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# Conflict Resolution in Pre-Colonial Benin

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## I. INTRODUCTION

Pre-colonial states in West Africa like other parts of the world were plagued with conflicts before the coming of the Europeans. These conflicts which were of socio-political and economic nature, did not mark the disintegration of these states as they were traditionally managed. The Benin people which is the focus of this paper presently occupy Oredo, Ovia North-East, Ovia South-West, Egor and Ikpoba-Okha Local Government Areas of Edo State, Nigeria. The town, Benin City, apart from being the headquarters of Oredo Local Government Area, is also the capital of Edo State. Before the advent of colonialism in the nineteenth century, the kingdom of Benin was one of the most important forest states of West Africa during the pre-colonial period.<sup>1</sup> In fact, it was one of the most referred in European literature.<sup>2</sup> This reference, from available literature, was with regards to her external relations.<sup>3</sup> Much was not known about her past. Therefore, the study of her past would continue to excite scholarly research as it would help, in the words of O.B. Osadolor, "open the boundaries of the historical space for the understanding of the place of Benin in African history".<sup>4</sup>

This study therefore, is divided into five sections. Immediately following this introduction is the early history of Benin. The third section discussed the pre-colonial political, social and economic institutions of Benin. Conflicts of political, social and economic dimensions and how they were traditionally handled forms the discussion in the fourth section, while the fifth

section concerns the findings of the study and the conclusion.

## II. EARLY HISTORY OF BENIN

Efforts at tracing the early history and foundation of the ancient Benin kingdom had its first fruit in the work of J.U. Egharevba, whose work, A Short History of Benin was published in 1968. While acknowledging this pioneer effort at documenting the past of the people, it must be quickly added that the findings of Egharevba, which stated that: "Many, many years ago, the Binis came all the way from Egypt to found a more secure shelter in this part of the world after a short stay in the Sudan and at Ile-Ife which the Benin people call Uhe"<sup>5</sup> has been punctuated by scholars and thus doubts exist concerning the authenticity of the account.<sup>6</sup> The controversy elicited by this position appeared to have been laid to rest by A.E. Afigbo when he said:

...the significance of these claims to Egyptian, or at any rate Middle East origin belongs to wider framework of West African History and Sociology as they are found among most West African peoples whether inhabit the Savanna or Forst zone, are islamized or not. It is quite clear, however, that in the present state of our knowledge about West Africa, they cannot be taken seriously by the serious-minded students of ...history".<sup>7</sup>

However, one inescapable truth which few existing works and oral accounts about the Benin people have affirmed is that the first of set rulers were the Ogisos.<sup>8</sup> These kings, along with their palace chiefs gave directives to the length and breadth of the kingdom and exhibited virtues of valour, wisdom and good governance ever recorded in human history.<sup>9</sup>

## III. POLITICAL, SOCIAL AND ECONOMIC INSTITUTIONS IN PRE-COLONIAL BENIN

Political institutions in pre-colonial Benin comprised the Oba, the Enigie (singular, Enogie) and Chiefs.<sup>10</sup> While the Oba was in charge of the entire kingdom, at the District and Village level he was assisted by the Enigie (Dukes) just as titled chiefs had different functions assigned to them. Pre-colonial Benin had two types of Enigie – the Ogie Isi or royal dukes and Ogie Okanaban who were non-royal dukes.<sup>11</sup> While the Ogie-Isi were appointed by the Oba from amongst sons of past Obas and persons who were blood relations of the

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Oba, the second category, namely, the Ogie Ikanaban (plural of Okanaban) were appointed from amongst persons who may have exhibited heroic exploits in war or rendered useful service to the Oba who appointed them.<sup>12</sup>

It is important to note that while the areas under the control of the Enigie-Isi was the village or group of villages, at their demise, succession was based on hereditary patrilineal primogeniture,<sup>13</sup> the case of the Enigie-Ekanaban was not so. There were other district titles such as Ekhaemwen, Ohen or priests and Okaevbo or village heads. This class of administrators were either appointed or confirmed their appointment in accordance with the tradition of the land.<sup>14</sup> E. B. Eweka, in his work, *The Evolution of Benin Chieftaincy Titles*,<sup>15</sup> categorised Benin titles into two: hereditary and non hereditary titles. The first category were inherited by the eldest surviving sons of their holders occasioned by death, while the non-hereditary category was the exclusive creation of the Oba. Whether hereditary or non-hereditary, titles in Benin were confirmed by the Oba.<sup>16</sup> Rights and privileges were attached to these chieftaincy titles in pre-colonial Benin.

For instance, holders of hereditary titles upon successful completion of the traditional rites gained the right of succession and enjoyed the privilege of becoming member of the House of Chiefs, but for the non-hereditary titles, without confirmation such chiefs could not receive the Oba's traditional gifts,<sup>17</sup> share in title fees paid, enjoy the share from Izakhue which was performed at the demise of a deceased chief and incidental gifts bestowed by the Oba.<sup>18</sup> Benin pre-colonial political institutions thus comprised the Oba who was at the helm of affairs, assisted at the Village and District levels by the officers mentioned above. The cohesion of Benin society was ensured by these officers. Like other states in Nigeria, Benin had social institutions that held the society together before the coming of colonialism. Aghama Omoruyi states that "for centuries Benin was a powerful kingdom with amazing culture but by 1897 the artistic wealth came to ruin...".<sup>19</sup> These social institutions included: marriage, witchcraft, murder, theft and inheritance. However, it is difficult to separate in analysis, social institutions from political and economic institutions because at some points they dovetailed into each other.

In pre-colonial Benin, marriage custom was almost the same as other Edo-speaking people.<sup>20</sup> Investigation revealed that in the pre-colonial time, parents got suitors for their children through match-making.<sup>21</sup> This was against the background of behaviour and the need to extend family ties, hard work and fame. Most important, was the issue of virginity and circumcision. A young girl to be married went through pre-marital training under the guardianship of her own mother and the would-be mother-in-law. This period offered opportunity for the girl to be properly schooled in

domestic duties until she was married because there was no clear-cut age of marriage.<sup>22</sup> For the male, there was also no specific age too. It depended on when he considered himself strong enough to be able to fend for his family.<sup>23</sup> However, a typical pre-colonial Benin marriage was one in which after the bride price as stipulated by the parents of the bride,<sup>24</sup> has been settled alongside the necessary rituals such as Ulamwen,<sup>25</sup> the bride and the groom started life.

The institution of witchcraft and wizardry also existed in pre-colonial Benin.<sup>26</sup> This was associated with confession. Such confession was brought to the notice of the Oba, who was the custodian of traditions and values. According to my informant<sup>27</sup> when a person confessed to witchcraft, such person was brought to the palace where the witchcraft powers were rendered powerless. However, where the person confessed to have been responsible for the death of persons, he or she was banished or rehabilitated at Ekonorhue near Ikpoba Slope, Benin City where a chief priest or priestess took care of them. It is important to note that persons who confessed to witchcraft underwent two type of test. The first of such test according to my informant,<sup>28</sup> was a ceremony in which the suspect was made to drink 'Tigin latex' sourced from sasswood mixed with water and he or she could summon the accusers for indemnity and obtain compensation for being wrongly accused. The other method involved the use of cock feather of a matured cock pressed on the tongue of the accused by persons skilled in the art.<sup>29</sup> Where the feather fell off the tongue, it showed innocence of the accused, otherwise he or she was guilty as charged. But in 1746, a Briton named T. Astley, according to a recent study,<sup>30</sup> emphasised that water trial was done in Benin with the permission of the Oba. He stated that:

...the accused is brought to a certain river, to which is ascribed the strange quality of gentle wafting over every innocent person plunged there is safe to land, though even so unskilled swimming: and on the other side to sink the guilty to the bottom, though even such good swimmers; for, on turbulent like a whirl pool and never rest till he is at the bottom, when the water return to its former tranquility.<sup>31</sup>

The authenticity of the above version has been queried by F.E. Oghi, who relying on the work of Omoniji,<sup>32</sup> in his research about the Eni Lake at Uzerre, Isoko North Local Government Area of Delta State, concluded that "it is most probable that poor geographical knowledge could have made what ought to be a clear reference to Uzere to be credited to Benin".<sup>33</sup> However, it is indisputable that from oral accounts and few written works available, the institution of witchcraft existed in pre-colonial Benin.

Theft was also one of the social institutions that attracted serious sanctions in pre-colonial Benin. Theft was commonly associated with youths with

punishments that ranged from banishment to death sentence depending on the gravity.<sup>34</sup> When a person was caught stealing, such person was brought before the Odionwere at the village or to the Enogie at the dukedom level, but if within the seat of the Kingdom, Benin, such person was brought before the Oba.<sup>35</sup> At the centre, Benin, the Oba who may be represented by palace chiefs, supervised such trials. Persons found guilty as accused, especially of grave cases, were kept in prison (Ewedor) ahead of execution during the next festival.<sup>36</sup> However, where the case of theft was not serious and the accused was found guilty, fines were imposed or the accused and guilty person was paraded publicly with empty snail shells tied around the person's neck irrespective of the gender, with permission of the community head. This practice was basically a traditional way of maintaining social justice. At the village level, such trials were attended by interested persons. There were also cases where suspects or untried offenders were taken care of, by chiefs who were interested in them or were referred from the village.<sup>37</sup>

Inheritance, on the other hand, was part of the social structure in pre-colonial Benin. By primogeniture, succession rights to property, hereditary titles and ritual duties passed to the eldest son.<sup>38</sup> At the death of a Bini man, the eldest son performed the funeral ceremonies of the deceased father and it was upon this that he inherited the house traditionally known as Igiogbe and lands cultivated by his father. Other children of the deceased (the junior sons) moved to other lands to build their own houses on attainment of full age. However, such junior sons could inherit where the eldest son neglected or failed to perform his duties.<sup>39</sup> This arrangement was not a restriction and oppression on persons who were not eldest children, rather, it was a tradition, as such persons could still acquire title that were not hereditary.

Pre-colonial Benin, like the Esan community of Uromi, had traditional economic institutions that had "a level of sophistication possessing all the attributes of a structured economy".<sup>40</sup> This ranged from agriculture, land tenure, trade, to local industries. Farming was mainly on shifting cultivation basis and was done with local implements like aho, (modern day hoe) and cutlasses. Production was mainly subsistence and the factor of large expanse of land that was fertile was a major encouraging factor.<sup>41</sup> The main crops produced were: yam, cocoyam, plantain and much later cassava. The production of these crops was based on manual labour from family members, friends and slaves. The involvement of slaves in Benin pre-colonial economy states Igbafe, "ante-dated the advent of Europeans rule and had its own place in the structure of the state".<sup>42</sup> With the assistance from these sources, food production was done.

In the area of land tenure, the long held opinion was that land belonged to the Oba as illustrated in the

word "obayantor" (the Oba owns all land), but this has been dismissed as a mistaken theory of Benin land tenure.<sup>43</sup> Rather, the Oba in pre-colonial Benin only administered the land through the chiefs and heads of villages.<sup>44</sup> Land was owned at the village level by communities and individuals could be granted rights of ownership and was inherited by eldest sons. Where a family went into extinction, ownership of such land reverted to the village head or Onogie,<sup>45</sup> who could re-allocate such land to strangers with or without the precondition of tribute payment.<sup>46</sup>

Trade was also done in pre-colonial Benin. P.A. Igbafe states that this was organised in two facets: first, local trade among the people and second, the type handled by trading associations called Ekhen-Egbo.<sup>47</sup> Items of trade which was by barter included: locally produced foodstuffs, but later in the fifteenth century, items like brass carvings, salt, guns, matches, tobacco, chains formed the means of exchange.<sup>48</sup> The prospect and the continuity of this trade later attracted Europeans to the kingdom.

Apart from the aforesaid, the people of Benin were also involved in local industries such as wood-carving and bronze work. The dexterity exhibited by them made the area famous to foreign countries, who, from the reports of travelers and traders became aware of the existence of the kingdom.

#### IV. RESOLUTION OF POLITICAL, SOCIAL AND ECONOMIC CONFLICTS IN PRE-COLONIAL BENIN

For pre-colonial Benin, like other parts of the world, conflicts arose over political issues like boundaries and succession matters. Boundary disputes were common in pre-colonial Benin.<sup>49</sup> This was particularly the case where there were no natural demarcators of the territory like valley or rivers.<sup>50</sup> Where disputes arose over boundary matters, they were handled by elders-in-council presided over by the Oba who was the paramount ruler, but where it occurred at the village or dukedom level, enigies or odionwere took charge of them, while difficult cases were referred to the palace of the Oba whose pronouncement was binding on the parties.<sup>51</sup> Such dispute was first reported to the elders of the community by way of traditional summon. It is instructive to note that persons or groups that refused to honour such invitation or the decision of the elders' council may be banished from the community – a move that was enforced by the youths (eghele). Parties to such disputes were allowed fair hearing before decisions were made.<sup>52</sup> Upon settlement of such boundary disputes, the actual boundary as ascertained by the elders was demarcated by the planting of Ikhinmwin tree.<sup>53</sup>

Succession disputes were also common features of Benin early history right from its foundation to

the period it became an empire. Even the circumstances that led to the coming of Oranmiyan to Benin and the subsequent reference to the area as Ile-Ibinu, from which the city was said to have derived its name was tied to the issue of succession.<sup>54</sup> However, from oral accounts, the issue of succession was handled by the Oba in line with tradition and custom. As stated earlier in this study, Benin during the pre-colonial period practiced primogeniture. This point has been affirmed by investigators.<sup>55</sup> In the case of hereditary titles, only eldest male children whose mothers were traditionally married to the deceased man had the right to inherit or succeed their fathers subject to satisfactory performance of the necessary rites.<sup>56</sup> Those born outside wedlock were not entitled to succession or inheritance.

In situations where two or more persons laid claim to succession or inheritance, traditionally measures were taken to ascertain the person entitled. Two processes were observed in such situation. First, claimants to the stool were summoned to a cult presided over by the chief priest of the kingdom and oaths administered on them. Rituals were performed and the spirits of the ancestors invoked. The right successor was determined by the outcome of this test.<sup>57</sup> Second, in isolated cases, the property of the deceased may have been willed verbally to a particular son before the demise of the holder.<sup>58</sup> In such situation, it must have been witnessed by some members of the family before the transition. Such witnesses were summoned to testify to the claim after being subjected to oaths enjoining them to speak the truth or else they would face the wrath of the ancestors.

However, where a holder of non-hereditary title died, without having a male child, the property left behind was shared among the children by the family under the supervision of the Okaegbe,<sup>59</sup> but where the deceased was a holder of a hereditary title and had no male child, such title was transferred to the immediate younger person next to the deceased.<sup>60</sup> Inheritance issue in pre-colonial Benin was settled traditionally without recourse to war. P.A. Igbafe even records that:

...when a man dies, his wife is free to marry whom she likes... When there are no children left, through death or otherwise, the woman goes to the next-of-kin. In the case of infants the eldest male relative becomes the legal guardian until they are of age to be married. A child born out of wedlock, either before or after marriage, can be claimed by the natural father or payment of £10 in the native court, either to the father or guardian of the woman, or to the lawful husband as the case may be.<sup>61</sup>

From the foregoing discussion, it could be seen that pre-colonial Benin had in-built traditional mechanisms for resolving conflicts of political nature such as boundary disputes and succession matters. Even where such matters bordered on seniority of dukes

(enigie) the issue was resolved by reference to the custom and tradition of the people that recognised that "seniority of traditional title holders is determined by the Oba that first created the title".<sup>62</sup> Thus, as observed by E.O. Ose-Amadasun; "The Benin Kingdom takes a pride of place in African history. We must reject the Europe-centred approach implied in talking about 'the discovery' of West Africa or Nigeria or Benin...".<sup>63</sup> Indeed, developments stimulated by traditional perceptions were already place in pre-colonial Benin.

Social conflict is a phenomenon that has always been part of human existence and part of daily living. However, their occurrence, from the works of scholars has been attributed to interactions between social groups,<sup>64</sup> which O.D. Oche regards as the product of "incompatibilities and differences between individuals and groups".<sup>65</sup> Pre-colonial Benin experienced these form of conflicts. Marriages in pre-colonial Benin was governed by tradition and custom. Unlike European marriages that emphasised monogamy, the wealth of a man determined the number of wives he got married to and hence polygamy was practised. Even records of early European visitors to Benin showed that the monarch had many wives and that "no Benin woman would dare to offer herself, nor would she cohabit with a European without the king's license...".<sup>66</sup> The basic feature of pre-colonial Benin marriage was its indissolubility.<sup>67</sup> Once a woman was married to a man, it was difficult if not rare to think of divorce because it was not recognised by the indigenous system.<sup>68</sup> The sanctity of marriage was preserved by traditional ethos that required disputes to be amicably handled by families of the couples. No matter the circumstance or nature of dispute even where a woman insisted on deserting her husband and all means of persuasion failed, she was forced to remain with the husband.<sup>69</sup> This practice, as it were, ensured that discipline existed in families with regards to marriages.

It is important to point out however, that certain factors caused disharmony in marital issues in pre-colonial Benin. Factors like continued cruelty, desertion by the husband and infection by questionable ailment forced a woman to insist on leaving the marriage.<sup>70</sup> Where these were established, there were still traditional ways of handling them. Members of the families met to proffer solutions. P.A. Igbafe, records that "persistent quarrels and cruel treatment usually brought in the intervention of the families or village chief and these very rarely led to a divorce".<sup>71</sup> He even cites the example of places like Udo, where the Iyase "intervened where couples quarreled regularly and appeared unable to agree".<sup>72</sup> Pre-colonial Benin thus knew nothing about divorce. As W.H. Cooke put it: "...generally speaking divorce is foreign to native laws and customs but it had crept in since the inception of our native court system."<sup>73</sup>

In fact, majority of civil cases in Benin District in 1905 were for the return of run away wives.<sup>74</sup>

Childlessness on the other hand, was another area in Benin pre-colonial life where conflicts arose. It was much the case that the issue of childlessness in marriage set families on edge.<sup>75</sup> Childlessness led to break in many marriages in pre-colonial Benin. This was attributed to natural and non-natural causes. It could be impotence on the part of the man or sterility on the part of the woman or one that was associated with the wrath of the ancestors. There was the belief that when a man or woman died either of a natural or man-made cause like suicide, at the funeral of such person depending on the sex, a sponge was given to some one known to have had children, to bathe the deceased before internment. Other acts like rape of minor and adultery was also believed to cause childlessness in future lives of people upon reincarnation.<sup>76</sup> All these were believed to be possible causes of childlessness.

However, like other issues discussed above, there were traditional ways of resolving conflicts of this nature. Such issue of childlessness were brought before Aruosun Oba at Ikpoba Slope, Benin City.<sup>77</sup> Where the cause of childlessness emanated from the man and there was good understanding between him and the wife, the need to bring the issue before the aforementioned was not necessary. In that case, the woman usually solved the problem her own way with her husband's connivance on the understanding that children that she would give birth to, belonged to the husband, and could decide to choose a 'lover' or 'friend' outside known to both of them alone. But, where this was not the case and the cause of the childlessness was traced to the woman, owing to unnatural causes, rituals were performed to appease the ancestors.<sup>78</sup>

Adultery on the other hand, was regarded as a taboo and sign of evil in pre-colonial Benin.<sup>79</sup> Whether done by the woman or husband, this constituted one of the issues that generated conflict before the colonial period. Its effects were grave as it was believed that, it could lead to the untimely death of husbands if not handled on time. It had the same weight as murder. However, punishment for offenders seem variegated between men and women. For women, it attracted punishment like disgrace, eviction, payment of fine and banishment. An informant states that where the act was committed by a woman, items required for appeasing the gods and ancestral spirits included: a keg of palm wine, a she goat and set of cowries, referred to in local parlance as Ekpetin vbe odegbe, in addition to items for rituals and exorcism.<sup>80</sup> This was quite different practice from the Idegbe marriage system that existed in places like Igbanke.<sup>81</sup>

The discussion of the social conflicts in pre-colonial Benin and how they were handled to a large extent, confirmed the view expressed by Alan Ryder, five decades ago that "...the monarchical traditions, the

creation of a complex political and social hierarchy, and arising from these two, the growth of an imperial tradition"<sup>82</sup> were pointers to the fact that development in Africa were not necessary outsiders' influence. Traditional dispute resolution mechanisms were already in place before the advent of colonialism. Basically, the developments as enunciated above were not only in the political and social spheres of life, similarly, mechanisms also existed for conflicts that resulted from economic matters.

A key factor for peaceful co-existence of people in societies have always been the way and manner in which the economy of such society is managed. Conflicts arising from mismanagement and exploitation laid foundations for conflicts of economic nature and hence scholars and economic historians have been concerned with economic factor in the organisation of societies.<sup>83</sup> The manner in which the economy of most African states were managed during the colonial period have also engaged the attention of scholars. Basically, at the dawn of the twentieth century, the economies of most African states were affected by the introduction of colonialism.<sup>84</sup> While this has also generated academic debate among scholars too, an undeniable point in the debate so far, is that African states had economies that were indigenously controlled; but because interests varies among humans, interests clashed and resulted to conflicts that were traditionally handled.

Pre-colonial Benin had its indigenous tax system and procedures for recovering debts.<sup>85</sup> This was in two categories. The first type of tax was the one based on land grants. By tradition, land was owned by the monarch (the oba) and grant of such lands to non-indigenes attracted tribute payment which was an acknowledgement that the grantee was not the owner of the land and the payment of token as gratitude for being allowed to make use of such land.<sup>86</sup> Such land was called Akorhore. However, where such strangers agreed to be involved in the administration of such area, they were absolved of such tribute. This practice was common in the villages. For instance, in places like Siluko and Umaza Communities in present day Ovia South-West Local Government Area of Edo State, there were instances where non-indigenes such as Ijaws and Urhobos were made edion.<sup>87</sup> By virtue of such recognition, the non-indigenes were exempted from payment of tributes and occupied lands free without charge. In this case, the non-indigenes participated in village communal activities, joined part of the age-grades and conformed generally to the customs of the community.

The second form of tribute collected in pre-colonial Benin was the customary tribute paid through established tradition and at fixed times of the year.<sup>88</sup> This was the type that was paid in recognition of the Oba's political authority, not as personal services to him.

This was anchored on the belief that the oba as the head ought to be supported. Such tributes were common in areas that were conquered who sent presents to the oba at the end of the year (traditionally regarded as Ugamwen) and the entire process was known as Imuohan. This latter type of tribute, apart from food stuff, also included slaves. One of the early visitors to Benin during the pre-colonial period, H. Ling Roth records that "...In Benin all male slaves are foreigners, "for the natives cannot be sold for slaves, but are all free, and alone bear the name of the king's slaves..."<sup>89</sup> Pre-colonial Benin thus practised the compulsory tribute paid on demand by conquered areas called Ugamwen and the type imposed by the Akorhore.

On the other hand, debt recovery was a task assigned to persons with distinctive pedigree by the oba during the pre-colonial period.<sup>90</sup> Debts owed when reported, was adjudicated upon by elders-in-council. The latter, set up committee composed of persons of integrity that were assigned the role of recovering such debts with the express permission of the oba. They had the powers to confiscate goods of offenders, commensurate with the debt owed. In some cases, such confiscated items were auctioned to recover such debt.<sup>91</sup> It is important to note that such measures were designed to discourage tax default and indebtedness. Victims were made to become 'ovien' (slaves) to the oba and their rights and certain privileges could be withdrawn by the monarch until pronouncements regarding such debts, after consultation, was lifted by the elders-in-council. Thus, in pre-colonial Benin, taxes were levied on adults in addition to tributes either from conquered territories or those sent to the oba annually as sign of loyalty to the authority of the monarch. Debt recovery on the other hand, was a traditional device of encouraging hard work thereby promoting responsible citizenship.

The issue of trespass was another area of economic conflict in pre-colonial Benin. Majority of the conflict bordered on land matters. The village was the land-holding unit in pre-colonial Benin.<sup>92</sup> An individual could farm anywhere within the village without the necessity of obtaining permission because there was plenty of cultivable land. However, where there was issue of trespass, such matter was brought to the attention of the elders of the community. They deliberated on the matter and made pronouncements that were binding on the parties to the dispute. Ancestral landmarks and natural boundaries like rivers or valleys were used to ascertain issues of trespass. Upon adjudication, the Ikhinmwin tree was used to demarcate such boundaries. However, where a party was not satisfied with the decisions of the community elders, appeals were made to the monarch, who either affirmed the decision of the village elders or caused a commission of enquiry to be set up to look into the case and later decide, based on the report submitted. It was

also sacrilegious to destroy economic crops in pre-colonial Benin. This was because Benin tradition frowned seriously at it and was regarded as Aghwa. It thus constituted a strong offence in Benin custom till date.<sup>93</sup> Where a case of this nature was reported, the matter was referred to the elders of the community who investigated the matter and took decision. There was the belief that such matter if not well handled could elicit the anger of the gods and ancestors, elders were expected to exercise caution and carry out thorough investigations before making pronouncements. Like arson, punishment for such offence included: the imposition of fines, performance of rites to cleanse the land, up to outright banishment from the community.

## V. CONCLUSION

The above analysis of conflict resolution in pre-colonial Benin to our understanding of Benin early history provides the basis for some observations. It is evident from the study that the contribution of conflict resolution to the reconstruction of the histories of pre-literate societies, further debunks the Eurocentric perception that developments in Africa was externally stimulated. Therefore, historians working on pre-literate societies need to be seriously engaged in the collection and analysis of data to expand the scope of knowledge about pre-literate African peoples and societies before the advent of colonialism.

### End Notes

1. See O.B. Osadolor, "The Military System of Benin Kingdom, c. 1440-1897" Ph.D. Thesis, Department of History and Philosophy, University of Hamburg, Germany, 2001, p. 2.
2. Two main reasons could be advanced for this, namely, as a result of the large number of Benin royal art taken to Europe by the British, which could be located in different museums in Europe and the United States of America, and the fact that early European travelers, traders and consuls gave information about Benin that attracted the attention of scholars. See for instance, K. Ezra, *The Royal Art of Benin: The Pearls Collection in the Metropolitan Museum of Art* (New York, 1992) and N. Matthews, *Materials for West African History in the Archives of the United Kingdom*, (London: University of London Press, 1983), cited by O.B. Osadolor, "The Military System of Benin Kingdom..." p.2.
3. See for instance, A.F.C. Ryder, *Benin and the Europeans, 1485-1897*, (London: Longman Group Ltd, 1969).
4. O.B. Osadolor, "The Military System of Benin..." p. 3.
5. J.U. Egharevba, *A Short History of Benin* (Ibadan: Ibadan University Press, 1968), p. 1.
6. For instance, it is argued that reference to Egypt may be an attempt for a search for a glorious past

- to share out of the accomplishments of ancient Egypt. Second, it has also been argued that perhaps, the view may have been anchored on the similarities in the culture of Benin and Egypt. See R.G. Armstrong, "The Development of Kingdoms in Negro Africa" *Journal of Historical Society of Nigeria*, Vol. 2, No. 1, 1961, E. Sander, "The Hamitic Hypothesis: Origins and Functions Through Time" *Journal of African History*, Vol. X, No. 4, 1969, Pp. 521-532, and P.A. Igbafe, "A Bridge Across Time: The Benin Factor in Nigerian History" 23rd Inaugural Lecture, University of Benin, Benin City, 3rd April, 1986.
7. A.E. Afigbo, "Igboland before 1800" in O. Ikime (ed.) *Groundwork of Nigeria History*, (Ibadan: Heinemann, 1980), p. 73.
  8. Interview with Chief Osemwegie Ero, 78yrs, the Edobayokhae of Benin Kingdom, Benin City, 30/8/2014. Also see J.U. Egharevba, *A Short History of Benin...* and E.B. Eweka, *The Evolution of Benin Chieftaincy Titles*, (Benin City: University of Benin Press, 1992).
  9. E.B. Eweka, *The Evolution of Benin Chieftaincy Titles...* p. 82. The author even cited examples of Ogiso Ere, Oba Ewedo, Ewuare, Esigie, Ehengbuda and Ozolua.
  10. Interview with Chief Osemwegie Ero,... 30/8/2014.
  11. Oba Akenzua II on "The Categories of Bini Titles", *Nigerian Spokesman*, 15/12/1947, National Archives, Ibadan.
  12. *Ibid.* This point is corroborated by the work of E.B. Eweka, *The Evolution of Benin Chieftaincy...* p. 84.
  13. *Ibid*, p. 83.
  14. *Ibid*, p. 84.
  15. *Ibid*, Pp. 145-147.
  16. Such confirmation ceremonies were carried out at the Oba's palace. It involved Iwoghene or Itiedeha ceremonies. The former was performed within the palace by the Eghaevbo n' Ore at the Iyase's house. See E.B. Eweka, *The Evolution of Benin Chieftaincy Titles...*, p. 148.
  17. Such gifts included: kolanuts, drinks, food and money. Interview with Chief Osemwegie Ero,... 30/8/2014.
  18. E.B. Eweka, *The Evolution of Benin Chieftaincy Titles...* p. 153.
  19. A. Omoruyi, *Benin Anthology*, (Benin City: Anioko Publishers, 1981), p. 13.
  20. See A.P. Ojiefoh, *Uromi Chronicles, History and Culture, 1025-2002*, (Uromi: Aregbeyeguale Publishers, 2002), p. 124.
  21. Interview with Solomon Nomayo Okungbowa, 73 years, retired civil servant, Benin City, 26/8/2014.
  22. Interview with Chief Osemwegie Ero,... 30/8/2014.
  23. *Ibid.*
  24. The amount paid varied from family to family, but generally it ranged between 20 and 24 cowries which was the means of exchange then.
  25. This was a rite in which the bride was made to swear at ancestral shrine with an undertaking to maintain her fidelity.
  26. Interview with Chief Osemwegie Ero,... 30/8/2014
  27. *Ibid.*
  28. *Ibid.*
  29. *Ibid.*
  30. See F.E. Oghi, "Abolition of Trial by Ordeal at Eni-Lake, Uzere, Delta State of Nigeria, 1903: A Reconsideration", *Affrev, International Journal of Arts and Humanities*, Vol. 2(1), S/No. 5, February, 2013, Pp. 132-144.
  31. P.M. Peek, *The Founding of the Isoko Clan of Uzere*, (Berkely: University of California, 1966), p. 12.
  32. A. Omoniyi, *The Judicial System of Southern Nigeria, 1854-1954*, (London: Longman, 1977), Pp. 7-8 and 207.
  33. F.E. Oghi, "Abolition of Trial by Ordeal...", p. 137.
  34. Interview with Chief Osemwegie Ero,... 30/8/2014
  35. *Ibid.*
  36. *Ibid.*
  37. Such persons were left with their Onotueyevbo. While Ewedor was the state prison under the control of the Eribo, Oshodi was the controller, while the eunuchs were under the control of the Obazuwa. See P.A. Igbafe, *Benin Under British Administration...* Pp. 17-18.
  38. P.A. Igbafe, *Benin Under British Administration...* p. 27.
  39. Such rites included: Iwa-Orinmwini, Izakhue, Isoton, Isuerhanfua and Ukomwen. See E.B. Eweka, *The Evolution of Benin Chieftaincy Titles...*, Pp. 145-147.
  40. J.I. Osagie, "Economic Development in Esan in the Colonial Period, 1900-1960", Unpublished Ph.D. Dissertation, Department of History, University of Benin, Benin City, 2007, p. XII.
  41. Interview with Sunday Odobo, 66years old, member of the Ogiefa family of Benin, Oluku Village, farmer, 10/8/2014.
  42. P.A. Igbafe, *Benin Under British Administration...* p. 23.
  43. *Ibid*, p. 28.
  44. *Ibid*, p. 29.
  45. *Ibid.* This could be the reason why in most Benin Villages, there are lands occupied by strangers such as Urhobo, Isoko and Yoruba. In later years, such inhabitants set up camps and cocoa farms in them.
  46. P.A. Igbafe, *Benin Under British Administration...*, p. 30.
  47. *Ibid*, p. 31.
  48. *Ibid*, p. 32.
  49. Interview with Chief Osemwegie Ero, the Edobayokhae of Benin Kingdom, Benin City, 30/8/2014.

50. Ibid.
51. Ibid.
52. Ibid.
53. Ibid.
54. See F. Afolayan, "Kingdoms of West Africa: Benin, Oyo and Asante" in T. Folola (ed.) *African History Before 1885*, Vol. 1 (Carolina: Carolina Academic Press, 2000), Pp. 161-163.
55. See for instance, P.A. Igbafe, *Benin Under British Administration...* and A.F.C. Ryder, *Benin and the Europeans, 1485-1897*, (New York: Humanities Press, 1969).
56. Interview with S.I. Eghaghe, 81 years old, retired civil servant, Ekiador Village, 03/8/2014.
57. Ibid.
58. Ibid.
59. Ibid.
60. Ibid.
61. P.A. Igbafe, *Benin Under British Administration...*, p. 405.
62. See the Report of Panel of Investigation on Disputed Seniority among Igbanke Enogie set up Oba Erediauwa, 20/8/1980, cited in E.B. Eweka, *Evolution of Benin Chieftaincy Titles...*, p. 230.
63. E.O. Ose-Amadasun, "Key Issues in the Changing Dynamics of the Social Process in Africa (1)", *The Guardian Newspaper*, Tuesday July 29, 2014, p. 56.
64. See for instance, W. Isard, *Understanding Conflict and the Science of Peace*, (Cambridge: M.A. Blackwell, 1992) and D. Weeks, *The Eight Essential Steps to Conflict Resolution*, (New York: Putnam Tharcher, 1992).
65. O.D. Oche, *From Dispute to Dialogue, Essays on Conflict and Conflict Resolution*, (Lagos: FOG Ventures, 2006), p. 11.
66. Interview with HRH, T.I. Idu-Akenzua, 59 years old, Enogie of Oghobaghase Dukedom, Legal Practitioner, Benin City, 19/8/2014.
67. H. Ling Roth, *Great Benin: Its Customs, Art and Horrors* (North Brook: Metro Books Inc, 1972), p. 37.
68. P.A. Igbafe, *Benin Under British Administration* (London: Longman, 1979), p. 19.
69. Ibid.
70. Ibid.
71. Interview with HRH, T.I. Idu-Akenzua,... 19/8/2014.
72. P.A. Igbafe, *Benin Under British Administration...* p. 20.
73. Ibid.
74. See N.A.I, CSO. 26, File No. 50569, i, p. 72 and B.D. 13/1, Annual Report 31st December, 1905 by C.C. Pykes, Ag. D.C. Unnumbered File 1809-1907 and Ben. Dist. 13/2, C. Pykes, Report on Benin City District for Quarter Ending, 30th September, 1906.
75. Ibid.
76. Interview with Osemwegie Ero..., 30/8/2014.
77. Interview with HRH T.I. Idu-Akenzua, 59 years old, Enogie of Oghobaghase Dukedom, Benin City, Legal Practitioner, 19/8/2014.
78. Ibid.
79. Ibid.
80. Interview with Chief Osemwegie Ero,... 30/8/2014.
81. See P.A. Igbafe, *Benin Under British Administration...* p. 22. The Idegbe marriage system was the type in which the bride-price had not been paid. A husband to an Idegbe wife could also make claim for damages against any adulterer and the parents too, had the prospect of obtaining possession of some of the children resulting from such union.
82. Alan Ryder, "The Rise of Benin Kingdom" in R. Oliver (ed.) *The Middle Age of African History* (London: Oxford University Press, 1967), p. 29.
83. See J. Burton, *Conflict: Human Needs Theory* (London: Macmillan, 1990), M. Berdal and D. Malone (eds.) *Greed or Grievance: Economic Agendas in Civil Wars* (Boulder: Lynne Rienner, 2000) for the arguments on this point.
84. Instructive are the works of J. Ihonvbere (ed.) *The Political Economy of Crisis and Underdevelopment in Africa: Selected Works of Claude Ake* (Lagos: JAD, 1980) and A.A. Boahen, "Colonialism in Africa: Its impact and Significance" in A. Boahen (ed.) *UNESCO General History of Africa, VII: Africa Under Colonial Domination, 1880-1935*, (London: Heinemann Educational Books Ltd, 1985), Pp. 782-809.
85. Interview with Chief Osemwegie Ero,... 30/8/2014.
86. Ibid.
87. Interview with Pa Benson Ehodon, 76 years old, farmer, at Siluko Town, Ovia South-West Local Government Area of Edo State, 22/8/2014.
88. P.A. Igbafe, *Benin Under British Administration*, (London: Longmans, 1979), p. 30.
89. See H. Ling Roth, *Great Benin: Its Customs, Art and Horrors*, (North Brook: Metro Books Inc., 1972), p. 103.
90. Interview with Chief Osemwengie Ero, the Edobayokhae of Benin Kingdom, Benin City, 30/8/2014.
91. Ibid.
92. P.A. Igbafe, *Benin Under British Administration...* p. 29.
93. Interview with Chief Osemwegie Ero,... 30/8/2014.