **The 1981 Conflict:**

By 1981, there was a change in the dynamics of the communal relationship between Ife and Modakeke which existed during the pre-colonial era. This change in dynamics can be accounted for in the change in the aims and objectives of the parties. However before examining the change in dynamics with regards to the immediate triggers of the 1981 conflict, and the goals of the parties, it is necessary to understand the background factors that effected these changes, and consequently escalated the conflict in the period leading up to the eruption of violence in 1981.

Firstly, since 1957, during the decolonisation period, the Modakekes, having been unable to eradicate the system of paying land tributes to Ifes, adopted a new objective which summarised their struggle against the Ifes. Their new goal was to have their own local government council, which would symbolise their independence from Ife and which would lead to the eradication of the *Ishakole* system. However, under the government of Obafemi Awolowo, who was elected by a majority of Yorubas including both Ifes and Modakekes to be the Premier of the Western Region, the Modakekes were denied a local government council. As Albert elaborates,

“The Modakekes saw the 1960 Nigerian independence as a challenge to change their modus operandi. They therefore focused their attention, starting from 1957, on having their own local government council instead of asking for rights that they might never be granted under Ife-dominated local politics. The leadership of the Action Group [A.G] that controlled the government in this part of Nigeria was however not supportive of the aspirations of the Modakekes.” (Albert and Otite, 1999:153)

It must also be noted here that while Obafemi Awolowo's was the Premier of the Western Region, Oba Adesoji Aderemi, the Ooni of Ife was the Governor of the Region (Oyeniya, 2010: 320). Awolowo's stand was based on his opinion that Modakeke is not and should not be a separate town from Ife. This angered the Modakekes who were undeterred in achieving their new objective. As such it can be said that the independence of Nigeria and the advent of modern state structures of governance created an avenue for the Modakekes to explore further strategies of addressing their grievances. A local government council was conceived by the Modakekes as a strategy for self determination and recognition of identity, rather than for serving its function of facilitating grassroots governance and economic development.

Secondly, the promulgation of a Land Use Decree<sup>39</sup> in 1978 presented an opportunity for the Modakekes to re-launch their bid for the eradication of *Ishakole*, as "they considered it as an uncivilised taxation in a nation that claimed to be independent of colonial forces" (Albert and Otite, 1999: 154). As the Land Use Decree was promulgated during the military regime of Olusegun Obasanjo, there was little room for consultations in creating it, or petitions against the decree. Hence, the then military governor of the Western State, David Jemibewon announced the cancellation of the *Ishakole* system. (Albert and Otite, 1999 pg154). While this greatly gladdened the Modakekes, the Ifes felt slighted by this decision and tried to petition the decision of the military government. In particular, the Ooni of Ife Adesoji Aderemi, rallied other traditional rulers to oppose the decree. As Vaughan describes;

"He called an informal meeting of the state Council of Chiefs at his Onireke residence in Ibadan. Attended by twelve senior obas, the forum condemned the reforms and vowed to challenge their implementation...the obas argued that the new land reform was an affront to cherished Yoruba

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<sup>39</sup> Later referred to as Land Use Act

values...At a press conference, Sir Adesoji urged the Federal Military Government to reverse its decision, claiming that to put land under the control of local and state authorities was to expose it to political patronage and partisan politics." (Vaughan, 2000: pg 149)

However, their petitions were disregarded. Although the *Ishakole* system – the main original grievance of the Modakekes - had been eradicated, the conflict however continued as they began to pursue their new found objective of having their own local government council.

Lastly, the emergence of ethnic political parties during the decolonisation period led to intense inter-party competition in the early years of independence. In an effort to create in-roads into the political turfs of each-other's party, these ethnic political parties adopted a strategy of capitalising on the grievances of local communities. As such in the build up to the 1979 general election, the National Party of Nigeria (NPN), which was considered to be a pre-dominantly Northern party, promised the Modakekes their own local government area, on the condition that they would massively realign their support from the Unity Party of Nigeria (UPN) – regarded as a predominantly Yoruba political party, and which the Ifes supported. Some Modakekes started to decamp to the NPN while others still remained with the UPN believing that “they could change things from within the party rather than from outside the party” (Albert and Otitte, 1999:154). Although the NPN won the presidential election, the UPN won the gubernatorial election with it's candidate – Ajibola Ige emerging as the Governor of Oyo state. Soon after the 1979 election, the Modakekes realised that Governor Ajibola Ige was not willing to grant their demand for a separate local government council and they continued to be part of Oranmiyan Central Local Government Council. As such, they decided to change their approach. Rather than wait for the UPN government to grant their request, they decided to decamp en masse to the NPN and to initiate self help programs which would develop Modakeke community into a cosmopolitan town. This

action escalated tensions between Ife and Modakeke who were now aligned to rival political parties. This change in approach attracted the anger of the Ifes and eventually led to a bloody encounter in 1981.

### **The Eruption of Violence**

In retaliation to the decision of the Modakekes to re-align with the NPN and to initiate independent self help community projects, the Ooni of Ife (Oba Okunade Sijuade II) during his coronation ceremony on the 3<sup>rd</sup> of November 1980 decided to rename Modakeke community 'Isale-Ife', and to downgrade the status of the Ogunsua of Modakeke – the paramount traditional ruler of Modakeke. This didn't go down well with the Modakekes. As the Ogunsua lamented, "It was on the day he [Ooni Sijuade] was given instrument and staff of office that he pronounced that today he changed the name of Modakeke to Isale-Ife, which means it is no more a town but a quarter under Ife"<sup>40</sup>. This angered the Modakekes who were determined to see their community become an independent and cosmopolitan town.

As such on the 27<sup>th</sup> of December 1980, the Modakekes decided to organise a fundraising event, intending that "the money raised from the ceremony was to be used to complete the building of a town hall, offices, library complex, king's palace and a post office for the Modakeke community."(Albert and Otite, 1999:145-155) During the fund raising ceremony, the Police interrupted the program asking everyone to leave. The Modakekes claimed that the police were acting on the directive of the Ooni of Ife, whom they had earlier informed about the program but who was against it, since he didn't recognise Modakeke as a "town" in the first place. The Modakekes decided to seek alternative strategies for getting their local government council, and from February 1981, Odelola – the representative of Modakeke in the Oyo State house of Assembly (legislative house) - decided to introduce a bill for the creation of a separate local government for Modakeke

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<sup>40</sup> Oba Francis Adedoyin, Ogunsua of Modakeke. Interviewed by Tonson Sango, 2009

and other surrounding villages. This bill gained the support of many local UPN supporters who resided in the surrounding Oyere villages. However when the bill was introduced to the House, it was vetoed by the Speaker of the House, who was acting in line with the directive of Obafemi Awolowo – the national leader of the UPN.

The Modakekes felt that the UPN through its leader Obafemi Awolowo, and through the Governor of Oyo State, Bola Ige, would continue to frustrate their plans. Since Obafemi Awolowo had, during the legal tussle between Modakekes and Ifes over the *Ishakole* system, served as the lawyer for the Ifes, his allegiance was with Ife. Giving this situation, the NPN began to capitalise on this to win over the Modakekes completely to their side. The NPN organised a political rally in Modakeke on 11 April 1981, in which their leaders including Abiola and Richard Akinjide blamed Awolowo and the UPN for denying Modakeke their local government and promised to deliver to the Modakekes their long sought desire. This charged the political atmosphere and subsequently led to a full blown violence between Ife and Modakeke four days after. As Albert describes,

“The political atmosphere in Ife and Modakeke became charged after the April 11, 1981 rally of the NPN. The Ifes, who severally belonged to the UPN, were alleged to have started harassing the Modakekes both physically and verbally. The Modakekes were allegedly referred to by the Ifes as *Omo Isale-Ife* [the people of lower Ife] and *eru* [slaves]. In a petition sent to the federal government by the president and secretary of the Modakeke Progressive Union on 13th April 1981, the Ifes were said to have mounted road blocks between Ife and Modakeke 'for the purpose of attacking the Modakekes who may be passing by, thereby restricting the free movement of the Modakekes and all other Oyo speaking people of this area. The Modakekes accused the police in Ife of being indifferent to their plight and asked for the direct intervention of the federal government. On the 14th of April, 1981, the Ife-Modakeke feud escalated into a full blown violence. Several people were killed on both sides and several houses were burnt”. (Albert and Otite, 1999:157-158)

## **The cessation of violence**

With the aid of state government intervention, the violence was contained within a few days. Although the declaration of a dusk-to-dawn curfew on Oranmiyan Central Local Government Council, the banning of public meetings and the increased presence of security personnel in the affected areas led to a cessation of attacks, the atmosphere remained tense and both communities were polarised. Furthermore, there was deep resentment between both communities and the Modakekes began to erase the word Ile-Ife from sign posts in their area, on which Modakeke and Ile-Ife were written next to each other. As Mayowa describes, “before the war, signboards bearing the description of Modakeke usually ended with Ile-Ife. Immediately after the war, the inscriptions of Ile-Ife on all the sign posts were rubbed off. They even started writing Modakeke on sign posts in all the Ife areas, i.e. streets close to them where many Ifes lived” (2001: 212). Governor Ige quickly set up a judicial panel of enquiry into the crisis, headed by Justice Ibidapo Obe. This panel held its meetings in Ilesha – a nearby town considered as neutral ground, and members of both Ife and Modakeke communities were invited to submit memos to the panel. In summary, the Ifes position as posited by the Ife Action Council (the Ife ethnic Civil Society organisation) regarding Modakeke was that it was not a “town” and that Modakekes must be resettled elsewhere for peace to return to Ife land, whereas the Modakekes argued the contrary, claiming that the Ooni of Ife had given them land to settle in Ife and to establish their own town<sup>41</sup>. The panel among other things recommended the creation of a separate local government council for Modakekes.

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<sup>41</sup> For more on the positions of specific testifiers, see Ibidapo Obe, 1982, *Report of the Judicial Panel of Inquiry into the Communal Disturbance in Oranmiyan Central Local government Council*. Volumes 1-7

### **The 1983 Conflict:**

Soon after the recommendations of the panel of inquiry into the 1981 crisis were received by the government, the general election was already around the corner and political campaigning had begun. At this time the Ifes were determined to retain political dominance and protect their position by re-electing Governor Ajibola Ige of the UPN into power a second time. However, the Modakekes having considered that the UPN establishment did not favour their cause, decided to massively support the NPN which had promised to grant them a local government council if elected.

The stage was set on the 7<sup>th</sup> of July 1983 when the UPN team including mostly Ifes and Wale Odelola – The Modakeke representative in the Oyo state House of Assembly – decided to go into Modakeke to campaign for the re-election of Governor Bola Ige. This happened to be the day when the Modakekes were having a cultural festival, and violence erupted between the UPN campaigners and the Modakekes who were gathered at the venue. As Albert elaborates,

“Trouble started at about 3:15pm when an advance party of the UPN gubernatorial campaign team left Trans Motel, near the then University of Ife, now Obafemi Awolowo University, in four vehicles for the Itamerin Square, Modakeke which was the venue of the campaign rally. The campaign team, driving at top speed, ran into the masqueraders who had converged at the Square. In the process, one Edward Adesiyan of Modakeke was knocked down and injured. The Modakeke people reacted by throwing stones and missiles at the UPN team. Following this attack, a UPN driver lost control of his car and crashed into an electric pole. The driver and other occupants of the car were attacked and burnt to death. In the stampede that followed, several cars crashed into one another and were set ablaze by the irate Modakeke crowd. Those burnt in one of the vehicles included Wale Odelola.” (Albert and Otite, 1999:159)

There are conflicting views with regards to the clash of both activities on the same day. According to Oba Francis Adedoyin,

“He [Odelola] was told that Modakeke is not peaceful, so he should not go to Modakeke to campaign and he refused. And by that time, it was during the time of egigo festival and we told him that we don't want any political activities during the festival because it will cause mayhem. The Ifes can come in during the festival and cause trouble. And if the politicians join in it, it will become something else, but he didn't listen. He was the one who persuaded Bola Ige to come”<sup>42</sup>.

However According to Albert, the Modakekes chose the same day for their masquerade festival “to demonstrate their opposition to the campaign team” and “the death of Odelola was not accidental” (Albert and Otite, 1999:159). This is allegedly so because Odelola, though a champion for the cause of the Modakekes, refused to decamp to the NPN even when all other Modakekes were doing so. Again, the police intervened and all public meetings were banned in Ife and Modakeke.

The NPN succeeded in winning the presidential elections and the gubernatorial election in Oyo State with Omololu Olunloyo succeeding Ajibola Ige as Governor. For the Modakekes, this meant that they were a step closer to the realisation of their objective, while for the Ifes, this counted as a setback in their struggle with the Modakekes. Upon assumption of office, many positions in the government of Olunloyo were occupied by Modakekes including the Speaker of the House of Assembly. This paved the way for the easy approval by the house in December 1983, of the creation of Oranmiyan West Local Government Council, with its headquarters at Modakeke. However, the local government was still in the process of been created when a military coup which overthrew the NPN national government of Shehu Shagari, aborted the process (Oyeniyi, pg 320; Albert and Otite, pg 161). The beginning of military rule not only set aback the creation of a local government council for the Modakekes, but also suspended all political activities in the country, thereby forcefully causing a suspension of the Ife-Modakeke crisis. As such hostilities between both communities were put to a halt until 1997.

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<sup>42</sup> Oba Francis Adedoyin, Ogunsua of Modakeke. Interviewed by Tonson Sango, 2009

### **The 1997 Conflict:**

In 1997, there was again a change in the dynamics of the Ife-Modakeke conflict. Some of the objectives of the parties had evolved, as well as their approaches. Violence again erupted between both communities after more than 14 years of negative peace. During this fourteen years intermission period, there are several crucial events which shaped the communal relations between Ife and Modakeke and which are the background factors that precipitated the re-escalation of the conflict.

The military regime of General Mohammed Buhari that came into power after 1983 was regarded as a high handed regime, which had no tolerance for civil society and which governed the country with little or no consideration for public opinion. As discussed in chapter four, the coup of 1983 which ended Nigeria's second republic, was aimed at addressing the endemic corruption and politics of 'do or die' that thrived during the second republic. However, Gen. Buhari soon came under intense pressure from politicians, civil society groups and the international community to return power to civilians. But his government did not show any signs of having the intention to relinquish power. Thus By August 1985, General Ibrahim Babangida led a coup d'état against Buhari, criticising his government as insensitive. The emergence of Babangida as Nigeria's new Head of State in 1985 brought about several changes to the socio political landscape.

Firstly, his government set up a Political Bureau which was charged with the duty of preparing the country for a return to civil rule. The bureau which composed of experienced politicians and administrators aimed to holistically address the problems that plagued Nigeria's first republic, including the creation of local government councils. This led to a reawakening of the political atmosphere and the struggles for local governments also resumed. As Albert writes, "in his maiden addresses, General Babangida presented his administration as a listening one. Agitators for states and local government councils therefore came out from their hidings to continue their struggles. The Modakekes were not

left out.” (Albert and Otite, 1999: 161) By May 1989, the political landscape was drastically modified when an additional 149 local government councils were created in the federation. In Ife, three local government councils were carved out of the old Oranmiyan Central Local government Council namely; Ife North Local government council, Ife Central Local government Council, and Ife South Local government Council.

The Modakekes were now en-captured in the new Ife North local government council with its headquarters in Ipetumodu – a town which is located outside Ife land. This was against the wishes of the traditional rulers of Ife who had written a memorandum to the federal government on the creation of local governments, and against the wishes of the people who occupied the area in Ife North – who had no common boundaries with Modakeke. According to Adeniran, all the Obas, chiefs, elders and community leaders in the former Oranmiyan Local Government apart from those in Modakeke agreed that “the location of Modakeke, as part of Ife township, within the proposed Ife Central Local Government Area” (Adeniran 1997). However, the Modakekes were able to lobby for their inclusion in Ife North local government which was made possible because the government perceived it as a way of stemming further crisis between Ife and Modakeke. (Albert and Otite, 1999: 162). The Modakekes were exhilarated and described their accomplishment as “entering the promised land” of freedom from Ife domination. The Modakekes continued to dominate the politics of the new local government council, leading to elections clashes between them and the original inhabitants of the area until 1997.

Furthermore, in 1991 in response to the wishes of the traditional rulers, and in view of the supremacy feud between the two most powerful traditional rulers in Yoruba land – the Alaafin of Oyo and the Ooni of Ife<sup>43</sup>, a new state called Osun state was created. According to its official history, “Osun State was created following series of pressure mounted on the federal military government over a long period of time by the founding

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<sup>43</sup> For more on this feud, see Chapter Four

fathers, most of whom are traditional rulers and community leaders” (Osun State Government, 2010). Both Ife and Modakeke came under this new state. The new state was governed by military administrators until 1997.

Secondly, Babangida, on the 3<sup>rd</sup> of May 1989, announced the promulgation of a new constitution and a timetable for elections to be held in 1992 to usher in the return of civilian rule. In its quest to end the ethnic politics that thrived during the first and second republics, the Babangida regime decided to initiate a two party system for the country. In October 1989, all political parties were banned, and in their place two political parties were registered – The Social Democratic Party (SDP) and the National Republican Convention (NRC). These two parties were to be detribalised and reflect the national character of Nigeria. Hence Adamu M. Fika, a Northerner was appointed as head of the NRC, while Stephen Agodo, a Southerner was appointed to head the SDP. This meant that the previous dynamics of the Ife –Modakeke conflict where each community was aligned with separate political parties, was replaced by the need for all Yoruba communities to support a Yoruba candidate to win the presidential election. This candidate was M.K.O Abiola- a Yoruba entrepreneur, and one of the prominent leaders and financiers of the SDP. However ethnic politics was not eradicated by the two-party system, rather it evolved into a new form. This time, for candidates to win the national elections, it was crucial for them to not only secure the loyalty of their own ethnic group, but also to form alliances with other ethnic groups. However, when the elections, which were eventually held in 1993, were annulled by Babangida on the basis that there was gross misconduct, the Yorubas perceived this as an ethnic strategy by the Northerners to prevent Abiola – the winner of the election and a Yoruba, from gaining hold of federal power. As Falola describes,

“There are those who do believe that the Yoruba cannot control federal power unless they form alliances with other ethnic groups, notably the Northerners. Chief M.K.O Abiola subscribed to this position; he made friends in the North, used Islam as an opportunity to reach out, won an election, but never assumed power.” (Falola, 2004)

The sporadic ethnic killings that followed the dissolution of the 1993 elections led to increased pressure on Babangida to hand over power to a civilian government. Thus in August 1993, he instituted an Interim National Government (ING), headed by Ernest Shonekan and charged with the responsibility of conducting a smooth transition to democratic rule. However, few months after, in November 1993, the ING was toppled via another military coup, and General Abacha became Nigeria's new Head of State.

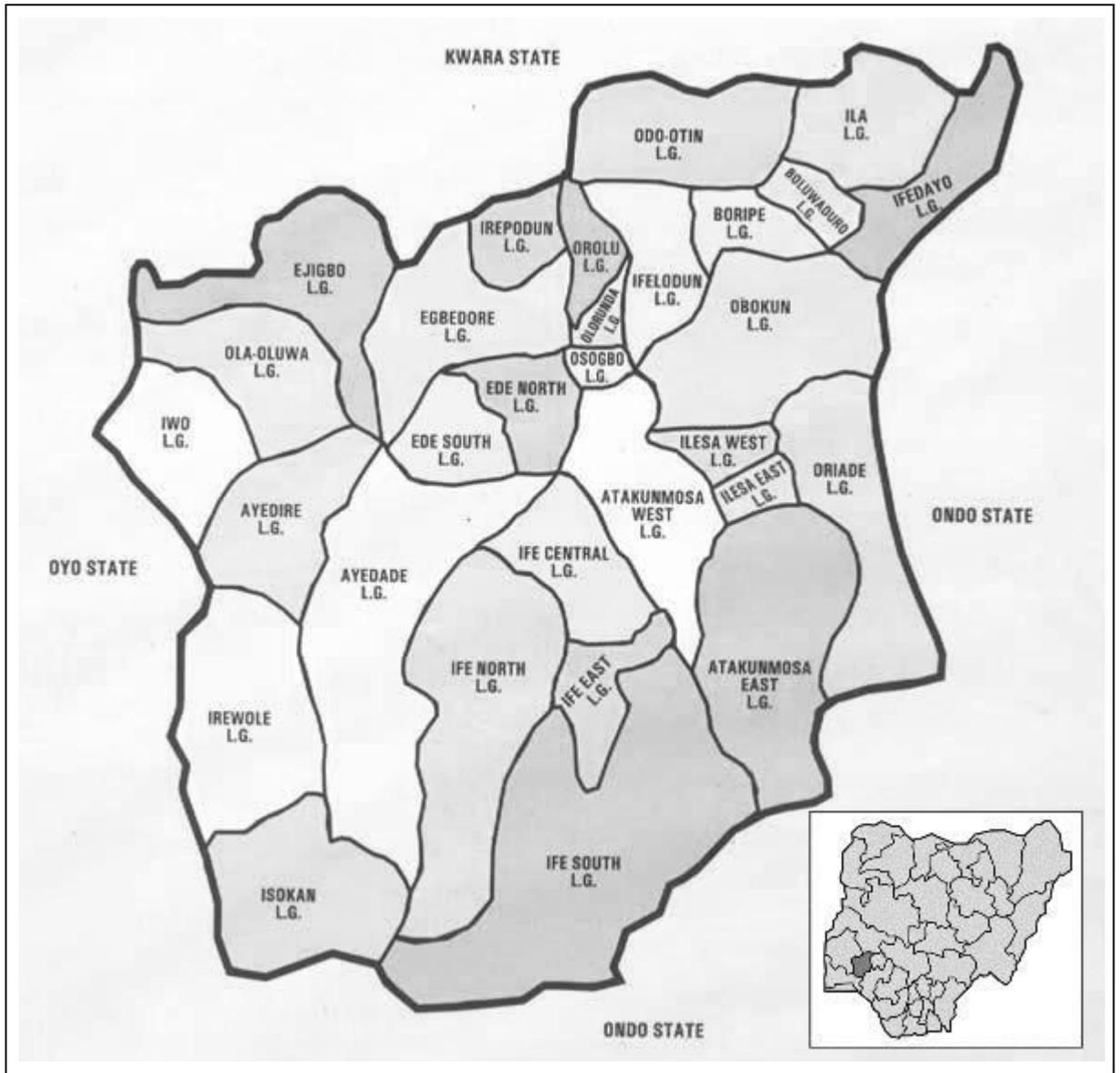


Figure 11: Map of Osun State's Local Government Councils <sup>44</sup>

<sup>44</sup> Adapted from original at <http://www.osunstate.gov.ng/map.htm> [accessed 8/10/10]

## The Re-escalation of Violence

Abacha's military regime which was considered to be the cruellest of all the military regimes in Nigeria, affected the dynamics of the Ife- Modakeke conflict, particularly in 1996 when more local government councils were created in the Federation. An additional Ife-East Local government Council was created. This new Local Government Area now included Modakeke and its capital was at *Enuwa* – The palace of the Ooni of Ife, considered to be the centre place of Ile-Ife. This angered the Modakekes who saw this as a direct attempt by the Ifes through the military government, to enslave them once again. Following intense lobbying by Modakekes, by 1997 the headquarters of the Ife East local government council was again moved to Modakeke. Following intense pressure by the Ifes, who resisted this change, the Military administrator of Osun state, Col Anthony Obi moved the headquarters again to Oke-Ogbo in Ife as a means of preventing another violent crisis between Ife and Modakeke. As Akanbi explained, "by taking the headquarters away from both Enuwa and Modakeke, the government thought the Ife –Modakeke feud would be laid to rest" (Akanbi, 1997). However, this triggered angry protests by Modakekes who felt slighted by the military government's arrangement. As Rasaq Atitebi laments,

"The Modakekes don't have anything against the Ife, or are even contesting with the authority of his imperial majesty, the Ooni of Ife. But they look at it [having their own local government council] as a way forward - to forge ahead in the society. That is why they ask for a local government council. And by the time the committee for the creation of local government came out with their white paper, it was shown that they had carved Ife East out of Ife North, of which Modakeke is part of Ife North. Ife North was now been divided. But you know the military being what they are, they tampered everything and now changed it [the headquarters] to Ife. That is where the problem started".<sup>45</sup>

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<sup>45</sup> Mr Rasaq Atitebi, Chairman of Ife East Area Office. Interviewed by Tonson Sango, 2009

By 16<sup>th</sup> of August 1997, war resumed between the Ife and Modakeke, with each side attacking the other. The police soon intervened into the crisis leading to a suspension of violence, while “a peace committee headed by Oba Ashiru Olatunbosun Tadese, the Oluwo of Iwo had to be set up by the Osun State Council of traditional Rulers to look into the issues in the conflict and make appropriate recommendations to the government” (Albert and Ottite, 1999: 164). Before the report of the peace committee was submitted, the Modakekes grew concerned that all their recommendations would be in favour of the Ifes, as Col Obi had proven to be supportive of their cause. Furthermore, given his military status, the Modakekes perceived that Obi would be undeterred by the recommendations of the peace committee and of the National Reconciliation Committee. Hence by September 1997, another round of violence erupted when a Modakeke man was abducted, leading to violent reactions by Modakekes. As Albert and Ottite recount,

“Trouble started on the night of September 22, 1997 as a result of the abduction of a Modakeke man around 9.30 pm by some people suspected to be from Ife. The reaction of the Modakekes to set the man free was violent. Between the night of September 22 and 23, 1997, the two sides fought fiercely using petrol bombs, double barrel guns, locally made revolvers and Dane guns. The Ogunsua’s palace and the Ife City Hall served as the military headquarters of the combatants. Food and ammunition were served in these places. Matters relating to tactical counselling and transportation to the ‘war fronts’ [i.e. commonly shared areas like Odo-Okun, Ita-Agbon, Surulere, Iyekere, Akarabata, Oke-Eso], were handled in the two places. The sites also provided first aid services for the wounded.” (Albert and Ottite, 1999:165)

The violence of September 22<sup>nd</sup> was terminated when the police intervened barely two days after. However by this time, wanton destruction had already occurred. Over eighty – six people were killed and over two hundred houses were burnt over a period of two days (Albert and Ottite, 1999:165). From this point on, the crisis became erratic, abating for a while and re-escalating into violence in the years 1998, 1999 and 2000.

From the above, the role of traditional rulers is twofold. Firstly, the establishment of a peace committee by the Osun state traditional council was a peace initiative which represented an opportunity for preventing the September 22 violence. However the failure of the military government to wait for the recommendations of the peace committee before taking further action regarding the crisis jeopardised the peace efforts of the state traditional council. Secondly, when the violence of September 22<sup>nd</sup> erupted, the palace of the Ogunsua - traditional ruler of Modakeke was used as a military base, as well as a relief base for Modakeke fighters. As such, the traditional institution played a role in facilitating the violence of September 22<sup>nd</sup> alongside other ethnic civil society institutions such as the MPU (Modakeke Progressive Union) and the IYC (Ife Youth Council).

Political Era	Major Violent Eruptions	Key Triggering Events
Pre-Colonial	1846	Separation of Modakeke community from Ife by traditional ruler of Ife community (Ooni Adegunle)
	1878	Refusal of Modakeke community to support the war effort of Ife against Ibadan
Colonial	None	None
Post-Colonial	1981	Renaming of Modakeke community to Isale-Ife by traditional ruler of Ife (Ooni Sijuade II)
	1983	UPN (Unity Party of Nigeria) political rally held in Modakeke community
	1997	Relocation of newly created Ife East Local Government Council headquarter from Modakeke to Ife by military regime

Figure 12: The Ife-Modakeke Protracted Conflict Timeline 1980-2000

## **The Outcome of the Conflict**

Having discussed the Genesis and Dynamics aspects of the Ife-Modakeke conflict process, which highlighted the factors that gave rise to the conflict, and triggered the violent clashes between Ife and Modakeke, as well as the role of traditional rulers in precipitating the violence and protracting the conflict, this aspect focuses on the outcome of the peace initiatives taken by third parties which involved traditional rulers, and the effect of such initiatives on the current state, and future predicted status of the conflict process. This section is most concerned with the involvement of traditional rulers in any of the third party initiatives and relevance of their involvement to the process and outcome of such initiatives.

### **Conflict Resolution Initiatives Involving Traditional Rulers**

#### **Royal Peace Committee of 1997:**

As earlier mentioned, a peace committee known as the Royal Peace Committee was set up in 1997 by the Osun State Council of Traditional rulers, to inquire into the violence. This committee, which was headed by Oba Ashiru Tadese, submitted its report to the government, but its contents were never officially published. However, the contents later became known to both parties. It included several recommendations, some of which further escalated the conflict. There were four main points; the first was regarding the status of Modakeke. "The committee admitted that the present Modakeke is only a quarter in Ile-Ife, but added that it could assert a township status, once the community was relocated to another land area, which the Ooni or the State was willing to provide. The committee said however that the state had to bear a substantial part of the large financial commitment involved" (Mayowa, 2001: 219). This recommendation caused great joy for the Ifes who had always maintained that Modakeke was part of Ife, while it angered the Modakekes who were struggling for a separate status from Ife.

Secondly, the committees made recommendations regarding the status of the Ooni – paramount traditional ruler – of Ife in relation to the Ogunsua - traditional ruler - of Modakeke. “It stated that the status of the Ooni was too sacred to be trampled on by Modakekes. The committee then recommended that ‘allegiance of the Modakeke leadership and their Baale to the Ooni should be total and unconditional. It also warned that since the chief (Baale) of Modakeke was on the same level as some other chiefs in Ile-Ife, the implications of his elevation would ipso-facto affect other chiefs on the same level’” (Mayowa, 2001:219). Again this recommendation did not go down well with the Modakekes who felt that equating their chief to the traditional rulers of quarters in Ife, meant they were regarded as a quarter in Ife, rather than a separate town.

Thirdly, the committee made recommendations regarding the farmlands. Contrary to the expectation of the Modakekes that the collective payment of land tributes by Modakekes will be criticised in the report, the report only recommended that “the Ooni should negotiate with the individual families owning farmlands to give some concessions to the Modakekes”. (Mayowa, 2001:219). This recommendation was said to have further escalated the crisis as “several Ife landlords were said to have increased the rent collectable from their land, probably as a way of forcing the Modakekes to vacate the land” (Albert and Otite, 1999: 171). As earlier mentioned, things began to escalate into violence when Modakeke farmers began to be kidnapped in their farms, by Ifes.

Lastly, the committee made recommendations regarding the creation of local governments. Although it supported the creation of an additional local government council to aid the development of the areas involved, it criticised the Modakekes for demanding an autonomous local government council for their people. Again this did not favour the Modakekes who felt that the traditional rulers who constituted the Royal Peace Committee “betrayed their trust”. (Albert and Otite, 1999:171) As such from the above analysis, it can be said that although traditional rulers in their capacity as third parties, acted towards the

resolution of the Ife – Modakeke protracted conflict, their recommendations may have further escalated the conflict in 1997.

#### **USAID/OTI intervention of 1999:**

During the sporadic violence that characterised Ife and Modakeke after 1997, the United States Agency for International Development through its Office of Transition Initiatives intervened into the conflict in preparation for the 1999 democratic elections, which would return the country to civil rule after more than a decade of military dictatorship. The USAID/OTI intervention was aimed at restoring confidence between both parties in the conflict, building trust and achieving reconciliation. The intervention process was established in several phases which included “media campaigns, separate training workshops on conflict mediation and mitigation, and joint training on reconciliation” (Albert, 2001:65).

While the blessing of the paramount traditional rulers of Ife and Modakeke greatly facilitated the implementation of the USAID programmes, the participation of other lesser traditional rulers, village heads, and youths from both communities made it a success. As part of the recommendations of the meetings, an Ife-Modakeke Inter-Community Peace Advocacy and Monitoring Committee was established. It consisted of nine members from each community’s intra community peace committee. Its members included traditional rulers, community leaders, youth members and professionals from both communities. Although the USAID/OTI intervention was executed at a time when the violence between both communities was still ongoing, it was regarded as a success because it brought members of both communities together since the crisis in 1997. As an Ife chief described, “we thank God that peace is gradually coming into our territory. We will continue to thank USAID/OTI for what they have done. We are now sitting face to face with each other, whereas some months ago we were shooting each other face to face!” (Albert, 2001: pg 84).

### **Presidential Committee on Ife- Modakeke in 2000:**

After the 1999 election, Olusegun Obasanjo became president of Nigeria while Bisi Akande became the governor of Osun state. Akande persuaded the newly elected president Obasanjo to intervene into the Ife-Modakeke crisis. Obasanjo invited the paramount traditional rulers of both communities in a closed door meeting which resulted in the creation of a presidential committee on Ife Modakeke, headed by Olabode George. As Chief Bisi Olanrewaju elaborates,

“Governor Akande ran to General Obasanjo the then president of Nigeria and General Obasanjo first invited the kabiyesi [Traditional ruler] and asked him to bring two other eminent people to Abuja. Kabiyesi the Ogunsua of Modakeke asked two of us; Alhaji Lamidi Oke and I to follow him to Abuja. The meeting started in the midnight. The Ooni too came with his people about two or three to Abuja. We held that meeting. After that, another meeting was held and about twelve people represented Modakeke including kabiyesi, the Ooni and his people attended the meeting too, and finally they brokered peace. And they established a committee headed by Chief Bode George”<sup>46</sup>.

Following due consultations with the paramount traditional rulers of both communities, the Presidential Committee was inaugurated by president Obasanjo. In the following months, Bode George and other members of the committee as suggested by the traditional rulers began touring the affected areas. The committee afterwards submitted its reports which contained four major recommendations. As published in *Thisday* newspaper of 24<sup>th</sup> September 2001,

“First, the committee recommended that ‘the Oluaye, the Ooni of Ife must be magnanimous to forgive and forget all that had been carried out to undermine his authority in his domain and he should now play the role of a father-figure to both communities. This is imperative to ensure the rebuilding of the massive destruction of industries and properties in his domain.’ For as the committee said, ‘it is believed that Oluaye would like to leave for posterity a befitting domain that will not only be memorable but would be an envy to all other

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<sup>46</sup> Bisi Olanrewaju, Balogun of Modakeke. Interviewed by Tonson Sango, 2009

domains in Yorubaland. It is in this respect that the staff of office ceremony that is yet to be accorded the Baale of Modakeke be done as soon as possible.’

Second it said that ‘Modakeke should never refer to themselves as Modakeke, Osun State, it should be Modakeke-Ife, Osun State.’

Third, it went further to recommend that ‘the Baale of Modakeke stop forthwith to appoint any Baale in any part of Ifeland.’

Fourth, the committee recommended that ‘the present Ife East Local Government as constituted should continue to function as created, until a new local government is created in the area. To commence this integration and harmonisation, it is suggested that an Area Office of Ife East Local Government be opened immediately in Modakeke. This would now be an extension of the present Ife East Local Government . . . until such a time that confidence would have been built and free movement from one side to the other can be guaranteed. Realising the fact that politics has always been at the centre of Ife-Modakeke crisis, the committee recommended as well’ that a new local government can be created that will comprise Modakeke's wards and some of Ife hamlets with headquarters at Modakeke. It is only when all the communities can openly manifest peace, in that area that the process of new local government can commence.” (Thisday, 2001)

The above recommendations were considered positive by both Ifes and Modakekes. The Ifes were delighted that the supremacy of their traditional ruler – the Ooni was reaffirmed over that of Modakeke, and the fact that Modakeke were asked to include Ife on all public signs and notices within their town. For the Ifes, this implied that Modakeke, whether a town or not, still remained within Ife as part of it, rather than a separate autonomous community. The Modakekes on their side, were delighted at the recommendation that the status of their traditional ruler – the Ogunsua of Modakeke – be elevated from a *baale*, to a crowned *Oba*. For them, the official status of their traditional ruler was too low, in comparison to the size and level of development of their community. Furthermore, the crowning of their traditional ruler, would make him a government recognized chief, and would not only ensure that he enjoys monetary benefits from the

government, but also increase his influence. The Modakekes were also satisfied with the proposal for the creation of a Local Government Area Office which would be located in Modakeke area and administered separately from the headquarters of the Ife-East Local government council. They perceived this as a step closer to realising their goal of a fully fledged local council, as recommended by the Presidential Committee.

Although both parties continued to violate the recommendations of the committee after it was published, threatening the fragile peace between them, its implementation soon began in phases. Firstly, the Modakekes began to include Ife after Modakeke on the inscriptions on sign posts and banners within the area. This further created confidence between both parties, and was soon complimented by the creation of the Ife East Area Office in 2002. The Area office is regarded as a fully fledged and functional local government secretariat, having all the offices and itinerary, but lacking government approval to be a separate council. As the Chairman of the Area Office explains, “you see this is Ife East local government area office. It is part of Ife East at Ile-Ife. And in every local government we have about ten or eleven departments and I am having all the departments here. What is just left is to just endorse it and leave it as a full-fledged local government”<sup>47</sup>.

In 2009, the Ogunsua of Modakeke was officially crowned and upgraded to a full Oba, alongside other traditional rulers of quarters in Ife. Series of negotiations had preceded the coronation ceremony which was packed with people who were celebrating and dancing over this historic event. As is the tradition, the Ogunsua is expected to visit the Ooni of Ife at his palace in Ife, where the Ooni will perform the traditional rites on him before placing a crown on his head. However, the Modakekes objected to this process because they feared that their traditional ruler may be harmed by the Ifes. Instead, they suggested that the Ooni should be the one to come to Modakeke and perform the

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<sup>47</sup> Mr Rasaan Atitebi, Chairman of Ife East Area Office. Interviewed by Tonson Sango, 2009

ceremony within an open area. The Ooni in the interest of peace eventually agreed to this proposal and on the 5<sup>th</sup> of September 2009, the Ogunsua of Modakeke was crowned. This single event generated mixed reactions from those who were interviewed for this thesis but a majority expressed their surprise and gratitude to the Ooni of Ife, Oba Sijuade II for his magnanimity in elevating the traditional ruler of Modakeke, despite suspicions by the Modakekes that the Oba, like his father before him, was bent on driving the Modakekes out of Ife.

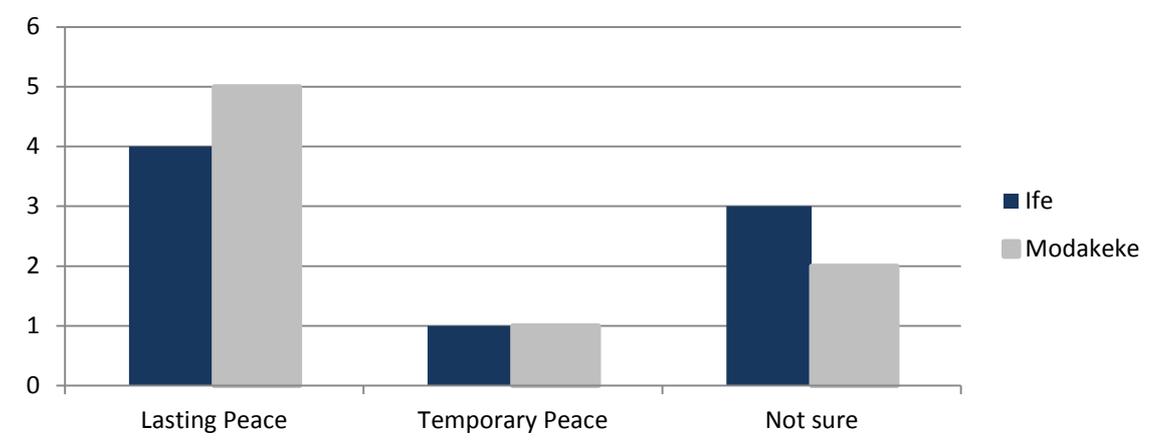


Figure 13: Coronation of Ogunsua as a Lasting Solution to the Conflict

Many like Bisi Olanrewaju expressed their confidence that with the coronation of the Ogunsua of Modakeke, lasting peace had returned to both communities. When asked about his opinion regarding the peace initiative of crowning the Ogunsua, the Balogun of Modakeke (a surbordinate of the Ogunsua) stated that,

“We thank God; we really thank God that this thing should happen. The crowning of the Ogunsua of Modakeke is the final instrument which has brought and will bring lasting peace to Ife and Modakeke. And if you were on the ground on that day when he was crowned, you would have seen the jubilation, the happiness of our people that at last freedom has come for the Modakeke people.”<sup>48</sup>

<sup>48</sup> Bisi Olanrewaju, Balogun of Modakeke. Interviewed by Tonson Sango, 2009

On the other hand, some people like the MPU president expressed their reservation about current and future status of the conflict. Yet he was appreciative of the peace initiatives been implemented by the Ooni of Ife. When asked about his opinion of the current state of the conflict and the peace process, the MPU president remarked,

“You see it is better not to dent an image than to dent and start to mend because it takes a longer time to mend. The suspicion is still there because take for instance if the last two, three hundred years we never raised a stick against each other but after sometime we now used guns, imagine what it will look like to trust yourselves again. So that’s the situation we are still suspecting each other but like I said earlier I still have to commend the effort of the Ooni because he is now playing a bigger role now which ought to have been done to restore that confidence. Most of the things he is carrying out now is to restore that confidence”<sup>49</sup>

Others such as the Ogunsua of Modakeke also agree that the peace is not yet complete except other issues such as those relating to farm lands and a full local government council are resolved. Thus, there are variations on the perceptions of the peace initiative of crowning the the Ogunsua of Modakeke. Based on survey analysis of the focused group discussions with 8 Ife youths and 8 Modakeke youths for this study, more Modakekes believe that this initiative will bring about lasting peace between both them and their neighbours. On the other hand more Ifes are not sure if it will, and both communities have few members who believe that the peace that has been achieved is only temporary (See Figure 13). As such, only time will tell if the endless cycle of protracted violence between Ife and Modakeke has been broken.

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<sup>49</sup> Alhaji Dauda Adeosun, Modakeke Progressive Union President. Interviewed by Tonson Sango, 2009

### **The Role of Traditional Actors in the Conflict**

From the above analysis of the Genesis, Dynamics and Outcomes of the Ife-Modakeke protracted conflict, the conflict and conflict resolution roles of traditional rulers can be discussed retrospectively.

The protracted cycle of the Ife-Modakeke conflict illuminates the relevance of the attitudinal and behavioural aspects of traditional rulership in determining the outcome of conflict situations. However, the degree of relevance of these aspects varies according to the social context in question. Within the pre-colonial phase of the conflict, the modern state was in-existent and paramount traditional rulers were the supreme authority within their domains. Traditional rulers such as the Ooni of Ife were very powerful and made decisions on behalf of the entire Ife community. Although a well structured traditional system created a system of checks and balances on the Ooni's power, and lesser traditional rulers within the structure could often challenge the Oonis decisions, the onus of decision making rested on the Ooni – being the link between the people and their ancestors, as well as the mediator between the spiritual and physical world. Within this context, the Ooni made decisions which sometimes contradicted the wishes of the people, consequently giving rise to conflict as it was the case when the Ooni Akinmoyero agreed to allow the Oyo refugees to settle in Ife, against the advice of his chiefs.

However, other decisions of the paramount traditional ruler which are in line with the wishes of the people can also lead to an escalation of conflict. This was the case when Ooni Gbeggiaje decided to enslave the Oyo refugees who were settled in Ife by his predecessor, after murdering their leader – the Asirawo (Johnson, pg 230). As such within the pre-colonial context, the personality of the traditional ruler was very crucial especially in relation to his preferred style of governance as well as his good judgement as an arbiter of conflict. Even within the modern post-colonial context, this still applies to a large extent as the decision of Ooni Sijuade II to change the name Modakeke to Isale-Ife escalated the

conflict, even though it was in line with the aspirations of the people of Ife. As such, the paramount traditional ruler must make wise decisions for his ethnic community. As the Ogunsua of Modakeke explains,

“You can’t play politics with the position of a traditional ruler. You have to maintain peace and you have to maintain truth and justice. If there is no justice there will be no peace, and if you want peace in your domain you must try to maintain the truth, speak the truth”<sup>50</sup>.

However, the decision of a paramount traditional ruler with regards to war and peace carried great consequences not only for the conflict process, but for the particular leader. In the pre-colonial context, paramount leader’s decisions which though in favour of peace, contradict the wishes of the people can lead to dethronement or even assassination of the traditional ruler. This was the case in Ife when Oba Abeiwela was murdered by his lesser chiefs because he was considered as ‘favourable disposed to the Modakekes’ after offering them land to settle outside of Ile-Ife. Within the modern context, the personality and behavioural properties of traditional rulers are still relevant to the extent which they influence his decision making in conflict situations. However, this relevance has been reduced by the existence of alternative formal and informal channels of decision making. As such the traditional ruler is often obliged to “dance to the tune” of his subjects or otherwise lose his relevance, as well as legitimacy in the community. As the Ogunsua of Modakeke described his experience during the violence of 1997,

“I tried to persuade my people not to fight but it was the Ifes that shot a young boy. It was the shooting of that boy that caused a rowdy session. It was in 1997, they (*Ifes*) shot a boy of about ten or twelve years of age, and they brought him to the palace. I don't know why my people didn't listen to me, but they said they cannot fold their arms and allow themselves to be killed one after another. I said well go, because there was no more option”<sup>51</sup>

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<sup>50</sup> Oba Francis Adedoyin, Ogunsua of Modakeke. Interviewed by Tonson Sango, 2009

<sup>51</sup> Oba Francis Adedoyin, Ogunsua of Modakeke. Interviewed by Tonson Sango, 2009

However, this also varies according to different ethnic communities. While larger communities such as Ife where traditional institutions are revered and respected by majority of the people, paramount traditional rulers continue to wield a higher degree of power over decision making, and decisions on war and peace still greatly depends on their willingness. This traditional will may have less significance in smaller communities where traditional institutions are less influential in comparison to other political actors. Yet the traditional will is equally important for the resolution of protracted communal conflicts involving two or more ethnic communities that vary in size. This is because both traditional rulers of the affected communities must be willing to agree for a resolution to be achieved. This was the case in the peace process of the Ife Modakeke conflict where an agreement was reached for the Ogunsua of Modakeke to be crowned, among other things. Many ascribe this achievement to the magnanimity of the Ooni of Ife in demonstrating his willingness to ensure the return of peace between both communities. When asked about the peace process, the Osun state Commissioner for local government, chieftaincy and community development expressed that “the Ooni’s disposition to the solution to the problem was just what settled everything”<sup>52</sup>. Olusegun Obasanjo – Nigeria’s former president also laid emphasis on the benevolence of the Ooni of Ife as crucial element of the progress of the peace process. Obasanjo remarked thus,

“I want to say that finally the Ife Modakeke issue has been resolved. Thumbs to all of them, particularly to Ooni who finally showed great magnanimity, the governors; the one there now and the one before, the people on both sides; the Ife and the Modakeke, who exercised restraint when things went out of hand”<sup>53</sup>

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<sup>52</sup> Prof. Mohib Opeloye, The commissioner for Local Government, Chieftaincy and Community Development of Osun state. Interviewed by Tonson Sango, 2009

<sup>53</sup> Chief Olusegun Obasanjo, Former President of the Federal Republic of Nigeria. Interviewed by Tonson Sango, 2009

The structural and functional relationship between the traditional governance institutions of Ife and that of Modakeke has also varied over the course of the protracted conflict involving both communities. As earlier discussed in this chapter, the status of the Ooni institution is one that is regarded as paramount in comparison to other chieftaincy institutions in Yoruba land. It is also believed that it is from the children of Oduduwa – the first Ooni – that other Yoruba communities were established with their own separate chieftaincy institutions. It is this belief that Ife was the cradle of all Yorubas that motivated the Oyo refugees to immigrate to Ife after the Fulani Jihad of the pre-colonial era. The Ooni at that time – as a father of all Yorubas – had accepted the new Oyo settlers with open arms. However, the Asirawo – traditional ruler of the Oyo – was later murdered by Ooni Odunlabiojo marking the beginning of hostile relations between both communities. Consequently, the Ogunsua institution of the Modakekes as known today was created by a royal proclamation by the Ooni Adegunle (Johnson and Johnson, 1966:231). Oba Adegunle bestowed the title of Ogunsua on the traditional ruler of the Oyo at the time when by the same proclamation, he gave them land to settle, on which the community known as Modakeke was built.

Although there is a lot of debate on whether Adegunle intended for the new community to be administered as a separate town or as a quarter in Ife, the chieftaincy institution of the Ogunsua was never equated with that of the Ooni. Their relationship has always been defined as that of a “father and son”, where the Ooni is the father and the Ogunsua is his son. However, both communities grew closely together with many inter-marriages between them. So much that by the post-colonial era, it is rare to find Ifes who had no relatives in Modakeke and vice versa. This also features in the traditional institutions of both communities as the Ogunsua of Modakeke; Oba Francis Adedoyin is related to one of the ruling families of Ife. As the Ogunsua explains,

“My grandmother is a daughter of one of the Oonis. My grandmother is from Aku ruling

house in Ife. It was she that took me over at the age of two or three until I became about eight or ten before I returned to my mother's care.”<sup>54</sup>

With the advent of colonialism and the establishment of modern structures of governance, came the system of classifying traditional rulers, as well new institutional frameworks of traditional representation such as the State and Local Council of Traditional Rulers. As such this altered the inter-institutional dynamics between the chieftaincy institutions of Ife and Modakeke. Firstly, the Ogunsua – the traditional ruler of the Modakekes though recognised by his community as their paramount leader, was not recognised by the state government in Osun state, and as such was not part of the Osun State Traditional Council. The system of classification in Osun State also varies from the generic type where traditional rulers are grouped into first, second and third class categories. As Opeloye explains,

“An Oba is either part two or minor chief. There is nothing like first class or third class. It is either a part two chief, i.e. recognised chieftain or minor chiefs. So since you are recognised by people, you are a recognised chief. So it's either you are part two or a minor chief. These are the two classifications”<sup>55</sup>

In the colonial era when the system of classification and modern structures of governance such as the Native Administration and Courts were introduced, the inclusion of the chieftaincy institutions of Modakeke in active administration was considered as a pre-requisite for peace between Ife and Modakeke communities. As Albert describes,

“Ooni Ajagun recommended in 1928 that the Ogunsua of Modakeke should be given an active role in the administration of Ife District. The Ogunsua and the Osa of Modakeke were subsequently granted salaries of seventy-two and twenty four pounds respectively for their contributions to the native administration. The Ogunsua was also made the judge of the native

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<sup>54</sup> Oba Francis Adedoyin, Ogunsua of Modakeke. Interviewed by Tonson Sango, 2009

<sup>55</sup> Prof. Mohib Opeloye, The commissioner for Local Government, Chieftaincy and Community Development of Osun state. Interviewed by Tonson Sango, 2009

administration court. The tenure of Oono Ademiluyi Ajagun was therefore marked by peace and amity between Ifes and Modakekes.” (Albert and Otite, 1999: 151)

With the structural changes that occurred during the post independence period, and the deterioration of peaceful relations between Ife and Modakeke, the Ogunsua became classified as a *baale* – a minor chief – who was only recognised by his community. As the community of Modakeke grew into a town, the Modakekes felt that their traditional ruler needed to be giving a more befitting status. The interest of the Modakekes in upgrading their traditional ruler from a baale to an Oba – part two recognised chieftain – can also be explained by the added incentives that came with that status. Firstly, as a recognised chieftain, the Ogunsua will become a sitting member of the State Traditional Council, an institution which allowed traditional rulers to participate in governance and to influence policies and decision making. Secondly, the chieftaincy institution of the Ogunsua will become more respected by other communities, increasing its influence in the socio-political issues of the state. Lastly, the Ogunsua will also benefit from the added monetary benefits that come with becoming a government recognised part two traditional ruler.

The State Traditional Council can be used by the traditional rulers as a lobbying tool for their communal or personal interests and this can lead to an inter-institutional crisis between the state and traditional institutions, which will further generate and escalate communal conflicts. This was the case when the former of Ooni of Ife, Oba Adesoji Aderemi summoned an informal meeting of the State Council of Traditional rulers, to resist Governor Jemibewon's decision to cancel the payment of Isakole as part of implementing the Land Use Decree of 1978 (Vaughan, 2000: pg 149). Furthermore, the role of the state can escalate communal conflicts, as in the case of the continuous changing of the local government headquarters of Ife East from Ife to Modakeke and back to Ife, by the military government. This was instrumental to the violence of 1997. However, even in civilian regimes, the role of state actors can also escalate communal conflict. This was the

case when Governor Bola Ige decided to indefinitely ignore Modakekes demands for a local government following the death of Odelola during the UPN political rally in Modakeke.

On the other hand collaboration between state and traditional institutions can also be instrumental for achieving peace in communal conflicts. This was the case during the peace process of the Ife Modakeke conflict when President Olusegun Obasanjo spearheaded federal government intervention into the crisis. For the intervention to be successful, the Ooni and the Ogunsua of Modakeke were summoned for a meeting by Obasanjo, where they all decided to setup a Presidential Committee which negotiated the terms of peace for both communities. As Obasanjo explains,

I was involved in that [the crowning of the Ogunsua] when I was in Aso Villa for two nights, the Ooni on one side and his chiefs and the Ogunsua and Modakeke people. We spent two nights together trying to find a solution and the final solution now is in this. Now they [Modakekes] wanted their Oba to be a beaded crown wearing Oba, now he is. It is still subject to the sovereignty of Ooni, so also with many other Obas in that area and that pleased the Modakeke people.<sup>56</sup>

The role of both traditional institutions was equally crucial for the peace process, but the role of the Ooni has been more emphasised. This is because for the Ogunsua to be upgraded to a recognised chief, the power rests on the Ooni of Ife by tradition. As such the Ooni had to perform the coronation ritual and there was a lot of negotiation over the process of the coronation due to the suspicion that exists between both parties. As Dauda Adeosun describes,

“The position actually, was that the crown will be taken to the palace for blessing and then the crowing will be done here at Modakeke primary school field. A lot of our people still believed that we don't have to do that, that autonomy is still not total if we still have to take the crown there. And that is why I say that Ooni is now been magnanimous enough to say; 'okay I know

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<sup>56</sup> Chief Olusegun Obasanjo, Former President of the Federal Republic of Nigeria. Interviewed by Tonson Sango, 2009

what you are thinking, I am coming to Modakeke to do it'. And you see when he came, he said 'I am not asking anybody to do it, I will do it myself', and he did it himself. So that it is part of building trust"<sup>57</sup>

The cause of the institutional crises that sometimes occur between traditional and state institutions of governance has been ascribed by many to the involvement of traditional rulers in partisan politics. Their involvement in political campaigning and mobilisation jeopardises their neutrality as mediators of conflict within their communities, and as independent advisers of state institutions. However, it is often difficult to draw the line between participating in partisan politics and the political role of traditional rulers. This is because in some context such as the towards the ending of the colonial era and the immediate post-independence era, traditional rulers such as the Ooni of Ife were both traditional actors, as well as state actors at the same time. As the Adesoji Aderemi was the Ooni of Ife, he was at the same time the Governor of the Western Region. However, in more contemporary times the link between traditional rulers and 'partisan politics' is not as direct, nor as clear as this. The increasing dominance of ethnic civil society organisations (ECSO) which are created solely for the purpose of protecting the political, socio-cultural and economic interests of their community has blurred the evident political role of traditional rulers. Such organisations as the Modakeke Progressive Union (MPU) and the Ife Development Board (IDB) not only represent the *defacto* socio-economic cum politico-cultural organisations of all indigenes of the respective communities, but also played active roles of mobilising their members during the conflict (See Figure 14).

The relationship between the traditional institutions of governance and these ethnic civil society organisations is inseparable as the paramount traditional rulers are often the patrons of such organisations. Although the traditional rulers influence the actions and decisions of the ethnic civil society organisation of their community, because they command their respect by virtue of tradition, these organisations in turn also influence the

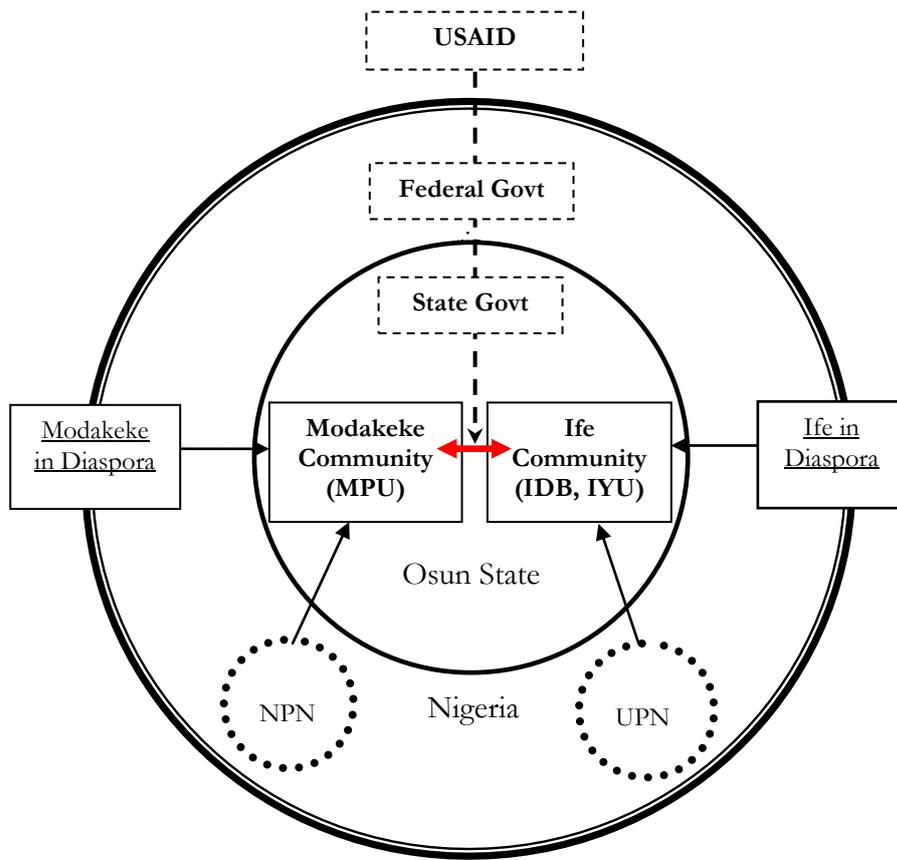
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<sup>57</sup> Alhaji Dauda Adeosun, Modakeke Progressive Union President. Interviewed by Tonson Sango, 2009

actions of the traditional ruler because they guarantee the legitimacy and relevance of the traditional rulers by according them the respect and recognition they deserve. While the respect and recognition accorded to a traditional ruler may depend on how much he or she is sympathetic to the causes of the community as defined by the ethnic civil society organisations, the degree of influence one has over the other also depends on the size of the community, and status of their traditional ruler. While the Ooni of Ife who because of his status is able to mobilise resources both nationally and internationally for his community, may have more influence over the IDB's decisions, the same may not be the case with the Ogunsua and the MPU. Either way, communal decisions on political issues such as the decision of the Modakekes to support the National Party of Nigeria, and the Ifes decision to support the Unity Party of Nigeria is often implemented by ethnic CSOs who may be acting in line with the wishes of their traditional institution. Furthermore, ethnic CSOs such as the IDB and the MPU often use traditional institutions as emblems of culture and identity which facilitate the mobilisation of cluster ethnic communities who reside in other parts of the country, as well as abroad.<sup>58</sup>

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<sup>58</sup> See MPU (<http://www.modakeke.org/>) and IDB web pages (<http://ile-ife-ng.net/mornachy.htm>) - Accessed 17 October 2007



**KEY**

Conflict Parties		Conflict	
Third Party		Support	
Political Party		Intervention	
Federal Government Boundary			
State Government Boundary			

Figure 14: Ife-Modakeke Conflict Map

The relationship between the traditional governance institutions and religious organisations also varied over the course of the Ife-Modakeke protracted conflict. During the violence, religious buildings such as churches and mosques were targets for example the Apostolic Church of Christ, Odokun Modakeke was burnt. The Modakekes claim that the church was burnt by the Ifes because it was the source of power for Modakekes. As Adeyemi describes “they believe that this local assembly is where there is progress and people that come here progress. And that God answers the prayers of Modakeke people in this place. Been the power back up of Modakeke, it became a target”<sup>59</sup>. The Ifes on the other hand claim that the church was burnt because it was used for harbouring combatants and for launching physical attacks against Ifes. As an elder of the Christ Apostolic Church, Ife explained,

“Modakeke penetrated Ife through The Apostolic Church Odokun, which I will employ you to go and see. It was from that gallery that they continued to shoot Ife. Then that was the reason that the place has become deserted because when people got to the place then they were amazed that they were using the church to attack.”<sup>60</sup>

Also, while Christian and Muslim leaders in Ife who pay weekly visits to the palace of the Ooni to pray for him and for their community consider the peace to be answers to their prayers, traditional worshippers claim the credit for protecting their people during the violence with the aid of charms obtained through rituals and sacrifices.

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<sup>59</sup> I.A. Adeyemi, General Overseer, The Apostolic Church of Christ, Odokun-Modakeke. Interviewed by Tonson Sango, 2009

<sup>60</sup> Timothy Awotinde, Church Elder, Christ Apostolic Church, Moore, Ife. Interviewed by Tonson Sango, 2009

## Conclusion

This chapter analysed the Ife-Modakeke protracted communal conflict vis a vis the conflict and conflict resolution roles of traditional actors. With the PCC analytical framework developed in Chapter 2, the genesis, dynamics and outcomes of the Ife Modakeke conflict were assessed. Firstly, it was found that the denial of the access, identity and security needs of both Ife and Modakeke communities gave rise to the conflict. For Ifes, their identity was been threatened when Oyo refugees who were settled in Ife began to develop a separate town and identity, known as Modakeke. The alarming rate at which the population of Modakeke grew and the fact that the Modakekes had the reputation of been warriors, who despite their numerical disadvantage defeated Ifes in several conflicts, threatened the security of Ife. For Modakeke, their identity was threatened by the Ifes who during the reign of Oba Sijuwade II attempted to change the name of their community from Modakeke to Isale-Ife. Also, their access to political and economic state resources of government was inhibited because their traditional ruler was not a member of the state traditional council, and they were a minority community in a local government council, whose politics was dominated by Ifes. Lastly, their security was also threatened by Ifes.

Secondly, the role of the state and traditional institutions of governance in satisfying or depriving the access, identity and security needs of communities varied. In some instances, the State (especially during military regimes) deliberately deprived communal needs of both parties. This can be as a result of political alignments between the political party or leader in power, and one of the parties in a communal conflict as was the case when Chief Bola Ige aligned with the Ifes, to deny Modakeke a local government council. Also, traditional rulers influence the state through formal and informal channels such as Local and State Councils of Traditional Rulers, political parties and ethnic Civil Society Organisations (ECSOs). As such, traditional institutions of governance to the extent that

they influence either of these channels, facilitate the satisfaction or deprivation of communal needs.

Lastly, traditional institutions continue to be relevant and influential institutions in both Ife and Modakeke communities of South Western Nigeria because of the deep reverence for culture, tradition and spirituality that characterises these societies. As such these institutions are not only sacred relics that symbolise identity, but also crucial actors that facilitate the socio-political and economic development of their communities. Furthermore, these institutions continue to play active roles in the resolution of communal and intra-communal conflicts affecting their domain. However, they can also play active roles in inter-communal conflicts. The above findings are reflective of the peculiar contextual characteristics of Yoruba Society, where both conflicting communities (Ife and Modakeke) are not religiously balkanised, and belong to the same wider Yoruba nation. The analysis in the next chapter focuses on Plateau State which presents a different kind of context characterised by several minority ethnic groups which share very little in common.

## Chapter 6 :

### The Jos – Plateau Protracted Conflict

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#### **Introduction**

As with the previous one, this chapter employs the analytical and conceptual models already developed in chapters two and three, to analyse a second case of protracted communal conflict in Nigeria. The aim of this chapter is to assess the roles of traditional rulers of governance during the genesis, dynamics and outcome phases of the Jos-Plateau protracted conflict. Plateau state varies in many ways from Osun state which was analysed in the previous chapter. Firstly, Plateau state is located in what is known as the “Middle-Belt” region of Nigeria, a region that is highly multi-ethnic and multi-religious, inhabited by about 130 of the 250 ethnic groups in Nigeria (Agbu, 2004: 24). As such, Middle-Belt states such as Plateau state can be described as representing a smaller picture of the multi ethnic Nigerian federation with over forty ethno-linguistic groups inhabiting the state (Plateau State, 2004). Although the so called Middle-Belt region (consisting of Ilorin, Niger, Kabba, Benue, Plateau, and Adamawa) has never been official recognised as a single unified political entity, there has been a long historical struggle by its inhabitant communities for this status since the colonial era. In the literature, the Middle-Belt region is often distinguished from the Sudan Region (consisting of Sokoto, Katsina, Kano, Zaria, Bauchi, and Borno) for analytical purposes (see Buchanan, 1953; Logams, 2004).

Secondly, unlike the Yoruba ethnic group of Osun state, the ethnic groups that inhabit Plateau state have no single paramount traditional institution which governs them all, but are each distinct ethnic communities who speak different languages, have different cultures, and each have their own paramount traditional ruler who governs his/her domain. Analysing the conflicts that have emerged between the distinct ethnic communities in Plateau state, and Jos (the modern capital city of Plateau state) in particular will shed light on the question of how the access, acceptance and security needs of ethnic communities

could be deprived in a more heterogeneous context. Furthermore, analysing this conflict will facilitate a better understanding of how the concepts of citizenship and indigeneship are contested in Nigeria.

This chapter utilises a combination of secondary and primary sources on the Jos – Plateau conflict. However, information on the most recent eruptions of violence in Plateau state are sourced from original interviews and focused group discussions conducted with traditional actors, state actors and youths from the affected communities in Plateau State. The violence of 2008 was carried by the headlines of global media channels, as the killing of women and children were widely condemned internationally (Associated Press, 2008; Sky News, 2008; EUROPA, 2008). However, this was only the latest escalation in a protracted conflict that has engulfed the Plateau region for over a century.

### **The Genesis of the Conflict**

The modern capital city of Jos is a cosmopolitan city which is known for its beauty and friendly climate. These have made the city one of the favourite tourist destinations in Nigeria. Surrounded by beautiful formations of rocks, mountains and plateaus, with temperatures descending as low as 10 degrees Celsius, the city of Jos is inhabited by over 1 million of the 2,959,588 people of the entire state (Plateau State, 2004) and a highly diverse population including ethnic groups that are indigenous to Plateau State, other Nigerian ethnic groups, and many foreign nationals. Central to understanding the conflicts that have disturbed Jos city, is the question of the traditional ownership of Jos. This is a question that continues to generate heated debates among the ethnic groups that all claim to be the original founders of the city of Jos, and thus the owners of the city. The debate is between four ethnic nationalities in particular; *Anaguta*, *Afizere*, *Berom* and *Hausa*. This debate over the ownership of Jos city is one that is further problematised because the absence of sufficient documentation on the history of the city, especially before the colonial era. However, the following section will attempt to provide a coherent account of the

communal relations between and among the ethnic communities in question, during the pre-colonial, colonial, and post colonial eras in order to establish empirical facts about the origin of Jos, and to account for the root causes of violent relations between these communities.

### **Pre-colonial Relations between Mohammedan and Plateau Ethnic Groups**

Prior to 1900, strong political communities had existed in the area known today as Nigeria, in the form of kingdoms and empires. As discussed in the previous chapter, the kingdoms such as the Yoruba Kingdom occupying most of South-Western Nigeria, were well established and organised with centralised traditional institutions. Also, Northern Nigeria had witnessed a similar feat, with the rise of con-federal Hausa city states in 14<sup>th</sup> century, empires such as the Kanem Borno Empire in 15<sup>th</sup> century, and subsequently the emergence of a strong Islamic empire known as the Sokoto caliphate in 1809, following the Jihad of Uthman Dan Fodio<sup>61</sup>, a famous *Fulani* religious reformer (Sulaiman, 1986). The Hausa ethnic group like the Yoruba trace their origin to one man Bawo. According to the legend,

“A certain man named Abuyazidu<sup>62</sup>, son of Abdullahi of Baghdad, quarrelled with his father and people of the city...then Abuyazidu with twenty companies, journeyed until they came to Bornu and they dwelt there...the King of Bornu saw that Abuyazidu was stronger than he...and they counselled him that he should give Abuyazidu his daughter and he became his father in law...and he did so and gave his daughter Magira to be his wife and he married her...and they journeyed until they came to Daura...their Son, Bawo begat the first rulers of the seven Hausa-States which were the origins of the Hausa race” (Logams, 2004: 37)

The legend further elaborates that the sons of Bawo – the progenitor of the Hausa race – were divided into seven legitimate sons (*Hausa Bakwai*) consisting of Gobir, Kano, Rano, Zaria, Katsina, Bauchi and Daura; and seven illegitimate sons (*Banza Bakwai*)

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<sup>61</sup> Also written Usman Dan Fodio

<sup>62</sup> Also known as Bayyajida

consisting of Kebbi, Zamfara, Nupe, Gwari, Yauri, Yoruba and Jukun. This further suggests that Middle-Belt kingdoms such as the Jukun Kingdom, and Southern kingdoms such as the Yoruba Kingdom were established by the illegitimate sons of Bawo, whom he assigned these territories. This legend is debated by many authors (Hallam, 1966; Tremearne, 1970; Akinrinade, 1985) especially because some groups such as Kebbi, Yoruba and Jukun have their own account of origin which does not suggest any historical linkage between them and the Hausa. However, prior to the emergence of the Sokoto caliphate, the “legitimate” Hausa states had developed into autonomous city states, each having well organised and hereditary traditional governance institutions.

The emergence of the Sokoto Caliphate which spanned from what is known today as Southern Niger, to Northern Nigeria, marked the beginning of the radical spread of Islam and Arabic culture among the Hausa people who dominated Northern Nigeria, and had established Hausa city states. According to Falola and Heaton (2008:62), “by 1810, the caliphate had vanquished all the Hausa states and had also brought Provinces that had previously been under the influence of Borno under a new Islamic government”. Furthermore, the Sokoto caliphate also brought all the erstwhile autonomous Hausa states under the central authority of the Sultan of Sokoto – the traditional and spiritual ruler of the caliphate. The Sultan governed the caliphate through his subordinate chiefs known as Emirs, who were in charge of the different Hausa city states and towns, formerly administered by the *Sarakuna*<sup>63</sup> (Falola and Heaton, 2008: 66).

It must be noted that the adoption of Islam as the official religion of the caliphate and the foundation for its legal and moral codes, united the *Hausa, Fulani* and *Tuareg* ethnic groups into a monolithic Islamic entity where they identified themselves first as Muslims before any tribal affiliations<sup>64</sup>. However, the unity of the Hausa towns and city states under

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<sup>63</sup> Hausa Kings

<sup>64</sup> This is paramount to the emergence of the Hausa-Fulani identity where both Hausa and Fulani are perceived as one homogenous group.

the Islamic caliphate was based not only on Islam, but also on the strength of the pre-existing *sarauta* system (traditional governance structures of chieftaincy and kingship) of the Hausa states, on which the caliphate was built (Bivins, 2007: 126; Falola, 2008:73; King, 2001; Usman 1972, 1981). The Usman Dan Fodio jihad not only unified the Hausa city states into a single political entity but also sought to expand the caliphate through the violent occupation and conquest of neighbouring communities, who were perceived as pagans (Falola, 2008:62). The caliphate succeeded in expanding North to Air in modern day Niger Republic, and South into the Middle-Belt cities of Ilorin (see Figure 15). Although many of the Middle-Belt cities were conquered by the Jihadists, the territorial expansion of the Sokoto caliphate was met with vicious resistance by the ethnic communities of the plateau uplands.

The autonomous ethnic groups that inhabited the Plateau hills and its surroundings have always been isolated from the rest of the Middle-Belt and Sudan regions. As a result, little has been written about the pre-colonial nature of these societies. However, much of the earliest European accounts of the Plateau people tend to emphasise; their pagan nature, the hostile relations between them and neighbouring Muslim emirates, and the fact that these communities were isolated in the hills, which provided refuge from neighbouring invasions (Tambo, 1978: 203). The earliest account of Plateau ethnic groups was written by Heinrich Barth who was a European traveller, said to have travelled round Northern Nigeria from around 1850. Although Barth never visited the area himself, he reported on the experience of traders who were travelling from Kano to Bauchi Emirate via routes near the plateau hills (Tambo, 1978: 202). He wrote that,

“The inhabitants, who are very fierce, wear a bone stuck through the chin. They do not pay any tribute to the Fellani [*Fulani*] of Zariya [*Zaria*] or to those of Yakoba, and constantly intercept the communication -- as happened, indeed, in 1851, during my stay in Kano” (Barth 1965, in Tambo, 1978:202)

This quotation suggests that the ethnic communities of the Plateau were not conquered under the Sokoto Caliphate. However they were constantly invaded by neighbouring emirates, especially Bauchi emirate which sought to enslave them. As elaborated by Edward Voguel, another European who travelled through the trade routes to Bauchi,

“The country between Bautshi [*Bauchi*] and Salia is entirely inhabited by heathen, mostly without any dress, ornamenting themselves with a bit of rice straw in the upper lip. The Sultan had the following system of catching slaves. He occupied with an imposing force the fields in the valley, driving all his horses in the then green harvest, until the poor devils on the mountains surrendered for fear of starvation and sent down the number of boys requested by him, so he got in three weeks 200 fine slaves, which were marched off immediately to Sokoto for sale.” (As quoted in Tambo, 1978:203)

Although these European accounts placed emphasis on the slave raiding activities of Bauchi emirate during the era of the Sokoto Caliphate, oral evidence suggest that the Plateau ethnic groups had been fighting against occupation by the Hausa city states. This is evident in the oral tradition of the *Aten*, which claims that Queen Amina, a vicious warrior of Zaria<sup>65</sup> in the 16<sup>th</sup> century was killed by the Aten people, during her attempt to conquer their land. As narrated by Deme Laki;

“During the wars, our people were worried about the Hausa warriors who were fighting us and our neighbours. Then the Ganawuri appointed a spy to go to a tree at koron kanang’aku near the stream early in the morning and hide in the tree. We didn’t know that we were been fought by a woman (Queen Amina) and her warriors. So when her and her warriors were taking a bath in the stream, the spy saw them naked and he realised from her body parts, that she was a woman. So after they finished bathing and left, the spy came down from the tree and reported back to the king of Ganawuri, saying that ‘these warriors which we are afraid of are not even men they are mere women.’ So our people were surprised that all this while it has been women that have been troubling them. So the king made everyone to position in the North, the South,

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<sup>65</sup> One of the Hausa city states, also referred to as Zazzau

East and East (*Danwal, Kwakwi, Da-Garang* and *Koron-Hai* respectively) and he told them that they are fighting against a woman and should not be afraid. So they started to make an announcement all around proclaiming the orders of the king saying that they must not allow women to defeat them. And so they pursued Queen Amina and her warriors Eastwards towards Kagoro and along the way they overpowered and killed them.”<sup>66</sup>

Although there are no documented sources to support the above claim by the Aten, it is well documented in the Kano chronicles, of the existence of Queen Amina, and of her exploits towards expanding the city state of Zaria and conquering the Middle-Belt Kingdoms, in particular the kingdom of Jukun and Nupe (quoted in Arnett, 1910:218). Furthermore, there has been no written account of the traditional political structure of the Plateau ethnic groups in the pre-colonial era, and oral tradition paints a sketchy picture of how socio political life was organised. This picture is one that portrays the ethnic groups of the plateau as kinship groups which emerged around families and lineages, and had paramount leaders who are usually the head of the warriors, or farmers, depending on the dominant activity of the group, or the spiritual head of the community [*sarkin tsafi*] (Tremearne, 1912; Hailey, 1979). Much later, during the colonial era, researchers established that the plateau ethnic groups have very similar cultures, but possessed great linguistic differences (Ames, 1934; Hailey, 1951; Perham, 1960). The colonial accounts also emphasise the fragmented nature of the plateau ethnic communities. Research carried out during the colonial era also shed light on some aspects of the relations between and among plateau ethnic groups.

Friendly military ties were established among some of the plateau tribes at different times. According to R.A Adeleye, *Montol* – one of the plateau communities of the plains – was successfully liberated from Hausa/Fulani occupation, by a combined force of *Pyem, Sura, Challa* and *Berom* tribes (Adeleye, 1971: 32). However, unsuccessful efforts were made to transform these military ties between the plateau tribes, into a stronger political union.

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<sup>66</sup> Baba Deme Laki, Interviewed by Tonson Sango

The *Berom* tried to amalgamate the *Ron Kulere*, *Afusare*, *Atakar*, *Ganawuri*, *Kataf*, *Irigwe*, *Fizere*, *Jarawa*, *Anaguta*, *Buji* and *Gwandara* but were unsuccessful (Temple and Temple, 1965:344). Also in 1830, the *Sura* (*Mahavul*) attempted to organise the *Berom*, *Ankwei*, *Montol*, *Pyem*, *Yergam* (*Taroh*) and *Challa* into a federation but were also unsuccessful. (Temple and Temple, 1965: 343) Even though there were periods when these tribes invaded each other especially for slaves, the military unity among these groups between 1830 and 1840 was crucial to their successful resistance of Hausa and Fulani invasions (Logams, 2004:66).

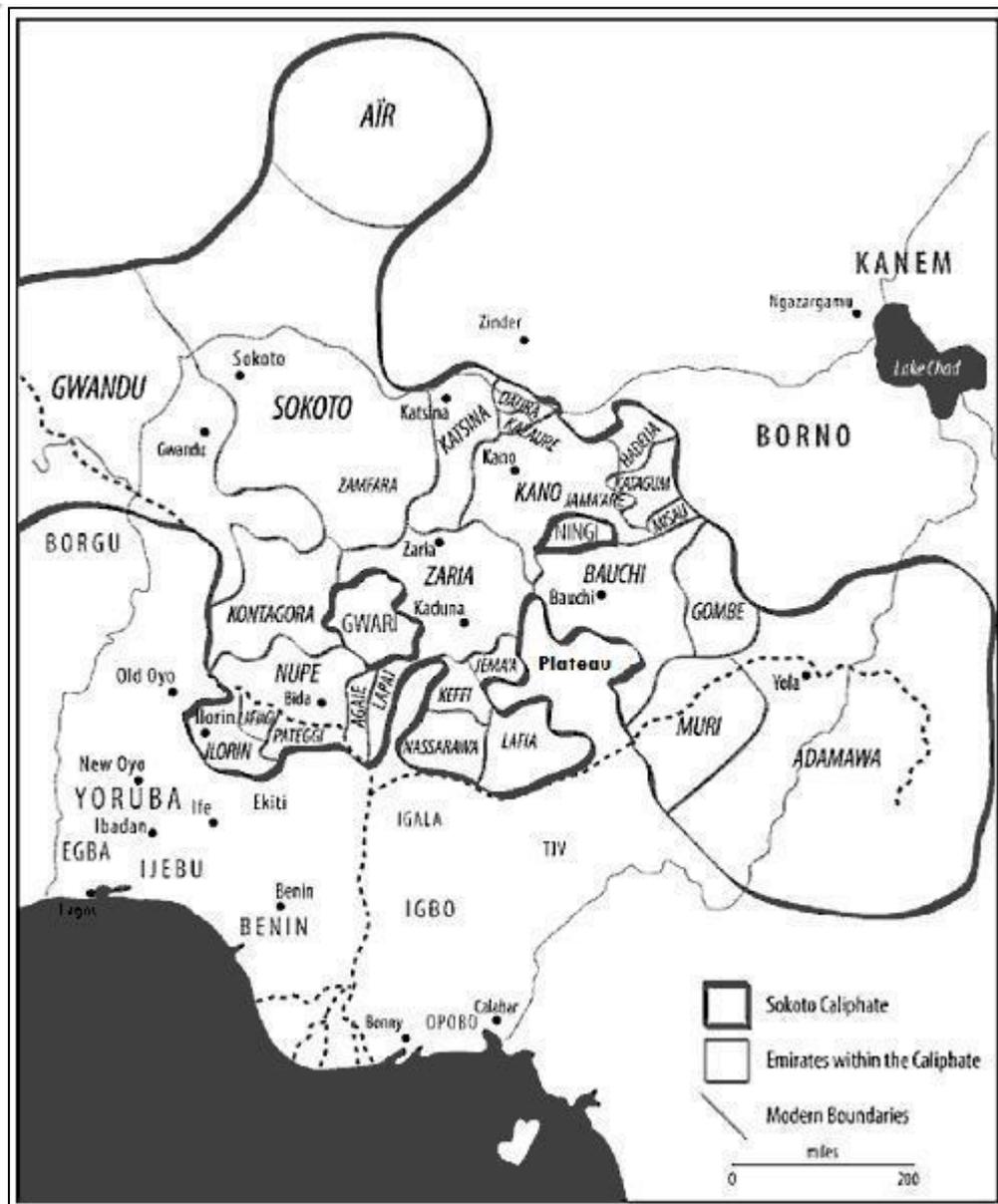


Figure 15: The Sokoto Caliphate at its Peak <sup>67</sup>

### Colonial Rule and the Establishment of Jos

The historical origin of Jos is disputed by historians, as well as by the parties to the Jos conflict. The modern city of Jos is located to the North of the plateau hills in central Nigeria. It is about 4000 feet above sea level, and with an average temperature of 20°C, it is considered to be the coolest place in Nigeria and the favourite holiday destination for Nigerians and foreigners. Because of its beauty and favourable climate, Jos has the second

<sup>67</sup> Sourced from Falola and Heaton (2008:66)

highest population of Europeans in Nigeria, after Lagos (Plotnicov, 1967: 32; Plateau State, 2004:1). As earlier stated, the earliest written accounts that made mention of the Plateau ethnic groups who inhabited the hills were written by European travellers such as Barth in 1850 and Edward Vogel in 1859. However, these accounts do not mention the name “Jos”.

The discovery of tin in the plateau marked the beginning of a new era in the history of the area. Prior to 1884, English merchants who had occupied the coastal areas of Southern Nigeria had heard rumours from Hausa middlemen of the existence of tin in the hinterland. According to Covert,

“In the course of a letter I received from Sir William, dated 21st October 1910, he says: - 'Up to 1884 we used to believe that the tin used by the Hausa people for tinning their brass ware was brought across the desert. I then, being busily engaged with opening up the Benue River to trade, got a hint that the Tin was being smelted in some of the Hausa States, and, on making enquiries, found that it was being produced in Bauchi. We did all possible to develop the trade in tin straws, but with little success, as the pagan tribes would have no dealings with the Hausa merchants, and rightly so, as it would have only led to the subjection of the tribes to the Fulani, whom they kept at bay till our advent in 1902.’ (1910:13)

Sir William Wallace’s letter is evidence that the ‘pagan’ plateau tribes were already mining ‘tin straws’<sup>68</sup> before colonial rule. Subsequently, Wallace led the colonial invasion and occupation of the Bauchi Emirate, and subjected the Emir (Paramount Traditional Ruler) of Bauchi to indirect rule. Wallace then established Bauchi Province, under the administrative control of colonial officers. The entire area of the plateau became administered under Bauchi Province and messengers were sent to the Delimi River, close to a village on the plateau hills called *Naraguta* – from where samples of Tin sand were collected and submitted to the Royal Niger Company (RNC) in London (Covert, 1919:14; Plotnicov 1967:32). Been highly impressed with the purity and richness of the Tin Delimi

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<sup>68</sup> Tin Straws refers to the almost nine inch long straws of Tin which were mined using mud and grass straws. For a detailed description of the mining techniques of the plateau tribes, see Fell Godfrey (1939), 'The Tin mining industry in Nigeria', Journal of the Royal African Society, Vol. 38, No. 151 (Oxford University Press) pg 246-258

river in Plateau, the RNC secured a prospecting licence covering over 1000 square miles, and in 1903 sent Colonel H.W Laws (also a mining engineer), alongside an army of the West African Frontier Force to secure the plateau tin fields and begin mining operations.

By 1904, the British successfully repelled the resistance of plateau ethnic groups and established a permanent mining camp at Naraguta. It was from here that colonial mining operations began and soon spread into surrounding areas. With the aid of the West African Frontier Force, the 'native tribes' were further repelled to gain access to more tin fields, while occupied fields were protected from recurring native attacks<sup>69</sup>. The new colonial city that emerged from the occupied territories around the tin mines became known as Jos. The four main ethnic groups who lay claim to indigenous ownership of Jos are the *Anaguta*, *Afɛzere*, *Berom* and *Hausa*. In other words, they each claim to be the original inhabitants of Jos prior to British colonisation.

### **Competing Accounts of Origin**

After the colonial occupation of the mining camp at Naraguta village, and the subsequent occupation of neighbouring areas such as *Bukuru*, *Rukuba* and *Gyel*, the new colonial city began to develop into a municipal trading centre. There is disagreement regarding the origin of the name 'Jos'. The *Anaguta* ethnic group claim to be the original inhabitants of Naraguta, prior to the British occupation of the area. For example according to Pius Gimba, the name Naraguta is a mispronunciation of Anaguta by the Hausa<sup>70</sup>. Furthermore, the Anaguta claim that the original name for the area called Jos, was *Uzheashi*, which means a place where people gather (Best, 2007:32). A few kilometres South of Naraguta, was another settlement known as *Guash* (Also spelt Gwash). According to Colonel Laws, the location of Jos was previously a small village called "Guash", but Hausa traders, who arrived later, supposedly mispronounced Guash as Jos, and the name stuck

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<sup>69</sup> For more on the account of british occupation and the resistance of the plateau tribes, see Freund Bill (1991), *Capital and Labour in The Nigerian Tin Mines*. Pages 43-45

<sup>70</sup> Pius Gimba, President of Anaguta Development Association, Interviewed by Tonson Sango

(Quoted in Plotnicov, 1967: 33, Smedley, 2004:18, Bryant, 1959: 20). Gunn (1953: 63) later wrote that the village of Guash was founded by the Afusare (also spelt Afizere) people. This is often quoted by the Afizere today in support of their claim to being the original inhabitants of the Jos area.

The Beroms had inhabited villages such as *Gyel* and *Vwang*, which were about 16 kilometres South of Naraguta. These areas were also occupied by the British and soon proved to be rich in tin deposits. The Berom perspective of the origin of Jos holds that they, along with the Anaguta were the original inhabitants of the area known as Jos. As Best describes,

“The Beroms posit that they had securely settled and had autonomous administration in Jos along with the Anaguta prior to the coming of the colonialists. The Berom state that they had a traditional name for the area called *Jot*, meaning water spring. This, they say, was corrupted by strangers like Europeans and the Hausa/Fulani, and changed to Jos.” (Best, 2007: pg 28)

While these competing claims remain hotly debated by the afore mentioned ethnic groups on the plateau, there are indications that the name “Jos” was first recorded in February 1903, in a letter by George R. Nicolaus – a mining engineer- addressed to the Royal Niger company, regarding the prospects of richer tin deposits on the plateau around “the oblong, stretching higher up the river from Tilden Fulani, Naraguta, and Jos” (Quoted in Freund, 1981: 34). Furthermore, Freund writes that H.W. Laws, an Australian friend of Nicolaus, was “described by fellow-Europeans as ‘uncrowned King of the Plateau’, who probed South of Naraguta and proposed establishing a new mining centre near *the Birom settlement of Jos*” (Freund, 1981:35 emphasis added). However, it remains unclear whether this description is that of the author (Freund) or Laws himself, as this contradicts Gunn’s claim above that Jos (Guash) was founded by the Afizere.

Laws had planned to use indigenous labour in mining and his strategy was proving effective when young men from Rukuba, Anaguta, and Berom had reported to the mining

camps to be employed. These labourers were considered to be strong and effective in mining, especially as they were familiar with indigenous mining techniques. However, the native labourers soon returned en masse to their farms during the rainy season, and this slowed down operations at the mines (Morrison: 1977:208). Furthermore the natives of the plateau ethnic groups were said to have been 'reluctant to serve the 'Whiteman' whom they feared, and only worked at the mines because their traditional rulers forced them to. As Morrison describes, "In the Birom village of Vwang, the *Gwom* (or Chief) had forced the young men to go to the mines (Morrison, 1977:208)". As such, Laws sought a more stable labour force and soon began to employ labourers from other Nigerian ethnic groups, especially Hausa. Another reason for employing labourers from outside the plateau ethnic groups was the expansion of the Tin mining industry following the rise in the price of Tin in 1908.

Prior to the British invasion and occupation of Naraguta, the Hausa had also been mining tin in a place known as Lerui-n-Delma<sup>71</sup> (about 25 kilometres North of Naraguta), along the Dilimi River. With the occupation of Naraguta by the British, the Hausa at Lerui-n-Delma were initially excited by the prospects of been able to gain access to the rich tin in the plateau hills, having previously been prevented by the natives. However, the Royal Niger Company could not afford any competition to the tin mines in the Plateau hills and in 1914, the colonial administrator of the Bauchi Province shut down the industry at Lerui-n-Delma, where the tin deposits were not as rich in quality and quantity as in the fields of the Plateau (Morrison, 1977:208). By 1910, the tin boom began with many European companies flooding into Jos and taking control of different tin mines, and this led to an increase in demand for labour in the mines.

To meet up with the demand of the tin industry in Jos, the European firms began to hire workers from all over the colony. This marked the beginning of a massive influx of

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<sup>71</sup> Known today as *Ririvan Dalma*, Bauchi State

Hausa and other Nigerian ethnic groups into Jos. The Hausa men who were employed in the mines were mostly from Bauchi, Zaria, Kano, Sokoto, and Katsina emirates (Calvert, 1910:159, Danfulani & Fwatshak, 2002: 245, Best, 2007: 25). The British system of indirect rule was crucial to the successful recruitment of Hausa labourers from their Emirates. The Colonial Resident officers of the Hausa emirates would persuade the Emirs to send their subjects to the mines, thereby increasing the Emirates tax revenue (Morrison, 1977: 213). The population of Hausa labourers grew rapidly and they became a significant part of the tin industry which the Europeans had re-established in Jos. The Hausas claim to original ownership of Jos, is mainly based on the argument that they almost single-handedly developed what was hitherto a virgin land, into the commercial metropolitan town of Jos (Best 2007:24). As will be discussed in the next section, the political and administrative structure of Jos town was one that established segregation between the Hausa ‘settlers’, the Plateau ‘natives’, the European colonialists, and other Nigerian ‘settlers’ from the South/East.

### **Political and Administrative Reforms**

The colonial conquest of the plateau ethnic groups was successful mainly because these groups were segregated and thus failed to provide a united front against British occupation. Although tribes such as the *Ganawuri*, *Ngel* (Gyel) and the *Sura* violently but unsuccessfully resisted the occupation, others such as the *Kanam* in the Southern Plateau facilitated the establishment of British administration, in the hope that its establishment “would mean the end of their control by their Chiefs” (Ames, 1934: 39-42). By 1905, many of the ethnic settlements on the Plateau, including Naraguta, Jos (formerly guash), Bukuru, Gyel etc, were conquered and mining camps were established in these areas. In 1906, Jos, Naraguta and other Northern parts of the plateau were administered as part of Bauchi Division. While the rest of the central and Southern parts of the Plateau hills were administered as subdivisions under Bauchi, with sub-divisional headquarters’ at Bukuru,

and Pankshin (Ames, 1934:42). However until the creation of Plateau Province in 1926, administrative reforms were rampant, with new divisions and subdivisions created as communities grew in size, with many other areas such as Shendam, being moved back and forth from one divisional authority to another.

The steady increase of migrant labourers into the mining camps on the plateau following the Tin boom in 1911 necessitated the development of a town plan for the emergent city of Jos, which at that time was administratively a division under the Central Province (Formerly Bauchi Province), with its capital at Naraguta<sup>72</sup>. Two main settlements were created by the Europeans; the **Native Town** (Sabon-Gari) which was situated in Naraguta and the **Jos Township** which was located about 4 kilometres South of Naraguta. The Native Town was designated for mineworkers from all parts of Nigeria and was directly under the control of the Jos Divisional Native Authority which was set up in 1912. By this year, there were more Hausa labourers residing in the Native Town than any other ethnic group, so much so that it became popularly referred to as ‘Hausa Settlement, Jos’ (Plotnicov, 1967:42). The Township, on the other hand, was inhabited mostly by the Europeans, as well as other educated Africans (mostly Southern Nigerians) who worked as clerks, bankers, etc. **Jos Township** was directly under the administrative authority of the colonial governor of Northern Nigeria – Frederick Lugard<sup>73</sup>.

### **Native Authority in Jos Division**

The decision of the colonial officers to create segregated settlements in and around Jos as described above is one that remains controversial and greatly affected the nature of the relations between the diverse people residing in Jos. By “keeping culturally dissimilar groups separate”, it was easier to create Native Authorities which will constitute the

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<sup>72</sup> According to Freund, the Emirates of Bauchi and Gombe were integrated with Plateau administration in 1911, to form the Central Province with Naraguta as its capital until 1925 when Plateau Province was established. See Freund 1981:98 and 86

<sup>73</sup> In 1912 Lugard became the Governor of both Northern and Southern Nigeria, succeeding Sir Hesketh Bell, who had succeeded Sir Percy Girouard in 1909 as Governor of Northern Nigeria. See Burns 1929:194

'traditional' or 'locally selected' leaders of each distinct area, and be responsible for administering British control over their people more effectively. The controversy here lies mainly in the question of the effectiveness of this policy in the specific case of Jos and other Plateau areas. While many authors including Lugard himself praised the policy as been "flexible" and "effective" (Lugard, 1959), others are more critical of it, describing it as been "inconsistent" and "ill-suited for Jos" (Hailey 1951:61; Plotnicov 1967:40).

The ethnic diversity of the Plateau ethnic groups, coupled with the 'alien' groups that migrated into the Tin mining settlements led to what can be described as *fragmented indirect rule* in Plateau Divisions. This constituted the creation of several Native Authorities in areas such as the Naraguta Native Town settlement, Bukuru and Pankshin, while other areas such as Jos Township and some mining camps were under the direct control of British colonial officers and foreign mining companies (Ames, 1934). Furthermore these Native Authorities were described by Ames as "non-meaningful", because they lacked considerable influence in comparison to those of the Emirates and Yoruba kingdoms. While some of the NAs were made up of leaders who were mostly selected by their community to represent their ethnic or sectional interests, others consisted of a Colonial District Officers who regulated the community through educated Nigerians who were mostly of Southern origin.

The Hausa population of the Native Town became more than any other Nigerian and non-Nigerian ethnic groups, and the town was increasingly being considered to be a Hausa settlement by the European administrators, who created the title of 'Hausa District Head' for the emerged leader (*Sarkin Hausawa*<sup>74</sup>) of the Hausa labourers who were settled there (Dudley, 1968:236; Plotnicov: 41). Prior to the establishment of the Jos Division Native Authority in 1912, *Bunu (Bunun Bauchi)* - an emissary from Bauchi Emirate - was granted authority by the colonial administrators to collect taxes and maintain law and order

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<sup>74</sup> Hausa term which literally means 'King of the Hausas'

in Naraguta Division and other Hausa settlements in Jos (NAK Jos Prof, CH1/4/1917). As such, it was inevitable that when the Jos Native Authority was created, *Barde Dan Galadima* – Bunu’s successor – was made the *Sarkin Jos*<sup>75</sup>, and the leader of the Jos Native Authority. Although the composition and organisational structure of the Jos Native Authority at this time remains unclear, Plotnicov (1967: 46) asserts that based on what was consistent with the British practice of ethnic representation, “various ethnic communities were informally represented by tribesmen of their own choosing, who held unofficial titles in Hausa such as *Sarkin Yorubawa*, *Sarkin Iboawa*,”<sup>76</sup>.

However, Barde who was given the official title of ‘Sarkin Jos’ seemed to have enjoyed a higher level of power compared to the leaders of the other groups in the Native Town. This may have put him in a position to embezzle funds and in 1920 he was dismissed for corruption and embezzlement (Freund, 1981:98), and by 1921 the title of ‘Sarkin Jos’ was abolished by the colonial officers (Egwu 2004:256; Plotnicov 1967:44). According to Freund, Gall – the then colonial resident of Bauchi – had proposed a “decentralised system, with effective subordinate officials” following the fact that the Bauchi officials had “no way of exerting any meaningful authority” in the mining camps (Freund, 98). Another major reason for the abolition of this office appears to be in the growing heterogeneity of the Native Town. This became a major concern for the colonial officers, especially with regards to the effects that the extension of Hausa rule over ‘natives’ would have on the traditional rights of the Plateau ethnic groups. As described in a letter by the colonial Resident of Jos Division at that time,

“In Jos Division, there is no Native Authority worth speaking of...We are not proposing to foist any alien scheme of administration on to these natives of the Plateau; for it is quite certain that, had the British not arrived, these people would have had to evolve some such administration for themselves or be annihilated through slavery or some such disaster...The

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<sup>75</sup> Hausa term which literally means ‘King of Jos’. However this referred to “King of Native Town Jos” and not “King of Jos Division” See (Plotnicov pg 46)

<sup>76</sup> Translated as ‘Chief of the Yorubas’ and ‘Chief of the Ibos’ simultaneously

alien-native so-called 'Hausa' settlement must, for some time to come, be dealt with separately as an area within a Native Administration area proper” (Jos Native Reorganisation, Archive File 211/1920, letter dated November 20, 1926. Quoted in Plotnicov 1967:44)

The perception that the “natives of the Plateau” had not developed a traditional system of administration is one which is controversial. For example in his description of the ‘pagans’, Hailey asserted that “the priest-chiefs of these groups had never been charged with the duty of maintaining order, and there is no traditional authority capable of preventing disputes from developing into open violence” (1979:159). However, Meek in his *Tribal Studies of Northern Nigeria* asserts that among the tribes of the Plateau,

“each exogamous group has a recognised Chieftain whose duties are religious and social rather than political (the political Chieftainship being purely a local matter). It is his business to settle individual and family disputes and allay ill-feeling within the kindred or clan” (1931:169).

At this time, the lack of official colonial government recognition for any of the traditional rulers of the plateau ethnic groups as Native Authorities, was mainly due to the fact that the ‘indigenous’ plateau people continued to maintain minimal contact with the colonial administration, refusing to work in the tin mines and not assimilating with the ‘alien’ cultures (Plotnicov, 1967:44). As such the colonial government administered directly in ‘pagan’ areas. (Logams, 2004:86; Hailey, 1951)

In the administration of Jos, the policy of fragmented indirect rule was also evident in the legal systems implemented. While a Western style Supreme Court was established in 1915, which presided over cases which non-Muslims were involved, an Islamic Alkali court was established in the Native Town to try cases involving Muslims (Plotnicov, 1967:43). Furthermore, the sale of alcoholic beverages within the Native Town was also prohibited, in accordance to the Islamic religion of the Hausas (Heap, 1998:40; Plotnicov, 1967:44). As highlighted earlier, the colonists generally conceived that administering Jos in a fragmented way was the solution to “the great problem” of diversity, but in particular, they remained

concerned about protecting the plateau “pagans”, whom they considered to be indigenous owners of the land (Plateau Province Annual Report for 1921).

### **From Bauchi to Plateau Province**

Jos Township, the Native Town and other mining settlements in central and Southern Plateau grew into quasi-metropolitan centres. The Native Town in particular, grew rapidly with a vibrant market where mostly Hausa and Igbo traders conducted business daily with the ‘native’ plateau ethnic groups. The Hausa language<sup>77</sup> developed into the lingua franca of the Native Town and its vibrant market, and was soon spoken by the other ethnic groups in the Native Town, including the Plateau ethnic groups. Tin mining activities increased further in 1915 with the completion of the railway network which linked Jos, to the Southern and Northern parts of the country (Smedley, 2004: 18). This facilitated the transportation of Tin from Jos to the Southern coast, where it was exported. The construction of the railway in Jos led to unintended consequences on the emerging city of Jos and its environs. Firstly, this led to a rapid increase in labour migration to the rail lines and minefields. According to Freund, many of the migrant population were considered to be ex-slaves who were set free following the European conquest of the Hausa Emirates (Freund 1981:77). Secondly, the construction of the railway led to a boom in the tin industry, with exports “increasing tenfold between 1910 and 1915” (Plotnicov, 1967: 34). This boom was co-facilitated by increasing demand for tin in Europe during the First World War, and the influx of European investors into the plateau tin mines from the Gold Coast (Anjorin, 1965: 215). The consequence of these was the growth of Jos – including neighbouring areas - into a highly heterogeneous township, with an increasing working population and a growing market.

By 1920, Naraguta and surrounding minefields in Gangare and along the Dilimi River had developed into vibrant commercial centres. The colonialists moved the capital of

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<sup>77</sup> The term ‘Hausa’ is used interchangeably in this thesis to refer to both the Hausa ethnic group and the Hausa language

Jos Division from Naraguta to Jos Township, and Jos was declared a 2<sup>nd</sup> class township. This had administrative implications for Jos. A Town Council and a Local Authority were instituted by the Colonial Governor of the Northern Provinces, to administer Jos Division. Both institutions were constituted mostly of appointed European officials and a few educated Africans who were used as clerks and messengers. The Town Council was made up of District Officers and Residents who amidst other things, were responsible for supervising the Native Authorities and Native Courts, while The Local Authority was made up of a colonial civil servant and an Advisory Board which consisted of European officials representing sectional interests such as mining and commerce (Plotnicov). By 1926 Plateau Province was carved out of Bauchi Province, initially consisting of two divisions; Jos and Pankshin, and later five divisions including Shendam, Southern and Jemaa divisions (Hailey 1951:61). As described later in this chapter, each of these divisions had various NAs, which varied in structure, size, and influence.

It is difficult to know the precise number of people residing both in Plateau Province and of Jos Division in particular before the Northern Regional Census of 1952. This is because of the unclear and sometimes contradictory nature of estimates provided by earlier accounts. As at 1912, A.F. Calvert – while lamenting the tendency of the native miners to abandon mining for farming during the rainy season – estimated the ‘native population’ to be between seven and nine million (Calvert 1914 in Freund 1981, pg56). However the phrase ‘native population’ is understood i.e. referring to the native plateau ethnic groups or to the African mining population of the Native Town; this number seems to have been grossly overstated. Moreover, two years later in 1914, it was estimated that there was a “floating” mining population of 9,570, “together with a Hausa immigrant community of 2250” (NAK: SNP IIM, 529m/1912; NAK: JOSPROF I/181/1915 quoted in Freund, 1981: 51). According to Plotnicov, the combined population of the Jos Native Town and

the Jos Township went from just over 5,000 in 1934, to about 14,000 in 1952 – the densest of all Northern townships (1967:55-57).

### **Deteriorating Ethnic Relations**

The heterogeneous composition of the Jos Division, and the socio-political problems that resulted from it, is considered to be one of the main factors that caused the constant political reorganisation of the division, between 1930 – 1950 (Logams, 2004: 316). While the population of Jos Division (Comprising the Jos Native Town, the Jos Township, and surrounding centres such as Rayfield, Bukuru, Gyel etc – see Figure 16) was growing, the growing heterogeneity of Jos continued to present more challenges for the colonial administration. The European population, the migrant ethnic populations from Northern and Southern Nigeria (e.g. Hausas, Kanuri's, Yorubas and Igbos) and the indigenous populations of the plateau ethnic groups (particularly the Berom) constituted what was not only an “ethnic problem” but a “class” problem. According to Perham four classes existed,

“Firstly European traders, miners and bankers; secondly Southern Christians or at least Europeanised natives who work for the Europeans as clerks, chauffeurs and so on; thirdly the Hausa Fulani moslem community centred round their mosque and their Alkali, and fourthly, the local pagans who come and go with their foodstuffs and firewood” (Perham in Kirk Greene, 1937:127)

As such it was not surprising that relations between these ethnic groups soon began to deteriorate, as the city of Jos grew into a vibrant political and economic centre.

Although as early as 1914, the colonial administration had considered the need to protect the ‘indigenous’ tribes of the plateau from been dominated by the ‘alien’ migrant populations of the tin mines, the initial refusal of the indigenous plateau population to fully participate in mines labour reduced social tensions in Jos division. As Plateau tribes were in considerable isolation from heightened contact with the urban migrant population, little

was known about their complex political organisation and traditional governance institutions until the 1930's when the colonial administration began seeking 'real' leaders to assume leadership of the Native Authority (Hailey, 1979:159). Prior to this, the Native Authority system in Jos division had failed in the sense that the appointed Hausa leaders - such as Barde and the *alkalis* (local judges) – who were responsible for collecting taxes among other things, were not fully recognised by the heterogeneous labour population of the mines, and were often dismissed for embezzlement and corrupt (Freund, 1981: 98-99)

From around 1927, the colonial government began to “officially recognise” traditional rulers of plateau tribes through a formal system of installation and classification. According to Hailey, “in the Plateau Province, ‘real’ authorities have during the last six or seven years been recognised in place of ‘the artificially created native administrations’ which previously existed. They are a varied assortment of tribal councils, village group councils, and chiefs-in-council” (1979:159). Primary among these was the *Gbong Duk Shot* (A Berom word for “Great judgement Court”) which was a federating tribal council consisting of the recognised traditional heads of indigenous Village Districts in the Southern part of Jos Division<sup>78</sup>. Among the tribes represented in this council, were the Berom (with about eight autonomous village Districts), the Ganawuri (then referred to as *Jal* by the Beroms), Penganna, Irigwe and Rukuba (Chaimang 2009 Interview). These village communities were represented in the Gbong Duk Shot by their recognised traditional heads. These Village/District Heads were to become cornerstones of British administration, with a court and the police force placed under their authority (Logams, 2004: 326).

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<sup>78</sup> For more on the tribal organisation in Pankshin, Shendam, Jemaa and Southern Divisions, see Hailey 1979, pg 61-63, and Logams 2004, pg 309-326

The British continued to work towards centralising the Native Authorities in Jos Division and attempted unifying the autonomous Berom villages under a single traditional ruler. According to Logams, the chief of Riyom – Dachung Gyang – was appointed president of the Gbong-Duk-Shot by the British in 1935, presiding over social and legal traditional problems affecting indigenous groups and societies in Jos division (Logams, 2004: 326). His selection is said to have been rooted in the historical relevance of Riyom – a Berom village as the primordial settlement of the Berom and the administrative seat of the council. However, this history was hotly contested by the traditional heads of the other Berom villages, leading to the removal of Gyang in 1943, and subsequent Berom chiefs who were appointed based on similar historical interpretations by the British. By 1945, a rotational presidency was adopted by the council, whereby “the 15 of them rotated the chairmanship of their monthly meetings, with each District Chief taking turns as Chairman” (Logams, 2004: 327).

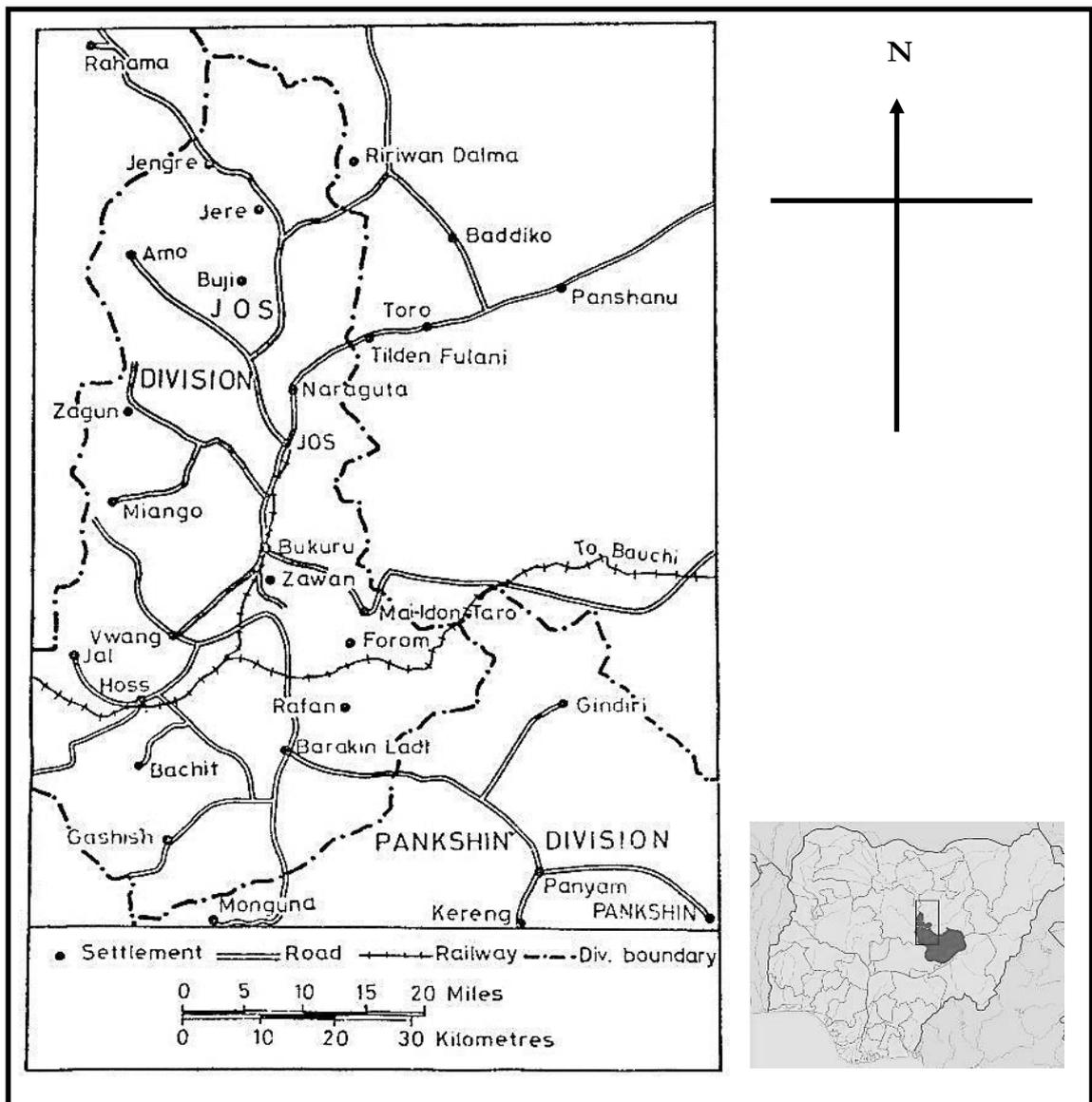


Figure 16: Jos Division <sup>79</sup>

### Formation of Jos Town Council

By the 1940s, as nationalist movements were emerging around Nigeria, there emerged among the indigenous plateau populations, a new class of European educated people who began to develop interest and participate systematically in the socio-political affairs of Jos division, via the creation of community organisations such as the Berom Progressive Union (BPU). By 1945, the British had put in place a new Northernisation

<sup>79</sup> Sourced from Morrison J.H, 1977

policy, which emphasised that “some suitable person be selected” to, among other things, represent the Jos Native Administration in the Northern House of Chiefs – the Northern regional legislative body in Kaduna (Dudley, 1968:92; Chaimang, 2009). A crucial requirement of a “suitable person” was a Western educated person, as such when the Gbong-Duk-Sot held a meeting to select their representative, Rwang Pam – an educated Berom, who was not a traditional chief but a clerk who recorded the meetings of the council – was selected (Logams, 2004:328, Chaimang, 2009). According to Chaimang (2009) who is the current paramount traditional ruler of Ganawuri, many of the traditional chiefs were not only uneducated in the English language, but were unwilling to leave their domains and be transferred to Jos. Although the BPU may have played a role in lobbying and pressuring the Gbong-Duk-Shot to select Rwang Pam (who was the BPU’s treasurer, as well as the principal of the government school in Riyom), this decision to select an ‘ordinary’ person who had no royal ancestry to represent the Gbong-Duk-Shot was criticised by the Chief of Ganawuri – who was the chairman of the council at that time, and Berom chief of Kuru among others, on the basis of his “common” background (Chaimang, 2009).

Rwang Pam was eventually appointed Chief of Berom in 1947, and was transferred from Riyom to Jos, near the colonial seat of power. However, his authority was still limited to Berom areas (Logams, 2004:328, Dudley, 1968:92) and he acted more as a colonial administrator, rather than as a representative of the Gbong-Duk-Shot. The transfer of Rwang Pam, whose official title was Gbong Gwom Berom (Chief of Beroms) to Jos was considered by the township population – in particular the Hausas – as an attempt to undermine the dominant position they had enjoyed in the period since the occupation of the plateau tin mines by the British. Although, the official title of *Sarkin Jos* had long been abolished by the British, the Hausa communities had continued to recognise the institution and had elected a range of their members in succession since Barde (Plotnicov, 1967:47).

By 1951, a Jos Town Council was formed and Rwang Pam was appointed as its president, while the *Magakin Garin Jos* – the new title for the representative of the Hausa community was its vice president (Plotnicov, 1967:47). This implied that the Jos Town Council came under the jurisdiction of the Berom Native Authority, but was composed of Ward Heads who were community leaders representing the diverse ethnic groups living in Jos town, including Southern Nigerian ethnic groups such as the Igbo and Yoruba.

Despite the fact that the principle of proportional ethnic representation was applied to the Jos Town Council, the Hausas protested against what they considered to be the supremacy of the Berom Native Authority over the Jos Native Town – which was predominantly Hausa, and “constantly petitioned to have the Native Town removed from the jurisdiction of the Berom Native Authority” (Plotnicov, 1967: 47). The heated tribal politics that characterised the process of nominating and electing ward representatives and the overwhelming size of representatives rendered the Jos Town Council ineffective, and in 1952 the Berom Tribal Council suspended the Jos Town Council on the grounds that “there were too many political intrigues in the town council, that it was not working satisfactorily, and that the members were irresponsible and obstructive” (Plotnicov, 1967: 48; Annual Report Plateau Province, 1951).

By 1954, the colonial administration decided to implement special reforms aimed at rescuing the traditional governance institutions in Jos, and the Berom Native Authority was renamed Jos Native Authority, while the Chief of Berom (Gbong Gwom Berom) was renamed Chief of Jos (Gbong Gwom Jos). This development led to a sharp reaction by the Hausa community in Jos, who formed the *Jamiyyar Hausawa* or Hausa Tribal Party "to protect the interests of the Hausa elements in Jos" (Nigerian Citizen, 5th May 1956, in Dudley, 1968: 112). Furthermore, colonial reforms were also aimed at addressing the tribal hostilities that were emerging and the principle of proportional ethnic representation was replaced by the principle of proportional population representation in the Jos Town

Council. This implied that representatives were selected according to the total size of their communities, and titles which indicated ethnic affiliation such as *Wakilin Hausawa* or *Wakilin Yorubawa* were replaced with those that indicated political wards. However, ethnic patterns of interaction had already been institutionalised by the creation of several tribal unions, and reinforced by party politics in the build up to Nigeria's independence in 1960, and the 1965 national elections that followed. It must be noted here that the declining ethnic relations between the heterogeneous population of Jos township was not limited to only Berom – Hausa relations but also others such as; between Ibo-Hausa, as evident in the 1945 riots between Hausas and Ibos, in which two people were killed (Plotnicov, 1967: 49), and between other plateau ethnic groups who had earlier protested against Alkali courts. However, this section focused on Berom-Hausa relations as this is more relevant for the conflicts analysed subsequently.

### **Postcolonial Foundations of Plateau state**

As discussed in chapter four, the build up to Nigeria's independence in 1960 was marked by a unanimous rise in nationalism amongst hitherto segregated ethnic communities. This rise in nationalism was partly instigated by the need for freedom from colonial rule and its established administration which included the Native Authorities. The 'new' Nigerians represented a modern generation who had become educated by Western standards, could read, write and speak the English language, and had become conversant with the workings of Western institutions and laws as expressed during the colonial era. In the plateau, the decision of the plateau ethnic groups to abandon their policy of isolation and to participate fully in colonial administration, trade and labour, led to their 'enlightenment' (Jang, 2009) or 'consciousness' (Logams, 2004:285). According to Christopher Jang, it was this enlightenment that enabled the plateau tribes to begin to organise themselves unitarily and engage in modern politics (Jang, 2009). However, this

political organisation revolved around ethnicity and the traditional institutions that govern Jos division.

While ethnic CSOs such as the Berom Progressive Union (BPU) had emerged to satisfy the access, acceptance and security needs of the Berom community in Jos Division, similar organisations emerged amongst other ethnic groups, mainly the Hausa who had formed the Jam'iyyar Hausawa (Hausa Tribal Party) to protect their own communal needs in Jos. For the Beroms, the BPU became the organisational medium for channelling their grievances.

Although the division of Nigeria into three autonomous regions: Northern, Western and Eastern Regions, meant that Plateau Province became part of the Hausa/Muslim dominated Northern Province, and Plateau ethnic groups – most of which had accepted Christianity and were wary of the emerging Hausa/Muslim dominance in Jos Division – became minorities in the Northern Regional Parliament, the central issue between all the ethnic communities residing in Jos, was the Native Authority institution. According to Dudley, throughout the 1950s, the Hausas through the Jam'iyyar Hausawa continued to pressure the NPC federal government to appoint a Hausa as Chief of Jos, while the Berom through the BPU continued to pressure the NPC federal government to prevent the Jos NPC from urging the Hausas in Jos (who now referred to as Jasawa – a Hausa term which means “a person from Jos”) to break away from the Jos Native Authority (1968: 96). It is evident that both the Hausas and the Berom considered controlling the Native Administration to be crucial to solidifying their hegemonic position in the politics of Plateau Province.

This is due to the primary role of the Native Authority Institution as the central institution of governance in Provinces and Districts during the colonial times, as well as because of the implicit connection between the Native Authority and the traditional rulers (District, Village and Ward heads) who represented communal interests. Because the

political organisation of the plateau tribes was initially based on ethnicity, as evident in the creation of ethnic community organisations such as the Berom Progressive Union (BPU), and the Jasawa Association, and in the competition for the control of the Jos Native Authority Institution, this pattern of ethnic politics became institutionalised upon Nigeria's independence in 1960.

After independence, the period between 1960 and 1967 was characterised by the political refinement of Nigeria. As discussed in chapter four, the regional tensions between the Northern, Western and Eastern regions amounted into the emergence of ethnic political parties which dominated each region. However, in the Northern region where the Hausa NPC party dominated, oppositionist elements emerged from the Middle-Belt ethnic groups - including the plateau ethnic groups - where the UMBC (United Middle Belt Congress) had built a strong support base. However, these oppositionist movements did not pose a significant challenge to NPC's dominance in the North, with only about 10 seats in the Northern Assembly (Dudley, 1967: 164). Although the parliamentary system of government adopted in 1963, and its regional parliaments favoured the dominant ethnic groups in each region, another reason for the failure of the minority ethnic groups (including the plateau ethnic groups), to achieve significant political progress was partly because of the internal divisions that rocked the party's leadership. This is evident in the power tussle between leaders of minority ethnic groups such as the Berom and the Tiv over the party's leadership, and in the constant forging and breaking of alliances with other parties such as the AG (Action Group) and the NPF (Northern Progressive Front). Although the entering into alliances by the UMBC did not win them any seats in the parliamentary elections of 1964/1965, the party gained some political leverage as its alliance – The United Progressive Grand Alliance (UPGA) – won 109 seats, trailing second behind the Nigerian National Alliance (NNA) with 198 seats (African Elections Database, 2011).

The widespread anger over the results of this election, and the malpractices and misconducts which characterised the elections led to riots around the country, culminating in the January 15<sup>th</sup> 1966 coup where Sir Abubakar Tafawa Balewa and many top Hausa officials were murdered by mostly Igbo officers from the Eastern Province. This provoked a counter coup by the Hausas who toppled Aguyi Ironsi's military government in July, and Lt. Col Yakubu Gowon – a General from Pankshin Division of the Plateau Province, and an *Ngas* (one of the plateau ethnic groups) – emerged as Nigeria's new head of state. Although there were many reasons for choosing Gowon to lead the country, the fact that he was from a minority ethnic group, a Northerner, but not a Hausa nor a Muslim, may have favoured him as the most acceptable candidate to all three regions during this delicate period of Nigeria's history (Osaghea, 1998: 63). In a desperate move to quell rising regional tensions and prevent the secession of the Eastern Region in particular, Gowon decided to create 12 more states from the existing three Regions. As such, Jos came under the new Benue-Plateau State on the 5<sup>th</sup> of May 1967. However state creation did not prevent the outbreak of the Nigerian civil war on the 30<sup>th</sup> of May 1967. While the historical relevance of the war and its constitutional and national consequences have already been discussed in chapter four, it is important to briefly examine the Benue-Plateau State and the internal politics between the plateau ethnic groups and the Hausas who became captured in it, as well as the experience of its traditional institutions.

Benue and Plateau Provinces were merged together to form the Benue-Plateau State, with Jos as its capital (see figure 17). However throughout the civil war from 1967 – 1975, the state was governed by the military regime of Joseph Gomwalk – a fellow *Ngas* and cousin to Gowon – who was appointed military governor of the state by Gowon (Siollun, 2009: 211). Gomwalk was to succeed Hassan Katsina – who had earlier been appointed the Governor of the Northern Region, and who was the son of the Emir of Katsina<sup>80</sup> (Logams,

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<sup>80</sup> Paramount traditional ruler of Katsina

2004: 701). The appointment of traditional rulers and their relatives to government positions was common during this period. In fact many such as Hassan Katsina, Bitrus Rwang Pam (Son of the appointed chief of the Beroms) had relied on the wealth and influence of their families for popular support, access and legitimacy. As such, many of the Nigerians who assumed political control of the newly independent State were directly (by blood) or indirectly (by association) related to the traditional ruling class of the pre-colonial era. However, for the Hausas in Jos, this marked the beginning of their exclusion from the politics of the newly created state, and the denial of their communal need for access.

After Gomwalk was appointed governor of Plateau, he created twelve departments with Commissioners appointed to head them. According to Logams, “ten of these had M-Belt sentiments, were indigenous to the tribal groups of the area and were Christians” (2004: 742). To make up the rest of his cabinet, three Hausa Muslims who were representatives of political parties (NPC and NEPU) were appointed. As such, the Hausas again felt alienated and became concerned that their fears about being excluded in a state where they had become the minority were confirmed. Joseph Gomwalk also reformed the traditional institutions of Jos. Firstly, the newly created Benue-Plateau State was considered as the ultimate manifestation of the yearnings of the minority ethnic groups of Plateau State and surrounding areas in central Nigeria for the creation of a Middle-Belt State. As such, many of the areas controlled by powerful Emirs such as Bauchi were excluded from the state, leaving only a few (Logams, 2004:736). Secondly, by 1968 Gomwalk began implementing reforms to the Native Authority system which involved the abolition of the Chief-in Council system in favour of a Chief and Council, and the re-classification of chiefs<sup>81</sup>. Three non-Muslim, chiefs from minority Middle-Belt ethnic groups were promoted to first class status (Including the Berom Chief of Jos – *Gbong Gwom Jos*), while others including some Hausa chiefs were relegated to second, third, fourth and fifth class.

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<sup>81</sup> For more on the different forms of Native Authorities in Nigeria, see Chapter 4.

Furthermore, the Chief and Council system was manifested in an institutional body known as the Benue-Plateau State Council of Chiefs, constituting all the five first class chiefs among which was four non-Muslim Middle-Belt chiefs (including the Gbong Gwom Jos) and one Hausa Muslim chief - The Emir of Wase - with the Tor Tiv as its chairman (Logams, 2004: 738). Furthermore, Gomwalk renamed “Native Authorities” as “Local Administrations” because “the previous title derives from a colonial past...with all the derogatory connotations attached to it” (Logams, 2004: 743).

While Gomwalk continues to be praised by many in Plateau state today as a great and visionary leader, his political and administrative reforms were not taken likely by the Hausa community who continued to voice out their grievances with regards to the deprivation of access to political and traditional institutions of the former Benue-Plateau state. Following the end of the Nigerian civil war in 1970, Gowon continued to rule Nigeria and by 1974, he had failed to deliver on his promise of a civilian transition. On 29<sup>th</sup> July 1975, Gowon was replaced by Murtala Mohammed (A Hausa Officer) as head of state, following a coup. Six months later, Murtala was assassinated in an abortive counter coup which was led by mainly Middle-Belt officers, and shortly after Gomwalk was executed following his indictment in the coup plot. General Olusegun Obasanjo took over and quickly organised a transition to civilian rule in 1979 ushering in the second republic. The beginning of the Second Republic also marked the beginning of a new chapter in the history of Jos.

In 1976 as part of the preparations for a new civilian era and a soon to be presidential system, two new states were created from the old Benue-Plateau state namely; Benue state and Plateau state, with Jos as the capital of Plateau State. Between the end of Gomwalk’s regime in 1975 and the transition to democracy in 1979, one Muslim - Abdullahi Mohammed – and two Christians - Dan Suleiman and Joshua Anaja - were appointed military governors of Benue-Plateau and subsequently Plateau state. However, the transition to democracy programme necessitated maintaining the status quo until

civilian rule. Some of the policies which were introduced by Abdullahi Mohammed fuelled further suspicion amongst the plateau ethnic groups. Particularly, an edict was produced which was to confer indigenship status on non-indigenes if they settled in Jos for more than 20 years (Plateau State Government, 1997: 13). This was perceived as the first attempt by the Hausa Muslims to institutionalise their claim to traditional ownership of Jos. However, when the Edict was enacted by Dan Suleiman, “it was met with a very stiff and spirited opposition by the indigenous people of the Plateau. It was found to be ‘ultra vires’ – beyond the constitutional power of the State Government” (Plateau State Government, 1997:13).

### **Political Reforms during the Second Republic**

Solomon Lar, a *Taroh* from Langtang – Southern part of the newly created Plateau state – who had served as a member of the national parliament during the first republic, and had played a significant role in the creation of the new state, contested and won the governorship elections under the NPP (Nigerian Peoples Party). Among other things, Lar’s regime (1979-1983) was relatively peaceful and particularly remembered for the socio-political reforms he implemented. During an interview with him, he explains that one of the reasons Plateau state was awarded the “most peaceful state”, adopting the motto “home of peace and tourism” was because of the coalition style of government he instituted (Lar, 2009). His government was an inclusive government where all parties and political opponents were given the opportunity to participate and represent their constituent interests through political appointments and widespread consultations with traditional rulers. As part of his policy of “emancipation”, Lar began to create new chiefdoms and Districts, and also began to officially recognise many indigenous traditional rulers. The creation of autonomous chiefdoms was considered as a way of liberating the plateau ethnic groups by granting their traditional rulers official state recognition through

the issuance of a staff of office, institutionalising their authority over their communities (Lar, 2009).

Another significant implication of the emancipation of plateau chiefs was that by virtue of been state recognised chiefs, they were qualified to become part of the Plateau State Council of Chiefs, to represent the views of their chiefdoms. However, the State Councils of traditional rulers were given limited power by the 1979 constitution of the second republic as their role was limited by section 178 to advisory roles<sup>82</sup>. According to Lar, many of the chiefs did not fully understand the significance of this emancipation exercise. For example, the chief of Karu when issued with a staff of office, in amazement and disbelief enquired whether he will be allowed to attend and contribute to traditional council meetings alongside Emirs, and whether he will be allowed passage through Hausa dominated areas such as Lafia (Lar, 2009). Government recognition of traditional governance structures and leaders was highly welcomed by both the leaders and their people, who usually attended the coronation ceremonies in great numbers and with great joy and celebration. As recalled by Deme Laki, the coronation ceremony of the chief of Ganawuri was one that will never be forgotten by the *Aten* community. According to him,

“When I came to Ganawuri at that time I was a messenger in the palace, and when he passed, we came and saw that the primary school of Ganawuri had been decorated and sits had been arranged for him. He sat down and said the reason he is in Ganawuri is to bring a staff of office to chief Chaimang, and to add to his status. So on that day he bestowed him with a fourth class status and everyone clapped” (Laki, 2009)

The jubilations and almost unanimous support for traditional institutions by grass-root people has been ascribed to the ineffectiveness of local government administration and partisan politics in the second republic. For example, according to Lawal Najeem, “the gradual politicisation of local government activities, leading to ineffectiveness in the role performance before the 1979 general elections, strengthened the position of traditional

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<sup>82</sup> See chapter four for more on the constitutional history of traditional institutions

institutions as the disillusioned public tended to switch their allegiance towards the traditional rulers” (Lawal Najeem, 1989 in Usman Yusuf, 1989:80). However, the significance of the recognition of traditional rulers as an indicator of acceptance and identity recognition cannot be ignored.

The return of military rule in 1983 following another coup d'état, had devastating effects on the development of Nigeria's fragile State. However the same was not the case for the traditional institutions who regained some relevance. This was not surprising as the military government of Buhari sought to immediately gain popular support and legitimacy by working with the traditional rulers. As Najeem describes, “The Military Governments emissaries were dispatched to the various places in the country to explain to the traditional rulers the reason for the overthrow of the Second Republic and more importantly, to assure them that the Military Administration will uphold the authority of traditional rulers” (1989, 84). For the next eight years of military rule (1983-1991), Plateau state was governed by a succession of military administrators who served under Buhari and subsequently General Ibrahim Babangida. These administrators, including Samuel Atukum (Buhari's regime), Chris Alli (Babangida's regime), Lawrence Onoja (Babangida's regime), Aliyu Kama (Babangida's regime) and Joshua Madaki (Babangida's regime), all contributed to the socio-political and economic development of Plateau state.

During this second military era, Jos had developed into a peaceful and multi-ethnic tourist city, with its own university where citizens from all parts of Nigeria and beyond came to live and study. As the military regimes of both Buhari and Babangida were favourably disposed to traditional rulers, the traditional councils at the state and local government levels continued to thrive. However, the peaceful relations between the ethnic communities in Jos began to deteriorate. This deterioration was largely as a result of the suspicion that was created between the largely now Christian plateau ethnic groups and the Muslim Hausas, by the religious riots of *Maitatsine* (See Kastfelt, 1989; Hickey, 1984). The

*Maitatsine* riots that started in 1980 led to the rise of militant Islam in Northern Nigeria and the killing of some Christians in Jos by suspected members of the Islamic movement. This led to more animosity against the Hausa community in Jos. Subsequently, tensions continued to rise on both sides. On one side, the plateau ethnic groups had unified under the Christian identity and in their condemnation of the religious killings of *Maitatsine*, while on the other, the Hausa and Fulani had unified under the Muslim identity to take back traditional control of Jos. The next section will analyse the violent conflicts that erupted in Jos between 1991 and 2011 (20 year period).

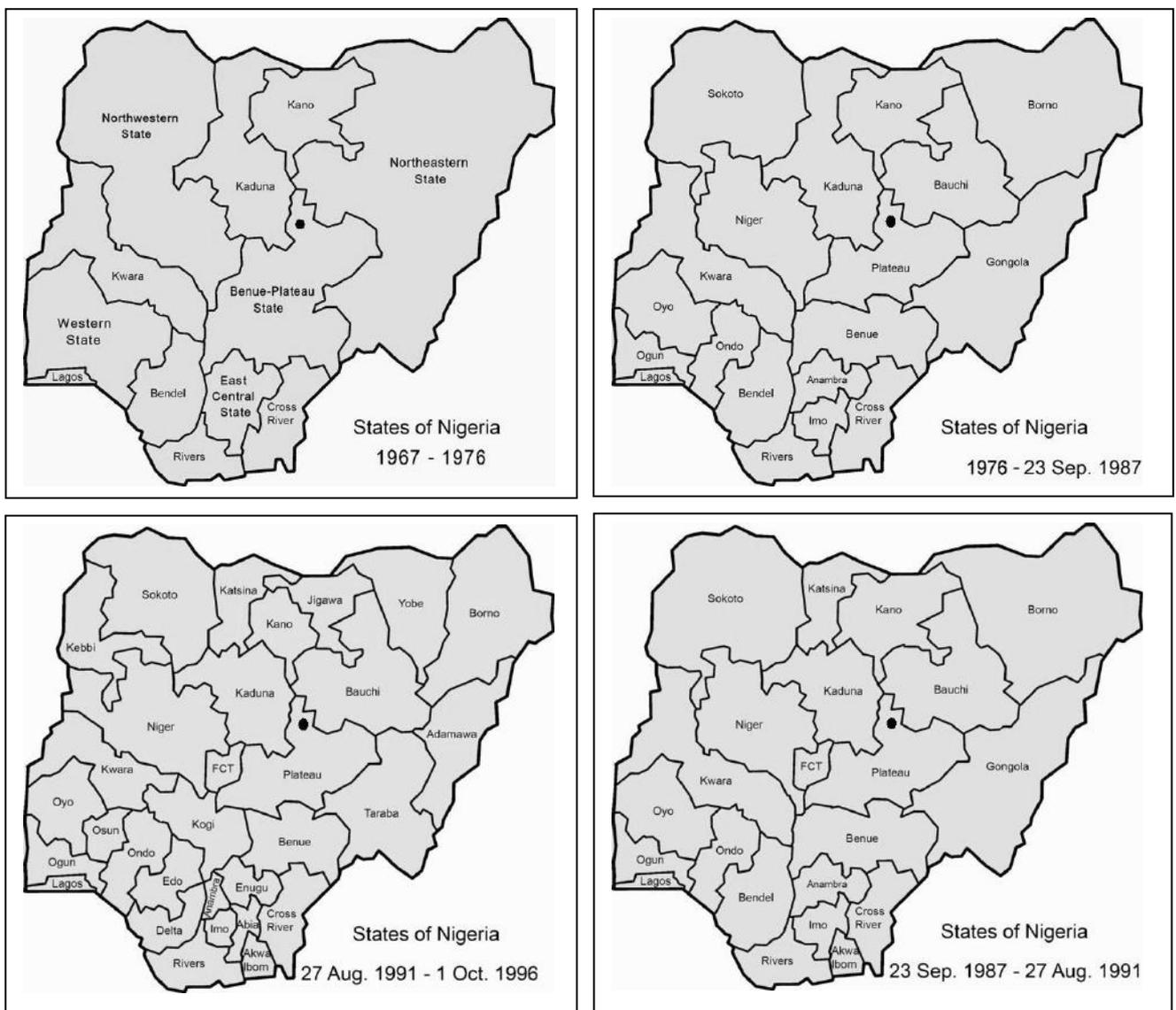


Figure 17: States of Nigeria from 1967 to 1996 showing Jos

## **The Conflict Dynamics from 1991-2010**

### **The 1994 Conflict:**

By 1991, the military regime of Babangida had decided to implement certain changes which altered the political terrain of Nigerian in general and Plateau state in particular, thereby altering the conflict dynamics between the ethnic communities in Jos. While the capital of Nigeria was changed from Lagos (in the South-East) to Abuja (in the North-Central), 89 additional Local Government Areas (LGAs) were created in the country. In Plateau State, what was formerly Jos Local Government Area was divided into two; Jos North and Jos South Local Government Areas with Jos metropolis and Bukuru as headquarters respectively (Plateau State Government, March 2009:5). The separation of what was formerly Jos, into these two local government areas changed the dynamics of the already tensed ethnic relations in two main ways; Firstly, the Hausas became the most numerically dominant ethnic group residing in Jos North LGA. As such, the indigenous ethnic groups, especially the Berom, considered this as an attempt by the military government of Babangida (a Muslim) to regain political dominance for the Hausas/Muslims in Jos (Plateau State Government, March 2009:5). While some of the indigenous plateau ethnic groups such as the *Anaguta* who considered the creation of the Jos North Local Government Council as purely for developmental reasons (Best, 2007:32), this soon changed as the 'indigenes' and 'settlers' became more polarised and their positions solidified. Secondly, the Beroms were unhappy that their paramount traditional ruler - the Gbong Gwom Jos – who was now also the chief of Jos was going to be isolated from his people, as his palace will now be in a Hausa dominated territory (Plateau State Government, March 2009:5). It can be derived from the above that the creation of Local Government Areas was considered by both the Hausas and the Beroms to be a form of achieving “ethnic autonomy” for their communities, thus contradicting the popular

conception that the creation of Local Government Councils in Nigeria was purely for developmental purposes (For more on this see Olowu and Ayo, 1985).

The 1991 elections held in Nigeria and the creation of a two party (Social Democratic Party and National Republican Convention) political system by Babangida, served to prevent the re-escalation of violence between the ethnic communities. During the 1991 Local Government elections, Samaila Mohammed – a Hausa resident of Jos or *Jasawa* – won the election as chairman of the newly created Jos North Local Government Council (Ostein, 2009:11). The election was relatively peaceful and he was accepted by the plateau ethnic groups. However, his appointment of other Hausas into committees and his issuance of indigene certificates to other Jasawas were opposed vehemently by the plateau ethnic groups (Ostein, 2009:11). This again highlights the difference between the significance of elected officials and appointed officials to the plateau ethnic groups and their understanding of the distinction between indigene and citizen rights. Both Samaila Mohammed and Fidelis Tapgun – an *Ankwai* (one of the plateau ethnic groups) who had won the election to be Governor of Plateau State under the SDP - were denied their chance to govern following another military coup in October 1993, which led to the emergence of General Sani Abacha (a *Kanuri* Muslim) as Nigeria's head of state. As such military administrators and technocrats were appointed to govern the states and local government areas. Lt Col Samuel Adejumo who took over from Tapgun during the interim coup period, was soon replaced by a Muslim officer – Mohammed Mana. Mana's appointment led to further suspicion amongst the plateau ethnic groups, especially the Beroms, Anaguta and Afizere, that the Muslims were again strategically taking steps to control Jos and Plateau state politically with the aid of the federal government.

## **The Eruption of Violence**

Mohammed Mana's decision to appoint Alhaji Aminu Mato - a Hausa Muslim - as the Chairman of the Caretaker Committee of Jos North Local Government Council in April 1994 is considered as the trigger of the violence that soon followed (Plateau State Government, March 2009: 6; Sha, 2005:54). On the 5<sup>th</sup> of April, the Beroms, Anagutas and Afizeres embarked on "peaceful" demonstrations to the Military Administrators office and subsequently to the palace of the Gbong Gwom Jos to voice their dissatisfaction with Alhaji Mato's appointment. This was a significant moment in the history of the protracted conflict between the Hausas in Jos and the plateau ethnic groups. For the Hausas, it represented the first step towards consolidating political control of the newly created Jos North Local Government (which constituted the political and economic centre of Plateau state), while for the Afizeres, Anagutas and Beroms, this marked their first attempt as a united group to resist Hausa dominance and solidify the 'indigene'/'settler' dichotomy. Their continued protests at the Councils secretariat on the 6<sup>th</sup> of April, prevented the Government from swearing-in Alhaji Mato, and instead the Local Government Councils Director of Personnel Management was asked to continue managing the affairs of the council (Plateau State Government, March 2009:7). While this calmed the 'indigenes', the Hausas were furious at what they perceived as the use of intimidation to force the government to prioritise the needs of so called indigenes over theirs (Sha, 2005: 55, Simone and Abouhani eds., 2005:225).

The Hausas soon protested by slaughtering cows and other animals on the highway (Plateau State Government, 2009: 7, Simone and Abouhani eds. 2005:225). The chairman of the Butchers Association, Alhaji Danlami Babajoda released a statement that "the slaughtering of animals was the beginning in a series of what they intended to do until Alhaji Mato was allowed to take over the administration of Jos North Local Government Area" (Plateau State Government, March 2009:7). Furthermore, the president of the Jasawa

Development Association, Alhaji Yaya Abubakar was said to have called a meeting of the Hausas at the central Jumma'at mosque in Jos, where he "instigated them to come out en – masse to embark on a demonstration" (Plateau State Government, March 2009:7). This marked the beginning of violent riots and killings which lasted for about a day, during which more than four people were killed, many injured and properties worth N215,267,651 was destroyed, including parts of the Jos main market and other township markets, two mosques and several schools and office buildings (Plateau State Government, March 2009:10). While the intervention of the military government and the police, led to the termination of violence, tensions were still high when a Commission of Enquiry was set up by Mana on 22<sup>nd</sup> April 1994, to look into the riots.

### **Outcomes**

The Commission of Enquiry chaired by Justice Arbiton Fiberesima (Rtd) collected memorandums and over fifty testimonies from all the parties involved, and soon produced a white paper which documented all the findings of the Commission. In general, the Commission summarised the causes of the conflict as follows:

"Evidence before us showed that there are conflicts of thought in the minds of the Berom, Anaguta, Afizere and Hausa-Fulani communities in Jos. These conflicts seem to originate from values placed on tradition, heritage, ancestry, pedigree, territorial claims, control over environment and the inhabitants therein, representation in state or local government and the like" (Plateau State Government, March 2009: 31)

Particularly, the Commission was critical of the Jasawa Development Association, and of their founding patron, Alhaji Sale Hassan, who was said to have began instigating the Hausas in Jos "to take over rulership of Jos" since 1987 (Plateau State Government, March 2009:24). In his testimony, he unequivocally spelt out that;

"Man to man, the Jos Hausaman is equal to all eventualities, and can also be ready to take his pound of flesh if government does not act to safeguard the Jos Hausaman's aspirations...All Jos Hausamen should take it as a responsibility to see that Aminu Mato occupies the seat of

the Jos North Local Government Care-taker Committee Chairman. It is their right, their birthright..." (Plateau State Government, March 2009:26)

However, the report is full of intriguing details from the testimonies of all parties, on the historical interpretations surrounding the question of "the ownership of Jos" and the "indigeneship" status. Although no outright conclusions were drawn regarding these questions, it was clear that the position of the Gbong Gwom Jos and the implications of the newly created Jos North Local government remained controversial and were at the heart of these questions. Furthermore, the Commission defined an "indigene of Jos" as

"One whose ancestors were natives of Jos, beyond living memory. This does not include any person who may not remember from where his father or grandfather left his native home for Jos as a fixed home, domiciled there as of choice for life; or who is ignorant about from where his family moved to Jos in quest for better living or in the process of his business..." (Plateau Resolves, 2004: 48)

By this definition, the Commission declared the Afizere, Anaguta and Berom ethnic groups as "indigenes", and the Hausa as "citizens". Furthermore, among its recommendations, the Commission highlighted the need for government appointments and promotions in sensitive areas to be "guided and guarded by justice, fair play, objectivity and equity" and for the government to "omit no detail when considering the advice and information from police, the State Security Service, and other responsible organisations and individuals such as traditional rulers..." (Plateau State Government, March 2009:32). Tensions generated by the report were suppressed by subsequent military administrators after Mana, but the suspicion of the indigenes continued following the appointment of another Hausa Muslim – Habibu Shuaibu – to succeed Mohammed Manna as state administrator in August 1996, and another – Musa Shehu - in 1998.

In October 1996, Plateau State was again separated into two states by the Abacha regime; Nassarawa State and Plateau State (See Figure 18). Jos remained the capital of the new Plateau state, with the government offices, main markets, and other administrative and commercial buildings of Plateau state included within Jos North Local Government Area. Once again, this altered the dynamics of relations between the ethnic communities in Jos and soon tensions began to re-escalate. Up till the end of the military era in 1999, no major violent eruptions occurred with the exception of the brief Gero community clash in 1997. But the return to democratic rule in 1999 and the resumption of open political activity marked the beginning of rapid escalation towards one of the most violent clashes in the history of the Jos-Plateau protracted conflict.

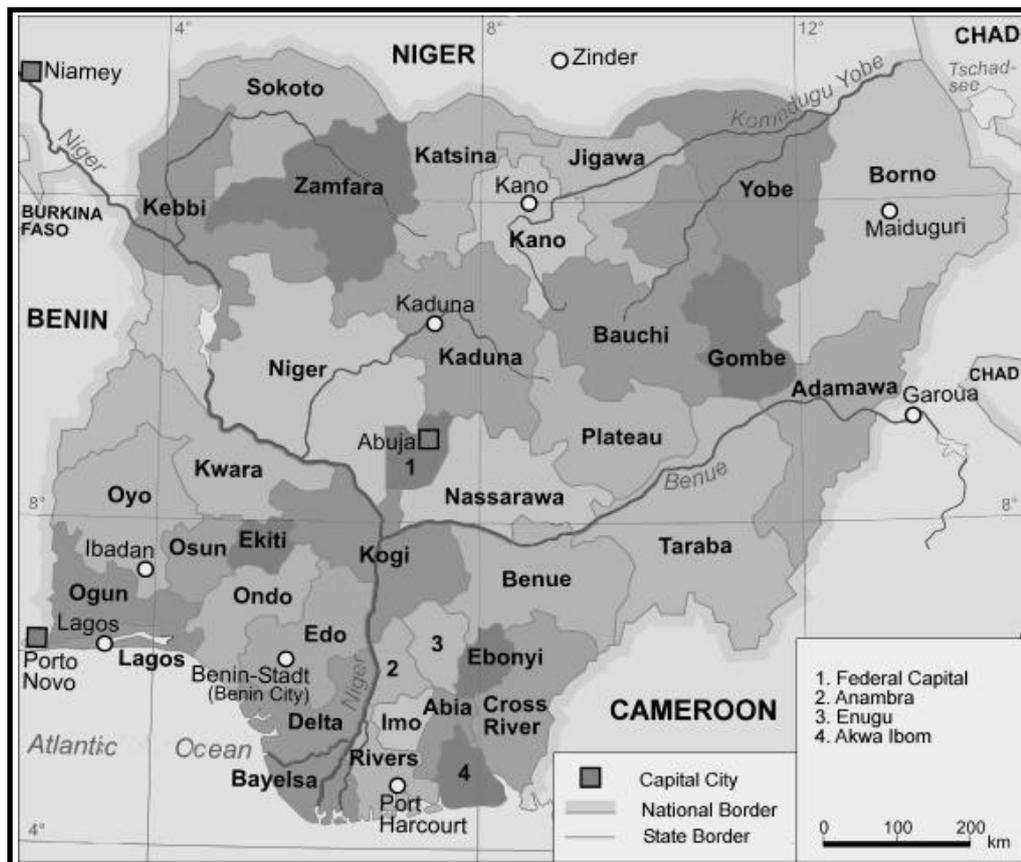


Figure 18: Map of Nigeria Showing 36 states<sup>83</sup>

<sup>83</sup> Image adapted from Wikipedia, 2011. Available at [http://en.wikipedia.org/wiki/States\\_of\\_Nigeria](http://en.wikipedia.org/wiki/States_of_Nigeria) [Accessed 16th March 2013]

### **The 2001 Conflict:**

The events of 1994 had set a dangerous precedent and despite the separation of Nassarawa State from Plateau State in 1996, violent clashes soon erupted again in 1997 between Beroms and Hausas. This time around the violence erupted in Gero, a predominantly Hausa community near Bukuru – the headquarters of the Berom dominated Jos South Local Government Area. Historically, Gero was a mining centre during the colonial era and was host to many settler elements, mainly Hausa/Fulani miners. However, many of these workers continued living in Gero at the end of the Tin boom, farming on lands which they acquired from the Beroms (Plateau State Government, 1997:10). The Gero community soon attracted even more Hausa farmers and traders and has since then become a centre of controversy. Although the Hausas in Gero had lived relatively peacefully with their Berom neighbours, trading and even intermarrying, both communities did not integrate and continued to maintain their separate identities (Plateau State Government, 1997:10).

The fluctuating tensions between 1969 and 1994 further deepened the mutual suspicion between the parties. Tensions were high on the 9<sup>th</sup> of April 1997, when Alhaji Ibrahim Umaru – a Hausa dry-season farmer resident at Gero - and his two sons, apprehended a thief while watching their farm at night. In the process of taking the thief to the Police Post at Gero, the thief screamed for help in Berom language (Plateau State Government, 1997: 6). Help soon came when some local Beroms rescued the thief from the hands of Alhaji Umaru's children. In the struggle that ensued, one of the Beroms – Pam Dung Jang - slumped to death having been hit in the head by Umaru (Plateau State Government, 1997:6). Alhaji Umaru soon reported the incidence to the Hausa Ward Head (community leader) of Gero who went with him to the local police station to report the situation. Youths from the Berom community brought Dung's corpse to the police station, expressing their anger. At about 10 am the next day, about 300 armed Berom youths had

converged at Gero village, killing about 16 Hausa people, injuring more than a hundred and destroying properties worth about N11,595,531 (Plateau State Government, 1997:7).

While the Gero communal clash can be considered as a re-escalation of the tension which had existed between the Hausas and Plateau ethnic groups since the pre-colonial days, the failure of the Government to implement some of the recommendations of the Justice Fiberesima 1994 Commission of Enquiry contributed to this eruption. According to the report of the Committee setup by the military administrator – Col Habibu Shuaibu – to investigate the Gero communal clash of 10<sup>th</sup> April 1997,

“The Government has in the past failed to punish or reprimand the perpetrators of such acts where they were said to be clearly identified...The culprits were charged to court, but none of them was brought to court to face trial, despite several court orders. The case was eventually struck out. The accused were discharged.” (Plateau State Government, 1997:15)

The failure of the Mana led government to implement many of the recommendations of the 1994 Commission of Enquiry further confirmed suspicions by the Plateau ethnic groups of government’s involvement in the conflict and created suspicion for any Hausa/Muslim led government. Furthermore, many had expected the government’s refusal to implement the recommendations, as they were said to have been “against Col. Mana’s expectations” (PIDAN 2010:100). Furthermore, although the Committee raised the question of how the Beroms were able to mobilise themselves quickly throughout the night of the 9<sup>th</sup> of April, both the District Head of Gyel (a neighbouring village) and the Berom Ward Head at Gero were vindicated of any role (Plateau State Government, 1997:18, 19).

In its recommendations regarding how to avoid such problems in the future, the Committee stressed three main areas of interests. Firstly, it stressed the need to for the issue of indigenisation to be made clearly a constitutional matter, rather than a matter for group claims, irrespective of how long they have lived in an area. Consequently, the rights of every Nigerian to “live anywhere and own property should be made to realise their status as

such and no more” (Plateau State Government, 1997:26). Tied to this, was a further recommendation that political appointments (as opposed to elective positions) should “be limited to the indigenes of a particular area no matter the urge to do otherwise. This will reduce tension and create a sense of worthiness in the indigenous group” (Plateau State Government, 1997:26).

While this recommendation may be considered controversial, it portrays the significance of indigeneship and ethnic participation in satisfying the access needs of ethnic communities. Secondly, the Committee recommended that organisations such as the *Jasawa*, whose aim is “actualizing irrational claims to indigeneship...” (Plateau State Government, 1997:26, 27) should not be allowed to operate and should be proscribed if already registered. For the Hausa community, this implied that their ethnic association was considered illegitimate, further deepening their grievances. Lastly, as a way to “cement relationships between the various ethnic groups and also pave ways for peaceful co-existence at all times”, the committee recommended that various ethnic groups through their authorised and recognized leaders should “meet regularly with the Jos Traditional Council” (Plateau State Government, 1997:28). This implied that the committee considered the Jos Traditional Council as an important institution for building friendly relations between ethnic communities.

By 1999, Nigeria was again back to civilian rule following the death of Sani Abacha in 1998 and democratic elections were been organised. The return to civilian rule presented the opportunity for all the parties in the Jos conflict to express their grievances more openly and to seek their satisfaction through the political, socio-cultural and economic institutions of the State. However, this soon led to the bloodiest episodes of violence in the history of the Jos-Plateau protracted conflict. Joshua Dariye – a *Mushere* (one of the plateau ethnic groups) – won the gubernatorial elections under the Peoples Democratic Party (PDP), while this time Frank Tardy - an *Anaguta* – won the chairmanship of Jos North

Local Government Council. Under Tardy, the issuance of indigene certificates to Jasawa was completely stopped and only Anagutas, Afizeres and Beroms were issued certificates (Best 2007:59).

Tardy's policy required that all indigene certificate applications in Jos North Local Government needed to be authorised by the Ward, District and Village Heads of eleven recognised villages, before the Local Government processes them (Plateau State Government, April 2009: 131). Among the eleven recognised villages (Zangam, Gwafan, Furaka, Nagohom, Nagor, Fudawa, Gwash, Rigiza, Kabong, Jos Jarawa and Targwong), no Hausa dominated wards (Ali-Kazaure, Abba na Shehu, Ibrahim Katsina, Garba Daho, Sarkin Arab, Jenta Apata, Gangare, Jenta Adamu, Tafawa Balewa and Vanderpuye) were included (Best, 2007:58). Furthermore, the fact that most of the recognised wards were given Anaguta names was perceived by the Hausas as a plan to elevate and expand the territory of the Ujah Anaguta - Paramount traditional ruler of the Anagutas (Best, 2007:59). All these changes angered the Jasawa who wrote several letters to the Local council and to the Governor, complaining about this, but no steps were taken by both governments to address the issue. Because indigene certificates not only bestowed "indigene" status on the bearer, but also served as a means for accessing a variety of opportunities such as appointments, contracts, scholarships and so on, its non-issuance can be considered as one of the immediate triggers of the 2001 violence. As Ostein posits, "With the return to civilian rule under the Christian indigenes of Plateau State, the Jasawa, and other Hausa/Fulani settlers resident elsewhere in the state, were increasingly excluded from participation in state and local government and the benefits flowing there from" (Ostein, 2009: 13).

### **Eruption of violence**

Ignoring the recommendations of the 1997 Committee report on the Gero clash regarding limiting political appointments to indigenes, Alhaji Mukhtar Mohammed – a

Hausa Muslim – was appointed as Local Government Coordinator of the National Poverty Eradication Programme (NAPEP) in Jos North Local Government on 20<sup>th</sup> June 2001. NAPEP had been established by the federal government of Olusegun Obasanjo to eradicate poverty at all levels of society. As such, the Local Government Coordinators' role was very significant to providing access to development for local communities. Mukhtar was no new face to the plateau ethnic groups who vehemently opposed his appointment. He had previously been appointed the secretary of the Local government under Samaila Mohammed and between 1997 and 1998 during the local government elections organised by Abacha as part of his transition programme, Mukhtar had contested and won the chairmanship of Jos North Local Government Council. However, his main contender, Christopher Sarki Jang – an Afizere from Jos North, challenged Mukhtar's election in a tribunal on the basis that Mukhtar had several indigene certificates from different states, all bearing different date of births (Ostein, 2009:12).

In a series of conferences, press releases, posters and letters addressed to the Governor of Plateau state, the Anagutas, Afizeres, Beroms and other Plateau ethnic groups via their community organisations (Anaguta Development Association (ADA), Afizere Cultural and Community Development Association (ACCDA), Berom Educational and Cultural Organisation (BECO), and Plateau Youth Council (PYC) respectively) unanimously criticized Mukhtar's appointment (Plateau State Government, April 2009: 21, Sha 2005: 59-60). Their criticisms were mainly on the basis of Mukhtar's indigenship, and included inflammatory messages and threats such as; "The Devil Has No Parking Space in Jos", "Trace Your Roots Before it is too Late", and "If you Can't read, at least you know what the sign above means – Dangerrrr" (Plateau State Government, April 2009:24). To these, the Hausas also responded with a series of complaints to the state government on the basis of marginalisation and Tardy's refusal to offer them indigene certificates. They also made posters aimed at replying the plateau ethnic groups with messages such as; "Yes:

The Devil has no Parking Space in Jos North. Frank Tardy is already doing it for Him”, “we’ve traced our Roots to Jos North. We Can Resist the Rest, Not only You” and “Death is the Best Friend of Hamas. Be Rest Assured That We will do it Even Better” (Plateau State Government, April 2009:26)

Tensions continued to escalate as insults and threats were being exchanged, and violence erupted in Jos on the 7<sup>th</sup> of September 2001. The violence was triggered by an incident involving Miss Rhoda Nyam – a Christian lady – who when returning to work after her lunch break was refused the right of passage by some Hausa Muslims during their Friday prayers at the Jummat Mosque in Congo-Russia area of Jos. Although there are opposing versions of the sequence of events that followed as evident in the reports of the Justice Nikki Tobi led judicial Commission set up after the crisis, the report arrived at the following version given by Rhoda as the most credible version;

“Rhoda was assaulted when she attempted to pass during the Juma’at prayers on 7<sup>th</sup> of September 2001, and that she was pursued into her house, and part of it and other properties were set ablaze by the Muslim worshippers after her father was attacked, resulting in a highly charged atmosphere which degenerated into a free for all battle between the Christians and Muslims at Congo-Russia” (Plateau State Government, April 2009: 19).

The violence quickly spread to other parts of Jos, Plateau state and other parts of Nigeria, taking the form of a religious conflict between Christians and Muslims, and leading to wanton loss of lives and property. According to the Human Rights Watch report, over 1,000 people were killed during the period between the 7<sup>th</sup> and the 13<sup>th</sup> of September 2001 as the police were incapable of stopping it, and the army’s intervention led to even more killings (HRW, 2001: 1). The state’s Commissioner of police – Alhaji Mohammed Abubakar, a keen Muslim from Zamfara state - was said to have facilitated the crisis by re-deploying Divisional Police Officers on new postings during the week of the crisis, hence limiting their functionality (Danfulani and Fwatshak, 2002: 250). The Governor of the state

was also away on an overseas trip when the violence broke out. The report of the Nikki Tobi Judicial Commission of Enquiry mentions 904 names of people killed during the crisis, and over N3,369,716,404.95 worth of damage to properties, including mosques, churches, schools, private properties and businesses (Plateau State Government, April 2009:222).

### **Outcomes**

Following the one week of violence, the Judicial Commission of Enquiry was set up in October 2001 by the then Governor, Joshua Dariye. Chaired by Justice Nikki Tobi, the Commission like previous ones, aimed to investigate the causes and effects of the 2001 violence and to make recommendations to the government. The Commission's work can be considered as the most extensive since the history of the Jos-Plateau protracted conflict, having received memorandums and testimonies from more parties, and meticulously probing every claim made. The Commission arrived at the same conclusions with the 1994 Commission regarding the remote causes of the conflict – the question of traditional ownership of Jos and the citizen/indigene question. The Hausas in their submissions to the Commission continued to emphasise their right to both traditional ownership and indigeneship of Jos based on the fact that Hausa rulers had been placed in charge of the Jos Native Authority and Native Town during the colonial period before the appointment of Rwang Pam as Chief of Jos (Plateau State Government, April 2009: 31-100, Best, 2007:50). While the indigenes submitted their arguments against these claims based on the fact that the Hausas never conquered Jos and neighbouring plateau villages during the pre-colonial era, but only migrated to Jos as miners and traders after the colonial conquest of Jos as documented in colonial and post colonial records (Plateau State Government, April 2009: 31-100, Danfulani and Fwatshak, 2002:245).

Regarding the role of traditional and communal leaders, the Commission's report did not mention much, except about Innua Alli, the *Turakin Jos* (Community leader of the

Hausas in Jos) who was bestowed this traditional title by the Gbong Gwom Jos. The Commission was critical of him for firing his weapon during the violence in what he described as “an attempt to scare protesters away” (Plateau State Government, April 2009: 129, 130). After critical examination of his testimony, the Commission accused him of championing the cause of the Jasawa Development Association (JDA) having signed the JDA’s peace-threatening letter to the detriment of other residents of Jos, for whom he is equally responsible to, and his loyalty to the Gbong Gwom Jos who installed him was questioned. Furthermore, the Commission recommended that Innua Alli be removed as *Turakin Jos* and replaced by another Hausa person (Plateau State Government, April 2009:130, 246). In line with this recommendation, the Government referred the matter to the Jos Joint Traditional Council for consideration. Furthermore, the Commission made the following recommendations which are of interest to this thesis; Firstly, that the Hausa-Fulani community should accept that the ownership of Jos belongs to the Afizeres, Anagutas and Beroms and anything short of this “will not make for peace” (Plateau State Government, April 2009:224). This is a reaffirmation of the 1994 recommendations which clearly concluded on the question of ownership of Jos in favour of the plateau ethnic groups. Secondly, the Commission recommended that for their role in the crisis, both the JDA and the BECO Elders Solidarity Forum of Jos North be suspended for a period of two years, with the possibility of proscription if they do “anything that could cause a breach of peace” (Plateau State Government, April 2009:226, 247). Once again, most of these recommendations were not implemented by 2004 when violence erupted again.

## The 2004 Conflict

Despite the high-handed conflict management efforts of the military to contain the violence that erupted in Jos North Local Government in 2001, the conflict had spilled over into other local government areas of the state, assuming a religious dimension and impacting on the relatively peaceful relations between other Christian plateau ethnic communities (such as the *Irigwe*), and other Muslim settler communities (such as the *Fulani*). As Best describes, “from the third day of the conflict, up to 2003, and into 2004, the conflict between the Fulani and the Berom came to the fore at a time the Berom/Afizere/Anaguta versus Hausa conflict had reclined” (Best, 2007:70). The Fulani’s who are mainly Muslim, are known for their nomadic lifestyle, travelling with their cattle from place to place in search of green pastures. As such, they found most parts of Plateau state to be fertile grazing land for their cattle, for which they have a great sentimental attachment to. Until 2001, the Fulani’s had settled peacefully among many of the plateau communities and a great sense of trust existed between them. In comparing the perceptions of the Fulanis against the Hausas, Best explains that,

“Paradoxically, it is to be noted that the indigenes trust the Fulani more than the Hausa. They see the Hausa as ambitionists and expansionists who want to take over their land the political leadership in both its traditional and modern forms. On the other hand, they see the Fulani as level-headed, willing to integrate into the local culture, speak the language, and having no political ambition”. (2007:71)

However, the changing dimension of the conflict and the inclusion of religion led to both the Hausa and Fulani being grouped together (referred to as Hausa-Fulani). The reprisal attacks that stemmed from the spill over of the 2001 killings in Jos resulted in the involvement of the Fulanis. There are disagreements over the reason for their involvement. While the indigenes accuse the Fulani of being coopted by the Hausas to join them in fighting the Christian indigenes, the Fulani accuse the indigenes of stealing and killing their cows (Dang, 2009). However, both agree that they have always lived peacefully during the

course of the Jos protracted conflict (For more on the Fulani-Irigwe and Fulani-Kwall conflicts, see Best, 2007:73). Furthermore, to give credence to the religious nature of the conflict, Christian Fulanis were spared in some areas such as Miango (Best, 2007: 75)

By 2002, as the scope of the conflict was expanding to the Southern parts of Plateau State, tensions in Jos were starting to reduce when in February the explosion of the Jos Main Market suddenly shocked the city. While the incident was initially considered to be an accident, many such as Solomon Lar expressed their suspicion that it was planned by “terrorists within” to disrupt the peace of the state, especially as political activities were resuming in preparation for the coming elections in 2003 (Thisday Newspaper, February 14<sup>th</sup> 2002). The market’s significance as the largest market complex in West Africa and as the economic hub of the state made the incident a turning point in the dynamics of the conflict, raising concerns and doubts about the durability of the peace. So much so, that condolence visits were been paid to the Governor and the Gbong Gwom Jos from dignitaries such as the then Minister of Information, Prof Jerry Gana (Thisday Newspaper, February 7<sup>th</sup>, 2002) and the then Senator Davou D.B Zang (Thisday Newspaper, February 17<sup>th</sup>, 2002). Though no one claimed responsibility for the explosion, both sides began trading blames. The Plateau ethnic groups accuse the Hausas of blowing up the market as part of their war against the indigene-controlled state government and its economic prosperity, while the Hausas blame the Plateau ethnic groups for masterminding the act out of envy for the economic prosperity of the Hausas who benefited the most from trading in the market (Best, 2007:75).

It was no surprise that by May of 2002 when political activities resumed with the different ethnic and interest groups in Jos North strategizing on how to regain control of power in the coming elections, violence erupted again in Eto-baba Ward of Jos North Local Government. The violence in Eto-baba – an Anaguta dominated area - started during the Ward congress of the ruling People’s Democratic Party (PDP) where party

officials were elected. Because party officials are considered by the ethnic groups to be crucial to securing political victory especially under the ruling PDP, explains the heightened interest in the outcome of the ward congress. As such, the Hausas who were determined to regain political control of Jos North, mobilised thousands of supporters who turned up at the venue in open trucks. The indigenes became suspicious that the Hausa supporters had been “imported” from outside the ward and outside Jos to “intimidate and attack them” (Best, 2007:76). The panic soon resulted in violence as many people were killed or injured, and properties such as cars were burnt. The timely intervention of the Joint Security Patrol contained the crisis on the same day, but fear and panic had already spread beyond Jos, especially through people who were fleeing the venue of the congress. Tensions were heightened now more than ever in the Southern parts of plateau state where the question of indigenes versus settlers and Christian versus Muslim were starting to be asked.

### **Eruption of Violence in Southern Plateau**

The snow-ball effect of the Jos crisis led to violent eruptions in the Southern local governments of Shendam, Langtang North, Wase, Kanam, Qua’an-Pan and Mikang (See Figure 19). While the peculiar dynamics of these eruptions vary according to local government area, the common factor between them is the fact the parties to the conflict were polarised along the “indigenes” versus “settlers” and “Christian” versus “Muslim” divide. While each of the episodes of violence are worth studying, this section focuses on the violence in Yelwa, Shendam Local Government, as this was the most destructive<sup>84</sup>. Yelwa, a market town, had grown over the years into an economic centre in Shendam as people from different ethnic groups migrated and settled there. In the protracted course of the Jos-Plateau conflict, Yelwa had experienced relatively small outbreaks of violence in 2002 and 2004.

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<sup>84</sup> For more details on the violence in other LGC’s, see Best (2007), *Conflict and Peace Building in Plateau State, Nigeria*.

The conflict in Yelwa was mainly between the *Gamai* - who are mostly Christian and the dominant ethnic group in Shendam LGC, and the *Jarawa* – who are Muslim and predominant in Yelwa community. At the centre of this conflict is the competing claim over the traditional ownership of Yelwa town. While the Gamai state emphatically that Yelwa is a Gamai town, part of Gamai land in Plateau State, the Jarawas claim to have founded the town since migrating from Das in Bauchi State, in 1824 (Human Rights Watch, 2005; Best, 2007:115-120). However, both sides had coexisted peacefully until the disputes that arose in the 1990s when the paramount traditional ruler of Shendam – the Long-Gamai <sup>85</sup>- began denying the Jarawas indigene rights (Human Rights Watch, 2005; Memorandum, 2004). This was characterised by the decision of the Long-Gamai to impose an unpopular traditional ruler for Yelwa, following the death of their Chief on 26 November, 1992 (Best, 2007:130). Subsequently, no chief was appointed for the area and this frustrated the Jarawas of Yelwa who feared that the Long-Gamai and the Shendam Traditional Council were planning to deny them their communal identity. The Jarawa's reacted by disrespecting the Long-Gamai and calling him names such as “*Sarkin Arna*” (Chief of Infidels), further contributing to his refusal to address their concerns (Plateau Resolves, 2004:58; Best 2007:131).

Historically, the Yelwas have always aspired for autonomy from the traditional authority of the Long-Gamai of Shendam and this was achieved between 1982-1983 when the then Governor of Plateau State, Solomon Lar created Yelwa District from out of Shendam (Best, 2007:128). However, this and all other Districts were abolished by the military regime, and when new Districts were been created in 2002, Yelwa was divided into two Districts with a greater part (Nshar) under the authority of the Long-Gamai (Best, 2007:129). This generated anger amongst the Yelwas who wrote several letters of complaint to the Plateau State Government through ethnic CSO's such as The Traditional Title

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<sup>85</sup> Hubert Shaldas

Holders of Yelwa. As such when the new Districts were inaugurated on 21 May 2002, Jarawas expressed their anger by protesting en masse on the streets, burning tyres and destroying church sign posts, giving the conflict a religious tone. This polarisation was further escalated during the PDP ward congress in Yelwa, held in the same month of May, where a Muslim emerged as chairman of the party, sending signals of defeat to the Gamai community (Best, 2007: 121, 122). Tensions continued to mount especially as part of the spill-over effect of the 2001 violence in Jos, and in June, violence broke out in Yelwa. During a traditional festive period, Masquerades from neighbouring communities in Langtang Local Government Area came into Yelwa and were said to have threatened the Muslims, resulting in an outbreak of violence which led to the killing over 150 Muslims and 34 Christians (Yelwa Youth, 2009; Human Rights Watch,2005; Best, 2007: 125). After the intervention of the police and the arrest of the Masquerade priests, violence broke out again in Langtang as *Tarob* youths in response to what they considered as “an abomination to their culture and traditions” began the revenge killing of Muslims and threatening to burn down the town forcing the police to release the masquerade priests.

Following the cessation of violence, tensions continued to fester following events in Jos and other Northern Local governments of Plateau state. By February 2004, a series of violent outbreaks occurred in Yelwa, continuing sporadically till May 2004. The February attacks which involved the massacre of over 70 Christians gathered at a COCIN (Church of Christ International) church, was said to have been set off by the killing of some Christians in Langtang by Fulanis in response to the stealing of their cows (Human Rights Watch, 2005). The Christians pursued the Fulani’s into the nearby village of Yamini, where they killed many of them including their chief, leading to retaliatory killings in neighbouring local governments as the news travelled. The violence continued until the beginning of May 2004 when the most destructive episode of violence broke out. This lasted two days and was specifically targeted at the Muslim community of Yelwa, leading to the death of an

estimated 700 (seven hundred) Muslims and about 70 (seventy) Christians, as well as the widespread destruction of churches, mosques and private properties (Human Rights Watch, 2005) Although the plateau ethnic groups describe the attack as “spontaneous”, the well organised nature of the attack renders their descriptions doubtful (For a more detailed analysis of the fighting, see Human Rights Watch 25<sup>th</sup> May 2005, “Revenge in the Name of Religion”).

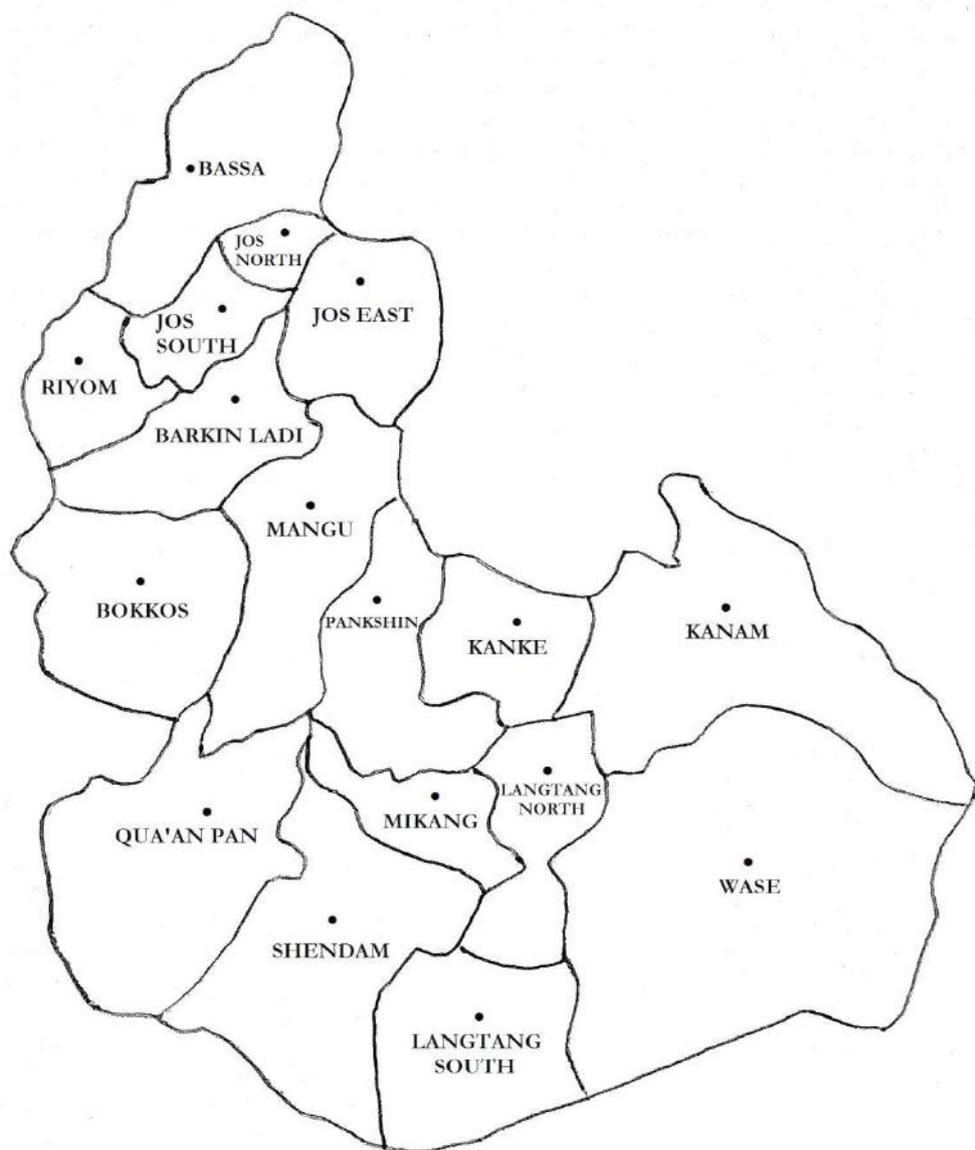


Figure 19: Map of Plateau State showing 17 Local Governments

Events in Jos also contributed to changing the dynamics of the conflict. While another potential bloodbath had been avoided in Jos North following the Plateau State Governor's decision not to conduct local government elections in the council, his public statement was said to have re-escalated tensions and contributed to the Yelwas violence in May, which necessitated the declaration of Emergency Rule in Plateau State by President Obasanjo. Having won re-election into office in March, Governor Dariye in his speech, declared that;

From the on-set, let me say it again, as I have before that Jos, capital of Plateau State, is owned by the natives. Simple. Every Hausa-man in Jos is a settler whether he likes it or not. In the past, we might not have told them the home truth, but now we have... They are here with us, we are in one state but that does not change the landlord/settler equation, no matter how much we cherish peace... Our problem here today is that...the tenant becoming very unruly. But the natural law here is simple: if your tenant is unruly, you serve him a quit notice! This unruly group must know that we are no longer willing to tolerate the rubbish they give us. The days of 'over tolerance' are gone forever. All of us must accept this home truth" (Quoted in Ostein, 2009:18)

His speech clearly echoed the aspirations of the indigenes and further compromised the neutrality of the government, thereby deepening the fears of the Hausa-Fulani Muslim community in Jos and Plateau State and destroying their trust for Government. The violence in Southern Plateau State had begun to spread into other states such as Kaduna, Nassarawa and Kano where revenge killing of Christians and Muslims were carried out. Hence in view of the national effects of the conflict, President Obasanjo on 18 May 2004, declared a "State of Emergency" in Plateau state, suspending all democratic state structures and appointing a military administrator (Major General Chris Alli) with the responsibility of containing the violence and ensuring that lasting peace returns to the state.

## Outcomes

In addition to containing the violence in Plateau state, one of the main achievements of the Military government of Chris Alli, was organising the Plateau Peace Conference, which produced a report (Plateau Resolves: Report of the Plateau Peace Conference 2004) that was more extensive than the previous reports of 1994 and 2001. The conference which was opened by President Olusegun Obasanjo on the 19<sup>th</sup> of September, 2004, endeavoured to set in motion the process of negotiation and reconciliation between the parties in Jos. Unlike the previous Commissions of enquiry, the Plateau Peace Conference was conducted with more openness, as different groups not only presented their memorandums, but also engaged in intergroup problem-solving workshops (Plateau Resolves, 2004: 16, 19). In its report, two areas are of particular interest to this research; indigeneship and traditional matters.

Firstly, concerning the question of indigeneship in Jos and other affected areas of Plateau State, the report concluded that the Afizere, Anaguta and Berom are the only indigenous ethnic groups in Jos (Plateau Resolves, 37-38), and Yelwa is under Gamai land (Plateau Resolves, 40). Furthermore, it highlighted the following recommendations among other things;

“Firstly, Local Governments should only issue Indigene Certificates to indigenes of the respective Local Governments in Plateau State, as defined by the conference.

Secondly, other Nigerians who may be non-indigenes in a place of residence should be issued with Residence Certificates backed by enabling law.

Thirdly, non-indigenes should desist from making frivolous demands on issues that are not their heritage, but the exclusive preserve of the indigenes, notably traditional rulership and traditional rites of indigenous communities.

Fourthly, the Federal Government should include the definition of an indigene in the Constitution, as obtainable in the case of a citizen” (Plateau Resolves, 2004: 51)

The above recommendations suggest that the question of indigenship only becomes a source of conflict when it is translated to claims for traditional rights. With regards to the Hausas' claim to indigenship of Jos on the basis of the fact that they had settled there since the colonial era and contributed to building the town of Jos, the report dismissed such claims based on the fact that many other Nigerian ethnic groups such as the Yoruba and Igbo had also settled in Jos even before the Hausas and also contributed to its growth (Plateau Resolves, 52). Furthermore, the report stated that during a series of interactive sessions involving the ethnic communities of Jos North held at the Government House in Jos on the 25<sup>th</sup> of June 2004, the Hausa made it clear that "they lay no claims to the ownership of Jos and the stool of the Gbong Gwom Jos" (Plateau Resolves, 2004: 38)

Secondly, regarding traditional matters, this report, more than any other, made numerous recommendations regarding the issues that were raised by delegates during the conference. While it reports that delegates unanimously agreed that traditional institutions play an important role in peace building as custodians of cultures, customs and traditional values of the people, it noted that this role has been "bastardized" mainly as a result of a growing disrespect for the institution (Plateau Resolves, 2004: 57). Among many other things, the report made the following recommendations of interest to this research;

Firstly, people should accord Traditional Rulers their due respect because they are custodians of tradition and culture. Traditional Rulers should be seen to respect the institution as well as uphold and promote traditional values in order to earn respect.

Secondly, Traditional Rulers should not involve themselves in partisan politics so that they may command the respect of all. Government should stop interfering with the selection process of Traditional Rulers

Thirdly, there should be deliberate efforts by Traditional Rulers to ensure cordial relationship between indigenous inhabitants and other resident ethnic groups.

Fourthly, the State Government should accord Traditional Rulers their due respect and involve them in the resolution of traditional matters and conflicts. The National Assembly should

enact a legislation that would give constitutional recognition to the functions of Traditional Rulers in all the States of the Federation

Finally, Districts, Village Areas and Chiefdoms should be created on popular demand of benefiting communities and should not be imposed on them.

(Plateau Resolves, 2004:57-65)

It can be deduced from the above recommendations that the traditional institutions ought to have a vital role in ending the protracted conflict in Jos. In reaction to the recommendations of the Plateau Peace Conference, the Hausa Community, represented by its delegates and the JNI (Ja'amatu Nasril Islam) rejected the report by refusing to sign it (Ostein, 2004: 18). However, they decided to hold on to their rights as "citizens" to contests for political office, with the aim of re-strategising and increasing their political advantage in Jos North Local Government during the coming 2007 elections. However, the elections again marked the re-escalation of tensions which soon culminated into another episode of violence.

## **The Conflicts from 2008 - 2010**

Since the violence of 2001, no Local Government elections were conducted in Jos North Local Government due to its volatile nature. Governors of Plateau State, starting from Joshua Dariye, resolved to appoint caretaker chairmen for the Local Government Council. However, following the declaration of State of Emergency in Plateau State and the Plateau Peace Conference of 2004, peace had returned and many were optimistic about the future. But tensions soon resumed as the political climate was heated up by ethnic and interest groups who began preparing for the 2007 elections, bearing in mind the recommendations of the Peace Conference as well as previous Commissions of Enquiry. In particular, the recommendation for “the appointment of indigenes into political office” was one that the plateau ethnic groups held on to, justifying the appointment of Dr Danladi Atu (an Afizere) as the caretaker chairman of Jos North from 2002-2006.

Governor Dariye, who had appointed Atu was impeached in 2006 and his deputy Michael Botmang – A Berom – became governor. This was the first time a Berom became governor of Plateau State and for the Beroms, it represented the realisation of their political ambition as the most dominant ethnic group in Plateau state, and the beginning of what rightly or wrongly came to be known as the “Berom agenda”<sup>86</sup>. The fear, especially among the Hausas that a Berom agenda which constituted a plan to systematically drive them out of Jos existed, was exacerbated when Botmang appointed Professor B. T Bingel – a Berom lecturer at the University of Jos, as the Caretaker chairman of Jos North (Ostein, 2004: 27). Bingel became the first Berom to ever be chairman of Jos North, and this further strengthened the Hausa community’s resolve to take back political control of the Council in the 2007 elections.

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<sup>86</sup> The origin of the term is unknown, but it is generally used to refer to Berom ethnic interests. For example Alhaji Sale Bayeri referred to “the Berom agenda of religious and ethnic cleansing of Muslims and the Fulanis” (Olaniyi, 2010) ; while another author for the Leadership Newspaper refers to “a bogus and amorphous Berom Agenda, that exists only in the imagination of formulators and sponsors of such unspeakable and destructive campaign of falsehood” (Leadership, 2008)

In the build up to the 2007 elections, the Peoples Democratic Party (PDP) had repositioned itself to win Plateau State by convincing some of the politicians in the state such as Jonah Jang and Damishi Sango to rejoin the party having left it in 2003. Both Jang and Sango became the prime contestants for the Governorship ticket on the PDP platform. Following an indecisive primary election, and the intervention of President Obasanjo and other senior officials of the PDP, a run-off election between Jang and Sango was cancelled and Jonah Jang was appointed the candidate for the PDP, contrary to the party's guidelines and public opinion (Obateru, 2006). The appointment of Jonah Jang – a Berom – as the PDP's candidate and his subsequent victory in the 2007 elections, unsettled many including the Hausas as well as the Afizeres who considered his policies as ethnocentric. As Ostein describes,

“Jang has in fact been trying to advance specifically Berom interests in Jos North, and even Du interests, not only at the expense of the Jasawa, but of the Afizeres as well. Jang has even said that the Afizeres are also not indigenes of Jos North (anymore than the Jasawa) and should just go back to their own nearby local governments if they don't like it. So the local politics are not being driven solely or even predominantly by religious affiliation even among the Christian indigenes” (2004: 21)

Jang was no new comer to the Jos conflict and to the needs and aspirations of the ethnic groups in Jos. In 2003, Jang had contested for the governorship ticket of Plateau state under the All Nigerian Peoples Party (ANPP) – a Hausa dominated party with Mohammed Buhari as its presidential candidate. When Jang went soliciting for the Hausa community's votes, the Council of Ulama – made up of religious and political leaders of the Hausas - had given him conditions for their support which included; selecting a Hausa as his Deputy Governor, and the creation of a District for the Hausas in Jos, where their own traditional ruler – to be called *Mai Anguwan Hausawa* (District Head of the Hausas) – will rule as a subordinate chief to the Gbong Gwom Jos. These demands of the Hausa community reflect their needs for acceptance and recognition (Ostein, 2004:22, 23).

However, Jang refused to make any promises claiming that all the lands in Jos belong to the Berom. Thus, the Hausa community in return collectively decided to support a different candidate for the position. As such in the 2007 elections, having moved back to the PDP, Jang publicly declared in his campaign that, “Hausas don’t own any land in Jos, this is Berom land. He will fight for Berom land, get back their land. In central Jos, he will get land back from the Hausas by sending the Hausas away” (Ostein, 2004:23). PDP won the election without the support of the Hausas in Jos. However, the Hausa community succeeded in electing Samaila Mohammed - a Hausa – as the legislative representative of Jos North/Bassa constituency. Furthermore, the election of Umaru Musa Yar’Adua (a Hausa Muslim) to the presidency of Nigeria, afforded the opportunity for the Hausa community in Jos to lobby the presidency for the appointment of another Hausa (Ibrahim Dasuki Nakande) as a Minister from Plateau state, contrary to the recommendations of previous committees.

This marked the beginning of the “war of attrition” between “Jonah Jang and the Jasawa”. While at the National level, Jang felt that the presidency was aligning with the Jasawa by granting them political appointments, at the state level his executive appointments were considered by the Jasawa, as well as other Plateau ethnic groups, as favouring only the Berom. Particularly, Jang’s decision to appoint a Berom woman – Ngo Lydia Lodam - as the Caretaker Chairman of Jos North Local Government and her decision to continue the policy of denying Hausas indigene certificates raised suspicions and were considered a furtherance of the “Berom agenda”. This marked the beginning of what was described as Jang’s “Jasawa policies”, which were a set of reforms targeted at “chasing the Hausas out of Jos”. As explained by Ostein, the Jang Jasawa reforms include;

“Firstly, the relocation of the Jos North Local Government Headquarters from the Hausa dominated central part of Jos to the Southern part. The justification offered by Jang’s government is to expand the palace of the Gbong-Gwom Jos which is very near to the current

secretariat. However, the Hausas considered this as a move to further deny their access needs and they have refused to sell their houses around the palace.

Secondly, the planned construction of a huge church building near the central mosque in Jos is also considered by the Hausas as a symbolic move against their religion.

Thirdly, the restoration of the Jos-Master plan of 1970s which involves the widening of major roads, and will entail the demolition of many houses belonging to Hausas. The government will only compensate those with official certificates of ownership, but many Hausas built their houses long before these certificates were introduced. The Hausas considered this as a plan to drive them out of Jos and rejected the planned road construction. However, the government proceeded and began implementation.

Fourthly, Jang decided that the Jos Main Market will not be rebuilt and a shopping mall will be built in its place but only indigenes will be given stores in it.

Finally, Jang as well as the Gbong Gwom Jos have publicly declared that no more land should be sold to the Hausas and the government has stopped the allocation/transaction of lands involving Hausas.

(Ostein, pg 25-26, PPMF 2009)

While the above policies and many others were adversarial towards the Hausa community, it must be noted that many Christian communities in Jos supported these policies. This combination between the religious and ethnic rhetoric intensified tensions in Jos before the 2008 local government elections. Religiously, Jonah Jang a former military officer who had attended Bible College and obtained a degree in divinity was considered as the “messiah” who had come to liberate the indigenous plateau Christians from the protracted history of political conquest by the Hausa Muslims. While ethnically, Jang together with the Gbong Gwom Jos were to restore the primacy of the Beroms over the Hausas as well as other indigenous groups in Jos North and Plateau state (Leadership, 18<sup>th</sup> December 2008). As Joro Magaji, the Ujah Anaguta – paramount traditional ruler of the Anagutas - puts it, “we have had three phases of colonial oppression...first was the Hausa man during the Jihads, then the British during the age of European imperialism, and now the Beroms” (Magaji, 2009). Thus both religion and ethnicity were used interchangeably

during the crisis period for unifying or dividing the parties. It was amidst these growing tensions that the 2008 Local Government elections were conducted in Jos North, leading to another eruption of violence and the re-escalation of the Jos protracted conflict.

### **Eruption of violence**

As the ruling political party at the time, many considered the PDP to have the upper hand in the Local Government Government elections conducted by State Independent Electoral Commissions (SIECs). As such, the nomination process of the party's candidate for Jos North Local Government was crucial and Governor Jang, as the leader of the PDP in the state was in a position to influence the process by appointing Chief Majei, a close associate, as the head of Plateau SIEC, to which many protested (Adinoyi, 2008). The Hausa community - who make up about 150,000 of the 429,179 registered voters in Jos North (Kwaja, 2011:5) - approached Jang to negotiate for one of their own to be selected either as the party's candidate for chairman, deputy chairman or even secretary to the state government, but Jang refused, determined to whittle Jasawa political influence in Jos North (Ostein, 2004:27). Jang then proceeded to ensure that a Berom candidate – Timothy Gyang Buba – was selected at the party's "undemocratic" nomination process. The emergence of Timothy Buba was highly controversial because he was not only a Berom from Du – Jang's village in Jos South Local Government – but had also held political office as councillor in Jos South Local Government, having an indigene certificate from Jos South (Ostein, 2004:27, 28; Adinoyi, 2008). Furthermore, Timothy Buba is the younger brother to Jacob Gyang Buba – a former Comptroller General of Nigerian Customs - who was a strong supporter and financier of Jang during his 2007 re-election bid, and who later became the Gbong Gwom Jos in 2009 following the death of his predecessor.

Danladi Pasali, a Jasawa who contested against Buba during the PDP primaries sheds more light on the irregularities of the process. He explains that firstly, the party delegates were "hand-picked by the governor" and not elected according to party guidelines.

Secondly, new wards outside the ones recognised by the party constitution were created to allow delegates from outside Jos North to participate. Thirdly, more than 95 illegal voters including Baba Thomas Bingel – a Berom and chairman of Jos North Advisory Committee were mobilised to vote for Buba (Citywatch Magazine, February 2008: 11). Despite the protests by the Jasawas, Afizeres and the Anagutas against Timothy Buba’s candidature based on his indigenship/ethnic status, the PDP retained him, choosing an Anaguta from Jos North as his running mate. The Hausas again collectively decided to vote for the ANPPs nominated candidate – Aminu Yusuf Baba – a Jasawa who had chosen an Afizere as his running mate (Ostein, 2004:28). What followed was rigorous and inflammatory campaigns where ethnicity and religion was used to mobilise voters, heating the polity and polarising the parties.

The elections which were scheduled to hold in January 2008 were postponed to March following inadequate preparations by the Plateau SIEC. In March, the elections were again cancelled midway because it was “marred with many irregularities, with many ballot boxes snatched from electoral officials” (Adinoyi, 2008). This led to the sacking of the Plateau SIEC Chairman by Jang and the appointment of Gabriel Zi to replace him. As an engineer, Zi’s choice raised questions about his competence to deliver a credible election (Adinoyi, 2008). However, when the elections were finally conducted on 27 November 2008, it was widely praised as “peaceful”, with a high number of voter turnout (Plateau State Government, 2010: Chapter 2). However, things took a turn for the worse in Jos North when the election results were been collated. The ANPP Candidate Aminu Baba appeared to be leading until more ballot boxes were brought in which swung the votes in favour of Buba<sup>87</sup>. This angered the Jasawa who immediately started protesting that the elections had been rigged by the ruling People’s Democratic Party (Human Rights Watch, 1 December 2008). These protests led to the killing of nearly eight hundred people (Kwaja,

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<sup>87</sup> The collation centres had been moved from the local government headquarters to a primary school in Kabong – a Berom /Christian dominated area – without informing the Jasawa. For a more detailed analysis, see Ostein 2009.

2009: 5) by both parties as well as security forces, thousands were displaced from their homes and many buildings were destroyed including Churches, Mosques and schools.

The violence continued sporadically as the swearing in of council chairmen by the State government were postponed until January 2009. Although the next section will discuss the peace initiatives taken by state and national governments as well as traditional rulers, it suffices to mention here that the crisis of 2008 widened the rift between President Yar-Adua and Governor Jang. President Yar-Adua had set-up a panel to investigate the crisis in 2008 but Jang also decided to set up his own Commission of Enquiry to run parallel to that of the president, revealing a lack of trust for the president who was considered to be sympathetic to the Hausas, thus delaying the hearings of the presidential panel until December 2009 (Human Rights Watch, 26 November 2009). By 2010 over one thousand people were killed in sporadic violence across Jos from January, following the attempted re-building of a house that was destroyed during the 2008 crisis (Kwaja, 2009:5; Ekpunobu and Ailemen, 21 January 2010; The Associated Press, 18 January 2010). By March, more than five hundred were reportedly killed in what appeared to be a coordinated revenge attack by gangs of Hausa – Fulani raiders on the Berom Village of Dogo Nahawa, where women and children were massacred using machetes, prompting a call for prosecution by the International Criminal Court (Michaud Helene, 10 March 2010; Bouwknecht, 11 November 2010). As at the time of writing, tensions were still rife between the parties in the Jos Plateau conflict and despite the intervention of the military and police forces, and the peace initiatives, the many questions and factors that have fuelled the Jos-Plateau conflict remain unresolved.

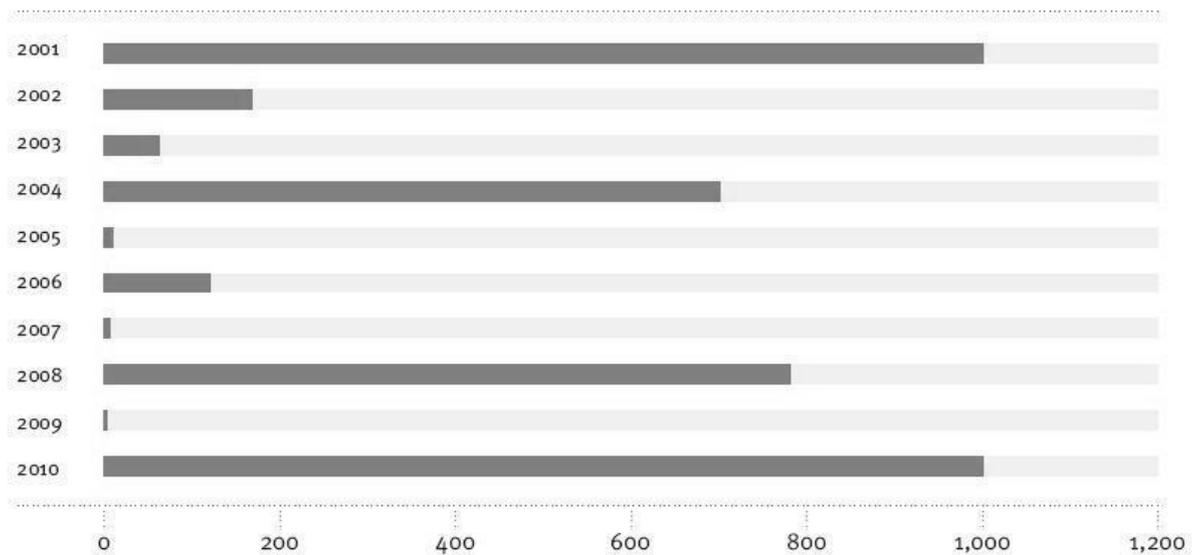


Figure 20: Casualties in the Jos-Plateau State Protracted Conflict from 2001 to 2010

(Image Sourced from Krause, 2010: 1)

### Outcomes

The initial tensions that were created as a result of a legal battle between Governor Jonah Jang and President Umaru Musa Yar-Adua over the setting up of two parallel committees to investigate the Jos crisis of 2008<sup>88</sup> had died down following the prolonged illness and eventual death of Yar-Adua on 5<sup>th</sup> May 2010. While there were other government initiatives taken by both federal and state government institutions to investigate the crisis<sup>89</sup>, this section will focus on the findings of the Bola Ajibola led Judicial Commission of Enquiry set up by the Plateau State Government. The Commission was inaugurated in January 2009 with the same terms of reference as the previous ones, including among other things; to ascertain the remote and immediate causes of the 2008 crisis, and to make appropriate recommendations on how to avoid such occurrences in the

<sup>88</sup> For more on the legal battle between Yar-Adua and Jang, see Plateau State Government (2010) Chapter 1.

<sup>89</sup> The Federal Government set up a panel of investigation headed by Justice Abisoye; Both arms of the National Assembly set-up Ad-Hoc committees to look into the crisis; Plateau State House of Assembly also set up a Committee to examine the details of the 2008 crisis. (See Plateau State Government, 2010: Chapter 1)

future (Plateau State Government, 2010). Regarding the immediate causes of the 2008 crisis, the Commission blamed the Hausa-Fulani community for provoking the indigenes,

“There is no doubt at all that the Hausa/Fulani Muslim youths started the unrest but the Christians too reacted in self-defence and also attacked the Hausa/Fulani Muslims.” (Plateau State Government, 2010: Chapter 2)

The Hausa community refused to present any memorandum to the Commission. This was mainly because they doubted the neutrality of the Commission as it was set up by Jang’s government, whom they considered a party to the conflict. As Alhaji Nakande - a Jasawa - expressed in a newspaper interview, "the Hausa youths were simply demonstrating their displeasure over perceived ways and means being devised by the State Government that wanted to rig an election" (Quoted in Plateau State Government, 2010: Chapter 2). Furthermore, the Commission struggled to determine whether the 2008 crisis was religious, ethnic, political or economic by examining the conflict dynamics and the testimonies of the victims. Amongst others, it found that indigenous Muslims as well as other non Hausa Muslims were been targeted by the Hausa Fulani, especially because they considered them as traitors who leak information to the Christians when attacks were been planned (Plateau State Government, 2010: Chapter 2). The Commission then concluded that “the causes of the unrest are rather economic, with religious, political and ethnic undertones were merely used as avenues to fuel and to achieve the economic goals of the perpetrators” (Plateau State Government, 2010: Chapter 2).

In investigating the remote causes of the crisis, the Commission highlighted several factors including; the struggle for the ownership of Jos; the question of indigenship; and the socio political issues that arose from the creation of Jos North Local Government Council. With regards the questions of ownership of Jos, the Commission supported the conclusions of previous reports that the Afizeres, Anagutas and Beroms together own Jos and qualify as indigenes, while the Hausas are citizens (Plateau State Government, 2010:

Chapter 3). It further espoused that the indigene/settler dichotomy is a national issue that requires a national response to be resolved. The Commission also attributed the heated indigene – settler conflict to the creation of Jos North and Jos East Local Governments by Babangida’s regime, despite protests by indigenous groups such as the Berom Elders Council. This was said to have been aimed at isolating Jos North for the Hausas, thus generating much anger and suspicion from the indigenes (Plateau State Government, 2010: Chapter 3). Furthermore, several persons and institutions including the Nigerian Police and the Nigerian army were particularly accused by the Commission for directly contributing to the escalation of the crisis (Plateau State Government, 2010: Chapter 4). Others such as Innua Alli – the Turakin Hausawa (community leader of the Hausas), and the Jasawa Development Association (JDA) were accused of indirectly precipitating the crisis.

Particularly, the Hausa community’s decision, with the JDAs support, to conduct a full fledged coronation ceremony in Jos on 30th September 2008, where Innua Alli was elevated from his position as Turakin Jos (given to him by the Gbong Gwom Jos) to “*Sarkin Al-Uman Musulmi Jos*” (King of the Muslim brotherhood of Jos) without the consent and approval of the Gbong Gwom Jos<sup>90</sup>, was considered as “insubordination” and “inciting” by the indigenes (Plateau State Government, 2010: Chapter 4). Though invited to defend himself, Innua Alli refused to attend the Commission’s hearings, in consistency with the rest of the Hausa community. On the part of the Plateau State government, the Commission was quick to dismiss all allegations of security failure against Governor Jang, including; the allegations by Human Rights Watch that Jang issued a “shoot –to-kill” order to the police following the outbreak of violence (Plateau State Government, 2010; Chapter 4). Human Rights Watch in reaction to the Commission’s position on the government, lamented that the Commission had “failed to investigate alleged abuses by security forces”, especially on the documented “133 cases of unlawful killings by members of the security

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<sup>90</sup> To the indigenes, Alhaji Innua Alli’s elevation of himself and constitution of a traditional council amounted to establishing a northern style Islamic emirate in Jos.

forces who were deployed to quell the situation” (Human Rights Watch, November 26, 2009).

Having established the remote and immediate causes of the crisis, as well as the level of destruction, the Commission proceeded to make several recommendations which were aimed at ending the protracted cycle of violence in Jos. A few of these recommendations which are relevant to this thesis need to be examined here. Firstly, regarding the problems that emanated from the creation of Jos North Local Government, the Commission recommended that the Local government be “re-delineated into about 3 sustainable local Governments with an equitable representative number of wards within each local government” (Plateau State Government, 2010: Chapter 7). Although the Commission also emphasised that this re-delineation should be done by consultation and in line with constitutional provisions, nothing was mentioned about the ethnic compositions of such local governments, as well as the implications for the affected traditional institutions. Secondly but related to the first recommendation, was the issue of indigenship and citizenship. The Commission recommended that government should formulate a “State Character policy” which takes into consideration the ethnic composition of the state when making political appointments, ensuring that all ethnic groups are represented proportionally (Plateau State Government, 2010: Chapter 7). Furthermore, the Commission emphasised that the rights of all Nigerian citizens must be protected, pending a constitutional resolution of the indigene-citizen debate. These rights were spelt out as access to government jobs, university admissions and scholarships. However, it was not clearly mentioned if every citizen (including non-indigenes) were also entitled to traditional rights within a territory to which they are not indigenous. Finally, in relation to the first two recommendations, the Commission emphasised the need for positive inter-ethnic and inter-religious dialogue for improving inter-communal relations and harmony. In particular, the Commission recommended that

“Traditional Rulers and traditional institutions must be key actors in these initiatives as leaders of thought within their various enclaves and the State Government should re-visit the issue of the creation of Village Areas, Districts and Chiefdoms as such will foster a sense of belonging. Particularly, the Jos North Council of Chiefs where major ethnic groups in Jos were represented should be reactivated” (Plateau State Government, 2010: Chapter 7).

This recommendation was echoed by several key figures that made presentations to the Commission. For example, Nigeria’s former military president Yakubu Gowon expressed his belief that the position of the Sultan of Sokoto (Paramount traditional ruler of Sokoto state) can be used to "positively influence the thinking and orientation of the Hausa/Fulani in Plateau towards better relations with the immediate communities (Plateau State Government, 2010: Chapter 8). The Sultan of Sokoto – Sa’adu Abubakar – in his presentation lamented that “traditional rulers had been placed at the background in the scheme of things in the country and were only required when things had gone wrong” (Plateau State Government, 2010: Chapter 8). However, as a traditional ruler as well as the spiritual leader of the Muslims in Nigeria, he recommended that an official visit to his palace by members of the Commission will send a strong positive signal to the Hausa/Fulanis. Furthermore, former Governor Dariye in his presentation also re-echoed the recommendation on revisiting the creation of chiefdoms and Districts as this gives people a “sense of belonging”. From the above submissions, traditional rulers and institutions are held in a positive light by many, as relevant institutions that constitute part of the solution to the Jos-Plateau protracted conflict. As such the next section will analyse more critically the role of traditional institutions in the Jos plateau conflict, with particular reference to their roles during the course of the crisis, at the communal, inter-comunal and state levels. The section will also discuss some of the findings on the role of traditional institutions as observed in the 2009 Traditional Rulers conference in Jos, organised by the University of Jos and the Dutch Embassy.

## **The Role of Traditional Actors in the Conflict**

As was the case in the Ife-Modakeke conflict analysed in Chapter 5, the Jos-Plateau protracted conflict also reflects the significance of traditional rulers in shaping the dynamics of PCC's. Although the traditional institutions of Ife and Modakeke vary from that of the Hausas and indigenous plateau ethnic groups, they all have a common feature; their traditional rulers occupy a central position as legitimate leaders of their ethnic communities. Although little has been written about the nature of traditional governance amongst plateau communities before the advent of colonialism, oral sources, complemented by colonial and post colonial sources have confirmed the existence of a mixture of organised decentralised and centralised systems of government amongst many plateau ethnic groups, where the traditional ruler was usually the spiritual or military head of the community. The colonial conquest of Plateau state led to the centralisation of these traditional institutions, the introduction of indirect rule and modern politics, and the inception of competition between ethnic groups for political control of the state. After independence, traditional rulers remained at the forefront of communal decision-making.

The need to adapt to new state structures and rules caused traditional rulers to become very involved in post-colonial politics. This political role of traditional rulers soon overtook their conflict resolution role as "neutral" arbiters of conflict, as it became increasingly difficult for many such as the first Gbong Gwom Jos (Rwang Pam) to be involved in politics as representative of Jos in the Northern House of Chiefs, while maintaining his position as "father of all". Furthermore, as evidenced in the selection of Rwang Pam to become the Gbong Gwom Jos by the Gbong-Duk-Shot (Tribal Council), Western education became a crucial characteristic of a traditional ruler as a result of the cooptation of the traditional institution during indirect rule. Under the Native Authority System, while a chief such as Rwang Pam was expected to maintain his traditional conflict resolution role through presiding over native courts and council hearings, he was also

expected to carry out other administrative duties. Furthermore, the decision to appoint a Berom – Rwang Pam – as the traditional ruler of the entire Jos Division was greatly erroneous on the part of the colonialists and has contributed exacerbating the grievances of non-beroms and contributed to the escalatory dynamics of the protracted conflict in Jos. Not only was Rwang Pam not a legitimate traditional ruler according to established ancestry and monarchical succession, he was given traditional authority over lands belonging to other indigenous plateau ethnic groups such as the Anaguta and the Afizere, thus depriving them of their identity needs (Gimba, 2009; Jang, 2009).

Furthermore, the negative attitudes and sometimes inflammatory utterances of Paramount traditional rulers such as the Long Geomai of Shendam, as well as those of subordinate community leaders such as Innua Alli – Turakin Jos - have also contributed more directly to escalating the 2001 conflict in Yelwa, Southern Plateau State and Jos North to the point of violence. While many of such attitudes and behaviours are often carried out with the intention of furthering and protecting communal interests and needs, they cannot simply be justified. For example, the Long Geomai in proclaiming that Yelwa is “Goemai land” can be deemed to be protecting the land which constitutes an important part of the cultural heritage of his people. As such utterances are not always inflammatory or even disputed except when used within the context of covert communal tensions as in the case of Yelwa community. The failure of paramount traditional rulers to fill in vacant traditional positions within their council can also escalate communal conflict as in the case of the Long Goemai’s refusal to appoint a chief over Yelwa community. As in the case of Innua Alli, the actions of subordinate community leaders can also escalate inter-communal conflicts. As the community leader of the Hausas in Jos, Innua Alli placed the interest of his community above the need for peace in the state, when his community’s needs were deprived. On the other hand, traditional rulers have also played important conflict

resolution roles in the post violence phases of the conflict, especially in collaboration with other traditional and state institutions.

The interactions between the traditional institutions of the Anagutas, Afizere and Berom on one hand, and the Hausas on the other also varied throughout the course of the conflict. In collaboration, these traditional institutions who constitute the Jos Joint Traditional Rulers Council (JJTRC) have taken several steps to build inter-communal peace and harmony between their communities. The current structural relationship between them is such that the Gbong Gwom Jos – who is also the Paramount traditional ruler of the Beroms – is the most senior traditional ruler in terms of classification. The Gbong Gwom is also the permanent chairman of the JJTRC, as well as the Plateau State Council of Traditional Rulers (PSCTR), Both the JJTRC and PSCTR consist of all the recognised traditional rulers (first and second class), meeting regularly to discuss the events within their domains and to advise the government appropriately, with regards to issues of inter-communal peace and harmony as it affects the entire state. For example, during the period between the death of Da Victor Pam on 7<sup>th</sup> March 2009 who was Gbong Gwom Jos, and the coronation of Da Jacob Gyang Buba as his successor on May 16<sup>th</sup> 2009, communal peace in Jos was threatened by conflicting interests as well as government's interference with the succession process. However, the JJTRC were very vocal in calling their communities as well as the government to order and deescalating tensions (Peter-Omale Funmi, 4 February 2003). Furthermore, as evidenced in the Yelwa-Shendam Peace Declaration, the participation of traditional rulers such as the Long-Goemai of Shendam was crucial to the successful return of peace to their communities and to Southern Plateau.

Furthermore, the peace declaration was anchored upon the respect and recognition of the authority of the Long-Goemai by all the ethnic groups residing in Shendam Local Government Area. The declaration also resolved that,

“His Royal Highness the Long Goemai of Shendam be addressed by his title and be acknowledged and respected as such. We acknowledge that lack of central leadership in Yelwa had contributed to the disharmony in Yelwa community. We resolve that the issue of chieftaincy of Yelwa be referred to Shendam traditional council for urgent steps to be taken, without prejudice to the accepted and approved method of the government” (USIP, n.d)

While both the JJTRC and the PSCTR have served as useful mediums for fostering inter-communal harmony, they have also contributed to causing the conflict. Specifically, the lack of a separate traditional council for each of the local governments in Jos (as is the case in Shendam and all other local governments in plateau state – apart from the Northern zone) rather than a joint traditional council (JJTRC) is considered by many as one of the main sources of the Jos conflict. For example, in an interview with Dr Danladi Atu, he explained,

“The ruler ship of the Jos traditional council is headed by somebody who is not even from Gwong District [*predominantly Anagutas and Afizeres*]. Again that is another source of conflict, and that is why we have a lot of litigations in court. The arrangement of traditional institutions in Jos is such that we [*Jos North*], Barkin-ladi [*predominantly Berom*], Jos South [*predominantly Berom*] and Riyom [*predominantly Berom*] Local Governments have one traditional council. So because Jos North does not have her own independent traditional council, all these villages fall under the Jos joint traditional council. The Ataa Aten of Ganawuri [*Paramount traditional ruler of the Aten in Riyom Local Government*] doesn't have a council of his own. He comes to the Jos joint traditional council, but he has a Chiefdom. So the same experience. Jos East has its own traditional council, Basa has its own traditional council, but Jos North, Jos South Riyom and Barkin-Ladi have a joint traditional council. And when you have a joint traditional council, it means that the most senior traditional ruler will be the one to oversee, and that is why you see the Ataa Aten of Ganawuri, the Agwom Izere [*Paramount traditional ruler of the Afizere in Jos North Local Government*], or the Ujah Anaguta [*Paramount traditional ruler of the Anaguta in Jos North Local Government*] cannot be the chairman of the traditional council. Because there is a senior chief [*Gbong Gwom Jos, Paramount traditional ruler of the Berom*], who is first class and who oversees all these areas. So unless the law is amended for every local government to have its own

independent traditional council, it remains like this”. (Dr Danladi Atu, 2009 Interview – *Emphasis added*)

Although traditional rulers themselves are considered to be embodiments of the cultural heritage of ethnic communities, they are not expected to participate openly in partisan politics. As such, in promoting the needs and interests of their ethnic communities, traditional rulers work closely with several institutions, particularly tribal unions, ethnic civil society organisations (ECSOs), political parties and religious institutions. The activities of tribal unions and ECSOs such as the Berom Educational and Cultural Organisation (BECO) and the Jasawa Development Association (JDA) contribute to escalating or de-escalating protracted social conflicts, and can have direct and indirect implications on their traditional institutions.

Firstly, in the area of mobilisation, tribal unions and ECSOs played a crucial role in organising youths from their ethnic groups for collective action. Such collective action (wether violent or peaceful) is usually carried out with the “blessing” of the traditional ruler of the community. It is always difficult to determine the role played by traditional rulers when collective violent action is taken by their people. In most cases, traditional rulers deny any involvement, and rightly so because tribal unions and ECSOs are mostly administered independently, despite having traditional rulers as “patrons” and “overseers” of such organisations. However, in other cases, traditional rulers have no choice but to support whatever their communities want – including violent action - as presented by the tribal unions and the ECSOs. In the case of the Hausa community, their community leader – Innua Alli- was reported to have contributed to escalating the violence in Jos by working together with the JDA who recognised him as a member of their organisation despite the fact that he is not a Jasawa (A Hausa from Jos), but an indigene of Kano state (Plateau State Government, 2010: Chapter Four).

Secondly, the inter-communal relations between “indigenes” and “settlers” can be severely undermined by the refusal of members of tribal unions and ECSOs to recognise and respect the traditional institutions of other ethnic communities. As seen in the case of the Yelwa crisis, the refusal of the Muslim Community of Yelwa to respect the Long Geomai in his position as the paramount traditional ruler of Shendam, by calling him derogatory names such as *Sarkin Arna* (King of infidels) contributed significantly to escalating the conflict to violence. Also, as in the case of the Jos crisis of 2008 – 2010, the decision of the Hausa community in Jos and the Jasawa Development Association to conduct and support the coronation of their community leader Innua Alli to the status of a paramount traditional ruler without the authority of the Gbong Gwom Jos and the state government, generated anger amongst the Berom community (Ezulike Moses, 5 February 2005).

Furthermore, the lack of respect and recognition of the traditional rulers of other ethnic communities can also lead to grievances between two or more indigenous ethnic groups. For example, relations between the Berom and the *Aten* of Ganawuri in Riyom Local Government of plateau state, were severely affected when a group of Berom youths, said to have been mobilised by the Berom Youth Movement (BYM) murdered the Atar Aten of Ganawuri (paramount traditional ruler of the Aten) – Ayuba Chaimang (Agence France Presse, 24 February 1995). The killing of Ayuba Chaimang by Berom youths was said to have been closely connected with the Berom struggle for the ownership of Jos. Particularly, Ayuba Chaimang was said to have presented evidence against the Beroms in a court hearing over lands in Jos, between the Beroms and the Anagutas over land ownership. This angered the Berom youths, who then planned and ambushed his car, as he was passed through their community (Laki, 2009).

Thirdly, in the area of politics and especially with regards to the ethnic nature of politics in Nigeria, tribal unions and ECSOs are crucial to the political advancement of

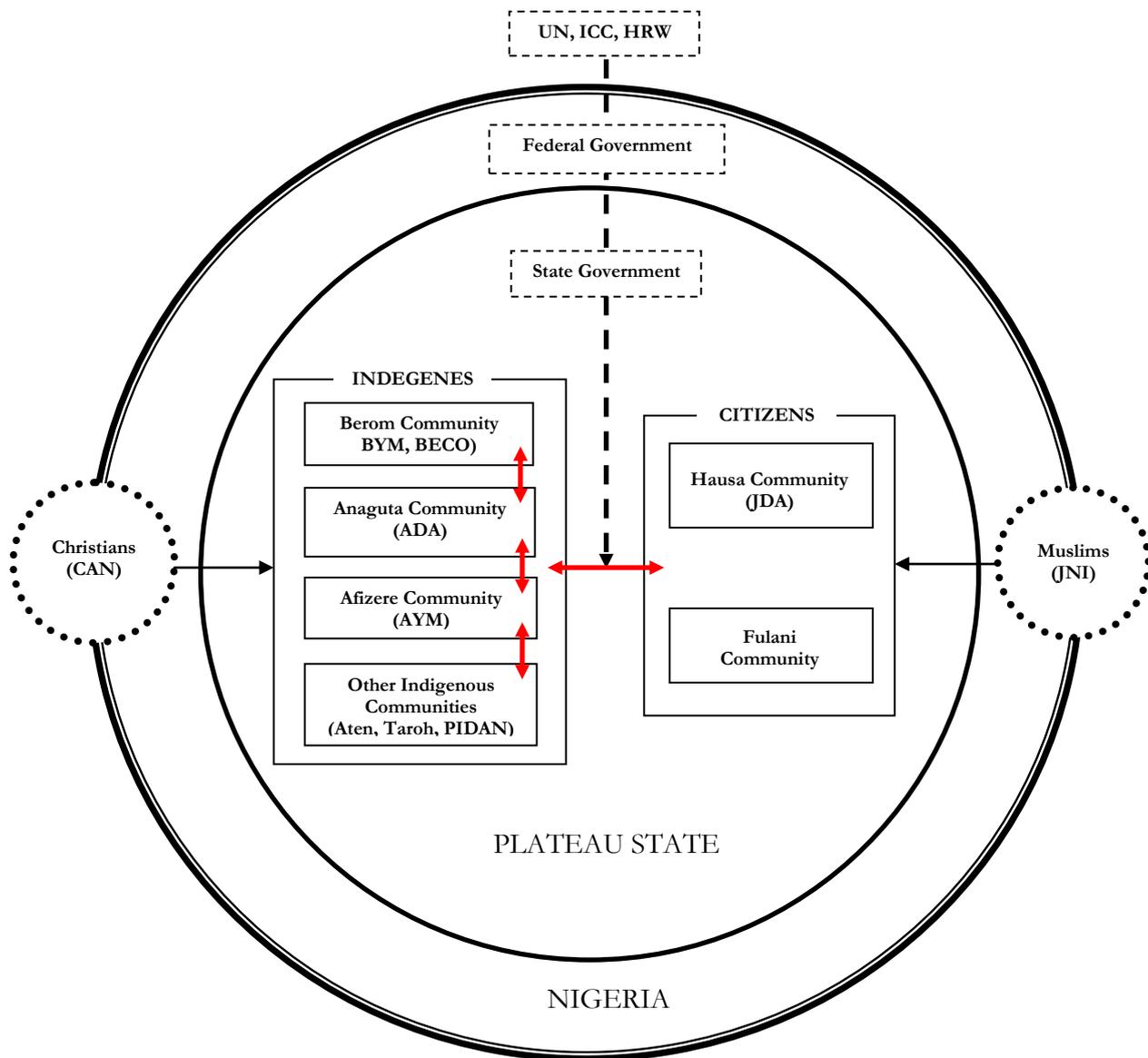
communal interests. In other words, because the traditional rulers are not expected to be openly seen participating in partisan politics, the tribal unions and ECSOs become the mouth piece of the community during political campaigns. As in the case of Jos, the failed negotiations between the Jasawa Development Association and other Hausa ECSOs on the one hand, and Jonah Jang and the Berom ECSOs on the other, have contributed to severing the Hausa community's trust for Jang's government as a neutral arbiter in the conflict. While traditional rulers try to maintain political neutrality by refusing to be openly involved in partisan politics, their political preferences are always considered by ECSOs, who tend to prioritise their ethnic/communal interests over that of others. This is evident in the case of the open support for Jonah Jang by the Gbong Gwom Jos and the Berom ECSOs (Berom Youth Movement, Berom Educational and Cultural Organisation), despite all allegations of misconduct against his government by Human Rights Watch. However, political alignment and representation is not always based on ethnicity alone but also on religion.

The working relationship between traditional rulers and religious institutions has also contributed to both the escalatory and de-escalatory dynamics of the Jos – Plateau protracted conflict. In the Hausa community, it is common for the traditional ruler to act as both the political and religious head of the community, making it even more problematic to analyse religion as a separate factor from the role of the traditional ruler in the conflict. For example, the community leader of the Hausas in Jos, Alhaji Innua Alli was also the Vice Chairman of the Jama'atul Nasril Islam (JNI) in Jos – the Islamic body which was found to have contributed to escalating the Jos North conflict through inflammatory messages pronounced in mosques. However, other Muslim traditional rulers such as the late Emir of Wase<sup>91</sup> (Dr Haruna Abdullahi) contributed immensely to restoring peace to Plateau State. Together with the catholic Archbishop of Jos, a body known as the Inter-

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<sup>91</sup> Wase is a Muslim dominated local government council in Southern Plateau state.

Religious Council for Peace and Harmony in Plateau state was setup to improve inter-ethnic and inter-religious understanding amongst the different communities in Jos. The achievements of the Inter-Religious Council were widely lauded and recognised by national and international bodies (For more, see Kaigam Ignatius, n.d).



**KEY**

Conflict Party		Conflict	
Third Party		Support	
Religious Group		Intervention	
Federal Government Boundary			
State Boundary			

Figure 21: Jos-Plateau Conflict Map

## **Conclusion**

This chapter analysed the Jos-Plateau protracted conflict and the role of traditional institutions of governance in the genesis, process dynamics and outcomes of the conflict in line with the analytical framework developed in chapter 2. Most of the findings from this case study complement those of the previous case of Ife-Modakeke (Chapter 5) while others contradict them because of the peculiarities of the Jos-Plateau context. Firstly, as seen in Figure 21 (Jos-Plateau Conflict Map), the Jos plateau conflict is much more complex than the Ife Modakeke conflict, mainly because of the context and the parties involved. The conflict is been fought at multiple levels.

The first level is between the “indigenes” and the “citizens or settlers”. The indigenes consist of plateau ethnic groups who are dominantly Christian and who claim indigenous traditional ownership of the geographical territory known as the Jos. Although there are many non indigenous people residing in Jos, the group involved in this conflict is mainly the Hausa/Fulani Muslim community in Jos (or the Jasawa as they are called). The Jasawa also claim to be indigenes of Jos, having migrated to Jos during the colonial era, contributing to the growth of the city and having traditional rulers prior to the restructuring of the Jos Native Authority by the colonial government. At this level of the conflict, both communities feel that their communal needs for access, acceptance and security are being deprived by the other. Furthermore, religion has contributed to fragmenting the parties at this level. While Christianity served as a uniting factor for the indigenes and Islam for the settlers, both religions have facilitated the spill-over of the conflict into other states of Nigeria where members of both faiths reacted violently to the events in Jos-Plateau.

The second level of the conflict is between the indigenous plateau ethnic groups who jointly claim traditional ownership of Jos i.e. the Anaguta, Afizere and the Beroms. Between these ethnic groups, there exist intense disagreements over the historical ownership of several parts of modern Jos. At the centre of this dispute is the question of

traditional boundaries and how these are accurately represented in the creation of chiefdoms and Districts which are governed by traditional rulers. Although, the grievances at this level have not contributed directly to significant eruptions of violence in the course of the Jos-Plateau protracted conflict, they have contributed to prolonging the conflict as part of the underlying issues that remain unresolved. Furthermore, the intensity of this dispute is evident in the series of legal battles involving the indigenous groups (Agbese and Ahmed, 29th July 2009), resulting in the killing of the Atar Aten - the paramount traditional ruler - of Ganawuri on account of his statement to the court against the claims of the Beroms.

Lastly, the role of traditional rulers in the Jos-Plateau conflict has been varied. While some traditional rulers such as the Long Goemai of Shendam contributed to escalating violence in Southern Plateau, others such as the Emir of Wase have been proactive in promoting peace through inter-religious dialogue. Furthermore, the role of traditional rulers varied according to phase of the conflict, with some traditional rulers such as the Long Goemai also playing crucial roles in the post-crisis phase of the conflict, leading to the signing of the Shendam Peace Declaration. The next chapter concludes on the role and relevance of traditional institutions based on the findings from the two case studies analysed in this and the previous chapter. This summary informs the theoretical and policy recommendations made towards improving the understanding and relevance of traditional institutions of governance in contemporary Nigeria.

## Chapter 7 :

### Conclusion and Recommendations

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#### Introduction

This thesis questioned the widely held view that traditional institutions are relevant in the governance of modern African States such as Nigeria (Mamdani, 1996; van Rouveroy van Nieuwaal, 1999; Boone, 2003; Vaughan, 2006:210; Lund, 2007, UNECA, 2007). By investigating their role in two cases of protracted communal conflicts (PCCs) occurring within Nigeria, this thesis determined the extent to which traditional rulers as secondary intervening actors, have contributed to escalating, deescalating and re-escalating protracted conflicts. Studying the role of traditional institutions from a conflict perspective repositions the debate about their relevance and enables a better understanding of the interaction between traditional actors and conflict processes within the modern State. This conflict approach to the study of traditional rulers is characterised by a detailed analysis of protracted conflict cases so as to map out the genesis, process dynamics and outcomes of the conflict. However, analysing the role of traditional actors using a conflict approach required the development of a PCC analytical framework<sup>92</sup> which captured two essential components; (a) traditional rulers are not independent actors because their role is conditioned by the context and structure of the modern State within which they exist; (b) the role of traditional rulers in protracted conflicts can be constructive (contribute to preventing/de-escalating PCCs as parties or third parties) or destructive (contribute to causing, escalating or re-escalating PCCs). Having conceptualised traditional rulers as secondary intervening actors within the PCC framework, it is implied that the primary responsibility of satisfying the acceptance, access and security needs of communities still rests with the State. However, in situations where the State fails to satisfy communal needs, ethnic communities turn to traditional structures of governance for support, giving

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<sup>92</sup> Derived from Azar's (1990) Protracted Social Conflict theory

traditional rulers more direct influence on the satisfaction or deprivation of communal needs. Consequently, as the relevance of traditional rulers becomes magnified in the light of State failure, their constructive and destructive roles become more apparent as in the Ife-Modakeke conflict and the Jos-Plateau conflict. Furthermore, traditional rulers as intervening actors contribute to escalating or deescalating PCCs vertically (in scope) and horizontally (in intensity). Depending on the strategies used by the traditional rulers of a deprived community, latent grievances can become resolve through non violent means, or can become overt through the use of violence.

By using the vertical levels of escalation (communal, inter-communal and state level) and horizontal stages of escalation (latent, overt, covert) developed in Chapter 2, this conclusion chapter discusses the findings from the case studies on the role of traditional rulers in PCCs. Analysing the role of traditional actors at the communal level illuminates how they contribute to satisfying or denying the acceptance, access and security needs of their own ethnic community. The inter-communal level focuses on the role of traditional actors in satisfying or denying the acceptance, access and security needs of other ethnic communities. This also enables an understanding of the conditions for conflict and cooperation between two or more ethnic communities which maintain and rely on traditional institutions of governance. Analysis at the state level focuses on the relations between traditional actors and state actors. This enables an understanding of the circumstances that foster institutional conflict or cooperation between traditional and state actors, which in turn affects the satisfaction or denial of the acceptance, access and security needs of ethnic communities. The chapter then proceeds to discuss the successes and limitations of using a conflict approach to the study of traditional rulers. Finally, constitutional issues that condition the institutional capacity of traditional rulers in Nigeria are highlighted and policy recommendations are made with the aim of reducing the structural incompatibilities between State and Traditional institutions of governance.

Reflections from the 2009 Capacity Building Workshop for Traditional Rulers in Plateau State<sup>93</sup> are also taken into account in making these recommendations.

### **The Constructive Roles of Traditional Actors in PCCs**

As defined in this thesis, the constructive roles of traditional actors are those actions and strategies employed by traditional rulers that directly or indirectly contribute to satisfying their communities need for acceptance, access and security. This sections analyses the findings from the two conflict cases analysed.

#### **Communal Level**

Firstly, traditional institutions greatly contribute to satisfying of the acceptance needs of their communities by virtue of their normative role as symbols and guardians of cultural identity. As custodians of culture and tradition in a rapidly modernising society, traditional rulers are constantly in the process of preserving and refining ancient cultural norms and practices which are central to communal identity. Structurally, centralised and decentralised traditional institutions are organised to have a network of subordinate chiefs, District heads, village heads, ward heads and family heads. This structure of traditional governance is one that is well established in many ethnic communities in Nigeria, providing a strong sense of unity and stability which can be considered as one of their most significant contribution to the modern State. For example, the role of the paramount traditional ruler of Ife, Ooni of Ife (who was described as “magnanimous” by many of the interviewees) was crucial to the success of local governance in his community. Although this researcher was unable to gain audience with him, the current Ooni of Ife, Oba Okunade Sijuade Olubuse II was described by many interviewees as a “welcoming and generous man” (Elugbaju, 2009, Adeyeye, 2009). Possessing wealth and influence, Oba Olubuse II has played a significant constructive role in furthering the dignity of the traditional institution of Ife by upgrading the status of his subordinate chiefs who are in charge of the six

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<sup>93</sup> The workshop was organised by the Centre for Conflict Management and Peace Studies, University of Jos with funding from the Royal Netherlands Embassy in Nigeria.

administrative quarters in Ile-Ife<sup>94</sup>. As state recognised chiefs, they now benefit financially from the salary allocation for traditional rulers from the local government councils in Ife. To many indigenous members of Ile-Ife community, the restoration of the dignity of their District heads will attract respect and admiration from other communities such as Modakeke.

Secondly, traditional rulers also play an important constructive role in facilitating the access needs of their communities. At the communal level, chieftaincy institutions are often considered to be the crucial channel through which local people can engage in political and economic decision making. Through the elaborate structure mentioned above, many consider the traditional institutions of governance to be more participatory than that of the State. The intense competition for traditional positions by members of the community is evidence to suggest the significance of traditional office as a form of gaining access to the State's decision making processes. It is evident from the interviews conducted in Nigeria, that many consider access to their traditional institution as a very important form of political participation. Furthermore, through the organisation of cultural events, traditional institutions showcase their communities to others and boost their economy. This is particularly crucial for smaller communities whose economies are usually agrarian.

Traditional institutions can also contribute significantly to the security needs of their communities. Many traditional actors have formed community security structures in the form of vigilante groups that are responsible for providing an alternative form of physical security for their communities. These communal security structures often prove useful when the State fails to adequately protect local communities. This failure can be as a result of a lack of financial capacity on the part of the state, or as in the case of the Jos conflict, a lack of trust for state security institutions considered to be supporting either of the conflict parties (Adinoyi, 2012). Some traditional rulers also work with ethnic civil society

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<sup>94</sup> Consisting of Irewo, Moore, Ilode, Ilare, Okerewe and Iraye communities.

organisations to satisfy the infrastructural needs of their communities. By organising community self-help projects which improve the standard of living within their communities, paramount traditional rulers such as the Ogunsua of Modakeke have become more influential. While it is constructive for traditional actors to proactively engage in the development of their communities, this can easily lead to a protracted social conflict when such efforts are perceived to be undermining the traditional rights of “indigenes”.

### **Inter-Communal Level**

As earlier mentioned, traditional rulers are crucial actors in shaping the dynamics of inter-communal relations. They sometimes play constructive roles that facilitate the satisfaction of needs within their community. By conducting regular official and non-official visits to other ethnic communities, traditional rulers foster friendly relations with other communities. Such courtesy visits by traditional rulers are an attestation to the respect and recognition of the cultural identity of host and visiting communities. During traditional events and festivals, the presence of traditional rulers from other communities often demonstrates in a profound way, their solidarity and recognition of the ethnic identity of host communities. In instances where ethnicity is used as a discriminatory device, traditional rulers can play the constructive role of regulating ethnic sentiments and preventing the discrimination of out-group communities. This is usually achieved by emphasising the importance of shared cultural principles and values, rather than differences. Furthermore, traditional rulers satisfy the acceptance need of out-group communities within their domain by carrying out acts of solidarity towards those communities. These acts may include good will messages, gifts and guest appearances during festive periods celebrated by out-group cluster communities. More crucial is the recognition of the traditional institutions of out-group communities as symbols of their cultural identity. This is evident in the Ife-Modakeke conflict, where the decision of the Ooni of Ife (paramount ruler of Ife community) to formally recognise the Ogunsuwa of

Modakeke (paramount traditional ruler of the Modakeke community) is considered as the most crucial part of the peace process (Adeosun 2009; Atitebi, 2009).

Traditional rulers have also been found to play an important constructive role in satisfying the access needs of out-group communities. This is usually in the form of appointing members of out-group communities to positions within the traditional governance structure of the host community. To avoid the controversy that traditional recognition of out-group members could generate, some paramount traditional rulers allow the communal leaders of out-group communities to participate in traditional council meetings. This has proven to be a useful way of ensuring the participation of out-group communities in the decision making process of the host community. In some cases however, recognition of out-group community leaders does not guarantee the satisfaction of their access needs. As in the case of the Jos-Plateau conflict, the presence of Hausa and Fulani community leaders at the meetings of the Jos Joint Traditional Council has not led to the satisfaction of their grievances. For the Hausas, it is not a question of having their community leaders recognised by the “indigenes”, but rather that the legitimacy of their leaders is grounded on their claim to full or at least equal traditional ownership of Jos (Emelonye, 2011:59).

Traditional actors have also contributed to satisfying the security needs of other ethnic groups by collaborating with the traditional rulers of other communities in settling disputes involving ethnic and political borders. Border conflicts are common in multi-communal states because of two main reasons; firstly, there is often an overlap between ethnic and State boundaries, with traditional boundaries representing the area of jurisdiction (kingdom or chiefdom) of traditional rulers. Secondly, this overlap results in “encroachment” on traditional boundaries by members of other ethnic groups who may share the same state boundary (for example belonging to the same Local Government Area). This encroachment can be in the form of farming or grazing on land considered to

be indigenous to other communities (Dang, 2009). Traditional rulers resolve such conflicts by drawing upon their intimate knowledge of the history of the community and its members in order to verify claims of ownership over land, and to allocate land for grazing or farming.

### **State level**

When interacting with state actors, traditional rulers also play constructive roles which facilitate the satisfaction of communal needs. By recommending newly elected or appointed traditional rulers to be formally recognised by the State, traditional rulers aid in satisfying the acceptance needs of ethnic communities. Although state recognition for a traditional ruler and his or her community is a significant symbol of legitimacy<sup>95</sup> and acceptance, it does not carry much power without being complemented with communal recognition. In other words, traditional rulers must first acquire communal legitimacy by emerging through the traditional process of selection/election, before being recommended to be formally recognised by the state and included in the State Traditional Council. As part of this process, existing traditional rulers play a crucial role in ensuring that the community's customs are respected in the process of selecting new traditional rulers. This is crucial because of the potential destructive conflicts that can emerge as a result of malpractice during the selection process. This is often the case when candidates manipulate their way into traditional power via corruption or intimidation, resulting in illegitimate rulers and a further deformation of the traditional institution. In circumstances when illegitimate traditional rulers are recognised by the state, or a traditional ruler is guilty of continually disregarding the customs and practices of their communities, the State Traditional Council intervenes to resolve the situation.

The heterogeneous nature of multi-ethnic states such as Nigeria makes satisfying the access needs of all communities crucial for peace and stability. In Nigeria, this is guaranteed

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<sup>95</sup> Not an actual staff, but a document which formally authorises the traditional ruler to rule in his domain.

through the federal character principle which aims to ensure equal ethnic representation in government institutions. In line with the argument that ethnic representation is effective for stabilising multi-communal States (Suberu, 2001), traditional rulers can be said to play a constructive role in ensuring that members of their ethnic communities are elected/appointed to the decision-making institutions of government. This is usually achieved by negotiating with indigenes of their community and state officials for a favoured candidate to be supported or appointed to a position of power across the three tiers and levels of government. Also, by playing an advisory role to the government, traditional rulers through the State and Local Traditional Councils influence policy making, although the state government is under no obligation to implement their proposals.

Lastly, traditional rulers alongside the State government, play a constructive role in contributing to satisfying the security needs of communities. As earlier mentioned, collaboration of state and traditional actors is crucial in the area of physical security. During violent communal conflicts, the intervention of state security agencies has occasionally been based on timely information communicated to them by traditional rulers. This is a very crucial role especially in rural communities which are located away from police stations or military bases. As in the case of the Barkin-Ladi community in Plateau State, the traditional ruler notified the Governor of Plateau state of on-going attacks in his community via a text message. Upon receiving such information, the Governor contacted the District Police Officer who was not aware of the attacks prior to that time.

### **The Destructive Roles of Traditional Actors in PCCs**

Having discussed the constructive role of traditional actors, this section now turns to their destructive roles based on the two conflicts analysed in this thesis. As earlier

discussed, the destructive roles of traditional actors are defined as those actions and strategies employed by traditional rulers which directly or indirectly contribute to the deprivation of the acceptance, access and security needs of ethnic communities, resulting in the escalation/re-escalation of protracted communal conflicts.

### **Communal Level**

In multi-communal states such as Nigeria, ethnic communities are constantly seeking to preserve their cultural identity and distinctiveness from 'others'. While certain cultural aspects of ethnic communities (such as language) already serve the function of setting the community apart from others, other aspects (such as cultural practices and heritage sites) are being eroded by the influence of out-group elements and modernisation. It is within this context that the ethnic community's need for acceptance is deprived and traditional rulers can play the destructive role of facilitating need deprivation. Firstly, the failure of traditional rulers to protect the symbols of communal identity can lead to conflict and insecurity within their community. Land in particular, is considered as one of the most precious and jealously guarded symbols of communal heritage. Traditional rulers, alongside local and state government officials, have the power to authorise the sale of communal land. This can lead to conflicts especially when such land is sold to out-group elements without adequate consultation with the entire community. Many indigenes of ethnic communities are sensitive to the selling of ancestral land to outsiders, especially those they consider hostile to them. Communal conflicts over land can also take other forms such as disputes over boundaries and grazing fields.

In many Nigerian communities, conflicts arise among indigenes of the same ethnic group over ancestral land. In most cases, traditional rulers, as custodians of their communal land, are often considered to be the best actors to mediate in such conflicts. This is because in most cases, those who claim ownership of ancestral land do so by virtue of inheritance alone and do not have any formal legal documentation to prove their ownership. However,

in settling such disputes, many traditional rulers can play a destructive role when they do not adhere to the customary ways of resolving such conflicts. The lack of adherence to customary conflict resolution practices by traditional rulers can be as a result of two main reasons; financial inducement from conflicting parties, and the prevalence of the Western legal system of resolving such disputes.

At the communal level, traditional rulers also play a destructive role by contributing to denying their community's need for access. This is particularly evident in communities where indigenous politicians and elected officials become occupied with personal rather than communal interest, and are hardly ever seen within their constituencies. In such instances, the people often turn to traditional structures of governance to serve as a platform for communicating communal grievances to relevant state authorities. As a result, chieftaincy positions become hotly contested and it is within this context that the involvement of traditional rulers in chieftaincy politics can lead to destructive conflicts within the community. Chieftaincy politics at the communal level is often at its more precarious stage during transition periods when a new traditional ruler is to be selected or elected. The system of succession varies according to the ethnic group and the traditional structure in place (i.e. centralised or decentralised). In communities where a monarchical system of succession is in place, disputes can emerge between competing royal families who are eligible to the throne. In communities that operate a more democratic style elective system of succession, disputes can also emerge amongst the contestants for the throne. Such chieftaincy disputes often polarise the community, with each side seeking to capture the traditional institution in order to gain access to political power.

Violent conflicts that emerge as a result of the destructive roles of traditional rulers also jeopardise the physical security needs of the affected communities through the destruction of lives and property. Traditional rulers also contribute to depriving their community's infrastructural needs when they fail to hold indigenous politicians and elected

officials accountable. This is usually the case in communities where the balance of power between state and traditional actors is in favour of state actors. Within this context, the traditional rulers become easily co-opted by indigenous elected officials and politicians such as councillors and local government chairmen. Furthermore, traditional rulers also contribute to depriving infrastructural needs when they fail to initiate or support community self-help developmental initiatives. However, this can sometimes be as a result of limited financial capacity on the part of the traditional rulers.

### **Inter-Communal Level**

Traditional rulers are in a crucial position to influence the dynamics of inter-communal relations in multi-ethnic states such as Nigeria. At the inter-communal level, the actions of traditional rulers have profound implications for building a strong national identity. However, their role can sometimes be destructive, threatening the acceptance, access and security needs of other ethnic communities, thereby causing protracted inter-communal conflicts. The Nigerian constitution has made provision for every citizen, irrespective of ethnic origin, to be entitled to basic rights and freedoms. Among these rights include; the right to reside, work and seek political office in any part of the country without discrimination. However, this is scarcely the reality in Nigeria where there is a further distinction between a citizen of the State and an indigene of a community. Traditional rulers can play a destructive role in fostering this distinction when they facilitate the discrimination of other Nigerian citizens who reside within their communities. In particular, traditional rulers can deny the acceptance needs of members of other ethnic communities residing within their domain when they are seen as non-welcoming to outsiders. This can be in the form of publicly referring to such out-group citizens as “strangers” or “settlers”, and excluding them participating in cultural events such as traditional festivals. Although some out-group citizens also deny the acceptance needs of their host communities by refusing to integrate, traditional rulers of host communities play

a destructive role when they expel out-group citizens from their community in response. As in the Jos-Plateau conflict, this can result in a destructive cycle of identity deprivation, which causes and sustains protracted inter-communal conflicts.

The access needs of out-group citizens can also be denied by the traditional rulers of host communities. As out-group citizens cluster together within host communities, they often appoint community leaders who represent their interest. The appointment of community leaders satisfies the out-group community's need for access to the decision-making institutions in their host community. However, such efforts are often interpreted as a threat to the established traditional authority of the host community and can result in a backlash. In some cases, the paramount traditional rulers of host communities refuse to recognise out-group community leaders, considering them as an attempt to usurp traditional authority and to enjoy indigeneship rights which are only reserved for the indogenous members of the community. An example of this is in the case of the conflict in Southern Plateau which escalated because the paramount traditional ruler of Shendam refused to appoint or recognise the community leader of Yelwa. Furthermore, traditional rulers also play the destructive role of denying the access needs of out-group communities when they become involved in partisan politics. Most traditional rulers publicly support the political aspirations of indogenous members of their community, against that of other citizens. Most of those interviewed held the view that the involvement of traditional rulers in partisan politics should be discouraged because of its intrinsic tendency to polarise communities and jeopardise their neutral position as "fathers of all" (Dariye, 2009; Jang, 2009; Adeosun, 2009; Olarenwaju, 2009).

Traditional rulers can also contribute to denying the security needs of out-group cluster communities within their domain by failing to afford them adequate protection in times of crisis. During violent inter-communal conflicts, members of out-group communities are not safe as they become the targets of reprisal attacks. Rather than acting

as a safe haven, the palaces of traditional rulers can become dangerous areas for non-indigenes, as some traditional rulers instigate violence against them. However, because traditional rulers also become targets during violent inter-communal conflicts, their palaces are heavily protected by indigenous members of their community.

The infrastructural needs of out-group members can also be threatened by traditional rulers who divert developmental projects away from areas occupied by out-group cluster communities. This occurs mostly in communities where the balance of power between the traditional and state actors is swung in favour of the traditional actors. This was the case in the Ife-Modakeke conflict where many Modakekes claim that the Ooni of Ife (Paramount traditional ruler of Ife community) has been using his influence over local and state politicians, to deprive the Modakeke community of meaningful infrastructural development. Given such circumstances, out-group communities have no choice but to initiate self-help community projects which often exacerbates the hostility of host communities, leading to a destructive cycle of protracted conflict.

### **State Level**

As earlier mentioned in this chapter, traditional rulers do not function as autonomous actors, but are conditioned by the overarching super structure of the State within which they exist. As such, in their interactions with state actors across the three tiers (executive, legislature and judiciary) and levels (Local, State and Federal) of government, traditional rulers can play a destructive role which affect their capacity to act as intervening actors in PCCs. Firstly, the respect that traditional rulers have within society is greatly eroded when they go to politicians “cap in hand” soliciting for personal favours (Adeosun, 2009). This is common among communities where politicians have more financial capacity than traditional rulers. Many traditional rulers interviewed expressed their concern that the 5% of Local Government funds allocated monthly to traditional institutions is insufficient for running their palaces and governing their Districts. However, traditional rulers who do

not dignify their position cannot command the respect of the state actors. According to a State Government Official interviewed anonymously, “some traditional rulers are always at my door begging for money and seeking for government contracts. I am tired of them and their traditions because they don’t respect themselves”. Therefore, traditional rulers indirectly undermine the integrity of their community when they lack the financial capacity to independently maintain their structures and institutions.

Traditional rulers who have more influence than politicians in their domain also play a destructive role when they impose political candidates upon their constituencies. The open involvement of powerful traditional rulers in partisan politics through public endorsements, often translates into the denial of political and economic access for other citizens living within their domain. This is also the case when political appointments are made from a community based on the recommendations of traditional rulers. By so doing, traditional actors foster an ethnocentric political culture which endangers the access and acceptance needs of out-group communities. State actors also reinforce this culture of ethnocentrism by “playing the ethnic card” during their political campaigns, thereby solidifying in-group ethnic coherence while alienating out-group citizens.

Furthermore, traditional rulers jeopardise the physical security of their communities when they fail to warn state authorities of insecurities which are developing within their communities. As the closest governmental institution to rural communities, traditional institutions are often first to be affected when communal tensions are high, or when suspicious elements have been spotted within the community during times of crisis. Instead of notifying state security institutions, traditional rulers sometimes decide to address the situation independently. In some cases, the traditional institutions often underestimate severity of the situation, thereby causing a delayed response by the State and further undermining the physical security of people in their community.

Figure 22: *Constructive and Destructive Roles of Traditional Rulers in PCCs* (Based on Azar, 1990)

ROLE OF TRADITIONAL ACTORS	LEVELS OF ANALYSIS	ACCEPTANCE NEEDS	ACCESS NEEDS	SECURITY NEEDS
<b>CONSTRUCTIVE</b>	<b>Communal</b>	Preserving and refining ancient cultural norms and practices	Fostering local participation in political, economic and socio-cultural decision making within the community	Setting up of community security structures such as vigilante groups  Initiating/supporting community self-help projects
	<b>Inter-Communal</b>	Recognising the legitimacy of the traditional institutions of other ethnic communities	Allowing the community leaders of other ethnic groups to participate in traditional council meetings	Collaboration with other traditional actors to resolve land and boundary disputes
	<b>State</b>	Recommending new traditional rulers for State recognition and inclusion in the State/Local Traditional Council	Ensuring equal ethnic representation in State decision-making institutions	Providing early warning to state security actors.  Notifying the state of dire infrastructural needs within their community
<b>DESTRUCTIVE</b>	<b>Communal</b>	Non-adherence to traditional customs and practices  Sale of traditional land without consultation with community	Conflicts over chieftaincy titles and selection of new traditional rulers, especially during periods of transition	Failure to initiate or support community self-help projects  Failure to keep indigenous politicians accountable to their constituencies
	<b>Inter-Communal</b>	Discrimination of out-group citizens in their community as “settlers” or “foreigners”	Refusal to recognise the legitimate communal leaders of other ethnic groups	Failure to accommodate the self-help projects of out-group cluster communities.  Failure to protect out-group citizens during violent conflict
	<b>State</b>	Lack of capacity and financial independence leads to erosion of state respect for communal traditions	partisan politics through public explicit endorsement of indigenous candidates	Failure to warn/inform adequate state authorities early about potential or on-going threats within their community.

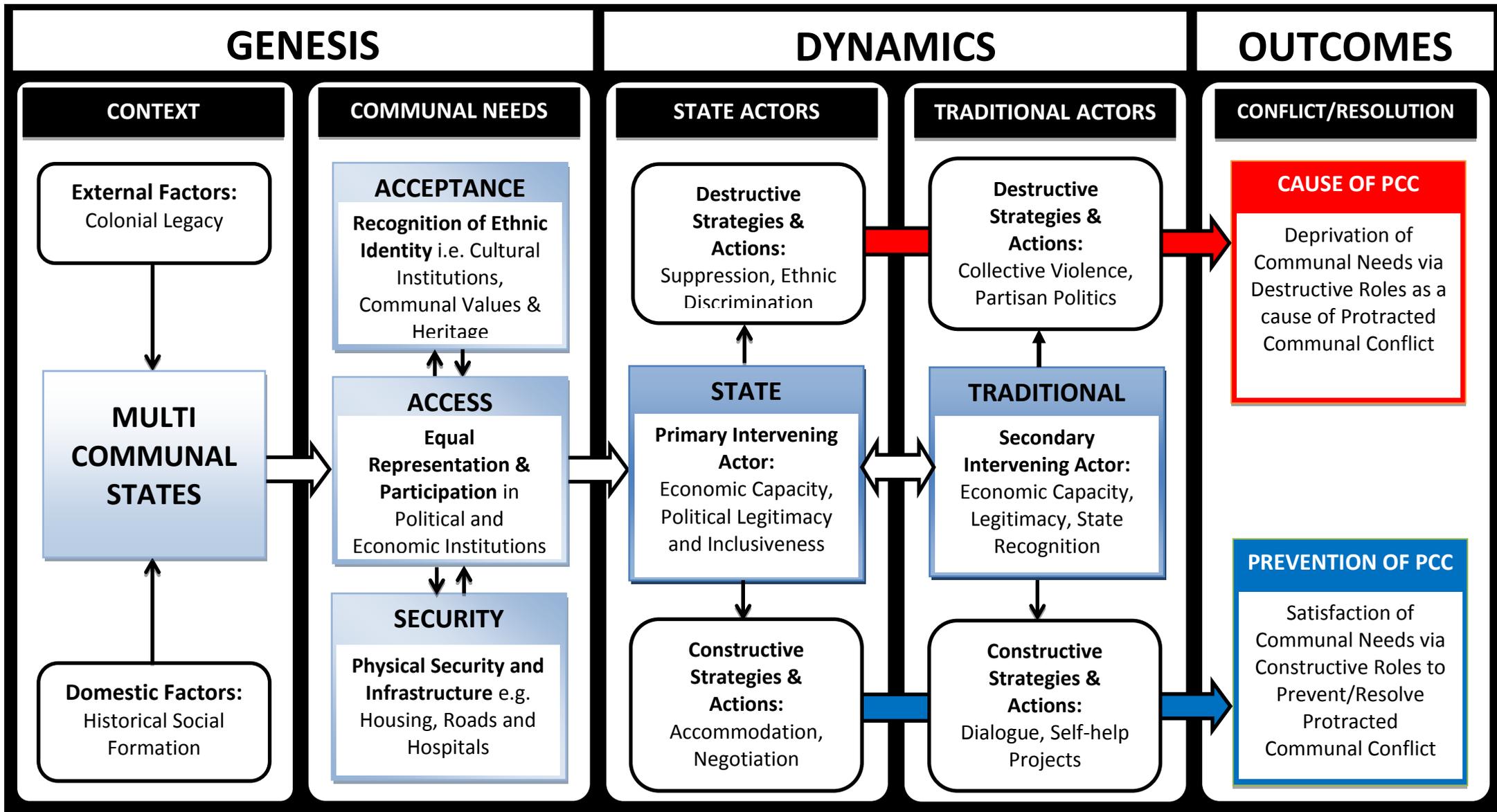


Figure 23: *Genesis, Dynamics and Outcomes of Protracted Communal Conflict* (Adapted from Azar, 1990)

## **Theoretical Implications**

Utilising a conflict approach to investigate the role of traditional rulers in protracted communal conflicts in Nigeria has proven to be useful but also challenging. Conceptualising traditional rulers as intervening actors within the protracted communal conflict framework closely reflects the empirical reality in Nigeria. As a modern State, Nigeria fits almost perfectly into Azar's description of a multi-communal State whose existence came about as a result of Western colonisation. Though formulated in the 1990s, Azar's Protracted Social Conflict theory is relevant to understanding why communal and social conflicts persist within post-colonial Westphalian States in sub-Saharan Africa. Because Azar developed his PSC theory based on the civil war in Lebanon, the PCC analytical framework applied in this thesis represents an attempt to update PSC theory to reflect some of the empirical realities in Nigeria. In particular, the fact that traditional institutions of governance continue to play a significant role in the governance of communities in Nigeria is a significant departure from the case of Lebanon. Taking into account the role of traditional actors in shaping the genesis, process dynamics and outcomes of PCCs helps in analysing and distinguishing their constructive and destructive roles. The PCC analytical framework also helps to map conflict cases that transcend different political contexts and have multiple escalation points that represent focal points of analysis.

However, the PCC framework also has its epistemological and conceptual limitations. Firstly, the Eurocentric nature of PSC theory (from where the PCC framework is derived) implies that certain aspects of African conflicts and society cannot be accurately reflected. For example, the conception of the Westphalian State as the primary intervening actor in communal conflicts is inherited from a Western perspective on governance. For many indigenes of ethnic communities in Nigeria, traditional institutions of governance remain the only legitimate form of political authority that can intervene in conflicts

pertaining to identity and community. As such, there is a need to develop new theoretical and conceptual frameworks that approach protracted communal conflicts in Africa from an endogenous perspective. Such frameworks need to depart from the restrictive colonial and post-colonial frameworks that try to understand African conflicts from a Western perspective.

In many ways, the gap between Eurocentric conflict theories such as PSC and the empirical reality of communal conflicts in Nigeria is reflected in the debates between indigenism versus citizenship, ethnic versus civic nationalism and traditional (African) versus modern (Western) forms of authority. Attaining compatibility in any of these areas requires a search for new ways of understanding, not only for the academic community, but also for practitioners and individuals who are engaged in pursuing a more peaceful and stable political order in Africa. Although the experience of “modern” Statehood in Africa is quite varied, it is hoped that further research into traditional institutions and their roles in managing and resolving conflicts will lead to changes within African States and the international community.

### **The Constitutional Role of Traditional Institutions**

The findings from the interviews conducted suggest that the citizenship crisis is widely considered as a significant constitutional problem which features in both conflicts and informs many of the constructive and destructive actions of traditional rulers. The 1999 constitution of the Federal Republic of Nigeria represents the latest of over seventy years of constitutional reform since the first constitution for Nigeria was written in 1922 (Clifford constitution). Despite not mentioning traditional institutions at all, the 1999 constitution contains two provisions which legitimise both citizenship and indigenism claims. Citizenship is specifically defined in Chapter III of the constitution, and grants fundamental rights and entitlements to every Nigerian citizen as defined in Chapter IV of the constitution. In particular, the right of citizens to move freely and reside in any part of

the country irrespective of ethnic origin (Section 41, Subsection 1; Section 42, subsection 1) is significant to protracted conflicts because it grants equal status in theory to indigenes and non-indigenous members of an ethnic community in Nigeria. Within these constitutional provisions, traditional rulers who seek to satisfy the needs of their ethnic communities while denying that of members of other ethnic groups residing within their domain are acting contrary to the law.

On the other hand, the 1999 Nigerian constitution also lends support to the idea of indigeneship in two ways. Firstly, in the appointment of federal executive ministers, the constitution states that “the President shall appoint at least one Minister from each State, who shall be an indigene of such State” (Chapter VI, Section 147 Subsection 3). The failure of the constitution to define the meaning of “indigene” has allowed for this provision to be used to justify denying the acceptance, access and security needs of non-indigenous communities. Secondly, the federal character principle codified in section 14, Sub-section 3 of the 1999 constitution also encourages traditional rulers to prioritise indigene rights over the rights of citizens.

### **Policy Recommendations**

Having analysed the findings on the destructive and constructive roles of traditional actors in protracted social conflicts, as well as the constitutional issues that affect their role, this section offers a set of policy recommendations which are aimed towards enhancing the constructive roles of traditional rulers and reducing their destructive roles. Taking the findings above into account, these policy recommendations mainly focus on structural reforms that can make the traditional governance institutions better positioned to complement the state in satisfying the acceptance, access and security needs of Nigerian communities. In particular, the recommendations aim to; (a) enhance the relevance of traditional governance institutions to their ethnic communities as well as to the democratic governance; (b) foster greater administrative and financial independence for traditional

institutions; (c) enhance cooperation and complementarity between traditional and state actors; and (d) limit the functions of traditional rulers to constructive areas which foster their political neutrality and promote inter-communal harmony between their communities.

Firstly, any structural reform of traditional institutions will have to take into account the diversity of traditional systems that exist in Nigeria. As discussed in Chapter four of this thesis, the structure of traditional institutions of governance in contemporary Nigeria varies greatly in different parts of the country. While most ethnic communities in Nigeria operate a centralised traditional system where the power of decision-making is centred on a monarch, others operate a decentralised system where ethnic communities are divided into independently governed constituent villages and Districts. This diversity is absolutely important and should be maintained because traditional institutions represent a crucial part of ethnic identity, which in turn is significant for satisfying the acceptance needs of ethnic communities. Ethnic communities should continue to retain traditional governance institutions in accordance with their customs and traditions without undue interference from other ethnic communities, or from the state. However, in organising traditional institutions, ethnic communities and their traditional rulers can only set-up structures or promote functions that are in line with constitutional law. Furthermore, traditional actors who have been selected by their ethnic communities, in line with the customs and traditions of their people, should be recognised by other ethnic communities and the state, as legitimate leaders. Accepting a traditional position should also have implications for involvement in secular politics. In particular, traditional rulers must forfeit their political franchise. They should not be allowed to vote or stand in any state election, and cannot publicly endorse any political party or candidate.

Secondly, the palace of traditional rulers should be transformed from its traditional conservative residential purpose, to serve as a hub for communal governance. In other words, the members of the community should have a sense of ownership and access

towards palaces within their community. This can be achieved by making palaces more open to community access through the installation of vital public services within and around them. Among other things, the palaces of traditional rulers should incorporate basic public services such as; a community library, community museum, meeting rooms, administrative, legal and security services. Such public services will facilitate the satisfaction of the acceptance, access and security needs of their respective communities.

Finally, attaining administrative and financial independence from the state is crucial for reducing the destructive involvement of traditional rulers in partisan politics. While the first two recommendations will serve to achieve some level of financial independence for traditional institutions, removing them from the direct control of the local and state government authorities will foster even greater effectiveness and constructiveness for traditional rulers. To this effect, structural changes should be implemented at the local, state and federal government levels. Local, State and Federal Traditional Councils should be established respectively as a separate pillar of governance which is self-sustaining and allows traditional rulers to contribute to decision-making at all levels and to all tiers of government. Functionally, the role of traditional councils can be categorise into three broad areas; traditional, advisory and administrative functions. Before examining these proposed institutions in detail, it must be mentioned that they contain measures aimed at ensuring more accountability of traditional rulers to the state and to their communities.

### **Local Traditional Councils**

At the local government level, Local Traditional Councils (LTCs) should be established. While many Local Government Councils currently have ad-hoc traditional committees, the LTC proposed should combine good practices observed in some communities to create a more coherent framework across Nigeria. The Local Traditional Council will consist of a Chairman who presides over its meetings, traditional members who represent the constituent villages or Districts within the Local Government Area, and

non-traditional members such as representatives of the local government's executive and legislative branches, religious organisations and other interest groups. In mono-ethnic Local Government Areas<sup>96</sup>, the Local Traditional Council can be permanently chaired by the paramount or most senior (according to historical or traditional standards) traditional ruler within the LGA. However, for multi-ethnic LGAs, the chairmanship of the Local Traditional Council should be rotational between the paramount traditional rulers of constituent ethnic groups, except otherwise agreed by the members of the council. The LTC will function from the palace of its serving chairman, having regular weekly meetings, as well as emergency meetings convened by the members. It is important that decisions are reached through a democratic system which facilitates inclusion and equal participation of members. A consensus or majority based system can be used, ensuring that the votes of traditional rulers are prioritised.

The constructive roles of the Local Traditional Council can be categorised into three; traditional, advisory and administrative roles. The traditional roles of the LTC are those which are geared towards satisfying the acceptance/identity needs of ethnic communities within their LGA. This includes; the planning and execution of cultural festivals, events and programmes which promote and celebrate ethnic diversity; mediating in chieftaincy disputes and promoting inter-communal harmony. On the other hand, the advisory roles of the LTC are those which focus on their relationship with the executive, legislative and judiciary arms of their local government. The Local Traditional Council should discuss and make recommendations to the appropriate local government authority, on such matters that affect the access and security needs of their respective communities. The recommendations of LTCs to local government authorities are advisory and should therefore not be legally binding. However, they should be taken into account as legal evidence in court, making them instruments for holding local government authorities

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<sup>96</sup> This does not imply that there are no Nigerian citizens of other ethnic nationality living within the Local Government Area. On the contrary, mono-ethnic LGAs are areas whose administrative borders have been drawn in harmony with the traditional boundaries of a single ethnic group.

accountable. In addition to the meetings attended by representatives of the local government authorities, LTCs should be required to submit monthly reports to their local government authorities as part of their administrative roles. This will also ensure that traditional rulers in the LTC are held accountable by the state. A copy of the monthly LTC report should also be sent to the State Traditional Council.

### **State Traditional Councils**

At the state government level, State Traditional Council (STCs) should be established to perform similar functions as the Local Traditional Council. STCs will constitute all the serving chairmen of the Local Traditional Councils in the state, as well as other non-traditional members such as representatives of state government's executive and legislative arms, security and religious organisations, and other interest groups. The STC should also appoint a chairman from its traditional members in line with the contextual and historical characteristics of that state. Mono-ethnic states may appoint their paramount traditional ruler to serve as a permanent chairman of the STC, while multi-ethnic states can implement a rotational chairmanship amongst its traditional members. As with the LTC, the STCs in mono-ethnic states will operate from the palace of its chairman. However, STCs in multi-ethnic states on the other hand may decide to operate from the palaces of serving chairmen on a rotational basis, or from the palace of a traditional member whose domain is also the administrative capital of the state. The State Traditional Council should meet monthly to carry out traditional and advisory functions.

In fulfilling its traditional role, the STC should review the cultural events and programmes of LTCs in order to ensure that such initiatives do not threaten the acceptance needs of other communities. Also, the STC will mediate in conflicts or chieftaincy issues which are recommended to it by LTCs. As part of its advisory roles, the State Traditional Council should be engaged in debating contemporary issues that affect the acceptance, access and security needs of their communities, and offering advice to the state. As part of

its administrative roles, the STC will also produce a quarterly report containing a summary of the issues raised during its meetings as well as recommendations to inform government response to such issues. This STC report shall be submitted to the state government's executive, legislative and judiciary arms. As in the case of LTCs, these reports are not binding on the state, but can be used as a legal instrument for holding state actors accountable. A copy of the report will also be submitted the Federal Traditional Council.

### **Federal Traditional Councils**

At the federal government level, a Federal Traditional Council (FTC) should be established to represent the highest decision-making institution of the Traditional Councils. The FTC should constitute of two main organs; a National Secretariat and a General Conference. The National Secretariat of the Federal Traditional Council should be based in Abuja, Nigeria's capital city, symbolising national unity. The Secretariat will function as the bureaucratic institution which is responsible for overseeing the administrative and budgetary aspects of all the State and Local Traditional Councils in Nigeria. It should be headed by a Director-General who should be appointed by the President of the Federal Republic of Nigeria. An important eligibility criterion is that the Director-General must not be a member of any Traditional Council so as to ensure his or her non-partiality in the running of the National Secretariat. Furthermore, the National Secretariat should constitute several departments which should be by bureaucrats and overseen by the Director-General. Such departments will include; a Department of Administration, Peace and Security, Chieftaincy, Culture and Tourism, Budget and Finance, Human Resources, Legal etc. The National Secretariat should be directly responsible to the Presidency, but should work closely with other executive, legislative and judicial institutions such as the Federal Ministry of Culture and Tourism, the Senate and House of Representatives and the Supreme Court of Nigeria.

The General Conference of Traditional rulers will be organised annually by the National Secretariat, and may last between three and seven days. The annual General Conference will be attended by all the chairmen of State Traditional Councils and non-traditional members such as; the Director General of the National Secretariat, the President of the Federal Republic of Nigeria and his or her special advisers on security and culture, the Senate President, Speaker of the House of Representatives, Chief Justice of the Federation and representatives of Religious organisations and interest groups. The General Conference should elect a traditional member every two years to serve as its Chairman. A zoning formula<sup>97</sup> can be used to ensure that the chairmanship is rotated amongst the different ethnic groups in Nigeria. Before its annual meetings, traditional members of the Federal Traditional Council should receive monthly reports which contain a summary of the issues being discussed at the State Traditional Councils of the federation. This monthly report will be compiled by the National Secretariat and submitted to traditional and non-traditional members via their liaison officers based at the Secretariat. These reports will also inform the scope of traditional and advisory issues to be discussed at the General Conference of Traditional rulers. In addition to its administrative, traditional and advisory roles, the General Conference also represents an avenue for building friendly relations between ethnic groups represented by their traditional rulers. Furthermore, the Federal Traditional Council should propose its budgetary allocations for each financial year.

Financing the daily running of these proposed Federal State and Local Traditional Councils will initially be sourced from a five percent (5%) deduction of federal government allocation to States. This can be deducted at the federal level by the National Secretariat, which will then oversee its spending by the traditional councils in the form of wages, grants for cultural events, palace renovations and other expenses incurred from running the National Secretariat. Traditional rulers at the Federal, State and Local Traditional Councils

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<sup>97</sup> The Chairman of the General Conference of Traditional rulers can be rotated between the six geo-political zones in Nigeria. This implies that candidates standing for elections to the position are restricted to State Traditional Council chairmen of States within a particular zone.

should receive wages for each sitting, with higher pay rates for higher councils. Furthermore, traditional councils will generate internal revenue through cultural events and tourism. Twenty percent (20%) of all revenue generated by Local, State and Federal Traditional Councils can be collected by the National Secretariat, which will re-invest such into its annual budget. The remaining eighty percent (80%) can be re-invested into the socio-economic development of the community. To this end, every State and Local Traditional Council should include financial officers who are appointed by the National Secretariat. Financial officers will be responsible for supervising the implementation of the proposed formula in every council.

Lastly, defining a constitutional role for traditional rulers in Nigeria is a measure that is not necessary for the proposed policy recommendations to be implemented. On the contrary, it is the effectiveness of these structural changes in enhancing the constructive roles of traditional actors that ought to determine the nature and scope of their constitutional role. In other words, defining a role or merely mentioning traditional rulers in the constitution cannot in itself guarantee that the destructive roles of traditional rulers will be mitigated. However, by implementing these much needed structural adjustments, traditional institutions can be well positioned to become formally recognised institutions which contribute positively to peace and democratic governance in Nigeria.

### **Conclusion**

As violent conflicts continue to erupt within African States, adopting a perspective which considers these conflicts as a continuation of past conflicts is useful for explaining why these conflicts prove intractable. The dynamics of the Ife-Modakeke conflict and the Jos-Plateau conflict can be traced back to the pre-colonial era before the foundation of the Nigerian State was ever conceived. While the pre-colonial and colonial aspects of these conflicts may appear distant from their current manifestations, the survival of traditional structures of governance which also pre-date the modern State provide link between

ancient and contemporary patterns of ethnic relations. Although many traditional institutions of governance have themselves evolved according to the changing political contexts, their role as custodians of culture and tradition have remained unchanged. As traditional rulers jealously protect the knowledge of their community's history and heritage, they can facilitate the re-escalation of old conflicts when conflict sentiments are transferred to subsequent generations. Thus traditional institutions must find new ways to define communal identity and distinctiveness without doing so at the expense of the safety and security of other communities coexisting within the construct of the Westphalian Nigerian State.

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## **Appendix I Interview Transcript (Ife-Modakeke Conflict)**

**NAME:** Prof. Mohib Opeloye

**POSITION:** Osun State Commissioner for Local Government and Chieftaincy Affairs

**DATE:** 19<sup>th</sup> September 2009

**PLACE:** Ife, Osun State.

**Q. To begin may we know you sir?**

A. I am Professor Mohib Omolayo Opeloye, the Commissioner for local government, chieftaincy and community development of Osun state, Nigeria.

**Q. How long have you been Commissioner?**

A. Four years now. I was appointed precisely on the 25<sup>th</sup> of August 2005. I was the Commissioner in the previous administration and I was retained in 2007.

**Q. How would you compare the relationship of the state and the traditional rulers in the previous administration and in this administration?**

A. well it was not cordial; I think there was misunderstanding between government and traditional institution. It was a government that did not accord the expected recognition to the traditional institution and it was like they saw the traditional institution as a burden and that was unfortunate. Because in our setting, Yoruba society setting, the traditional institution is the foundation of the society, they are the custodian of the tradition and so any administration that behaves the way that one behaves will not get it right. And that was why they fell out and that resulted in the traditional institution not supporting that administration to come back.

**Q. Is politics part of the role of traditional rulers or what do you consider to be their primary role?**

A. well if you want to go historical, because of our own social setup the traditional institution has a role to play in government and that is historical, even before the colonial masters. When the colonial masters came, we had our own system of government and the Oba was just all in all; the administrator, the dispenser of justice, and the commander in chief you know, all in all. So when the colonial masters came, they saw their usefulness and they made use of them and that informed the introduction of indirect rule, because they saw a well organised society. Having seen a well organised society which was well organised because of the existence of the traditional institution. And so they accorded that recognition and that made their job easy. It was not only in Yoruba land it was in the North too. And no wonder after independence, our first republic we now had bicameral legislature. That is where you have the house of assembly and house of chiefs. And Ife during the time, the Oba in Ife, Oba Aderemi; the

predecessor of the current one, was the governor of the Eastern region. We had a premier and we had a governor. And he was also the president of the house of chiefs. And so you can see the involvement of the traditional rulers in politics.

Second republic did not bring them on board but that is not to say that they did not play some roles. This time around we didn't have third republic that one was aborted; fourth republic is what we have. They organised themselves, even in the East where they didn't have centralised traditional institutions, they now had. They started making a case for the constitution to recognise their role because right now the constitution is silent about their role. So that is the situation now, the constitution does not give them any role so whatever it is they are doing it is like on an advisory level not constitutional. Even though in all the states of the South East we have council of Obas, and they still play advisory role. For Osun state, kabiyesi Ooni is the permanent chairman of the council of Obas. In some cases they have rotational chairmanship. But because of his own position he is permanent.

**Q. Sir how do you see the current involvement of traditional rulers in politics? Some people believe that it is rubbishing their office.**

A. It depends on the way you look at it. If the experience in my own locality is anything to go by, I have been in politics for the past five years now. My family was never in politics, no blood member of my family has been in politics. At least within the past four years I have been invited to be in politics and government. And I've been in government more than in politics. I will say the involvement of the traditional institution has been a saving grace in view of certain development. Because when you look at it, politicians are never able to agree among themselves. Their meetings are always stalemated and that is because you find everyone pursuing his own agenda. It is a politics of do-or-die. It is a politics of character assassination, pulling-down syndrome. It is a politics of deceit and insincerity; it is a politics of survival of the fittest. So when you disagree and even exchange blows during meetings, what is the role of a traditional ruler more than to settle and bring an agreement, otherwise these people will not make any head way. In a situation where they are able to settle their issues amicably, they agree that okay you become Commissioner, you be minister, m you be special adviser, the king or monarch will not have any business in politics. That is the big problem. We have conducted elections, somebody has won, a group has won, a party has won, then the next thing is sharing of offices. They are never able to do that. If they are able to do that on their own, that intervention of traditional rulers will hardly be necessary. And where they are not able to, the monarch commands respect and they perform their roles successfully. And that is because the Oba themselves are not having any hidden agenda. For example my own involvement I have no relationship with kabiyesi Ooni, no relationship no connection whatsoever, I am just an Ife person, he knows my antecedents, he knows my achievements in academics, he has seen my roles all over the country and so he told me come and help us. He has sons who have everything he takes to be in these offices, so as long as he is not taking his relation or anybody, he is just looking for somebody who will contribute to the progress of the community.

**Q. so sir you mentioned about the council of chiefs, is the state trying to involve**

**the traditional rulers more formally?**

A. yea, if the constitution is amended, hopefully we are looking at a situation where the constitution will recognise the traditional institution. What way it will take I may not say, I am not in the house; I do not know what their thinking is. It may be patterned along the former system or it could be any other way but at least for now that is what it is. And when talking of constitution not recognising them, there is provision for their own remuneration; five percent of local government allocation and it is shared among them. So that is recognition.

**Q. with your experience these past four years dealing with traditional rulers, what do you suggest to be their role in the constitution?**

A. They are already playing some roles, but we are just saying formalise or recognise those roles. Because if an Oba decides not to intervene nobody will hold him responsible. But they are doing it because they are performing their natural role. So I think the problem of African democracy is the democracy not been indigenised, the inability of the constitution to indigenise the democracy. Let it relate to our culture, what we are doing is what they do in America, what they do in Europe, that's what we are just doing. And that is why we are having problems.

**Q. Which brings us to the issue of indigenship and citizenship which seems to be a serious issue with our democracy? As Nigerians we have equal rights and are free to exercise those rights in any part of the country but that doesn't seem to be the case in Nigeria.**

A. no it's not, if am in Lagos now I cannot...well Lagos is even different because Lagos is a bit continental and it's like no man's land. But any other place outside Lagos, I can't go to Kwara and say I want to do anything as an Osun man, even if I've stayed donkey years in Kwara. Somebody is in Osun but he is from Ogun state, he has been here for...you know it will take time before that happens. Though in the constitution they say you are to be there for five years or something but that isn't happening in reality. So these are the kind of problems our system has.

**Q. Since the traditional institutions have been a saving grace on many grounds, what is the government doing to facilitate all their efforts?**

A. That is the process of amending the constitution. By the time it is amended, because they have already made their own submission, the council of Obas have already submitted their own suggestions with regard to the way to recognise them. So I believe that it is receiving attention. Until that one happens before you can know what exact form it is taking.

**Q. Apart from the lack of a constitutional role, are there any other things you see as hindrances to the effective performance of traditional institutions?**

A. The traditional institution is perfect. The only thing that seems to want to corrupt or cause any damage is the external interference. Because when you are combining two systems one will do damage to the other. Recently the Netherlands ambassador in

Nigeria, came to visit the palace of the Ooni, and was trying to do a research into traditional institution. He said they are going to come up with a book and in fact I think they are trying to see how Nigeria will now go monarchical because that is what obtains in their own country.

**Q. Do you see that as a possibility? Is it possible to unite all the traditional rulers of the ethnic groups in Nigeria under one umbrella or one monarch?**

A. It is difficult but it is not unattainable. After all within the Hausa community except in the North except in Jos, otherwise the sultan is recognised as the head. Here in the South East except when Alaafin is talking, he knows Ooni is the supreme head. But it's just a question of jealousy. They know their ranks, the hierarchy is well defined. Because when you now come to the meeting that takes all of them together in the country, they know how they sit, they know who directs the affairs of things, they know who to consult with, the first knows himself and the second knows himself. So it's a question of an arrangement that will suit their situation.

**Q. While researching, we came across an idea that rather than the way chiefs are classified currently, they can be made to be paralleled with the three tiers of government, i.e. first class meeting at the federal level, second class at the state level, and third class at the local level. But don't you think the chiefs of minority ethnic groups will be disadvantaged?**

A. No, when it comes to...look there is no question of all that, the classification you are talking about is even alien to the way the constitution sees them; first class, second class, third class. An Oba is either part two or minor chief. Part two or minor chief. So all these first class is your own classification, there is nothing like third class. It is either a part two recognised chief, that is to say recognised chieftain and minor chiefs. So since you are recognised you are a recognised chief. So it's either you are part two or a minor chief. These are the two classifications.

**Q. To come to the Ife Modakeke crisis, we thank God for the peace that has been achieved and we know through our research that you have personally put in a lot of effort to drive to this point. What were some of these efforts?**

A. Well it is not Opeloye that did anything; it was kabiyesi that did it. Am just an instrument, and if it is serving on a peace committee that was put in place, I am just one of about twenty people that were there. I was not even the chairman, neither was I the secretary. I was just a member like so many other members on that committee. But the real issue is that Ooni's disposition to the solution to the problem was just what settled everything. I am setting up this committee, twenty from this community, twenty from that community, go and pick your own chairman from amongst yourselves, and your agenda is Bode George's committee's whitepaper, let it be your guiding principle. And everyone contributed his own, everyone talked, at times we disagree and later we agree. But the thing is getting ooni's disposition right, you don't want to walk at cross purposes. You know that this man wants peace, he wants settlement, then let us pursue that. Even if people are going astray in the committee, we call them and ask them not to forget

what the agenda was.

**Q. so what were some of the crucial points during the committees meetings, was there any departure from Bode George's report or any additions?**

A. no, whatever Bode George said we should pursue they were the things that guided us. So not departing from it. Let Modakeke people say Modakeke Ife in their name, we pressed on them that they should do it.

**Q. But we still sign posts carrying Modakeke alone. How long will it take for total compliance?**

A. The total compliance is in the mind. You may see it on the sign post, that is just artificial, the mind is what matters. So once there re-orientation, all these other problems they are just details. The orientation, the attitude. These are just details. If there is no re-orientation, all the other details such as area office, local government, farmers are all minor. But one major obstacle; the crowning of Ogunsua which has taken place is a challenge for the Modakekes to now see that Ife has shown good gesture which requires reciprocation.

**Q. and what are the expectations of Ife from Modakeke?**

A. They want it, it has been given, let them reciprocate by changing their attitude. And once we have change of attitude, it is a sign of appreciation for what the Ife's have done. I mean when there is a crisis, and you are trying to settle, in the process of settlement you give and take. There is no question of winner take all. No side takes everything, no victor no vanquished. It is give and take. Once there is that spirit I think it will be well. So Ife has taken a very dire step towards resolution. So we watch events but I believe having gone this far, we don't expect any problems anymore.

**Q. you mentioned about the minds of the people, there are still few people who still have bitterness about the war, and how do you plan to heal these people?**

A. It is gradual, you know time heals wounds. What is Nigeria is today is different from what it was yesterday, tomorrow will be better are you getting my point. So there is appreciable improvement in the leadership and so we believe that will progress further until we get it right.

**Q. For educational purpose sir, what are the other methods that were used in the past to solve this crisis that did not work?**

A. Well I was not involved so I wouldn't know what methods were used that didn't work. I only came to feature in Ife politics and community affairs only four years ago. I lived all my life in Lagos, I was coming to Ife maybe once in three months. There were times I came during the crisis, driving through and God saved one that he wasn't killed. But I don't know about the past efforts, so people who can answer that are those who were involved.

**Q. With regards to your ministry as the ministry in charge of chieftaincy**

**affairs, in what ways do you collaborate with traditional rulers within your domain and specifically are there any organs or lines of working with them?**

A. My ministry has four departments; local government department, chieftaincy department, community development department, and finance and establishment. Chieftaincy yes there are different ways we relate with them; firstly, feeling of vacant stools, once an Oba dies, they notify us, we send a letter of condolence, we ask them to set process in motion for appointment, and they do their thing. We don't choose for anything. The ruling house make a nomination, you know there could be three or four ruling houses, they know the others. They make their nominations, they present the candidate to the king makers, is he acceptable, or maybe they have two or three candidates. King makers will now choose, they forward to us and once that is forwarded to us, we take it to the executive council and an Oba is appointed. We just fix a date for the presentation of staff of office. that is about filling of vacant stools.

Secondly promotion of minor chiefs to recognised chiefs. Whosoever is interested applies to the traditional council in their domain, you have chieftaincy committee in each local government who will determine who should be promoted, and they forward it to the traditional council in the area. The traditional council is made of maybe two or three local governments. Like Ife has four local governments but one traditional council under the Ooni. So once you decided that a chief should be moved from minor to recognised, they now send it to the council of obas for ratification, they bring it to us, we take it to executive council to be ratified. We will hardly change whatever comes from them because they know themselves better, but we put stamp of authority on it and so that is promotion.

Then there are some that were derecognised, they were already recognised then at a point in time they derecognise them. Especially during the governorship of David Jemibewon, maybe he felt that they were too many, and many of these people who were derecognised still want to be installed. So we still handle such cases on their own merit. They apply to us, we look at it and then we take our decision. And then there is the fourth one which is promotion among members of the council. You have rotational members in the council, you have permanent members, you have vice chairmen, you have deputy chairmen, you have chairman. So to be a member of council, invariably some people start as rotational members i.e whether your question comes in; whether minority chiefs are recognised etc. Even though they are all part two, they still know their rank. And for the purpose of space, you cannot bring everybody to council and some localities you have so many kings. Like ilesa they have so many. That is why Ife is doing what it's doing at the moment, in Ife zone there as big as Ife is, we have just one person in the council ad that's Ooni. The people close to Ooni in the council are Apetu, Asalu who are not Ife proper. So it's only one, whereas in Ilesa, you may count up to sixty of them. So that is what we are trying to correct, because we have big communities that we call them Baale, whereas in a place like ilesa they are Obas. So should it be like that. It's like shooting ourselves in the leg. So where they are many like that you may just pick one or two to be there for now, they spend on or two years and they go back. These are rotational members because of their status. And once they rotate

for a while, they apply for permanent membership. Permanent members become vice chairmen on application, vice chairman becomes deputy chairman on application, but deputy cannot become chairman. We have just one chairman.

**Q. sir regarding traditional institutions and local government chairmen, according to the constitution the traditional institution is under the local government, but has there been any conflict of power or authority between traditional rulers and chairmen in the past? And if so how do you intervene?**

A. in Yoruba setting there is nothing like that; a chairman must accord recognition to the traditional institution in his area, if he is really a true son of a Yoruba person. Because he is a chairman and he now says he will be pompous to an Oba then that person is not a Yoruba person. So constitutionally you may say the chairman is at the top, even from the programme we make you see the arrangement okay. But that does not mean that you do not give respect to traditional authority.

**Q. You know it is said that he who pays the piper dictates the tune, some people are of the opinion that the remuneration for Obas should come directly from the federal government instead of coming through the local government, what do you think sir?**

A. that is what is happening, Abacha did that, five percent goes directly to the Obas. We take it from Osogbo (State capital) not from the council. From the state headquarters the five percent is taken, it goes to the chiefs not through the council. If there is any account at the council it's just for the sake of locating it there. It's not as if it requires any approval from the chairman. No. The thing is deducted direct from source, straight to them. it doesn't come through the council.

## Appendix II Interview Transcript (Jos-Plateau Conflict)

**NAME:** HON Pius Gimba

**POSITION:** National President Anaguta Development Association

**DATE:** 7<sup>th</sup> October 2009

**PLACE:** Jos, Plateau State

**Q. May we know you sir?**

A. well my names are Honourable Pius Gimba, the national president of the Anaguta development association, the socio-political umbrella of Anaguta nation. That is the position I am currently.

**Q. Thank you very much. So can you tell us a bit about the history of the Anaguta people and how their traditional institutions are organised?**

A. Well the Anaguta as the name entails, is a tribe within the former Jos division now plateau state. among the various ethnic groups in plateau state which are over 50 in number, we are among the ethnic groups. What do you mean by tribe? a tribe is a distinct community that better understands themselves than any other community so Anaguta is a tribe. I can say in the whole world the anaguta man can only be found here in Jos, you cannot find any anaguta man in any part of the world. If there is any anaguta man in any part of the world, he is a foreigner. So the Anaguta man, the tradition of Anaguta is so unique. By historical records, the origin of anaguta...we don't have any defined tales of Anaguta that we migrated from any part of the world. The anaguta man found himself here right from time immemorial. We don't have any linkage with any migration from any part of the world. It is here that we originated. Sometimes our forefathers have a belief that we emanated from a hole (laughs). That is the origin of the anaguta man. So we have to go by what our forefathers tell us, we cannot write history by ourselves, it is what we inherit that we find tales about where we came from. Even the white man that came here cannot be able to say this is the exact place where the Anaguta man came from. So we go by what was told us by our forefathers, so the history of the Anaguta man is from here. every community that is here found the Anaguta man here. so we have no different place apart from where we are now. That is the Anaguta man.

**Q. So how do the Anaguta people organise their traditional institutions and rulers?**

A. yes the Anaguta tribe their traditional institutions before the colonial masters came, the anaguata man has his own religion. That is the traditional religion, probably been referred as pagan religion and idol worship in contemporary times. So during that period, the traditional institution of the anguta man centres on, been

governed by the spiritual head. That is the man in charge of the traditional religion. That is sarkin safi better known in hausa. So we were having only one single man who was in charge of the traditional religion. All the people used to listen to him before the advent of colonialism. So when the white man came, he came with his own kind of administration where the present kind of chiefdoms, Districts, and whatever are set up. In those days we had our own. So in those days before you came in the anguta man had his traditional head who is the spiritual leader, so it took the white man time before he was able to convince the spiritual leader of the Anaguta to accept to be turbaned with the new traditional title.

**Q. So did the coming of the white man (Europeans) change the entire cultural organisation of the Anaguta?**

A. No, it didn't change it has to come to the state with what we have today. Some people will say now we have the Ujah Anaguta. The Ujah Anaguta did not emanate because he is now a District head or he now has chiefdom no. Before the coming of the white man we have our own traditional institution based on the spiritual aspect of the traditional religion.

**Q. So are the spiritual rights still intact up until now?**

A. Yes they are still intact. Up until today the paramount ruler of the Anaguta is from that lineage up until this moment. Though we have a period of the white man coming and some transformations happening, the coming of Christianity in terms of religion because the Ujah of Anaguta is now a Christian. But things have to be modernised in order to suite his personality, but he is still the overall ruler of the Anaguta community. Thought the traditional spiritual aspect we still have spiritual leader who performed spiritual duties but in conjunction with the traditional ruler.

**Q. So what are some of the things that Christianity has changed in the culture of the Anaguta?**

A. in the traditional aspect what It has changed is that the spiritual leader at that time, he worshipped the gods, he appeased them, making sacrifices with animals. He believed in the gods and he consults them. So Christianity came in and by Christianity if you accept to be a Christian you don't have to worship those gods. So that is the only area the Christianity changed in the traditional institution but he is still our traditional ruler. From that period he is still bearing the name the Ujah. So Christianity has affected the spiritual aspect of the traditional institution but it has not affected the chieftaincy.

**Q. So was the traditional/spiritual head then called the Ujah?**

A. Yes and still the Ujah. When the white man came he was called the Ujah and we have all the documents to back that up.

**Q. Sir apart from the spiritual role of the traditional ruler, what are the other primary roles or main functions of the traditional ruler?**

A. the traditional ruler is the leader of all the spiritual heads within the community. He is the leader of all the clans that make up the community; he is the leader of the entire Anaguta nation. All the decisions concerning the traditional the cultural and whatever of the community he takes charge of them. He is more or less like the commander in chief of the Anaguta nation. He is the father of every Anaguta man. All decisions all policies are taken under his control.

**Q. How do you see this role in comparison to the role of the state actors such as the local government of chairman or the councillors?**

A. You see the issue of traditional institution also has to do with modern governance. Before independence, the traditional rulers have a role to play. In conflict resolution, if there was any problem you discover that they are the ones settling them. They know their people well and they know their customs well. So if you now look at the crisis that we are having today, the moment the roles of traditional ruler was set aside by the constitution, that is when we started having these crisis. They don't have much to say about their community. So you will discover today that if you have any problem with somebody, the traditional ruler have less to say about it. The person prefers to go to court, or go to the police station go to other places, when the traditional ruler is there, he knows the people, he knows the causes of the issue, and even more than the police. So he has no role to play and that is the problem we are facing here in Nigeria today. So I want to see that the traditional ruler should be given the constitutional power to control his people, to control his land, and to settle dispute. The powers he was exercising before independence and let me tell you some of these crises will not take place. Denying them such roles is why we are having problems; I know why they deny them because it has to do with land matters. It was in the land use decree that they stripped them of their powers. Because they were exercising more powers on the issue of land and they look at the traditional rulers as those people that are taking over the land of their subjects. So that was the fear. Maybe government can still give them the role of dispute resolution etc while retaining powers of land. So they still have a role to play. At the state level like we have the council of chiefs, at the local level we have the traditional rulers also playing a role. But in every local government they should exercise certain powers, and at the state level as well. I will rather advocate that we should have the house of chiefs like we used to have before. So that they can be able to take certain decision that has to do with community, cultural and boundary issues. It will help. They know the historical background of everything.

**Q. So what about the national level, because of the system of classifying chiefs into grades. On what basis should chiefs be classified and how do we have a national representative institution of chiefs?**

A. well you see classifying chiefs if you now look at it for instance plateau state where we have over 54 ethnic groups, we now go to Bassa Local government for instance, they have more than 15 ethnic groups, and even in Bassa you now come to Pengana chieftdom where they have over ten ethnic groups and they have one paramount ruler, the Ogbomo of Penganna. You see you cannot just look at the whole 54 ethnic groups and just put them together as one. You look at historical background, don't look

at population. Look at historical background. So by classifying traditional rulers, yes there will be a problem. I know like we have in central Nigeria, there is the Tor Tiv who is been regarded as a leader of the central zone traditional rulers. You look at the sultan of Sokoto in charge of all the emirs, then the Obi of Onitsha you will see that he is in charge of the whole Ibos, maybe the Alaafin of Oyo or the Ooni of Ife is been seen as the overall in Yourba land. Oba of Benin etc these are traditional institutions that have historical backup. You put it that way then you will be able to classify traditional rulers, if you come to the centre we have states we have local governments. In fact like we have the senate where we have three senators per state, you can then have a council of chiefs at the national level and then pick five chiefs per state, and then at the state level you also have a national council of chiefs just like the house of assembly. So if we want to have a national council of chiefs it can apply such in every level of government, either two or three. Then coming to the state you can have proportional representation. Every community should be represented. There is nothing wrong in having a council of chiefs in plateau state made up of 54 nationalities i.e. their traditional rulers. They discuss about their community. Because no matter the situation you know the Anaguta man is been looked upon as a smaller group you cannot tell me that the Berom man should talk on my behalf or the man from Buji that the Long Goemai should talk on his behalf. No.

**Q. But contrary to your suggestion, population is been used as a yard stick for classification and sharing of resources, how can we reconcile both historical background and population so that we can have a stable situation with our chiefs and chiefdoms?**

A. you see when we are talking about traditional institutions given a role to play; you should be able to look at the background of a traditional ruler. Traditional institution is a kind of a symbol of the community, identity of a community. So each ethnic group should have their own recognition and each traditional ruler their own powers. No ethnic group can talk on behalf of another group. No tribe no the customs and traditions of another community. So every tribe has its culture and tradition. So if you now say that one tribe should be represented by another, then how do you expect the customs and traditions of that tribe to be respected? So the issue is that every tribe should be given its own right not on the basis of population. Take for instance the goemai man, the Long Goemai cannot talk on behalf of the Pan man, cannot talk about the history and culture of the Tal man. He doesn't know anything about that. The fact that they live near each other doesn't mean that they should now represent each other's tribes. Or you talk of the gbong gwom jos then you say that he should talk on behalf of the Anaguta, the Afizere, and the other ethnic groups. So the traditional institution that is going to be reformed should have powers to enable them discuss with each other on the basis of ethnic identity. So if there is a problem between one ethnic community and another they are there to be able to give out details of what they know about. They should have powers to administer certain aspects that concern their people.

**Q. Like you said it is due to the use of population in classification of chiefs that result in the Gbong Gwom representing all other ethnic groups in the state, so how can this be corrected?**

A. Well I want to correct something, the berom man is entitled to his own chief, and he is entitled to his own traditional ruler just like any other community. We have never ever been against the berom man having his own tribal chief. Every community is fighting to be recognised, to be given an independence of its own, to control his own land, and to lead his own people. So the problem we are having today is that in the olden days when the white man came, those that were closer to the white men were able to be identified as the representative of other communities. And he was so appointed to administer over them. And you know civilisation has come in, education has come in; people now know their right from their left. We have to be independent we have to recognise ourselves. Nobody will believe today if you now bring the white man, the Anaguta man, the Afizere man, they aten man, if you now say that the Aten man found in the midst of the Berom man and the berom man will not understand you nobody will believe that. So how can you say that somebody that does not know your customs and traditions and does not understand your language to represent you. How can he represent you. Then you can see the Gbong Gwom was made the representatives of all the tribes here with the exception of the Jarawa who were still in Bauchi. So that is the problem so what we are trying to say here is that the rulership of the Gbong Gwom should not be extended beyond their territory. But their people still say no, he wants to extend his rulership into another man's territory. He is laying claims on another's land. So when you look at it we are not fighting the stool of the Gbong Gwom, No. The Gbong Gwom is Gbong Gwom we are not Gbong gwoms, we are not beroms. So they call their own Gbong gwom, we call our own the Ujah you call yours the Ataa Aten. So we are not fighting the stool of the Gbong gwom we don't want it. Even if you install me as the Gbong Gwom I am not a berom man. But the issue is please I want my independence. Look what is due to me should be given to me and that is where the problem is. Even if the Gbong Gwom should be the chairman of the Jos Joint Traditional council, that is not a problem but I should be duly represented. So trying to take control of our territory is what we want. Even if we will remain a District head, no problem the District head should be able to cover his area.

**Q. We also have the issue of overlapping boundaries, in terms of not just political boundaries but traditional boundaries, you have the boundary of a berom chiefdom extending beyond his territory, and in a place like Jos 54 local government areas cannot be created each tribe to a local government also because not all natives settle together in a particular place. So how do we settle this issue of political versus traditional boundaries?**

A. you see that is why I said when you are talking of council of chiefs been given a role to play, the council of chiefs should be made up of all the tribal chiefs that come together regardless of local government and state. Local governments are created for administrative convenience. So traditional institution is not for administrative convenience it is for cultural recognition. So like in benue state the overall chief of all

the Tiv in benue is Tor Tiv. But the Tiv people of Benue have over ten local governments. Can you see that they should have Tor Tiv in every local government? No. The Tor tiv is the overall head of all the Tiv. So the creation of local government is for administrative convenience. So even if benue state is going to be divided into 3 e.g. the idoma speaking people have their own state, and another for the Tiv, they will still remain with one Tor Tiv. Coming to Aten even if you create two local governments in Aten, the Ataa Aten will be one. Not on the basis of local government administration but on the basis of cultural recognition. So the issue of Jos North or Jos, the Gbong Gwom Berom or the Gbong Gwom Jos, (laughs) I have documents here, the Gbong Gwom was initially given chief of berom, he was initially made a third class chief that was the appointment given to him by the white man. He installed him as the chief of berom. He was then upgraded to the chief of berom second class, and then he was given first class. It was in 1976 or 79 that he changed the title to Gbong Gwom Jos. Just of recent. And don't forget that the Gbong Gwom institution came into being in the 1940s. Well even in the berom land, the traditional institutions of foron, gyel were there before the white man came. They created the Gbong Gwom just as the person who will coordinate among them. The Gbong Gwom is not like the ujah Anaguta, it is not like the ataa aten, it is not like the ponzi taroh. The traditional institution just came to coordinate the traditional rulers. The institution of the Gbong Gwom has nothing to do with the customs and traditions of the berom. All what you are seeing today is just artificial creation. The Ujah of Anaguta is now the paramount ruler second class. He has been the ujah before the white man. He upholds the traditional and cultural heritage of the Anaguta. It is not an artificial creation. Where were the beroms before the 1940s? Were they having a chief, they were not having any overall chief. So he was just made the Gbong Gwom berom the chef of berom. At that time the white man came to understand that there are other tribes such as Aten, Anaguta etc so he cannot call him the chief of Jos division. He would have called him that, but he called him the chief of berom. At a later time, the institution of the irigwe was created, the penganna was created, rukuba was created. At a later time the chiefdom of the Aten has been created. Why can't you the aten man control govern his territory, why can't you let the Anaguta man govern his territory you are saying no. Why? Then how can you now create somebody's territory, you have to use historical evidence. Before the Anaguta man is now having chiefdom, what was he before; he was a District head, what was his boundary? You can't just create a traditional institution from the surface; it has to come from the historical background. So Anaguta was a District and from a District to chiefdom...so also the Ujah from a District head to a second class chief, likewise any other community in the whole world. When he was a District head where was his boundary? So his boundary has to be from that history.

**Q** So it seems from your statements, that from the South the Berom man is encroaching on your land, and from the East the Afizere man is also encroaching because you said they migrated from Bauchi. So did they just arrive and begin to make claims to the land?

A. Coming to the Afizere man it is very unfortunate that today people tend to distort history. They tend not to tell the truth. Akwai cin amana (There is betrayal of

trust). Like the case of Anaguta with late Chaimang the former Ataa Aten. Maybe today you are looking for political position and maybe you can now challenge me or remind me that do you know that Chaiman died because of your cause, and then I will say no he died because of a different issue. They were having a different conflict with the berom just because I don't want to agree with you. Almighty God that we will all go back to him knows that late Chaimang died because of the problem between the Anaguta and the Berom man. He died because of the problem between the Anaguta man and the berom man not because of the Aten and berom problem. No. Because he came and gave testimony at a judicial enquiry, he came to say the truth. He did not come to favour Anaguta no, he came to tell the truth so in telling the truth it must have a repercussion. I believe that if the evidence he gave favoured the berom, he could have not been killed. That is people now tend to forget. The afizere man we have but only one afizere man. They have are one family, the afizere is one, the aten is one, the Anaguta is one, the berom is one, no matter how large a community is, such as the Yoruba they are all one. So you can now trace the history of the afizere man. Where did he settle? For the afizere man that everybody knows is in Jarawa chiefdom. The soil of the afizere man is in Jos East. Everybody knows that. Around fobur and angwari. So for the afizere man to say that he originated from Jos then you ask yourself a question. Do we have two afizere people? Let them give us an explanation. Is is the one in Jos North that is the senior of all the afizere or the one in angwari and fobur in Jos East that is the senior. So the afizere man that we know is the afizere man in Jos East. In fobur or in angwari. Migration took some of them to certain places which Jos is included. So teh afizere man that came to Jos from federe did he really meet anyone here in Jos or not? Every afizere man that is herer has his own roots. The Jos jarawa man that you are talking about today, his roots are from fobur. His own brothers and everything is from fobur. Then the fudawa man he migrated from angwari, they are two different groups in Jos. The fudawa man came and settled here because he was having problems there because of certain traditional beliefs. Because they believed that if you offend your brother there are certain traditional curses or punishments that will come upon you. So the afizere man of fudawa ran away to come and settle here. he was running away for his dear life from his brother. The Jos jarawa man ran away because of war because they were conquered by the usman dan fodio jihadist so they ran away to this place. It was war that brought him here. The Jos jarawa man ran to the fudawa man who was already settled in Jos and he brought him to the Anaguta man that this is my brother. So it is a well known fact today that the boundary of the Anaguta man is by the afizere people of fobur. We have no boundary problem with the fobur man. Look any afizere man that is here migrated from there and we settled them here. What am selling you today is not politically, God will judge some of these things. We have never had any misunderstanding with the afizere man. We have fought with the rukuba man (our forefathers) and we defeated them. But we have never had any fight with the afizere man in fobur because our boundaries have never shifted. Those afizere that came here we settle them as neighbours and they are now saying that the land belongs to them.

**Q. So amidst this confusion, the Hausa are also claiming the same area of dispute to be there land. At what point did the hausa man come into the picture?**

A. well this is what happened to the hausa man before the coming of the white man. From here down to the upper plateau, we were all paying allegiance to Bauchi Province. Under the hausa caliphate. So our people the Anaguta were paying tax to him. You know if you go to Bauchi there is what they called ganuwa (city wall). They were building that wall that fenced the Emirs palace with human beings alive. They will put you on the wall and be pouring mud until you die. So they go out to get slaves for that purpose. So they were coming to our people to collect slaves and our forefathers were giving them. Before the white man came. So at a point, and our people will have to go and look for slaves from other areas like in our fight with the rukuba people they will carry the rukuba man and give to them. So every year they had to give one person to the emirate. So that very year at a particular time our forefathers gathered themselves and said enough is enough. So all of them gathered themselves and decided that when they emissaries of the emirate come for the slaves, they will say they have no more. So when the Bauchi man came to collect, the representatives of the people gathered together and told him sorry this year we cannot give you. Go back and tell the chief that we cannot give it. So they went back and told the chief that this people said they will not be able to pay their tax. So the chief of Bauchi now send his messengers that they should tell the Anaguta man that he is coming himself to come and search and take anyone. That was the last fight we fought with them, Bauchi people in 1773. Then we defeated them along the Fulnani River here. Do you know that the turban of that chief that came, we killed him and we are still having it today. The ones they have is the fake one, we are still having the original one today.

**Q. Is it in the museum?**

A. No it is not in the museum, it is in our custody. Right now. Like we have the spiritual head the Ujah, he knows where it is. But we are holding it today. If we now take it and show it to the hausa man and say look at what we did to your people, they will not be able to deny it. We still have it today. 1773 was the year we defeated them. So our parents later agreed with the hausa through bi-lateral trust and the hausa man started to settle in Anaguta land again because of trade. They were selling clothes. So now the white man came and met us with the hausa man living together.

**Q. So the white man came with the hausa man?**

A. No, he came and met us with the hausa man doing trade together. The whiteman came in 1904 here in Jos, he met us already trading with the hausa man. Thats why you see them calling the name naraguta. When he (the whiteman) came he couldn't pronounce the name Anaguta. The first Jos was established at naraguta with the entire administrative setup of Jos division at naraguta. It used to be Naraguta division, then naraguata District, before it later became Jos division. So that was how he came in, then when he came in, he came for the purpose of tin mining, when he discovered that the tin mining in Jos was one of the best and the tin was in commercial quantity. So the whiteman came in and discovered that really the indigenous tribes are not used to forced labour, so he sought for cheaper labour and thus began to bring Hausas and other communities outside Jos to work for him. What he did was that he did not allow the chief labourers to settle in the midst of the indigenes otherwise there will

be problem, so he built a camp for them, built another settlement for them and left the natives at their own place. So if he is going for a cheaper labour he goes to this people and carry them, giving them everything, and he allowed them to practice whatever religion they like.

**Q. So where were they settled?**

A. if you go to all the current Hausa areas, if you go to naraguta, you know naraguta hostel, there is naraguta village, where they do these leather works, that is naraguta, the place where they were first settled. Then from there the colonial administrator began to think of how he will expand Jos like Kaduna or zaria. So they started talking about how to now acquire land here in Jos, the central area. Then they called it an ordinance, so a land ordinance had to be passed from Kaduna. They now looked at how kano metropolitan area, zaria, were carved. So they carved Jos into different settlements for the natives, the labourers, the whitemen, the commercial areas etc. We have all these documents. So the hausa man you know how he is, when the settlement areas were been carved and the person who was taking charge of the labourers were hausa people, they were called their leaders, head labourers. They were head labourers not traditional chief. Head labourers were been paid, head labourers were been sent from Bauchi, like we have the Ahmadun Bauchi (Ahmadu of Bauchi) and the rest of them, bunu Bauchi and the rest of them. They were all head labourers, ahmadun Bauchi was the leader we killed, and then bunu and barde were some of the first labourers' leaders that were settled. So that is why the hausa man are claiming that they are first to be chief of Jos. They were head labourers, some of them were even caught in corruption. They were even sentenced to prison, they were asked to refund some money because they were government workers. So when you are refereeing them to be traditional rulers, they were white labourers, they have never been any traditional chief. That is what gave them leverage to claim that they produced the first chief of Jos. You see it is because the Anaguta and the afizere and the berom are fighting, they are saying they too are the original owners of Jos, but if you meet the hausa man, they are beginning to change arguments, they are now saying that no they don't want any traditional ruler, they Jos want Jos North local government because the facts have started coming out now, if you go to Kaduna archives, they are there. Even if they destroy these ones here, they can't destroy those ones in London. We can go there we fetch them and bring them so the claims made by the hausa man is very unfortunate, in fact even if there is any one should lay claim to Jos it is the Urhobo man, because it is the urhobo man that first settled here before a Yoruba man, then a hausa man, then the ibo. The urhobo man apart from the indigenous tribes, the Anaguta, afizere, berom etc, he was the first, then the youruba, then the hausa, then the ibos.

**Q. so during the fight for independence and when the whiteman was leaving, what happened? Who were those who fought for the independence from these tribes? Was there a unified front representing the interest of plateau state?**

A. actually before the independence, we are now talking about the political era, when the Northern Nigeria and Southern Nigeria were made together, later on fighting for the cause of independence, those who were representing us. You know we

were having the Northern region then the Northern region were having representatives from their other Provinces, so on the plateau at that time those that were spear heading the cause of political struggle from our own immediate areas were Mr Patrick Dokotri, there is no doubt about that, he is one of the forerunners among others, going to Solomon Lar and the rest. The name of Patrick Dokotri was the first we know that even represented our interest in Kaduna, from Kaduna before coming to plateau. So in our own community we have those that were with them, though they are late we had the likes of Tafia Kwando, those were the ones who were fighting. If you meet your father (Damishi Sango), he will tell you about them. People like Sani Nyam, these were the people that were struggling. You know these small ethnic groups, it is between 1976 when then local government reforms took place that we began to know some of these small names. But before independence these small ethnic groups were not renown. It was after independence that they began to be known. You know at that time there was no much problems. I am very sorry to say this but if you look at those that come closer in contact with the whiteman, those communities they are people that were lacking in their community. Those are the people the whiteman used them, and later the ibos and yorubas also used them as house boys. They have cheated a lot of them. Those that were not lacking, they looked at coming to the town to labour as a taboo. Like if you go to the Aten man, you will discover that it was a taboo for them to come to the town. No to do what? They were not lacking anything. So most of the people that you can see them today at the forefront of Nigeria; they lacked a lot of things. When you are contended you won't even move to any place to go and do what?

**Q. So sir let's move to the conflict, after independence when did these kind of violent conflicts begin to happen between the indigenous communities and the settler groups? And what were the immediate causes?**

A. you see when you are talking about this conflict of Jos how it started, before coming to the present stage of violence and killings. It didn't start of recent; it started among the indigenous community, it started among us. This entire thing started on two bases. One, the hausa Fulani man under the preview of Usman dan fodio had been struggling to take over the control of this place in the course of Islamic agenda, through jihad. That is before the coming of the whiteman. The whiteman came and met him when he was still on that struggle, the whiteman defeated him, and so he had to follow the whiteman. So when they followed the whiteman, he was able to penetrate into these areas silently, so now the jihad he was pursuing which our people know about, he later suspended that aspect, and began to use other means to control the place. Not only in Jos, if you go to lafia, nassarawa state, the kamar people have taken over lafia, it is through the jihad war. if you go to keffi the hausa man is there, most of these Middle-Belt states. In plateau state, if you go to kanam, the emir of kanam is a hausa man. If you go to wase, it's a hausa man, they devised other means to take over the place. So Jos as I told you we defeated them, they had that in mind s they were using other means to take over the control of Jos strategically. It is very unfortunate for them because the Anaguta man finds it very difficult to accept islam, very difficult to be converted, if not now that their ladies are converting some Anaguta men. In the whole of Anaguta land, you can count the men that have been converted, mostly due to their

self greed. So the hausa mans problem has been that of the jihad, that not only Jos, anywhere that there is no Islam, they want to make sure that Islam takes control, even if you are a friend to a hausa man he will never talk to you about your religion, he will always approach you on the basis of his religion. A hausa man will always come to you saying please give me your daughter, but he will never give you his. Look at these big hausa business men in Nigeria today, have you ever heard of anyone marrying a non muslim lady? But you will discover that even these top shots that are very rich, like Dangote is stinkingly rich, so is Adenuga, let me tell you Adenuga will not mind giving his daughter to Dangote to marry, but dangote will never give his daughter to adenuga because he has money, even the last man in his own family will not give his daughter ti him. That is the hausa man for you, he looks down on your own religion like it is inferior to his own. So the fight is not limited to Jos alone, it is all over the Northern Nigeria. So the issue of the hausa man in Jos, He is the problem of the crisis in Jos. And he is talking about taking over Jos, otherwise before independence when we were having elective political representatives; it has been the Hausa man that has been representing Jos. When 1960 it has been the hausa man representing Jos, he has been manipulating elections and representing Jos. In 1976 he represented Jos, in 1979, the Tapgun era, he represented Jos, in the Dariye era even up until the present era, he represents Jos, he is in the house of reps, he is in the house of assembly even having a deputy speaker, he has been producing more number of councillors than the indigenes.

**Q. So could it be said that this advantage they have is it as a result of the non unification of the indigenes?**

A. Its not unification am telling you that the crisis is not political. If it is political, the person who has been benefiting will not like to cause any other trouble. He is in the house of reps, he was made minister, he is in the house of assembly, he produced eight councillors out of 20, the Anaguta are having four, the afizere are having 2, other settlers are having 2, even somebody from adamawa is a councillor in Jos, but the hausa have been having 6, 8, Anaguta 1 afizere 1, berom have never produced any elected councillor in Jos North, it is just the last election they had 1. So they Hausa man has been dominating then what is he crying for again? Now the issue in this country is that control of resources are now in the hands of the government, and we have three tiers of government; federal, state and local government. These hands are not stretched to them; it is very difficult to find an Anaguta at the state level becoming a governor, or anything at the national level because of the small population of Anaguta. You find out he is eliminated at the state and federal levels, then also to be eliminated at the local level? That is why the Anaguta man says no, he must take control of the local government, because the local government belongs to me. And also the Hausa man says no, I want to dominate the whole thing. So the problem with Jos North, the crisis is with the Hausa man.

**Q. it is often said that the system the Hausas are using in order to muster power to themselves is divide and rule among the indigenes where the produce somebody and they pick someone from the indigenous tribes as running mate, how do you respond o such claims?**

A. Well I am talking from the background, I am the national president of the Anaguta community, i.e. on the basis of communal associations but as I am talking to you I am a practical politician. I have won councillorship, I have been secretary of the local government, of Jos North, I have held political party offices, presently I am the secretary of the ruling party (PDP) so when we are talking about politics and what it entails, I have been in politics since 1979 and I know I am a grass-root man. The issue I want to tell you here is this, the issue of disunity amongst the indigenes as the cause of Hausa domination I will tell you it is wrong. It is because we are taking back everything that the Hausa man is aggrieved. 1979 we were having three house of assembly members from Jos, all of them were Hausa people. We were having 2 house of representative members from Jos, all of them were Hausa people. We were having 14 councillors, only 1 for Anaguta, 1 for afizere man, all the rest were Hausa people. The chairmanship was been appointed, no election. Almost all elections that were taking place it was always on appointed position. Any election, house of assembly, national assembly, the Hausa people have been dominating. So now we have been organising ourselves, when elections was conducted in 1987, Gini Umaru emerged as the chairman of Jos North Local government, we defeated the Hausa man. In 1991, there was a clear difference between the choices of a running mate, that is why samaila mohammed won the election-a Hausa man. But since then no, when election was conducted again Christopher Jang won the election, despite the fact that berom and Anaguta man also contested. During franks era, we were having multiple candidates yet we won the Hausa man. This time around let me tell you we are having 270,000 registered voters, out of which the Hausa people can boast of about 72, 75000 so if we want to add those of other wards, lets give them about 90,000 all in all.

**Q. So why is it that the indigenes votes are always weaker than that of the Hausas?**

A. Well we won the election then they said no, they always want to say they are more in population, how? How? How? I have the records here, we do the registration, we know what is there. I know every polling unit in Jos. I know where it is been cited. We are the masters of everything. We wake up to take control of our land. Though some have died for this cause, some are still alive and I am one of them. Even facing opposition among my own community but yet we say we must takeover. And we are even making good friends among the Hausa people; they know that we want our land. The issue of Jos, this house belongs to me, and no one else, you cant take over this land. You cant take over the house. We can be friends, you can benefit from the house, you can do anything in the house, but you cant take away the house. I am the head of the family; I should be given that respect. I cannot go anywhere else and claim to be the owner. I can win chairman of any local government but not to claim ownership of the local government. We are talking about ownership, if a Hausa man said he doesn't own Jos, he can be chairman, he can be house of assembly member, he can be a councillor no problem, but saying that I did not meet anybody here that is the bone of contention. So every setting there must be differences, the differences between the Anaguta the afizere the berom, centre on the basis of boundary/territory differences. When we talk about political control we all talk the same thing. So we have differences. That's why I

say two; we have this problem among the three tribes of who owns Jos, that is the traditional institution. Not now, right from the day that Gbong Gwom Berom was made the chief of Jos, i.e. Rwang Pam was given the traditional control of Jos, when he died that became the beginning of our problem. The problem started in 1958 when the eyes of our people started opening up, they made a mistake by allowing Rwang Pam to be chief of Jos. Our people started making petitions and demands. That was when the traditional institution began to have that problem. Up until the current chief, there has always been a problem, especially the control of certain areas that the Beroms are now claiming as theirs. Even now as I am talking to you, we are in court between Afizere and the government over the traditional stool that was suspended (The Agwom Izere of Jos North). We have argued that they ought not to give them any traditional institution in Jos. You know they have the Agwom Izere which is the paramount ruler of Afizere based in Jos East, then Dariye came and gave them chieftaindom in Jos North, he created a chieftaindom in Jos North. You can see one community having two chieftaindoms. Like the Aten now, then a separate chieftaindom created for another part. Whose land? Creating chieftaindom from our own land? We agree that the Afizere man is in Jos, but he should not be given a chieftaindom in our own land? That's why we said no. That's what we are fighting. We recognise the Afizere man politically, he can be chairman, he can be Commissioner, he can be minister or anything, but he cannot be given chieftaindom. There can't be two kings in a single chieftaindom.

**Q. So you said the Hausa man has never used divide and rule approach in order to get power to himself, so what strategies do they specifically use to gather power which as a result transforms into conflict?**

A. Let me tell you frankly speaking between man and god, you know who is a Berom man, among you here can anybody say that a Hausa man penetrates a Berom man? Even a Berom man of 5 or ten years a Hausa man cannot penetrate, so how does he penetrate the Berom man. Can a Hausa man sit on the same table with the Berom man? No. Likewise the Anaguta man, we are peaceful in nature, if today Anaguta man says I am handing over Jos North to Hausa man, it will be. So we have never as a community sat with a Hausa man to discuss with him on give and take, it has never happened for the Anaguta man to sit and discuss with the Hausa man against his fellow indigenes. So when somebody begins to say that the Hausa man penetrates, where? It is an insult as far as I am concerned. It is an insult to the indigenes. I know to some extent they used to go to the Afizere man, like the past election they went to the Afizere offering them to be deputy, they asked us that Bala Magaji should be chairman, we said no. But we don't want to look at it like they have been using the Afizere man, even when Berom came out with a candidate in 1997, we defeated the Hausa man, even when the Hausa man came with Afizere deputy to contest, we defeated them, where Timothy Buba is there now. So he has never penetrated any of the two tribes. Hausa man can't even divide our people. In fact the Hausa man doesn't even bring money to us attempting to buy us politically, because they know we won't even give them votes. So the Hausa man, because of his attitude that he wants to take over the land, right from the time of the jihadist, it didn't work, he used violence during the jihadist it didn't work, this is not the first time he is using force, yet we defeated him. Then he came through bilateral trust

(amana) understanding, we worked with him. Politically our people were not wise; they didn't bother about political position. It was not relevant to him, so he grabbed it and was enjoying it. But now that our eyes are opened, we are taking back what belongs to us, that is why they are fighting. Because they are saying we won in 1976, we won in 1999, we have been controlling and dominating, they are using fraud and rigging the election over us. We are now enlightened, the tactics and whatever, we are now taking over. What happened is that they used the federal might to cause confusion. When a constituency is been created they go to the national and counter create it in such a way that will suit them. If they want to create electoral wards, for example Aba na shehu ward in Jos North, you know naraguta B in the federal wards, we have 72,000 registered voters in one ward, gangare ward 10,000, Aba na shehu ward 15,000, Ibrahim Katsina 10,000, if you put that together those are the wards they made. Then Ali kazare is a comination they are about 15,000. So they put five wards together to make one ward at the federal. Tudun wada/kabong ward 66,000 registerd voters. We have 14 wards, naraguta B: 72,000, tudun wada/kabong ward: 66,000, then calculate it and see. Jos Jarawa ward: 19,000, Jenta adamu ward: 13,000, Jenta Apata ward: 27,000, then Naraguta A, there are two wards there but let me just take our own wards. Van der puye we have about 4,000 and then tafawa balewa just calculate that one, those are the Christian wards. 197,000 out of about 270,000. Then some of you are familiar to Jos, are there any muslims in Tudun wada, kabong, no, the registered voters there are 66,000. Tell me Jenta Adamu, are Hausa people there? No they call that place Jerusalem. So when they say they won the elction how, even if the afizere went with them, that is about 19,000 voters. How can they win. We created the electoral units to favour us, not like before. Maza is now an elcotral ward, and I am from Maza. I made sure that the results are coming to the favour of my candidates. So who is saying the Hausa man is using us, the issue now is that because He was holding somthing that doesn't belong to it and the rightful owner is taking it back and when we do so he now uses the violence he used In the jihadist era. He has never been a peaceful man, is there any peace in the Middle East, is there peace in sudan, is there peace in Maiduguri, or kano? Boko haram who is it, its the Hausa-fulani man. Is he a peaceful man, if this is my only house, will I cause trouble in it? If I now cause trouble in this house where will I go and sleep. Aten man has no other place apart from aten. Can he cause trouble there, where will he go. Even the aten man is saying he wants his own local government. If now the aten man is given his own local government, he will have only one local government on earth.

**Q. So the state of things following the last crisis, do you consider this as a positive lasting peace or is there a possibility of violence in the near future?**

A. let me tell you frankly, though I am an elder and a leader, a leader must exhibit a character of unity, a good leader must foster peaceful co-existence. There is nothing I can demand from Jos but peace. Among my community and those residing in Jos. Peace is the ultimate, we want total peace. To some extent there are relative peace in Jos, we want there to be more than this. We don't want any trouble again, we must understand ourselves, we must always use the avenue of dialogue to discuss, we want the Hausa man to understand with us, we indigenes to understand ourselves and other

communities residing in Jos to also understand with us. Having said that I don't think we can achieve peace if somebody will exhibit the attitude to take over what does not belong to him and you say there will be peace. There will never be peace in Jos if somebody want to take what does not belong to him. There will only be total peace if what belongs to A is given to Him. But all about peace in Jos, it is because there are unresolved issues. I want you to ask yourselves this question, how many communities are living in Jos? In proportional number, we have the Anaguta man, we have the afizere man, we have the berom man, we have the ibo, the Yoruba, the South South man, other plateau indigenes that are here, why is it that the Anaguta man, the afizere man, the berom man who are called the indigenes are not fighting the urhobo man, the ibo man, why? Has the ibo man aspired to be councillor, has the Yoruba man aspired to be councillor, has there been any conflict? That is the question we should ask.

**Q. Has there been any case where a non-indigene apart from the Hausa has won any election?**

A. right from 1976, the igbo man has been wining councillorship, provided he contests in Jos. Presently we have two councillors of igbo extraction. Yoruba have been producing councillors, just this last one they didn't win any. And they did not fight. Plateau communities have produced councillors. Tudun wada/kabong and jenta adamu are other plateau indigenes. Angas man in Tudun wada, Jenta Adamu is a Buji boy. Van da puye is a man from adamawa state. So the issue of this crisis in Jos try to take something from somebody by force has been the problem and I can attribute that to the Hausa man. That is a simple answer. If they win fine, if they don't, allow it go. They have been saying that we group ourselves against them so that even when they win we don't want to agree that they won. If you are winning in the name that you are going as a political office holder, the way you are campaigning in the eyes of the people and you are saying you want to take over your land, you want to rule over your land, and the person will allow you to take over his land. You get the problem? Even if you win the election they will say no. You are campaigning and your slogan is you want to rule over your land, isn't that detrimental to his success. You are saying "ai arna sai mun ci kanyan su" (we shall deal with the infidels) "za mu dauka kasar mu" (we are taking our land). When campaigning we have never used such words to abuse them, I have the best friends among the Hausas, the very good ones. But I cannot sell my land to them. I cannot. If a Hausa man is going to be the chairman of Jos North, let it be on the basis that I agree for him to be a local government, not that he is the chairman because it is his right. If so then I will never give him, even if he wins I will cause trouble.

**Q. So from your long narration, we understand that the Crisis in Jos starts from political and into religion, if everyone holds firm to his own ideological or religious position, how can this peace be deepened if political spoils are not equitably shared?**

A. This issue of religion I have told you that the issue of Jos is not related to Jos. The Jihad was it built on the Hausa -Fulani basis, it was built n the basis of Islam, not on a particular tribe. So this is not the beginning, who has been using religion to take over something that doesn't belong to him, is it Christianity or islam. Hausa Fulani

did not form the basis of jihad. If you go to sokoto, kebbi and the rest, yet they impose somebody, a Fulani from somewhere. The buzus are in sokoto, the Fulani is the sultan of sokoto. He is not a buzu man. Yes the emir of kano is not a buzu, he is a Fulani man. Emir of Bauchi is a Fulani. Emir of zaria is a Fulani, even emir of illorin is Fulani. Even that of nupe (esu) is Fulani, they only embibed the culture of the nupes. So what am telling you here is that the issue of religion in Jos, Sale Hassan is he a Hausa man? He is a taira man from gombe, some of his brothers and relations are Christians and pagans, he now calls himself here in Jos, a Hausa man. That has been the champion of the Hausas, not even his father it was his mother who came here and used to sell food to labourers (kosai), he now says he is a Hausa. How can you then relate a Hausa man from sokoto, from zarian, even a buzu man? You may know one Alhajiabu datti, do you know that he is a buzu man. He represents plateau at every function, he works with Chief S.D lot. He is a buzu man yet he calls himself a Hausa man. So they group themselves in the name of Hausa Fulani, they are the ones using religion, so that they can be able to woo their people, they use religion to get political positions, they use jihad in the past it didn't work, now they are using politics to get what they want. So we have never used religion, you know the Christians religion don't bind them together, if it was so I look at the ibo as Igbo not as a Christian. If Christianity united all tribes like islam, then there won't be any problem in Nigeria, but it is tribalism that prevails. That is the problem we are facing.

**Q. How has the crisis affected the anaguata community? And what efforts did you take personally as a community before or during the crisis to ensure that calm was restored and things were returned to normal?**

A. having explained all these things to you, it is a good question. If someone house is been set ablaze, even if he doesn't own any property in the house but he built the house, he will be affected. When there is fighting in Jos, people zero their minds at the properties, zero their minds about the buildings, the people residing. But for the Anaguta man it goes beyond that. When there is any crisis in Jos we look at our land, our territory, they are shedding blood on our land, defiling the land, whether people are living on it or not. We are not looking at the buildings, we are not looking at the properties, and it is our land. Let me tell you, if they want to take the capital of plateau and all the buildings to somewhere else and leave our land we prefer it. Give us our land, take the buildings. They did not negotiate with us before putting the capital here, if we knew how things will turn out, we would have resisted it. Right from the word go. Those that have been governors in plateau state is the capital in their land? What have we benefited, that Jos is our capital, we have benefited nothing. We have never been governors, we don't have any wealth, and people have stashed everything to themselves. We have nothing. We prefer them to take away everything and leave our land. It is the fighting itself we don't want. When we talk about to what extent it affects our lives, if something touches your neighbour it touches you. If there is to be any loss of life, even the Anaguta man did not lose, as long as his neighbour loss someone, then it affects the Anaguta man. Its a big loss to the Anaguta man. They have killed the aten man, the berom man, the afizere man, the Yoruba man, the ibo man, the ngas, the goemai, the bassa, the mwagvul they are all my neighbours, living on my land. They

have never caused any problem to me. Somebody came and killed them they have killed the anaguta man. That is why in our memos we don't submit number of deaths because we can say that everyone that died here is an Anaguta man, because it is out land. Be it in thousands, it is our own. He day that you hear us announcing figures of death that means we go and fight in their own land then we can count how many afizere people died. We have never initiated any crisis the only thing we can initiate is to say please remove the state capital. If the Hausa man wants us to discuss anything let us go to his land. We cant discuss anything in my land. I put a tenant in my land and the tenant is asking me to discuss how to handover the house to him?

**Q. as a lasting solution to these kind of conflicts around the country, what do you see as a lasting solution to Nigeria as a whole to these kind of communal conflicts?**

A. everybody must talk about his domain, if there is peace in every ones domain, then there will be peace in Nigeria. You cant talk about peace in Abuja when there is no peace in Jos. How can you even talk about Abuja. So the peace in Jos first and foremost, government have come out to say that it belongs to three tribes, Anaguta, afizere, and berom. We agree, we have coexisted together.what of the traditional institution,who is to take charge of it? Government hasn't said anything about that. Until when the ruler is been defined, so if you say Jos, the traditional owner of Jos, the traditional ruler of Jos is the Ujah of Anaguta. That will be the end of this fighting in Jos. If today in Jos North the ujah is been recognised as the traditional owner of Jos, then the crisis will end because the berom man here will discuss his problems with the ujah, the afizere will discuss with ujah, the Hausa man to will be willing to discuss his problems with ujah and solutions will be found. All these problems the ujah will be able to tell the Anaguta politician, to go and sit with the Fulani politician and iron out things. If you are chairman today, the hausa man will be deputy, and he will be grateful. He will never say that the land is his own again because the owner has been given. So if you want lasting peace in Jos, the traditional head should be given to the owner which is the ujah. Without that peace will never reign in Jos because all these tribes will continue to lay claims over Jos.

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