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TOPIC: IN NOT MORE THAN 3000 WORDS, DISCUSS THE TRADITIONAL METHODS OF RESOLVING CONFLICTS IN A NON-VIOLENT WAY IN YOUR LOCAL COMMUNITY.

As long as man lives and as long as societies relate together, conflict is inevitable. According to M. Ajit, he notes there is no single universally accepted definition of conflict. He notes that one issue of contention is whether the conflict is a [situation](https://en.wikipedia.org/wiki/Scenario) or a type of [behaviour](https://en.wikipedia.org/wiki/Behaviour). Citing a review of definitions of [organisational conflicts](https://en.wikipedia.org/wiki/Organisational_conflict) in 1990 by [Robert A. Baron](https://en.wikipedia.org/wiki/Robert_A._Baron), Rakhim notes the following common elements in the definitions of conflict:, having developed from their past [interactions](https://en.wikipedia.org/wiki/Interaction); Building on that, the proposed definition of conflict by Rakhim is "an interactive process manifested in incompatibility, disagreement or dissonance within or between [social entities](https://en.wikipedia.org/wiki/Social_entity)." Rakhim also notes that a conflict may be limited to one individual, who is conflicted within himself (the intrapersonal conflict). To take another definition of conflict, [Michael Nicholson](https://en.wikipedia.org/wiki/Michael_Nicholson) defines it as an activity which takes place when conscious beings (individuals or groups) wish to carry out mutually inconsistent acts concerning their wants, needs or obligations. Conflict is an escalation of a [disagreement](https://en.wikipedia.org/wiki/Disagreement), which is its common prerequisite, and is characterized by the existence of conflict behaviour, in which the beings are actively trying to damage one another. Conflicts are inevitable wherever severe resources are unequally distributed among competitors and inequity is reflected in cultural and political relationship between groups.

Whereas, **Conflict management** refers to the method that is used to resolve and manage conflict between parties in order to avoid a reoccurrence. It is also the process of reducing the negative aspect of conflict, while increasing the positive aspect of conflict. Significantly, conflict management is the ability to be able to identify and handle conflict in a way that proffers a lasting solution to the problem while keeping relationship between the parties in conflict. The concept of conflict management is also synonymous with dispute resolution.

**CONFLICT RESOLUTION AMONG THE YORUBA PEOPLE IN GENERAL**

Among the Yoruba peoples, indigenous law derives essentially from customs and traditions. Literacy was not associated only with the written word, but also very essentially, with verbal art and remembrance. Although, the legal traditions of the Yoruba were largely unwritten, their preservation and survival were done through performance to make them lively and easily understood. Because the traditional society presented an atmosphere conducive for enduring performance, in short, the Yoruba people derived their sources of adjudication from wisdom and traditional knowledge of the forebears which were always dramatized. Olaoba confirmed that, the elders sit under a tree, and talk until they agree, the elders (old age or seniority) as the force behind order or decorum in traditional society. This indicates that elders, within the culture of the Yorubas, are the power house of wisdom and knowledge (Olaoba, 2001, pp. 1-2). In Africa, there were levels or phases of conflict resolution, there were dispute resolutions at the inter-personal or family level, the extended family level and village or town level (chief in council). These tiers represent the political units making up the community. The smallest unit called Idile (Nuclear family) is headed by a Bale. The next unit is the Ebi, (extended family headed by Mogaji who is the most influential or usually the eldest person in the Ebi. Extended family includes all people who have blood ties. The last tier of the units is the quarter which comprises of several family compounds is headed by a Baale, (the chief-of-ward/quarter, while the head of household which includes the man‘s immediate family of wife or wives and children.

**THE BALE (COMPOUND HEAD)**

The Bale (compound head) held the sway by keenly and painstakingly cross-examining parties involved in any matter within the compound comprising of many families. This is done to make sure that the quarrelling parties got their hearing and justice without delay. The coming together of two or more paterfamilias from various families form what the Yoruba people refer to as bale. On many occasions, matters were dealt with at the family level. But, issues that could not be resolved or when parties involved noticed a kind of bias or a miscarriage of justice, may decide to take their case to the high authority in the community.

In some cases, when some difficult decisions had to be made, the Bale and the compound elders invoked the spirit of Alájo̩bí and the spirit of the ancestors to intervene in the matter. This was done by pouring libation on the floor. Yoruba believes that truly,Ahó̩n àtie̩nu ma ń jà (That is, tongue and mouth do fight). This suggests that conflict is inevitable. But, such conflict would be amicably resolved as they arise. Serious matters like improper upbringing, indecent dressing, insult, lying, and lack of respect for elders within the compound are quickly resolved by the Bale in order to prevent escalation into violence which can invariably threaten the survival and the sustainability of the peace being experience in the community.

**MÓ̩GÀJÍ (FAMILY HEAD)**

Settlement of conflict at the family level was handled by the Mó̩gàjí popularly refer to as OlóríE̩bí. The Olórí-Ebí must be the eldest male in the extended family just as in ancient Rome and he must be of ample means. He presided over the settlement of quarrels among his kinsmen. The structure was an informal one as the meeting for such resolution can take place at the backyard of the family house. Like the Roman paterfamilias, he has absolute authority over those in his charge and he settled civil cases like co-wives rivalry, dealing with stubborn child in the family, adultery and so on. Usually, the Mó̩gàjí and paterfamilias deal with cases within their extended families and sanctions were imposed on the guilty person(s) either by imposing a fine or he/she should make a verbal apology to the family and promise not to do it again. To settle conflict, the family head call on the disputants to state their case.35The reasons for inviting the parties is premised on the principle of hear the other side (Fair Hearing). Proverbs, words of wisdom, analogy, persuasion, life experience and precedent were used to settle dispute. The object of this is to have an amicable settlement, where the disputants will not hold any further grudge against each other. The Mogaji who was the head of the family performed and had jurisdiction over the family members. Minor cases that could not be handled at the individual level were taken to him for settlement. The Mó̩gàjí must possess the characteristics of O̩mo̩lúàbí which are honesty, sincerity, faithfulness, openness, firmness, integrity and so on. He must also be well respected by his people and possess the charisma to lead and make sure at all times that his extended families are united. The Báálé (compound head) Offenders and erring members of his compound could be excommunicated and driven out of the compound, by Olórí-e̩bí and paterfamilias depending on the magnitude of his offence. Such actions were taken in love to serve as deterrent to others. Serious or conflict between two or more families had to be referred to the Báálè̩ (compound head) who was responsible for settlement of conflict and restoration of order within the area.

**THE BÁÁLÈ̩ (COMMUNITY HEAD)**

Next to the Ba̩le (compound-head) was the Báálè̩ who handled cases found too knotty, Intractable and very hard to crack by the Bale. Because of the nature of the matters handled at the village level, the Baálè̩ have among his council of chiefs, persons who conduct investigation on matters brought before them. They did this in order to make sure that justice does not seem to have been done but that justice was actually done. This was usually a large gathering where people in the community would like to know how cases were decided. Cases of adultery, rape, robbery, infidelity, land dispute, lack of good care for women and children by the husband, infidelity by the women, and dispute over inheritance and so on were decided at this level, fines were also awarded to any party at fault.

In the traditional judiciary system in Yoruba land, fines of damages are not usually awarded by the mediators in civil cases. The utmost aim is to restore peace by setting disputes amicably. In other words, restoration of harmony is what is paramount in the traditional judicial system. Sometimes, however, mediators award simple fines as a deterrent to the occurrence of particular anti-social behaviour. This may be demanded in form of kola nuts or local gins both of which have ritual significance. Some of the kola nuts are broken and passed round for everyone to eat as a way of celebrating the resolution of the conflict. The drink is also passed round for all to taste. If no gin or palm wine is available, ordinary drinking water can be used. In some traditional settings, the palm wine or gin is used to pour liberation to the gods and ancestors of the people involved in the dispute. These actions help to reinforce the term of the reconciliation.

**CONFLICT RESOLUTION METHODS AMONG THE IDOMOGUNS**

I hail from Ogere Remo, in the Idomogun compound; Ogun State. The people of Remo are known to have evolved a well-established traditional dispute resolution method that was peculiar to their own ways before the introduction of British rule. This traditional method was built on customs and traditions and was culturally effective for resolving conflict within their communities and kingdoms. Such methods of dispute resolution indigenous to the people of Remo flowed from the accumulation of information that was passed down from generation to generation. For example, when there is conflict between people of the Idomogun compound in Ogere Remo, the matter is being taken to the ‘Olori-Ebi’ of the Idomogun compound for settlement. And if the parties are not satisfied with the judgement of the ‘Olori-Ebi’, the case is then taken to the ‘Kabiyesi’ who is the traditional ruler officially known as the ‘Ologere of Ogere’. The Kabiyesi before hearing the case brought before him calls his chiefs who constitute the jury and are usually referred to as ‘Oloye’ to be present in the palace. When the case has been settled amicably among both parties, the plaintiff who had brought the matter to the palace would gift the Oloyes with cash or presents as a form of appreciation and that is referred to as ‘owo/ebun ijoko’.

Another area where dispute can occur among the people of Ogere concerns inheritance. According to Yoruba tradition, the property of a deceased person is shared among his or her heirs shortly after his or her death. Writing a will is an alien concept to the Yoruba people. In fact the legal fees are likely to deter the ordinary person from writing a will. The act of writing a will is more common among the educated and the rich. The people of Ogere, like other Yoruba people, have an established cultural process by which properties are inherited. The most dominant principles followed in sharing the property of a dead person are ‘oriojori’ and ‘idi-igi’. The oriojori principle requires the person sharing the property to give some part of the inheritable property to every child of the deceased, irrespective of age or sex. The idi-igi principle on the other hand makes it mandatory for the property to be shared according to the number of wives the deceased had, irrespective of the number of children each woman delivered. Deciding which principle should be used can lead to conflict. A woman with many children will favour the oriojori principle which enables each of her children to have his or her own inheritance. On the other hand. A woman with few children will favour the idi-igi system which will enable her to have enough for her children and by implication enough for herself. It is the responsibility of the Olori-ebi in the family to convince all the wives of the deceased to adopt the most appropriate system for sharing the property so as to avoid conflict.

**In conclusion,** peace is a desirable condition but conflicts are inevitable. Each people, race, or identity group have their own ways of doing things especially as they concern conflict resolution. However, in Africa, conflict takes various forms and dimensions. It is worthy to note that conflict does not have a single definition from African perspective. It could be a kind of social unrest or relationships, whether positive or negative. Consequently, conflicts are in magnitude of rage, rift, misunderstanding, family and market brawls, skirmishes and wars. These kinds of conflicts are wide spread in traditional African societies and they should be dealt with in a non-violent manner to achieve effective results.

**REFERENCES**

Bright-Brock, U.E. (2001). *Indigenous Conflict Resolution in Africa.* Institute of Educational Research, University of Oslo, pp. 8- 11.

Afzalur Rahim, M. (2010). [*Managing Conflict in Organizations*](https://books.google.com/books?id=qauUlGypkhEC&pg=PA15). Transaction Publishers. p. 15-16.

Omotosho, M. (2004). Evaluating Conflict and Conflict Management: A Conceptual Understanding in Africa*. Journal of International Affairs and Development,* Volume 9 (1and 2).

Nwosile, O.B. (2005). *Traditional Models of Bargaining and Conflict Resolution in Africa: Perspective on Peace and Conflict in Africa.* John Archers Ltd.

Jannie, M.O. (1997). *Conflict Resolution wisdom from Africa: African Centre for the Constructive Resolution of Dispute*. Natal Witness Printing and Publishing (Ltd.), p.7.

Olaoba, O. B. (2003). *The Town Crier and Yoruba Palace Administrator through the Ages*. John Archers Ltd.

Olaoba, O. B. (2005). The Traditional Approaches to Conflict Resolution in the South-West Zone of Nigeria. *Nigerian Army Quarterly Journal*, Volume 1, Ltd. Pp.22-37.

Ajayi, A.T. & Buhari L.O. (2005). Methods of Conflict Resolution in African Traditional Society. In African Research Review. *An International Multidisciplinary Journal*, Ethiopia Volume 8, (2), pg 33.

Roger, B. The Role of Traditional Rulers in Conflict Prevention and Mediation in Nigeria. *Interim Report.* Prepared for DFID, Nigeria.

Oguntomisin, G.O. (2004). *The processes of peacekeeping and Peace -Making in Pre-Colonial Nigeria.* John Archers Ltd. pg 10.