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1	Conflict Resolution in Pre-Colonial Benin
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6 Abstract

This study examines the context of conflict resolution in Benin during the pre-colonial period. 7 It seeks to transcend the often emphasised explanation concerning conflicts in Africa in terms 8 of social antagonism, rather, it examines the political, social and economic institutions of g pre-colonial Benin to demonstrate the point that development in Africa as emphasised by 10 some European writers were not the product of European presence in the continent of Africa. 11 The study employed the historical method of collection and interpretation of data in its 12 analysis. The study found that prior to the coming of Europeans, Benin like other states of 13 West Africa, had its indigenous mechanisms for conflict resolution and thus contributes to the 14 debate as to whether African states owed their existence with regards to socio-political and 15 economic organisation to European presence or not. 16

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18 Index terms— conflict resolution, pre-colonial and benin.

19 1 Introduction

re-colonial states in West Africa like other parts of the world were plagued with conflicts before the coming of the 20 Europeans. These conflicts which were of socio-political and economic nature, did not mark the disintegration 21 of these states as they were traditionally managed. The Benin people which is the focus of this paper presently 22 occupy Oredo, Ovia North-East, Ovia South-West, Egor and Ikpoba-Okha Local Government Areas of Edo State, 23 Nigeria. The town, Benin City, apart from being the headquarters of Oredo Local Government Area, is also the 24 capital of Edo State. Before the advent of colonialism in the nineteenth century, the kingdom of Benin was 25 one of the most important forest states of West Africa during the precolonial period. ?? In fact, it was one of 26 the most referred in European literature. ?? This reference, from available literature, was with regards to her 27 external relations. ?? Much was not known about her past. Therefore, the study of her past would continue to 28 excite scholarly research as it would help, in the words of O.B. Osadolor, "open the boundaries of the historical 29 space for the understanding of the place of Benin in African history". ?? This study therefore, is divided into 30 five sections. Immediately following this introduction is the early history of Benin. The third section discussed 31 the pre-colonial political, social and economic institutions of Benin. Conflicts of political, social and economic 32 dimensions and how they were traditionally handled forms the discussion in the fourth section, while the fifth II. 33

³⁴ 2 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 35 36 J.U. Egharevba, whose work, A Short History of Benin was published in 1968. While acknolwedging this pioneer 37 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 38 this part of the world after a short stay in the Sudan and at Ile-Ife which the Benin people call Uhe" 5 has been 39 punctuated by scholars and thus doubts exist concerning the authenticity of the account. ?? The controversy 40 elicited by this position appeared to have been laid to rest by A.E. Afigbo when he said: ?the significance of 41 these claims to Egyptian, or at any rate Middle East origin belongs to wider framework of West African History 42 and Sociology as they are found among most West African peoples whether inhabit the Savanna or Forst zone, 43

44 are islamized or not. It is quite clear, however, that in the present state of our knowledge about West Africa, 45 they cannot be taken seriously by the serious-minded students of ?history". 7 However, one inescapable truth 46 which few existing works and oral accounts about the Benin people have affirmed is that the first of set rulers 47 were the Ogisos. 8 These kings, along with their palace chiefs gave directives to the length and breadth of the 48 bit is the bit in the first of set rulers 49 bit is the bit in the first of set rulers 40 bit is the bit in the first of set rulers 40 bit is the bit is

48 kingdom and exhibited virtues of valour, wisdom and good governance ever recorded in human history. 9 III.

⁴⁹ **3** Political, Social and Economic

50 Institutions in Pre-Colonial Benin

Political institutions in pre-colonial Benin comprised the Oba, the Enigie (singular, Enogie) and Chiefs. ??0 51 While the Oba was in charge of the entire kingdom, at the District and Village level he was assisted by the Enigie 52 (Dukes) just as titled chiefs had different functions assigned to them. Pre-colonial Benin had two types of Enigie 53 -the Ogie Isi or royal dukes and Ogie Okanaban who were non-royal dukes. 11 While the Ogie-Isi were appointed 54 by the Oba from amongst sons of past Obas and persons who were blood relations of the Oba, the second 55 category, namely, the Ogie Ikanaban (plural of Okanaban) were appointed from amongst persons who may have 56 57 exhibited heroic exploits in war or rendered useful service to the Oba who appointed them. 12 It is important to 58 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, 13 the case of the Enigie-Ekanaban was not so. 59 There were other district titles such as Ekhaemwen, Ohen or priests and Okaevbo or village heads. This class 60 61 of administrators were either appointed or confirmed their appointment in accordance with the tradition of the land. 14 E. B. Eweka, in his work, The Evolution of Benin Chieftaincy Titles, 15 categorised Benin titles into 62 two: hereditary and non hereditary titles. The first category were inherited by the eldest surviving sons of their 63 holders occasioned by death, while the non-hereditary category was the exclusive creation of the Oba. Whether 64 hereditary or non-hereditary, titles in Benin were confirmed by the Oba. 16 Rights and privileges were attached 65 to these chieftaincy titles in pre-colonial Benin. 66

67 For instance, holders of hereditary titles upon successful completion of the traditional rites gained the right 68 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, 17 share in title fees paid, 69 70 enjoy the share from Izakhue which was performed at the demise of a deceased chief and incidental gifts bestowed by the Oba. 18 Benin precolonial political institutions thus comprised the Oba who was at the helm of affairs, 71 assisted at the Village and District levels by the officers mentioned above. The cohesion of Benin society was 72 ensured by these officers. Like other states in Nigeria, Benin had social institutions that held the society together 73 74 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?". 19 These social institutions included: marriage, 75 76 witchcraft, murder, theft and inheritance. However, it is difficult to separate in analysis, social institutions from 77 political and economic institutions because at some points they dovetailed into each other.

78 In pre-colonial Benin, marriage custom was almost the same as other Edo-speaking people. 20 Investigation revealed that in the pre-colonial time, parents got suitors for their children through matchmaking. ??1 This was 79 80 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 81 the guardianship of her own mother and the would-be mother-in-law. This period offered opportunity for the girl 82 to be properly schooled in domestic duties until she was married because there was no clear-cut age of marriage. 83 ??2 For the male, there was also no specific age too. It depended on when he considered himself strong enough 84 to be able to fend for his family. ??3 However, a typical pre-colonial Benin marriage was one in which after the 85 86 bride price as stipulated by the parents of the bride, 24 has been settled alongside the necessary rituals such as 87 Ulamwen, 25 the bride and the groom started life.

The institution of witchcraft and wizardry also existed in pre-colonial Benin. ??6 This was associated with 88 confession. Such confession was brought to the notice of the Oba, who was the custodian of traditions and 89 values. According to my informant ,27 when a person confessed to witchcraft, such person was brought to the 90 palace where the witchcraft powers were rendered powerless. However, where the person confessed to have been 91 responsible for the death of persons, he or she was banished or rehabilitated at Ekonorhue near Ikpoba Slope, 92 Benin City where a chief priest or priestess took care of them. It is important to note that persons who confessed 93 to witchcraft underwent two type of test. The first of such test according to my informant, 28 was a ceremony in 94 which the suspect was made to drink 'Tigin latex' sourced from sasswood mixed with water and he or she could 95 summon the accusers for indemnity and obtain compensation for being wrongly accused. The other method 96 97 involved the use of cock feather of a matured cock pressed on the tongue of the accused by persons skilled in the 98 art. ??9 Where the feather fell off the tongue, it showed innocence of the accused, otherwise he or she was guilty 99 as charged. But in 1746, a Briton named T. Astley, according to a recent study, 30 emphasised that water trial 100 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, 101 though even so unskilled swimming: and on the other side to sink the guilty to the bottom, though even such 102 good swimmers; for, on turbulent like a whirl pool and never rest till he is at the bottom, when the water return 103 to its former tranquility. 31 The authenticity of the above version has been queried by F.E. Oghi, who relying 104 on the work of Omoniyi, 32 in his research about the Eni Lake at Uzerre, Isoko North Local Government Area of 105

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". 33 However, it is indisputable that from oral accounts and few written works available, the institution of witchcraft existed in pre-colonial Benin.

109 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 110 on the gravity. ??4 When a person was caught stealing, such person was brought before the Odionwere at the 111 village or to the Enogie at the dukedom level, but if within the seat of the Kingdom, Benin, such person was 112 brought before the Oba. ??5 At the centre, Benin, the Oba who may be represented by palace chiefs, supervised 113 such trials. Persons found guilty as accused, especially of grave cases, were kept in prison (Ewedor) ahead of 114 execution during the next festival. ??6 However, where the case of theft was not serious and the accused was 115 found guilty, fines were imposed or the accused and guilty person was paraded publicly with empty snail shells 116 tied around the person's neck irrespective of the gender, with permission of the community head. This practice 117 was basically a traditional way of maintaining social justice. At the village level, such trials were attended by 118 interested persons. There were also cases where suspects or untried offenders were taken care of, by chiefs who 119 were interested in them or were referred from the village. 37 Inheritance, on the other hand, was part of the 120 social structure in pre-colonial Benin. By primogeniture, succession rights to property, hereditary titles and ritual 121 122 duties passed to the eldest son. 38 At the death of a Bini man, the eldest son performed the funeral ceremonies 123 of the deceased father and it was upon this that he inherited the house traditionally known as Igiogbe and lands 124 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 125 to perform his duties. 39 This arrangement was not a restriction and oppression on persons who were not eldest 126 children, rather, it was a tradition, as such persons could still acquire title that were not hereditary. 127

Pre-colonial Benin, like the Esan community of Uromi, had traditional economic institutions that had "a 128 level of sophistication possessing all the attributes of a structured economy". 40 This ranged from agriculture, 129 land tenure, trade, to local industries. Farming was mainly on shifting cultivation basis and was done with 130 local implements like aho, (modern day hoe) and cutlasses. Production was mainly subsistence and the factor 131 of large expanse of land that was fertile was a major encouraging factor. 41 The main crops produced were: 132 yam, cocoyam, plantain and much later cassava. The production of these crops was based on manual labour 133 from family members, friends and slaves. The involvement of slaves in Benin pre-colonial economy states Igbafe, 134 "ante-dated the advent of Europeans rule and had its own place in the structure of the state". 42 With the 135 assistance from these sources, food production was done. 136

In the area of land tenure, the long held opinion was that land belonged to the Oba as illustrated in the word 137 "obayantor" (the Oba owns all land), but this has been dismissed as a mistaken theory of Benin land tenure. 138 43 Rather, the Oba in pre-colonial Benin only administered the land through the chiefs and heads of villages. 139 44 Land was owned at the village level by communities and individuals could be granted rights of ownership 140 and was inherited by eldest sons. Where a family went into extinction, ownership of such land reverted to the 141 village head or Onogie, 45 who could reallocate such land to strangers with or without the precondition of tribute 142 payment. 46 Trade was also done in pre-colonial Benin. P.A. Igbafe states that this was organised in two facets: 143 first, local trade among the people and second, the type handled by trading associations called Ekhen-Egbo. 47 144 Items of trade which was by barter included: locally produced foodstuffs, but later in the fifteenth century, items 145 like brass carvings, salt, guns, matches, tobacco, chains formed the means of exchange. 48 The prospect and the 146 continuity of this trade later attracted Europeans to the kingdom. 147

Apart from the aforesaid, the people of Benin were also involved in local industries such as woodcarving 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.

¹⁵¹ 4 IV. Resolution of Political, Social and

152 Economic Conflicts in Pre-Colonial Benin

For pre-colonial Benin, like other parts of the world, conflicts arose over political issues like boundaries and 153 succession matters. Boundary disputes were common in pre-colonial Benin. ??9 This was particularly the case 154 where there were no natural demarcators of the territory like valley or rivers. ??0 Where disputes arose over 155 boundary matters, they were handled by elders-in-council presided over by the Oba who was the paramount ruler, 156 but where it occurred at the village or dukedom level, enigies or odionwere took charge of them, while difficult 157 cases were referred to the palace of the Oba whose pronouncement was binding on the parties. ??1 Such dispute 158 was first reported to the elders of the community by way of traditional summon. It is instructive to note that 159 persons or groups that refused to honour such invitation or the decision of the elders' council may be banished 160 161 from the community -a move that was enforced by the youths (eghele). Parties to such disputes were allowed 162 fair hearing before decisions were made. ??2 Upon settlement of such boundary disputes, the actual boundary as ascertained by the elders was demarcated by the planting of Ikhinmwin tree. ??3 Succession disputes were 163 also common features of Benin early history right from its foundation to the period it became an empire. Even 164 the circumstances that led to the coming of Oranmiyan to Benin and the subsequent reference to the area as 165 Ile-Ibinu, from which the city was said to have derived its name was tied to the issue of succession. 54 However, 166 from oral accounts, the issue of succession was handled by the Oba in line with tradition and custom. As stated 167

earlier in this study, Benin during the pre-colonial period practiced primogeniture. This point has been affirmed
by investigators. 55 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. 56 Those born outside wedlock were not entitled to succession or inheritance.

172 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 173 stool were summoned to a cult presided over by the chief priest of the kingdom and oaths administered on them. 174 Rituals were performed and the spirits of the ancestors invoked. The right successor was determined by the 175 outcome of this test. ??? Second, in isolated cases, the property of the deceased may have been willed verbally 176 to a particular son before the demise of the holder. ??8 In such situation, it must have been witnessed by some 177 members of the family before the transition. Such witnesses were summoned to testify to the claim after being 178 subjected to oaths enjoining them to speak the truth or else they would face the wrath of the ancestors. 179

However, where a holder of non-hereditary title died, without having a male child, the property left behind was 180 shared among the children by the family under the supervision of the Okaegbe, ??9 but where the deceased was 181 a holder of a hereditary title and had no male child, such title was transferred to the immediate younger person 182 next to the deceased. ??0 Inheritance issue in pre-colonial Benin was settled traditionally without recourse to 183 184 war. P.A. Igbafe even records that: ?when a man dies, his wife is free to marry whom she likes? When there are 185 no children left, through death or otherwise, the woman goes to the next-of-kin. In the case of infants the eldest 186 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 $\pounds 10$ in the native court, either to the 187 father or guardian of the woman, or to the lawful husband as the case may be. 61 From the foregoing discussion, 188 it could be seen that pre-colonial Benin had in-built traditional mechanisms for resolving conflicts of political 189 nature such as boundary disputes and succession matters. Even where such matters bordered on seniority of 190 dukes (enigie) the issue was resolved by reference to the custom and tradition of the people that recognised that 191 "seniority of traditional title holders is determined by the Oba that first created the title". 62 Thus, as observed 192 by E.O. Ose-Amadasun; "The Benin Kingdom takes a pride of place in African history. We must reject the 193 Europecentred approach implied in talking about 'the discovery' of West Africa or Nigeria or Benin?". 63 Indeed, 194 developments stimulated by traditional perceptions were already place in pre-colonial Benin. 195

Social conflict is a phenomenon that has always been part of human existence and part of daily living. However, 196 their occurrence, from the works of scholars has been attributed to interactions between social groups, 64 which 197 O.D. Oche regards as the product of "incompatibilities and differences between individuals and groups". 65 Pre-198 colonial Benin experienced these form of conflicts.Marriages in pre-colonial Benin was governed by tradition and 199 custom. Unlike European marriages that emphasised monogamy, the wealth of a man determined the number 200 of wives he got married to and hence polygamy was practised. Even records of early European visitors to Benin 201 showed that the monarch had many wives and that "no Benin woman would dare to offer herself, nor would she 202 cohabit with a European without the king's license?". 66 The basic feature of pre-colonial Benin marriage was 203 its indissolubility. 67 Once a woman was married to a man, it was difficult if not rare to think of divorce because 204 it was not recognised by the indigenous system. 68 The sanctity of marriage was preserved by traditional ethos 205 that required disputes to be amicably handled by families of the couples. No matter the circumstance or nature 206 of dispute even where a woman insisted on deserting her husband and all means of persuasion failed, she was 207 forced to remain with the husband.69 This practice, as it were, ensured that discipline existed in families with 208 209 regards to marriages.

It is important to point out however, that certain factors caused disharmony in marital issues in precolonial 210 Benin. Factors like continued cruelty, desertion by the husband and infection by questionable ailment forced a 211 woman to insist on leaving the marriage. ??0 Where these were established, there were still traditional ways of 212 handling them. Members of the families met to profer solutions. P.A. Igbafe, records that "persistent quarrels 213 and cruel treatment usually brought in the intervention of the families or village chief and these very rarely led to 214 a divorce". 71 He even cites the example of places like Udo, where the Iyase "intervened where couples quarreled 215 regularly and appeared unable to agree". 72 Pre-colonial Benin thus knew nothing about divorce. As W.H. Cooke 216 put it: "?generally speaking divorce is foreign to native laws and customs but it had crept in since the inception 217 of our native court system. ??3 In fact, majority of civil cases in Benin District in 1905 were for the return of run 218 away wives. 74 Childlessness on the other hand, was another area in Benin pre-colonial life where conflicts arose. 219 It was much the case that the issue of childlessness in marriage set families on edge. ??5 Childlessness led to 220 break in many marriages in pre-colonial Benin. This was attributed to natural and non-natural causes. It could 221 be impotence on the part of the man or sterility on the part of the woman or one that was associated with the 222 wrath of the ancestors. There was the belief that when a man or woman died either of a natural or man-made 223 cause like suicide, at the funeral of such person depending on the sex, a sponge was given to some one known 224 to have had children, to bathe the deceased before internment. Other acts like rape of minor and adultery was 225 also believed to cause childlessness in future lives of people upon reincarnation. ??6 All these were believed to 226 be possible causes of childlessness. 227

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. ??? 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 231 problem her own way with her husband's connivance on the understanding that children that she would give 232 birth to, belonged to the husband, and could decide to choose a 'lover' or 'friend' outside known to both of 233 234 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. ??8 Adultery on the other hand, 235 was regarded as a taboo and sign of evil in pre-colonial Benin. ??9 Whether done by the woman or husband, 236 this constituted one of the issues that generated conflict before the colonial period. Its effects were grave as it 237 was believed that, it could lead to the untimely death of husbands if not handled on time. It had the same 238 weight as murder. However, punishment for offenders seem variegated between men and women. For women, it 239 attracted punishment like disgrace, eviction, payment of fine and banishment. An informant states that where 240 the act was committed by a woman, items required for appeasing the gods and ancestral spirits included: a keg 241 of palm wine, a she goat and set of cowries, referred to in local parlance as Ekpetin vbe odegbe, in addition 242 to items for rituals and exorcism. ??O This was quite different practice from the Idegbe marriage system that 243 existed in places like Igbanke. ??1 The discussion of the social conflicts in precolonial Benin and how they were 244 handled to a large extent, confirmed the view expressed by Alan Ryder, five decades ago that "?the monarchical 245 traditions, the creation of a complex political and social hierarchy, and arising from these two, the growth of an 246 247 imperial tradition" 82 were pointers to the fact that development in Africa were not necessary outsiders' influence. 248 Traditional dispute resolution mechanisms were already in place before the advent of colonialism. Basically, the 249 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. 250

A key factor for peaceful co-existence of peoplein societies have always been the way and manner in which the 251 economy of such society is managed. Conflicts arising from mismanagement and exploitation laid foundations 252 for conflicts of economic nature and hence scholars and economic historians have been concerned with economic 253 factor in the organisation of societies. 83 The manner in which the economy of most African states were managed 254 during the colonial period have also engaged the attention of scholars. Basically, at the dawn of the twentieth 255 century, the economies of most African states were affected by the introduction of colonialism. 84 While this has 256 also generated academic debate among scholars too, an undeniable point in the debate so far, is that African 257 states had economies that were indigenously controlled; but because interests varies among humans, interests 258 clashed and resulted to conflicts that were traditionally handled. 259

Pre-colonial Benin had its indigenous tax system and procedures for recovering debts. 85 This was in two 260 categories. The first type of tax was the one based on land grants. By tradition, land was owned by the monarch 261 262 (the oba) and grant of such lands to nonindigenes 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 263 use of such land. ??6 Such land was called Akorhore. However, where such strangers agreed to be involved in 264 the administration of such area, they were absolved of such tribute. This practice was common in the villages. 265 For instance, in places like Siluko and Umaza Communities in present day Ovia South-West Local Government 266 Area of Edo State, there were instances where non-indigenes such as Ijaws and Urhobos were made edion. ??? 267 By virtue of such recognition, the non-indigenes were exempted from payment of tributes and occupied lands 268 free without charge. In this case, the non-indigenes participated in village communal activities, joined part of 269 the agegrades and conformed generally to the customs of the community. 270

The second form of tribute collected in precolonial Benin was the customary tribute paid through established 271 tradition and at fixed times of the year. 88 This was the type that was paid in recognition of the Oba's political 272 authority, not as personal services to him. This was anchored on the belief that the oba as the head ought to be 273 supported. Such tributes were common in areas that were conquered who sent presents to the oba at the end of 274 the year (traditionally regarded as Ugamwen) and the entire process was known as Imuohan. This latter type 275 of tribute, apart from food stuff, also included slaves. One of the early visitors to Benin during the pre-colonial 276 period, H. Ling Roth records that "?In Benin all male slaves are foreigners, "for the natives cannot be sold for 277 slaves, but are all free, and alone bear the name of the king's slaves?". 89 Pre-colonial Benin thus practised the 278 compulsory tribute paid on demand by conquered areas called Ugamwen and the type imposed by the Akorhore. 279 On the other hand, debt recovery was a task assigned to persons with distinctive pedigree by the oba during 280 the pre-colonial period. ??0 Debts owed when reported, was adjudicated upon by elders-in-council. The latter, 281 set up committee composed of persons of integrity that were assigned the role of recovering such debts with 282 the express permission of the oba. They had the powers to confiscate goods of offenders, commensurate with 283 the debt owed. In some cases, such confiscated items were auctioned to recover such debt.91 It is important 284 to note that such measures were designed to discourage tax default and indebtedness. Victims were made to 285 become 'ovien' (slaves) to the oba and their rights and certain privileges could be withdrawn by the monarch 286 until pronouncements regarding such debts, after consultation, was lifted by the elders-in-council. Thus, in pre-287 colonial Benin, taxes were levied on adults in addition to tributes either from conquered territories or those sent 288 to the oba annually as sign of loyalty to the authority of the monarch. Debt recovery on the other hand, was a 289 traditional device of encouraging hard work thereby promoting responsible citizenship. 290

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. 92 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 294 elders of the community. They deliberated on the matter and made pronouncements that were binding on the 295 parties to the dispute. Ancestral landmarks and natural boundaries like rivers or valleys were used to ascertain 296 297 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, 298 who either affirmed the decision of the village elders or caused a commission of enquiry to be set up to look 299 into the case and later decide, based on the report submitted. It was also sacrilegious to destroy economic crops 300 in precolonial Benin. This was because Benin tradition frowned seriously at it and was regarded as Aghwa. 301 It thus constituted a strong offence in Benin custom till date. ??3 Where a case of this nature was reported, 302 the matter was referred to the elders of the community who investigated the matter and took decision. There 303 was the belief that such matter if not well handled could elicit the anger of the gods and ancestors, elders were 304 expected to exercise caution and carry out thorough investigations before making pronouncements. Like arson, 305 punishment for such offence included: the imposition of fines, performance of rites to cleanse the land, up to 306 outright banishment from the community. 307 ν.

308

5 Conclusion 309

The above analysis of conflict resolution in precolonial Benin to our understanding of Benin early history 310

provides the basis for some observations. It is evident from the study that the contribution of conflict resolution 311

to the reconstruction of the histories of preliterate societies, further debunks the Eurocentric perception that 312 developments in Africa was externally stimulated. Therefore, historians working on pre-literate societies need to

313 be seriously engaged in the collection and analysis of data to expand the scope of knowledge about pre-literate 314

African peoples and societies before the advent of colonialism. Ibadan University Press, 1968), p. 1. 6. For 315 instance, it is argued that reference to Egypt may be an attempt for a search for a glorious past

Figure 1:

316

¹Conflict Resolution in Pre-Colonial Benin

- 317 [Ibid] , Ibid . p. 83.
- 318 [Ibid] , Ibid . p. 84.
- 319 [Ibid] , Ibid . p. .
- 320 [Ibid] , Ibid . p. 28.
- 321 [Ibid] , Ibid . p. 29.
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- 323 [Interview With and Idu-Akenzua (2014)], Hrh Interview With, T I Idu-Akenzua. 19/8/2014.
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- 326 [Interview and Eghaghe] 81 years old, retired civil servant, S I Interview, Eghaghe . 03/8/2014.
- 327 [See and Oghi (2013)] 'Abolition of Trial by Ordeal at Eni-Lake, Uzere, Delta State of Nigeria, 1903: A
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- 330 [Oghi] Abolition of Trial by Ordeal?, F E Oghi . 30/8/2014. 34 p. 137.
- 331 [Akenzua] Oba Akenzua, II. 15/12/1947. The Categories of Bini Titles, (National Archives, Ibadan)
- 332 [Igbafe] Benin Under British Administration?, P A Igbafe . p. 30.
- 333 [Igbafe] Benin Under British Administration?, P A Igbafe . p. 405.
- [See For Instance and Igbafe ()] Benin Under British Administration? and A.F.C. Ryder, Benin and the
 Europeans, P A See For Instance, Igbafe . 1969. New York: Humanities Press. p. .
- 336 [Igbafe] Benin Under British Administration? p, P A Igbafe . p. 27.
- 337 [Igbafe] Benin Under British Administration? p, P A Igbafe . p. 23.
- 338 [Igbafe] Benin Under British Administration? p, P A Igbafe . p. 29.
- [See (1905)] 'Benin Under British Administration? p. 22. The Idegbe marriage system was the type in which
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 any adulterer and the parents too'. N A I See , Cso . D. 13/1. Report on Benin City District for Quarter *Ending*, C C Pykes, Ag D C Unnumbered File, Ben Dist, C Pykes (ed.) (Benin City, Legal Practitioner)
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- [Such confirmation ceremonies were carried out at the Oba's palace. It involved Iwoghene or Itiedeha ceremonies. The former was
 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,
- 391 [Such gifts included: kolanuts, drinks, food and money. Interview with Chief Osemwegie Ero,? (2014)] Such
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 , Ukomwen , E B See , Eweka . Such rites included, p. .
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- 411 [Ibid] This point is corroborated by the work of E.B. Eweka, The Evolution of Benin Chieftaincy? p, Ibid . p. 84.
- ⁴¹² [This was a rite in which the bride was made to swear at ancestral shrine with an undertaking to maintain her fidelity]
- This was a rite in which the bride was made to swear at ancestral shrine with an undertaking to maintain her fidelity.
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- ⁴²⁰ [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 Eribo, Oshodi was the controller, while the
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- p. . (Such persons were left with their Onotueyevbo)