

**OATH TAKING AS AN INSTRUMENT FOR CONFLICT RESOLUTION IN  
TRADITIONAL AFRICAN SOCIETIES**

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**ABSTRACT**

This study examined oath taking as an instrument for conflict resolution in traditional African societies. The paper noted that conflict resolution in traditional African societies is made effective by providing opportunity for parties concerned to interact and to come together in agreement with a medium of oath taking. Analytical method of research was employed in getting the facts presented in this study. The paper revealed that the instrumentality of oath taking promotes trust, consensus-building, and enactment of order in the society. The paper submitted further that conflict resolution in traditional Africa societies operate within the context of communal setting rather than that of individuals contrary to the perception of the western world. It concluded that customs and traditions of both parties in the conflict form the basis for the oath.

**Keywords:** Conflict, traditional African Society, oath taking, conflict resolution.

## **INTRODUCTION**

Conflict is part of human and non-human life. Every society can be engulfed in one form of conflict or the order since it characterizes human interaction at the levels of the individuals, group, community and nation. Expectedly, the traditional Africa society is no exception to this. In the traditional African society, conflict may generally exist whenever or wherever incompatible events occurred and may result in – win – lose character. The resolution, transformation and management of conflict may however produce win-win situation. Conflict is as natural as the concept of peace contrary to the global or universal conception. Africans have particular ways of conceptualizing conflict. Traditional definitions of conflict regard it as – a struggle over values and claims to scarce status, power and resources in which the aims of the opponents are to neutralize, injure or eliminate their rivals (Onigun Otite and Alber, 2001).

Conflict takes various forms and dimensions in African societies; it is significant to note that conflict is difficult to define from the perspective of the Africans. Consequently, conflicts are in the magnitude of rage, rift, misunderstanding, family and market brawls, skirmishes and wars, public insurrections and assaults. It also includes chieftaincy and boundary disputes. These forms of conflicts are wide spread in Africa (Olaoba, 2005, pp.22 – 37). Conflicts as an element of social interaction have been defined in various dimensions. Some writers argued that, a conflict situation emerges when two or more parties could not agree on an issue. The parties to such conflict may not necessary be the government or nation states. In an incompatible stage among nation – states, every part involved seeks to achieve certain objectives, such as additional or more secured territory, security, access to markets, prestige, alliances and the overthrow of an unfriendly government (Omotosho, 2004). The study of conflict in Africa has not always been mindful of the need to consider the interaction of local and international factors in the evolution of conflicts between African Nations. In Africa, conflict is not susceptible to prediction, although it can be explained. Overt

manifestations of conflict are seldom unremitting, even in relations between rival cultures (Robert, 1981). Conflict is a particular relationship between states or rival factions within a state which implies subjective hostilities or tension manifested in subversive economic or military hostilities (Quincy, 1971). Conflict can be described as a condition in which identifiable group of human beings whether tribal, ethnic, linguistic, religious, socio – political, economic, cultural or otherwise are in a conscious opposition to one or more other identifiable human group because these groups are pursuing what to be incompatible goals. Omotosho (2004) argues that conflicts are inevitable wherever severe resources are unequally distributed among competitors and inequity is reflected in cultural and political relationship between groups. With regards to various issues in dealing with conflict, it is important to bear in mind not just overt, physical violence, but also the subtly disguised forms of structural and cultural violence (A dam, 2000).

Conflict management in general and conflict resolution in particular, are almost entirely determined by our understanding of the composition of a conflict and not only by symptoms (Kotze, 2000). In fact, Albert's position on conflict was that there is nothing wrong with conflict, it is a critical mechanism by which goals and aspirations of individuals and groups are articulated; it is a channel for a definition of creative solutions to human problems and a means of creative solutions to human problems and a means to the development of a collective identity (Albert, 2001). Wadinga (2003) describes African conflicts as phenomena which are frequently brushed and dismissed as being chaotic, or worthy of some vague pity or humanitarian concern, but rarely of any in-depth political analysis. Wadinga added that the divide and rule policies of colonial administrators assured the docility of different ethnic groups and this shielded them from the menace of insurrection (Wadama, 2013).

### **Oath – Taking and The African societies**

#### **Igbo tribe of South East, Nigeria**

The Igbo traditional institutions for conflict resolution include: the family, amala (council of elders), Okpara system (eldest male), Umuanna (clan), Unuada (female born in a town but

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married out), age grades, assembly of the people, Ohanaeze (assembly of the people and the king), hunters' Association, and agbara (local deities or oracles). These are not different from the one found in other traditional African societies. However, Olurunsola (1992) wrote that prior to European advent, the Ibos consisted of over two hundred independent territorial groups divided into villages. The internal organization of these groups rested upon patrilineal clans and lineages. These groups were autonomous with regards to governmental processes, but social bonds were strong among them. An examination of this is resolution of the Umurebo Umokuzu, and Umuleri-Aguleri land dispute through traditional methods. The piece of land is called ala ihu okpaula or ala mkpotu, located between Umenebo and Umuokuzu clans of Obokwu village in Obinze, which is in the Owerri West local government area of Imo State, Eastern Nigeria. Several peace efforts geared towards resolving this land dispute failed. Even the elders of Obokwu village made several futile third party mediation efforts. The Nwanwa group (men and women whose mothers were born at Obokwu village) also intervened but failed. The autonomous traditional ruler (Obinze) and his cabinet also intervened.

While these efforts were heading for roots too, a warning were received by both clans from the ancestors through the chief priest of Obinze, the messenger of Alanlwn (big Earth deity) saying that they are seeing an impending blood flow, insisting that there must be no bloodshed, and that the dispute over the land must be settled peacefully (Olorunsola, 1972). Since 1933, the pathetic dimension of the conflict is that the Aguleri and Umuleri people have one ancestral origin in Eri, and had been living peacefully side by side in Otuocha for decades before the focus of division and anarchy emerged. The land conflict, before the disastrous war had passed through the court's strategy, political, bureaucratic, and military strategy without solution and peace in sight, before the traditional strategy was applied (Nwolise, 2005). However, the traditional formula which led to the peaceful resolution of the Aguleri-Umuleri Umuoba Annam war involved oath-taking, declaration of "No more war" peace treaty and the performance of a cleansing ritual called Ikomue. The first traditional oath which took place on

25<sup>th</sup> January, 2000 involved only Aguleri and Umuleri, while other communities join in order to avoid further wars and destabilization in the omambala area. All those communities came with their respective representatives, as well as local deities (oracles) to be sworn to in the presence of gods and all people present. The second oath took place on 6<sup>th</sup> April of the same year, in this second oath, the leaders of Aguleri, Umuleri, and UMUOBA Anam were present.

The oath which is binding on every indigene of the participating communities was taken to the effect that the contracting parties accept peace and there would be no more war and bloodshed amongst and between the five communities. Violators of this oath face the wrath of the deities' present, and the ancestors, who in the presence of god constitute the source of moral sanctions and peace guarantors. It is believed in the experience of the Eri kingdom that the spirit of those killed in the war would go on vengeance against their own people who eat together with their murderers. From that day, peace was restored, true reconciliation began and social harmony was restored among these communities (Nwolise, 2005).

### **The Binis in the South-South and the Ilaje people of Ondo State in South-West Nigeria and (Ayelala) Oath Taking**

Ayelala is a deified goddess whose place of origin can be traced to the area of Ilaje in Ondo state, Nigeria. According to Awolalu (1980), the cult of Ayelala arose out of the vicarious sacrifice compensation of the life of an Ijaw slave woman, killed in substitution for the atonement of the sin of a runaway Ilaje adulterous man. As a scapegoat, the Ijaw woman was made to bear the consequences of the sin of another who has run to take asylum among the Ijaws; an act which caused serious disaffection between the Ijaws and the Ilajes. While being sacrificed, the slave woman, in great pain and anguish, could only mutter the words "Ayelala" meaning "the world is incomprehensible" or "the world is a mystery". From then on, Ayelala became the name by which she was known and called. It is vital to add that before sacrificing her, a covenant of reconciliation and ritual cleansing was made between the Ilajes and Ijaws on the following terms, amongst others: Ayelala was to kill any member of the parties to the covenant who plans evil against one another; Ayelala was to punish with death any member

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of the group who practices stealing, sorcery and witchcraft against each other; All contractual relationship between the two consenting communities was to be faithfully and honestly executed under the watchful guidance of Ayelala who was invoked to kill covenant breakers. Before she was finally sacrificed, Ayelala the slave woman made a solemn vow to witness to and punish non-compliance to the terms of the covenant and all future covenants to be reached in her name. Ayelala eventually became deified after her death when it was observed that several deaths occurred in default of the covenant sealed on Ayelala's blood. In consequence of this, Ayelala became popular as a deity which dispenses justice and protects morality.

Her cult started spreading far and near, even to the Benin kingdom. However, unlike the police, the use of Ayelala has proven to be very efficient. A case in point is: sometime in 2005, the Oba Market in Benin City, Nigeria went up on flames. As the fire raged, hoodlums in the area had a filled day looting goods belonging to traders in the market. More disturbing was the fact that many shops not affected by the inferno were found broken into and emptied by looters. The next day, Chief John Osamede Adun, a.k.a. "Born-boy", a prominent citizen in the area, invited the priest of Ayelala, a goddess widely revered and feared in Benin Kingdom. The Chief Priest of Ayelala consequently issued a public warning that as many as have taken away goods which do not belong to them should return same immediately or face the wrath of Ayelala. The following morning, goods earlier carted away resurfaced in the market. The same feat was re-enacted when the popular Uselu Market in Benin City, Nigeria was gutted by fire a few months after. The Ilaje are found along the coast of West – Africa, their traditional territory lies between latitude 60 and 60 30 N and longitude 40 S and 60 E. The Ilaje constitute one of the Yoruba subgroups in the South Eastern part of Yoruba land. They constitute the bulk of the people in Ilaje and Ese Odo Local Government Areas of Ondo State (Ajetunmobi 2012). The most important ritualistic instrument for the maintenance of order and social justice among the Ilaje people is Ayelala. The deity is considered to have an

uninterrupted extensive power in the traditional administration of social justice (Ajetunmobi 2012; and Afe 2012).

### **Ghana Communities and Conflict Resolution through Oath Taking**

#### **The Bawku Tribe of Ghana and Traditional Conflict Resolution**

There are many actors involved in the conflict resolution process in Ghana. At the state level (regions/towns) the chieftaincy (chief) is the key institution for conflict resolution. Among the Akans, the leader of the traditional state is the paramount chief (omanhene) followed by the divisional chiefs (ohene), and the head of villages (odikro – literally meaning the owner of the village). Villages consist of a number of family groups or clans/lineages. Each family group or clan is headed by an elder of the family (abusua panyin). This is distinct from the head of household (ofiepanyin). Conflicts Resolution have spiritual dimensions in traditional Ghana society, this involves incantations, curses, witchcraft and oath-taking, among others, are brought before the traditional and spiritual leaders including the fetish priests, custodians of deities, herbalists and soothsayers. For example, one party may invoke a curse by using the name of a river or a deity to harm another person for perceived wrong doing. Once the afflicted party realizes through divination that they have been cursed, the accused is requested to reverse or remove that curse by performing the necessary rituals at the appropriate fetish/shrine and going through the necessary cultural processes.

The Bawku tribe in Ghana are known to embrace the spiritual process of Conflict Resolution. Traditional Area covers three districts within the Upper East Region of Ghana. These districts are the Bawku Municipality, Bawku West District and the Garu-Tempene District. The Bawku Traditional Area covers all the areas under the Bawku Skin (paramount) and has over 150 communities. According to the 2010 Population and Housing Census Report, the Bawku Traditional Area has a total population of 441,828 (Bawku Municipality 217,791, Bawku West 94,034 and Garu-Tempene 130,003) (Ghana Statistical Service, 2012). The

traditional Area is located at the north-eastern part of the Upper East Region and bordered to the north by Ghana's boundary with Burkina Faso, the south by the East Mamprusi District, to the west by the Talensi-Nabdam District and to the east by Ghana's boundary with Togo (Marks Publications and Media Services, 2010). The Bawku conflict is a deep-seated and longstanding ethno-political conflict between the Kusasis and Mamprusis in the Bawku Traditional Area of Ghana. The conflict is identity-based, and revolves around the claim for traditional political power (chieftaincy) between the Kusasis and Mamprusis. The contest between the Kusasis and Mamprusis over the Bawku chieftaincy has its roots in colonial times. Bawku remains the most important town in the three administrative districts that make up the Traditional Area (Bawku Municipality, Bawku West District and the Garu-Tempene District) because of its commercial location and the paramountcy.

The ethnic conflict between the Kusasis and Mamprusis in the Bawku Traditional Area dates back to 1931 with the Kusasis' claim over the Bawku skin (Bombande, 2007). The institution of chieftaincy which is the main source of conflict was introduced by the Mamprusis who mounted security posts to safeguard their important trade routes between Gambaga and Tenkudugu around the sixteenth century (Kusimi et al., 2006). Also, the Opoku-Afari Committee (1957) intimated that the Mamprusis presence in Bawku was necessitated by the constant raid of traders from Gambaga by Kusais bandits. Among the first Mamprusi settlers in Bawku are Prince Ali, son of Naa Atabia, (the Nayiri of the Mamprusis) who was mandated by the Nayiri to establish a 'police post' at Bawku to safeguard their routes (Bombande 2007). From this time, around the sixteenth century, the Bawku skin came directly under the Nayiri who had the authority to install the Bawku Naba 10 and enskin other chiefs at Binduri, Teshie, Tanga, Sinibaga, Warikambo and other places. The Kusasis did not initially resist the various Mamprusi successions to the Bawku skin (Lund, 2003).

According to Bombande (2007), up till the 1930s, the Mamprusi jurisdiction did not extend to all the Kusasi settlement and the whole traditional area. Their authority was,

however, consolidated to include all Kusasi areas following consultations with the colonial district commissioner in 1931 which made the Bawku Naba (paramount chief of the Traditional Area) the chief of the Bawku Traditional Area including Bawku, Zebila, Garu, Tempane, Binduri, Warikambo and Teshie. From 1731, only Mamprusis had ascended to the Bawku skin. However, in 1957, competing claims between the Mamprusis and Kusasis over the Bawku skin resulted in the installation of two different chiefs for the same skin: Abugrago Azoka for the Kusasis and Mahama Yiremia for the Mamprusis (Opoku-Afari Committee, 1957). This led to some disturbances and intensified the claim over the Bawku skin. The resulting disturbances compelled the Governor General, Lord Listowel, to set up the Opoku-Afari Committee of 1957 to enquire into the causes of the disturbances. The Bawku believes in the traditional mechanisms for resolving conflicts. They mentioned the family system, the clan and the community levels at which conflicts are resolved. The Kusasis mentioned the use of the rites of the earth cult in which there is blood cleansing rites, purification rites, blood collecting and sacrifice of animals as a major way of conflict resolution. The use of the rites of the earth cult is a major method of conflict resolution in Northern Ghana (Kirby, 2006). Respondents also stated the use of chiefs, elders and opinion leaders in resolving conflicts in the area. As to whether these methods have been applied in resolving the current conflict, respondents agreed that some of the methods have been used to help resolve the conflict, but have failed to bring the conflict to an end. Many of the respondents, however, said that the use of the rites of the earth cult have yet to be used in resolving conflict.

### **The Ghana Kusasi process of Traditional Conflict Resolution**

According to Kusasi tradition, conflict is an infringement on the gods and the spirits of the earth. They therefore assert that when conflicts occur and human blood is shed, the gods and spirits of the earth need to be pacified to avoid calamity on human beings. Kusasis, according to traditional actors, are religious and therefore believe that the return of peace after violent conflict involves the rites of the earth cult. As to how this traditional method (the rites of the earth cult) can be applied in resolving conflict, respondents mentioned that the use of the rites

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of the earth cult among the Kusasis involves three main processes: blood-collecting and blood cleansing, burial of objects and merry making. The first step of the performance of the rites of the earth cult is blood-collecting and blood cleansing. This involves sacrificing animals to pacify the land in areas where human lives were lost during the conflict. Here, a goat and a cock are killed and used with “pito” (a local brewed beer) to pacify the land. According to respondents, the sacrificed animal is often roasted and eaten by the conflicting parties together. The eating together of the sacrificed animal by the conflicting parties signifies their resolve to work together towards peace. Twenty-three (23) areas, according to the Bawku Naba, have been identified in the traditional area (the Bawku Traditional Area) for the rites of purification. All these areas will be cleansed through traditional rites of sacrifice to plicate the land for the desecration which involved the shedding of human lives. One Kusasis traditional respondent observed that: Tindaanas (chief priests) of the respective areas normally perform these rites with the invocation of incantations calling on the spirit of the earth god to forgive us humans for we have erred against her (the earth-god). This rite (Blood-collecting and blood cleansing) is important since it is the first step to making peace in any conflict situation. Failure to accomplish this rite renders the subsequent rites null and void. The second involves the burying of objects to signify the end to hostilities. This is done immediately after animal sacrifices are performed. An okro stalk is buried into the earth by both factions in the conflict signifying end to fighting and bloodshed. This is very symbolic and the okro stalk becomes sacred to the earth spirit as a promise by the factions to stop. Finally, merry making is organized at a grand ceremony usually in the traditional capital and seat of the paramountcy (in this case Bawku) where all the parties involved in the conflict come together to celebrate and declare their support for peace in the area.

This occasion according to them will involve all the parties, community members and government functionaries. During this occasion, final animal sacrifices are made purposely to prepare for the merry-making. It involves singing, drumming and dancing by factions. These

rituals and processes are not new and are consistent with the study of Kirby (2006) of northern tribes in Ghana. His study found that the rituals of the earth cult through sacrifices, prayers and appeasing the spirits in most tribes in Northern Ghana play important roles in conflict resolution because it allows for proper reconciliation to take place.

### **The Ghana Mamprusi process of Traditional Method of Conflict Resolution**

Mamprusi, traditions equally see peace as necessary for the advancement of society. Therefore, violence is abominable to the gods and God. A Mamprusi elder opined that Mamprusis are equally very traditional and follow their traditions very well. He, however, said that majority of Mamprusis today are Muslims and do not believe in animal sacrifices to the gods. On the methods adopted by the Bawku Indigenous Ethnic Peace Committee (BIEPC) at the Kumasi talks, five of the Mamprusis respondents expressed reservations about the use of the methods in resolving the conflict because to them, these methods are not all-encompassing and acceptable to them since they do not believe in them. They claim that the approaches to be used by the BIEPC are biased since they are mainly Kusasi and the methods of conflict with their beliefs (Islam). One of the Mamprusi respondents noted that:

Even if we want to accept this method, the questions I ask are: do these methods conform to our (Mamprusi) own traditions? And is our father (the Nayiri at Nalerigu) part of this whole decision before it was arrived at? Mamprusi traditions require peacemaking to first of all come from following laid-down traditions. The Mamprusis claim that the first step to making peace and reconciliation is to go back to the Nayiri (the overlord of all Mamprusis in Ghana) who is the overseer and owner of Bawku. A Mamprusi respondent maintains that: “traditionally, it is the Nayiri who enskins a chief for Bawku and therefore, we both have to go back to him to decide who can become Bawku Naba.” Thus, the first step is reconciling with the Nayiri by appeasing him and apologizing for his forgiveness through the presentation of an animal (cow), he then takes the ‘chieftaincy back’ (the Bawku Skin) since he is the sole

person to enskin a Bawku Naba. According to one of the Mamprusi elders: “when this is done, the Bawku conflict can be resolved since the long-held tradition would have been obeyed.” Besides, Mamprusis believe that the houses of chiefs (the National and Regional Houses of Chiefs) should also be allowed, independent of the influence of government and politicians, to use laid down tradition and history to pronounce the real owners of the Bawku skin. This is because National and Regional Houses of Chiefs have the backing of Ghana’s Constitution to settle chieftaincy disputes. This to them will help resolve the conflict.

### **Analogy between Nigeria and Ghana**

The two traditional processes of conflict resolution from Ghana and Nigeria show the importance of cultural views and processes in promoting peace at all levels of the society. Thus, the processes focus on reconciliation, stability, harmony and safety; and try to reconcile individuals and groups based on cultural norms and practices. In both cases, there is high respect for the traditional authorities and institutions. Generally, the conflict resolution process is transparent, publicly performed, and the evidence, discussions and solutions opened to all. Due process is also emphasized including the right to appeal to the next authority. Conflicts and their resolution at the grassroots are a public matter, and through these, people learn the rules, norms, values, and histories and philosophical discourses necessary for harmonious living. The young are able to learn from the elders’ traditional laws, language, and mannerisms, fit for public discourse. The value of dialogue in resolving differences is also espoused throughout the process. Indigenous processes of peacemaking show the importance of public participation; the utility of supporting victims to enable them to forgive; encouraging perpetrators to understand the value of acknowledging guilt and showing remorse; and using unity and interdependence as a means of promoting peace building.

### **CONCLUSION**

The mere application of traditional methods may not necessarily end the Bawku conflict if feuding factions do not agree first of all as to what traditional methods to use; secondly, how

each people, race, or identity group has their own ways of doing things especially as they concern conflict resolution. While in Europe, for example, the police are an agency of crime detection, several African societies relied on oath-taking and divination in pre-colonial times. These methods still thrive today in some places on a very limited scale alongside torture and skull breaking in the name of interrogation and confession extraction. Also, while the western world placed emphasis on a judicial system presided over by lawyers and judges; traditional African uses council of elders, king's court, peoples (open place) assemblies, etc. for dispute settlement and justice dispensation (Nwolise, 2005). Moreover, the essence of dispute settlement and conflict resolution in traditional African States include to:

- i. Eliminate the root-causes of the conflict;
- ii. Reconcile the conflicting parties genuinely;
- iii. Preserve and ensure harmony, and make everybody involved in the resolved conflict happy and be at peace with each other again, and this required getting at the truth;
- iv. Set the right milieu for societal production and development;
- v. Promote good governance, law and order; and
- vi. Provide security of lives and property and to achieve collective well-being and happiness. These are different from what does obtain today where nobody cares about the truth. If Africans have to put the falling apart together, her original values must be revisited.

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