

The Political Economy of Land and Chieftaincy Disputes in Contemporary Africa: Examples from Central Nigeria

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Abstract— *Post-colonial Africa has witnessed intermittent and endemic upsurge in chieftaincy disputes, which obviously raises variety of security challenges, which are major setbacks to national development. However, any serious study or analyses of chieftaincy disputes in Africa must necessarily be situated within the context of the post-colonial political economy of most African states. Historically, before the advent of colonial rule, land in Africa had no much economic value, however, with the integration of Africa into the world capitalists system during the colonial period, land which was in most cases under the custodian of traditional rulers became a valuable commodity. Besides, the admixture of colonial and post-colonial native systems produced a cumulous of contradictions in the transfer of land and chieftaincy rights and this resulted in complex and sensitive disputes, sometimes capable of paralysing national security. What are the problems associated with land tenure system and what are its intersections with chieftaincy disputes in Nigeria? How can we possibly explain these disputes in the development of Nigeria? This paper attempts to explore and interrogate the political economy of chieftaincy disputes in Nigeria in general and central Nigeria in particular. Drawing on some lessons from north central Nigeria, the paper would show how these disputes have impacted negatively on the region and suggests the way forward. Our analysis shall be essentially historical, employing both descriptive narrative and empirical tools in analysing the subject matter.*

Keywords— *Political Economy , Chieftaincy Disputes , Contemporary, Central Nigeria.*

I. INTRODUCTION

It is a truism that colonial and post-colonial Africa has continued to be plagued by an upsurge in land and chieftaincy disputes resulting in loss of lives and property. Regrettably, the nature and dimension of these crises most

often have far reaching implications on the community so affected and is also a significant threat to national security. Historically, before the advent of colonial rule, land in Africa hadn't much economic value, however, with the integration of Africa into the world capitalists system during the colonial period, land which was in most cases under the custodian of traditional rulers became a valuable commodity. Similarly, this period also witnessed some level of stability in the chieftaincy institution in most parts of Africa. The reasons for this were not farfetched. First, apart from the prestige attached to the chieftaincy institution there were no serious economic benefits attached to them, and secondly, the selection process had not been politicised as it is the case nowadays. Unfortunately, in British West Africa in general and Nigeria in particular, the admixture of the British and native systems produced some contradictions in land and chieftaincy matters, a challenge that has continued to confront most African states. Land and chieftaincy disputes have become the cause of rural and urban resistance and insurrection resulting to family, communal, states and national disputes. Francisca Nlerum was more forthcoming on this issue:

Since 1945, many of the most significant threats to national security have been internal such as land and chieftaincy disputes which threaten the security of lives, property and the nation. Historically in Nigeria, land was not much of economic value and the chieftaincy stool was stable until the beginning of British rule in the 19th century. The admixture of the British and native systems produced a confusion in the transfer of land and chieftaincy rights. Land possession and chieftaincy stool has therefore become the cause of rural and urban resistance and insurrection leading to family, communal, states and national disputes.¹

¹. F. E. Nlerum, "Security Implications of Land and Chieftaincy Disputes" in *Law and Security in Nigeria* retrieved on 22nd

What are the problems associated with land tenure system and what are its intersections with chieftaincy disputes in Nigeria? How can we possibly explain these disputes in the development of Nigeria? In this paper, we shall attempt to explore and interrogate the political economy of chieftaincy disputes in Nigeria in general and central Nigeria in particular. The chapter is basically divided into six Sections. After the introduction, chapter two conceptualises land and chieftaincy disputes, while section three examines the basis and nature of chieftaincy disputes in Nigeria with specific case studies from the North Central Region (NCR). Section four would examine the implications of these crises for the overall development of the NCR while section five would provide a blue print aimed at resolving these disputes. Section six concludes the paper.

II. CONCEPTUAL NOTES

1.1 Central Nigeria

The area referred to as Central Nigeria is an area that is subject to various descriptions. Whereas some refer to it as the “Middle Belt”, others refer to it as the “Lower North” or the “Lower Benue Valley or Region”. It is generally common for what is today referred to central Nigeria to be addressed and treated as part of Northern Nigeria. This is so because during the advent of colonial rule, bulk of the communities, groups and societies that constitutes the present day central Nigeria where incorporated into the Northern Region. However, the truth of the matter is that it is quite difficult to find a unanimously acceptable criterion that defines this area and agreeing on its geographical and cultural limits.² Be that as it may, the area called Central Nigeria, as the name implies, is geographically situated at the centre of Nigeria. As according to Agaba:

It is located between latitudes 7^o30 North and 11^o15 North and longitudes 4^o and 2^o east of meridian. It covers an area of approximately 342,390 km² or 37 percent of the total land

area of Nigeria. It is bordered to the East and West by Cameroun and Benin Republics respectively and the North and South by Northern and southern States. The area is sometimes referred to as Middle-Belt of Nigeria.³

Geographically, the central Nigeria or the Middle Belt could be defined as a transition between the forest zone and the Savannah to the North. Hitherto, the name was applied to the area predominantly inhabited by non-Muslim groups to the south of the emirate and north of the peoples of the forest. This definition has lost its potency and efficacy today because of the spread of Islam and Emirates within the area. A major feature of the central region is that it houses a number of ethnic groups and even a number of decentralised polities, which makes it multi-ethnic, multi-lingual and multi-cultural society. It is made up of the following ethnic groups: Tiv, Idoma, and Igede in Benue State, Igala in Kogi State; Kuteb, Jukun, and Chamba in Taraba State; Egbura (Ebira), Alago, Bassa, and Gbagyi in Nasarawa State, just to mention but a few.⁴ It is difficult to determine the exact limits of what is conceived as Central Nigeria but using historical and cultural criteria rather than mere geographical features or descriptions, it would consist of a belt that cuts across Nigeria embracing areas in southern Sokoto now in Kebbi State, Southern Kaduna, Plateau, parts of Bauchi and Southern Gombe to Adamawa and then Taraba, Benue, Kogi and possibly Kwara states.⁵

1.2 Land and Chieftaincy Disputes

Land and chieftaincy disputes are oftentimes very complex and also have political coloration. The complexities and sensitivity involved in land and chieftaincy disputes sometimes have the capacity to result in conflicts capable of

June, 2013 from <http://nials-nigeria.org/pub/francisca>.

². J.E. Agaba, “The Challenge of Ethnicity: A Historical Analysis of Inter-Group Relations in the Middle Belt of Nigeria” in Olayemi Akinwumi, Okpeh O. Okpeh, Jnr and Gwamna D. Je’adayibe (eds), *Inter – Group Relations in Nigeria During The 19th and 20 Centuries*, (Makurdi: Aboki Publishers, 2006), 509.

³. J.E. Agaba, “The Challenge of Ethnicity,” 509. Also see Udo, R.C. *Geographical Regions of Nigeria*, (London: Heinemann, 1970), and S.K. Tyoden, *The Middle Belt in Nigerian Politics* (Jos: AHA Publishing House, 1993), 106.

⁴. T. Agena, *Inter-Group Relations in the Lower Benue Valley Since 1900: What Went Wrong?* (Makurdi: Aboki Monographs, 2011), 6.

⁵. See, C.C. Jacobs *The History of Central Nigeria* cited in Agaba, “The Challenge of Ethnicity, 510-511.

paralysing national security. That said, how do we conceptualise land and chieftaincy disputes especially within the context of this chapter. According to Mike Odey, land refers to earth's surface, a country, state, or community with people.⁶ Geographically, it connotes soil or ground where rivers flow and the basis of many lives support systems or human activities with wide implications. Odey captures the importance of land to man thus:

Land is about the most important primary factor of production because even with availability of capital, and whatever, development cannot take place in the thin air or space. Man's consequent relation to the rest of nature and the subsequent production of the means of subsistence is necessarily conditioned by his physical organisation or environ.⁷

Land is the storehouse of raw materials and minerals as well as the basis for terrestrial biodiversity, providing the biological habitats and gene reserves for plants, animals and micro-organisms. Land is also conceptualised as including the surface of the earth, the subsoil and the air space above it as well as things that are permanently attached to the soil even streams and ponds.⁸ Given that it serves as the basis of life support systems (providing food, water, fibre and biotic materials), land could either be useful or indisputably constitute a source of conflict.

A Chief on the other hand refers to a person, who, hailing from the appropriate family and lineage has been validly nominated, elected or selected and installed as a chief or queen mother in accordance with the relevant customary law and usage.⁹ Chieftaincy in this chapter will be used to refer

to the various traditional cum political leaders who exercise political power at the ethnic and sub-ethnic levels. Chieftaincy as an important social institution in Africa which binds the people together is fraught with numerous disputes. Chieftaincy disputes are the misunderstanding that occurs between two or more fractions on the instalment of a chief, or the misunderstanding between an incumbent chief and some of his subjects.¹⁰ While we have shown the socio and economic importance of land to human existence and its propensity to ignite disputes, it is relevant to emphasise that like politics, the prestige and socio, economic and political benefits attached to the chieftaincy institution in Africa following the departure of the colonial administration led to cut throat competition amongst interested parties resulting in endemic and intermittent disputes.

Therefore, land and chieftaincy disputes could be defined as serious arguments or disagreements.¹¹ It refers to conflicts, disagreements, quarrels and struggles, fights and wars between individuals, groups and countries.¹² Land and chieftaincy disputes may occur in two folds-dysfunctional and functional.¹³ While the functional disputes are constructive and reflect the differences and variety of human opinion which exist in any free society and consequently leads to innovation and social change, dysfunctional

⁶. M. Odey, "Land Disputes in the Benue Valley Since 1999: A Study in an Aspect of Inter-Group Relations in Central Nigeria" in O. Akinwumi, O. O. Okpoh, Jnr and G. D. Je'adayibe (eds), *Inter – Group Relations in Nigeria During The 19th and 20 Centuries*, (Makurdi: Aboki Publishers, 2006), 682

⁷. Odey "Land Disputes in the Benue Valley Since 1999", 682

⁸. See Amechree v. Kalio (1974) cited in F.E. Nlerum, "Security Implications of Land and Chieftaincy Disputes"

⁹. For more details on this definition, "Causes of Chieftaincy Disputes in Africa and How to Deal with them" cited in <http://www.studymode.com/essays/Causes-Of-Chieftaincy-Disputes-In-Africa-532336.html>, retrieved on the 5th August, 2013.

¹⁰. See "Causes of Chieftaincy Disputes in Africa and How to Deal with them."

¹¹. This definition is cited in *Obiechefu v. Governor of Imo State* [2008] 14 NWLR (pg.1106) 22.

¹². Cited in I. Onoja, 'Land Disputes in Nigeria in the Fourth Republic: An Assessment' (Ph.D Seminar, Department of History, University of Nigeria, Nsukka, 2009), 3.

¹³. F. E. Nlerum, 'Security Implications of Land and Chieftaincy Disputes.'

disputes which is generally the result of land and chieftaincy disputes often played out at the local level between families, communities (especially along the border), between pastoralists and farmers, and by reason of succession and associated rights of claim in Nigeria is destructive and cause loss of lives, property, man-hours, investment opportunities, hunger, violence, wars, displaced population etc.¹⁴ It is interesting to note that due the multiplicity of ethnic groups in Africa with the attendant diverse interests, land and chieftaincy disputes are expected in manifolds and this has no doubt been the case in Nigeria. In this chapter, land and chieftaincy disputes are conceptualised from the dysfunctional context because of its destructive nature as would be shown later in this discourse.

III. LAND AND CHIEFTAINCY DISPUTES IN NIGERIA IN HISTORICAL PERSPECTIVE

In Africa generally, land tenure system is generally porous. For instance, while Odey contends that in Africa land is both an individual and community property regulated by simple rules,¹⁵ Nlerum defers. According to her indigenous system of land belongs to the community, village or family and never to the individual.¹⁶ Therefore, where title to a portion of land is vested in the community, no single member of the community can lay claim to it as his. Here, it is generally believed that the chief is the custodian of land who holds it in trust for his people. It is felt that the chief is the best person to administer the land for the overall benefit of his people. Be that as it may, there is need to emphasise that during the pre-colonial period, there was no uniformity in land tenure system in Africa in general and Nigeria in particular. For example, in the Benue Valley, land was considered to be divinely owned by the people and they derived their livelihood from it. Hence, each and every individual was entitled to a plot of land to engage in his farming activities, and as for as long as an individual engaged the land, no other individual could lay claim to it or dispossess the owner of same. However, as soon as he leaves it fallow for a period, that individual was likely to

lose ownership of such a plot of land. Granted that title to land under this arrangement remained unrecorded but family and individual rights were usually well known and appreciated within the community.¹⁷ In some communities, chiefs who were custodians of land ensured that the preservation of the customs especially as it pertained to land for the benefit of the people. In this connection, conflicts over land along ethnic boundaries were relatively very few. However, during colonial rule, land ownership or holding witnessed dramatic changes and alterations, some of which have contributed majorly to land disputes not just in the Benue Valley but the entire NCR. For instance in Northern Nigeria, by 1910 (and later in the 1916 Amendment Act) in the Land and Native Rights proclamation of Lugard, all lands rights and control were conferred on the British colonial governor.¹⁸ In the South, the British Government systematically and gradually obtained control of land by series of piecemeal treatise and this subsequently led to the enactment of the Native Land Acquisition Act 1917. On the basis of these proclamations, both autochthonous, unwritten land use rights and land law policies of the former colonial power began and continued to co-exist without clear cut reforms. This created a complex control system over land, overriding individual, collective and extensive ownership.¹⁹ These changes also had far-reaching implications especially in the forces of production. In addition, it caused serious demographic dislocations, and socio-economic, cultural and institutional contradictions. For example, the integration of the economies of African countries into the western capitalist system raised the stakes as far as land and land ownership was concerned and this formed the basis of land disputes in most parts of Africa. Obviously with this integration, land consequently possessed

¹⁴. F. E. Nlerum, 'Security Implications of Land and Chieftaincy Disputes.'

¹⁵. M. Odey, 'Land Disputes in the Benue Valley Since 1999,' 683.

¹⁶. F. E. Nlerum, 'Security Implications of Land and Chieftaincy Disputes.'

¹⁷. U.M. Igbozuruike, Nigerian Land Policy: An Analysis of the Land Use Decree cited in I. Onoja, 'Land and Chieftaincy Disputes in Nigeria in the Fourth Republic, p.7.

¹⁸. M. Odey, 'Land Disputes in the Benue Valley Since 1999', 685.

¹⁹. O. Otite et al (eds), *Community Conflicts in Nigeria: Management, Resolution and Transformation* (Ibadan: Spectrum, 2001), 176.

serious economic value and this led to competition for it and its use by different groups, communities and individuals. Moreover, land came to assume a new significance officially and privately. The rise in the value of land made it scarce, and the struggle and competition for it increasingly became a source of intermittent and endemic conflicts and squabbles among communities, groups and individuals. Besides, the astronomic increase in population growth and the intensification of agricultural production (cash crops) all combined to bring about pressure on land and its scarcity.

With the attainment of independence, land tenure system further went through some changes. Although lands are still held communally by the community or family, presently, the existing systems under indigenous land tenure have been seriously altered. With these changes, individuals, groups or institutions can acquire absolute ownership of land or right to land through outright purchase or grant. Such right to land may be permanent and may also be transmissible to a successor. It is, however, interesting to note that the rights which an individual may have over community land vary from place to place. For instance, he may acquire permanent rights which are only occupational rights, or such rights may be allocated on a temporary basis (limited duration or time frame) e.g. a visitor may acquire the right to a community land if same is so granted to him by the family or the community.²⁰

Due to the complexities involved in land acquisition in Nigeria, the Federal Government set up the Land Use Panel in 1977 to examine the lapses and complexities involved in this process and this led to the enactment of the Land Use Act of 1978 by the General Obasanjo led military government. The Land Use Act confiscated all the undeveloped lands in Nigeria from its community and private owners. It also took the right of ownership of land from Nigerians and vested same in the Governor of each state. Land vested in each state except land vested in the Federal government or its agencies is solely vested in the Governor, who holds such lands in trust for the people, and is also responsible for the allocation of land in all urban areas.²¹

²⁰. Under such arrangements, the community which gives out the land on temporary basis also have the right of reversion.

²¹. See the Land Use Act, 1978 for more elaborate details.

Despite the enactment of the Land Use Act, Land ownership in Nigeria is evidenced by title to land, and this may be either through original or derivative ownership, or through grant or settlement.²² Evidence of title to land has become a source of land disputes, especially with the increasingly complex and variegated methods of land ownership/acquisition which have been developed within the indigenous land tenure system in Nigeria.

While disputes over land have been on the rise, chieftaincy disputes appear not to only be on the increase but dragging towards a worrisome dimension. In some instances, there is a nexus between some of the land and chieftaincy disputes as we have experienced in some parts of the country. The chieftaincy institution especially in some African communities or ethnic groups is no doubt a significant historic relic which defines not just our heritage but our dignity and identity. The chieftaincy institution act as custodian of the culture of the people and as repositories of local authority and are still revered especially in communities where they have displayed exemplary conducts and also carved a niche for themselves. They serve as agents for mobilising people for communal development and act as effective link between the people and the central government. Because of their sanctity and respect, traditional rulers are closely linked with grassroots and so understand the problem of the people. However, the chieftaincy institution which was an embodiment of political power during the pre-colonial period has undergone series of transformation.

For example, during the pre-colonial period, traditional rulers effectively discharged legislative, executive and judicial powers in their respective domains.²³ These powers were rooted in their traditions and customs. Many of these chiefs also combined temporal and spiritual power. In this connection, traditional rulers were in theory and practice *de*

²². For more details see F. E. Nlerum, 'Security Implications of Land and Chieftaincy Disputes.'

²³. For more details, see P.I. Ukase, "Traditional Rulers and Partisan Politics in Nigeria since Independence," in *Journal of the Faculty of Arts and Social Sciences*, Nigerian Defence Academy, 6 (Sept. 2011).

facto and *de jure* governors of their domains.²⁴ All of these changed fundamentally with the imposition of British colonial rule in Nigeria. Traditional rulers seized to be sovereign as their central role radically transformed from serving the people to ensuring the success of the colonial government. To achieve success in governance, chieftaincy institutions were artificially created where non-had hitherto existed before the advent of colonial rule. The introduction of Indirect Rule System²⁵ gave traditional rulers more powers than had existed during the pre-colonial period. Consequently, traditional rulers who hitherto protected the people became instruments of oppression against their own people. Both existing and artificially created chiefs were reduced to officials of the British government and in the process undermining the traditional meaning of leadership. Since attaining independence in 1960, the overall powers and authority of chiefs have experienced ebbs and flows resulting in some fundamental changes in the nature and character of chieftaincy institution in the country. The challenges the chieftaincy institution face are multifaceted. From the colonially crafted strategy to break their authority to their marginalisation through constitutional provisions, chiefs have experienced dwindling fortunes especially in their powers and influence. Despite the spirited denial of formal political roles to traditional rulers in the four most recent constitutions, traditional rulers continue to exercise enormous power and influence over the lives and well-being of millions of people.²⁶ Additionally, traditional rulers control substantial economic and financial resources including land and forestry. The federal and state governments have continued to emphasise the importance of this institution by appointing various traditional rulers into

sensitive and influential positions such as Chairmen of some Committees, chancellorships of universities, membership of constitutional conferences, just to mention but a few. In this connection, some elites continue to use traditional chieftaincy as a launching pad to national fame and prominence. Pita Agbese was more forthcoming on this issue:

Some members of the elite class continue to use positions within the indigenous political structures as a spring-board to national fame and prominence. Premier Ahmadu Bello and scores of other politicians from northern Nigeria acquired their initial political experience from local governance provided by the traditional political system of the emirate system. Politicians such as Moshood Abiola, who apparently won the 1993 presidential elections, recognised the political value of chieftaincy. The late Abiola was awarded over 600 honorary chieftaincy titles from all parts of the country. Even though these were essentially honorific titles, their importance in legitimising the political structure of Abiola or other recipients of such titles cannot be underestimated.²⁷

The late Sardauna of Sokoto and Premier of the Northern Region, Ahmadu Bello is quoted to have expressed his preference for the sultanatship over and above the president of Nigeria. As Yakubu Mohammed puts it:

Next to the presidency of this country, the office sultan is easily the most exalted and therefore the most coveted. The late Sardauna of Sokoto, Ahamdu Bello, once an aspirant to the Sultan's throne, said if he was asked to make a choice between the presidency of this country and the sultanate, he would most willingly and gladly settle for the latter.²⁸

Because of the strategic importance of this institution, wealthy, powerful and well-known Nigerians in various works of life continue to show considerable interest in traditional ruler-ship by actively contesting to become traditional rulers. Similarly, because of their enormous influence and role of chiefs or traditional rulers, disputes over particular traditional thrones frequently erupt to create serious socio-political crisis in many parts of the country. Chieftaincy disputes over successions to the throne of traditional rulers have led to violence in many parts of the

²⁴ . F. E. Nlerum, 'Security Implications of Land and Chieftaincy Disputes.'

²⁵ . Indirect Rule was introduced by Fredrick Lord Lugard, the Governor General of Nigeria. It simply means to rely on existing political structures, elites and institutions by the colonizing country for governance.

²⁶ . For more on the power and influence of traditional rulers, see P.O. Agbese 'Chiefs, Constitutions and Policies in Nigeria,' in *West African Review*, 6 (2004), 2

²⁷ . P.O. Agbese, 'Chiefs, Constitutions and Policies in Nigeria,' 4.

²⁸ . For more details, see Y. Mohammed, 'God or Man's Case' (*Newswatch*, 21 Nov. 1998), 6.

country. As should be expected, many Nigerians have lost their lives in such violent disputes. Some examples may suffice here: for instance, the appointment of Ibrahim Dasuki to the much more preferred Muhammadu Maccido in 1988 by the Sokoto state government elicited serious riots resulting to the death of thirteen people in the state capital.²⁹ Similarly, a dispute between two contestants to the throne of Oluo Okeoyi in Kwara State, in Sept. 1993, led to rioting that resulted in loss of lives and destruction of property. In the same vein, several people were killed and many homes razed down in April 1997 in the aftermath of the appointment of a second class chief in Agila district of Benue state, in what has been described an “an orchestrated attempt to impose a new second-class chief on the people”³⁰ by the state government.

IV. THE EXPERIENCE IN NIGERIA’S CENTRAL REGION

Over the years the NCR has no doubt enjoyed its own fair share of intra and inter-state land conflicts and chieftaincy disputes with broader socio, political, economic and security implications. It is important to note that most of the conflicts in the NCR are over land/boundary and chieftaincy related issues. These involve inter-state, intra-state, inter and intra local governments, inter-community/ village as well as inter family. For example, the crisis that has engulfed the Plateau especially in the last decade is attributed to the entrenched division between the people considered primarily indigenous and those regarded as secondary. The endemic disputes has to attacks, counter-attacks and reprisals which has led to wanton destruction of many lives and property and also compelled the Obasanjo presidency to declare a state of emergency in Plateau State.

Some of the inter and intra state conflicts elsewhere within the region include among others, the Tiv-Jukun conflict in Wukari, Jukun-Kuteb, Tiv-Alago in Nasarawa, the confrontation between Bassa and Epira in Nasarawa State, Mangu-Bokkos, Bukuru-Gyero.³¹ Regrettably, intra state

land disputes in central Nigeria are more frequent than inter-state cases. For instance, most of the disputes in the Benue Valley were over land. For example, there was the Mbagen-Etulo land disputes in 1985; Mbagwaza-Utange in Ushongo local government and Ushongo-Konshisha. Others include Gwer-Oju, Otukpo Ohimini, Otukpo-Obi, Konshisha-Gwer, etc. are cases in point.

Apart from the propensity of land disputes, since independence, chieftaincy disputes in Nigeria but particularly in the NCR have become more complex. Some of the chieftaincy disputes experienced in the region include the persistent chieftaincy disputes in Idoma land, which has been attributed to attempts by the British colonial administration to integrate the Idomas to the principles of centralisation and the creation of Emirate model in non-Muslim societies; a process that produced or created a new generation of chiefs – *och-umbeke* (white man’s chief) and their supporting staff, which had no parallels in Idoma political system and was, therefore, antithetical to the political experience of the Idoma.³² A good example was the frequent chieftaincy disputes in Adoka and the Agila royal and non-royal disputes in Idoma Division of Benue state which has lasted for decades. The tragedy that accompanied these conflicts in terms of deaths, the destruction of properties and the displacement of population draw attention not only to the security threat they pose to the State, but the potential danger they pose to the country’s democracy.³³

In the case of Adoka, the genesis of the chieftaincy dispute was premised on two claims: first, the Ai-Enyikwola/Ai-Adoka clan hold that they be treated as two clans although they are from the same womb, and secondly, the Ai-Ode

read K. Maier, *This House Has Fallen: Nigeria in Crisis* (Spectrum Books Limited, 2000).

²⁹. P. I. Ukase, ‘Traditional Rulers and Partisan Politics.’

³⁰. P.O. Agbese, ‘Chiefs, Constitutions and Policies in Nigeria,’ 2.

³¹. For more comprehensive details See J.E. Agaba, ‘The Challenge of Ethnicity.’ Also

³². For more details on the causes of chieftaincy disputes in Idoma see J.E. Agaba, ‘Chieftaincy Disputes Among the Idoma of Central Nigeria’ in O. Akinwumi, S. Fwatshak, and O. O. Okpeh, Jr., *Historical Perspectives on Nigeria’s Post-Colonial Conflicts*, (Makurdi: Historical Society of Nigeria, 2007), 299-313.

³³. See J.E. Agaba, ‘The Challenge of Ethnicity’, 518

clan would want the Ai-Enyikwola/ Ai-Adoka clan to be treated as one.³⁴ They (Ai Ode clan) argued that in rotating the district headship of Adoka, it should be between Adoka Icho and Adoka Ihaje. This dispute reached its peak following the demise of Chief Ogli Oko in 1960, and the emergence of three contestants to fill the vacancy. As should be expected, some of the contending issues and argument highlighted above resurfaced. From 1960 to 1981, the disputes continued to recur as it was difficult for both the military and civilian administrations to resolve the dispute. For instance, worried over the frequent chieftaincy disputes in the politics of traditional Idoma society, the then military government of Benue State set up an administrative panel in 1978 headed by Justice Sylvester Onu to amongst others:

- i. To determine and codify the method of selecting traditional title (office) holders, i.e District and clan headships in all parts of Idoma area;
- ii. To ascertain from the grassroots and throughout the Idoma Area the appropriateness or otherwise of claims by parties to stools of local chieftaincy (Clan and District Headship), which are under dispute;
- iii. To recommend to the state government the most appropriate and most acceptable persons to be appointed to fill such traditional offices, i.e. District and Clan headships in dispute;
- iv. To examine and advise on any other functions that may appear to the panel to be relevant, appropriate and necessary to local chieftaincy in Idoma area in order to ensure lasting peace and harmony.³⁵

The recommendations of the Onu panel failed to provide concrete solutions to the crisis.³⁶ In fact, by 1981, the Aper Aku administration took a decisive step in this direction by

suspending all traditional stools (offices) in Adoka for five years. The subsequent military administration, precisely that of Colonel Ishaya Bakut, then Governor of Benue State, set up a sole man commission of inquiry into the Adoka dispute headed by Justice A.P. utsaha. The report of that commission was never made public. Another committee headed by Justice Katsina Alu, the then Attorney General and Commissioner of Justice was constituted which made three useful recommendations: first, that the government should make fresh moves to ascertain and codify the method of selecting traditional office holders; secondly, that the government should halt the subtle attempt to democratise traditional offices in all parts of Idoma land; and thirdly, that the position of District Head be declared "traditional office" so that only traditional title holders can aspire to it.³⁷ Tiv land has also had its own share of chieftaincy disputes since its creation by the British Colonial Administration in 1948. It is important to note that like in Idoma land, most of the chieftaincy disputes in Tivland can be explained within the context of the growing influence of the traditional institution in the area since its creation. Given that its creation was more or less artificial, the institution lacks a clearly defined procedure for appointment. In this connection, the appointment of traditional rulers has quite often been subject to politicisation and manipulations of the process by the political class, who control the instruments of power and use same to appoint those who they fill will dance to their whims and caprices especially during elections. Besides, given the power, wealth and affluence surrounding traditional institutions in Tivland, contest to fill vacancies has become cut throat. In this connection, most chieftaincy appointments in Tivland have been shrouded in controversies. Some example will suffice here: the appointment of second class chiefs in Vandeikya, Kwande, Konshisha, Gwer-East and Gwer-West, just to mention but a few are all subject to litigations in court. Similarly, there are various court cases instituted with respect to appointment of third class (District Heads) and Clan Heads. In view of the fact that most of these cases are in Law courts, it will be improper to make specific analysis of the issues as this would be prejudice. Be that as it may, lack of adherence to the selection process has chiefly been responsible for chieftaincy disputes in Tivland.

³⁴. See N.O Agbo, *Idoma Politics and History* (Lagos: Parade Communications Limited, 1991), 68.

³⁵. For more elaborate details see N.O Agbo, *Idoma Politics and History*, 67.

³⁶. One of the recommendations of the panel was that Egli Oko be deposed as District Head of Adoka and sent into exile to Okpoga. The panel also recommended that the two other contestants, Achegbulu Oko and Aduyi Edube be ordered into exile to Oju and Ugbokolo respectively.

³⁷. See more details in N.O. Agbo, *Idoma Politics and History*, 74.

Generally, various reasons account for the various chieftaincy disputes in the NCR. These include amongst others:

- i. The politicisation of the selection process of traditional rulers ;
- ii. Nepotism and imposition of some unpopular candidates and intimidation of some elders and some people into accepting such candidates;
- iii. Discrimination in the selection process especially against a section of the community contemptuously referred to as strangers, visitors or settlers as the case may be
- iv. Artificial or self-acclaimed classification of clans or sub-clans in a district into royal and non-royal with the deliberate intention of disqualifying some candidates from contesting;
- vii. Incessant litigations in courts after the completion of the selection process;

The politicisation and commercialisation of the chieftaincy institution has been a bane to the stability of the institution in the NCR. As Agaba has rightly captured, money and politics played and is still playing decisive roles in the appointment and selection of candidates for the various chieftaincy offices.³⁸ Politically, chieftaincy has become a game where contestants test their popularity and exhibit their wealth and profligacy against their less affluent opponents. Quite often too, political rivals find the chieftaincy institution as a platform to settle scores with their opponents. All these manipulations in the chieftaincy institution lead to unnecessary confusion and endemic disputes in the system.³⁹

V. THE IMPLICATIONS OF THESE CRISES FOR DEVELOPMENT

Land and chieftaincy disputes have very serious implications for the stability, security and development of nations, communities, and states so affected. Granted that land and to some extent chieftaincy are gifts from God to humanity, human beings have continued to wage war against fellow

³⁸. See J.E. Agaba, "Chieftaincy Crises Among the Idoma" 308.

³⁹. See H.E. Ogwuche, "Chieftaincy Disputes in Idomaland: A Case Study of Edumoga District in Okpokwu L.G.A, 1960-2003, cited in Agaba, J.E., "Chieftaincy Crises Among the Idoma", .55.

human beings over these gifts. Empires, kingdoms states, and communities have been founded and lost in the external battle of men to possess more land and chieftaincy authority.⁴⁰ Consequently, contests over land and chieftaincy rights in the Nigeria's North Central Region has turned various groups, states and communities against one another and this has had far reaching implications for security and the development of the region. For instance, Mike Odey presents a better picture of the implication of land disputes thus:

The consequences of land/boundary disputes are many and diverse. It leads to loss of lives and property worth billions of naira. It has brought about social insecurity and the plight of refugees in their own country. Displacement of people have been wide spread and for a very long period of time.⁴¹

Nlerum collaborates Odey's position. According to her:

The past three years has witnessed an alarming upsurge in the level of violence resulting from several disputes claiming avoidable and unaccountable innocent lives. Some of the disputes have been fuelled by land and chieftaincy issues among other factors. An example of land disputes occurred in the city of Jos in Plateau State which was the scene of several communal clashes that registered the death of several hundreds of people....⁴².

One very negative effect of land and chieftaincy disputes is the havoc it visits on the agrarian communities. Given that the north central region is the hub of food production in Nigeria, any time the area is affected by land and chieftaincy disputes, it has wider implications for food production in the country generally. Disputes over land have drastically reduced agricultural productivity, giving way to perennial famine, human deprivation and ecological problems.⁴³

⁴⁰. F. E. Nlerum, "Security Implications of Land and Chieftaincy Disputes," 345.

⁴¹ M. Odey, "Land Disputes in the Benue Valley Since 1999"690.

⁴². F. E. Nlerum, "Security Implications of Land and Chieftaincy Disputes,345.

⁴³. See M.O. Odey, 'A History of Food Crop Production in the Benue Area, 1920-1995: The Dialectics of Hunger and Rural Poverty' (Nigeria: University of Jos, Ph.D

Because of the persistence of land and chieftaincy disputes in the region, the cycle of farming is bound to continue and this could lead to food insecurity.

In addition, land and chieftaincy disputes have had serious effects on inter group relations. For instance, in the NCR where these disputes are persistent, the worrying parties have sometimes resorted to courts to seek legal redress, while in some instances, it results to irreconcilable differences between and within groups and this is passed on from generations to generations. In terms of security, land and chieftaincy conflicts generate crises in variegated forms. Apart from its consequences on food production, it produces safety, protection and shelter management challenges. We also need to emphasise here that these disputes does not only destroy political, economic and social structures but it also produces a process of transformation in which alternative systems of economic accumulation, social regulation and political governance emerge.⁴⁴

Land and chieftaincy disputes are often critical issues and at the end of a prolonged and endemic dispute, a large proportion of the population commence the process of claiming and reclaiming land and land based resources and inheritance with important security implications especially in the area of safety of life and property, safety of institutions, the use of young adults in violence⁴⁵ with long term implications in the social fabric, the displacement of people. The unprecedented number of Internally Displaced Persons (IDPs) especially in the affected communities in the NCR disturbs settlement patterns, land use and succession because at the end of hostilities, several distortions may have being created.

Security wise, land and chieftaincy crises raise a variety of security challenges. This is obvious because land and chieftaincy disputes are triggered by competition, unhealthy rivalry, grievances, war due to breakdown in the rule of law,

policies and forced displacement, poorly managed peace mechanisms. Some of the security challenges include:

- i. Conflicts
- ii. Violence
- iii. Destruction of lives, property and food.
- iv. Increase number of IDPs
- v. Disease and squalor
- vi. Poverty arising from disarticulation of the farming activities and the economy
- vii. Distortion of succession history of traditional rulers
- viii. Increase number of youth soldiers
- ix. Distortion of businesses and possible relocation
- x. Proliferation of weapons with multiplier implications at the end of hostilities
- xi. Breakdown of law and order

1.6 Resolving Land and Chieftaincy Disputes in the NCR: A Blue Print

Various measures have been applied by government and Non-Governmental Organisations (NGOs) aimed at resolving such disputes in the NCR like elsewhere in the country. Regrettably, most of these responses have been reactive rather than proactive. In this connection, it has been difficult for governments at all levels to nip such crises in the bud. Most often, government response take the form of supplying relief materials to relive victims, setting up refugee camps, and sending security operatives to such areas, and setting up Commissions of Enquiry - most of which their recommendations are never known. Typical examples are the various Committees and Judicial Commissions of Enquiries set up by the federal and state government over the disputes in Plateau, which never saw the light of the day; and the Judicial Commission of Enquiry set up in 2001 during the Tiv-Jukun conflicts in Taraba State.⁴⁶ Sometimes in trying to resolve disputes governments even compound and complicate the problem they went to resolve. For example, in the wake of the Tiv-Jukun conflicts in 2001, the Nigerian Army was invited to intervene. Rather

Thesis, 2001) and M. O. Odey, 'Implications of Food Production Activities in Benue Environment and Economic Development' in *African Journal of Environmental Law and development Studies*, 1, 1 (2004).

⁴⁴. F. E. Nlerum, "Security Implications of Land and Chieftaincy Disputes," 346.

⁴⁵. F. E. Nlerum, "Security Implications of Land and Chieftaincy Disputes," 346.

⁴⁶. For more elaborate details see P. Ukase, "Reflections on the Zaki Biam Massacre of 2001 and the Way Forward for the Tiv Nation" in T. Wuam, and T.E. Ikpanor, (eds), *The Military Invasion of Zaki Biam (Makurdi: Publishers, 2012)*.

than intervening, the soldiers embarked on reprisals against the Tiv in Zaki Biam for allegedly killing 19 soldiers.⁴⁷

It is against this background that governments at all levels must develop effective and efficient crises management mechanisms so as to nip these crises in the bud. In developing these mechanisms, government must be proactive rather than reactive as had been the case previously. Importantly, it must be recognised that most communities in Nigeria generally and NCR in particular are organised around chiefdoms. There is need for government to reconstruct the history of these chiefdoms and religiously respect same when it comes to the appointment of chiefs. In the same vein, because land is a medium for storing and protecting the evidence of people's cultural heritage, every land, clan, village and community need to have the history of their land delineation properly collected, established and documented in the national archives. From such documentation, land disputes could be addressed from a historical point of view or stand point.⁴⁸

Hitherto traditional ruler ship meant service to the people but unfortunately all that has changed. Traditional rulers currently enjoy enormous wealth, influence, power and prestige, and like politics, it has become a do-or-die affair. Contestants to respective chieftaincy offices now see such positions as an opportunity to weather their economic nest. Regrettably too, many traditional rulers have become partisan politicians and this have far reaching implications in the selection and appointment process of traditional rulers.⁴⁹ Government would, therefore, need to constitutionalize the functions, duties and responsibilities of traditional rulers to checkmate their activities, especially partisanship and economic excesses.

The attitude of king makers must also be brought under searchlight. The king makers are the custodians of the rules of succession within the traditional area. Sometimes they fail to supervise a smooth transition to a vacant throne and this becomes precursor for disputes. Generally, once is declared vacant, the people of the area become divided into hostile and antagonistic camps. This leads to stalemate and

subsequent clashes. There is therefore the need for the government, whose responsibility it is to monitor the process, to ensure that king makers follow due process in the selection and appointment of traditional rulers. Besides, in the event of disagreements after any selection, the issues under contention must be dealt with speedily and satisfactorily to the contenders so that it does not escalate into disputes.⁵⁰

Relatedly, in terms of land matters, land is increasingly becoming very valuable as a result of the various uses to which it is being put to. As such, the tussle over land is finding expression in the legitimacy over land ownership and who should become chief. Government would also need to regulate prices in land sale to check the escalating price, which has made it to become a hot cake.

Wide spread poverty is also a contributory factor to the spate of land and chieftaincy disputes in the country generally. School leavers and graduates who remain unemployment become vulnerable tools to be used during land and chieftaincy disputes, which are sometimes fought along political and partisan lines. Many people believe and rightly too that land and chieftaincy disputes are created and fuelled by scheming politicians who rely on the huge pool of idle/frustrated youth to create social division.⁵¹ To stem the tide, government will need to create job openings, provide infrastructure and development generally.

The self-serving elites also have a great role to play in checking such disputes. Quite often, it is the manipulations of the elites that accentuate land and chieftaincy disputes within respective communities. Therefore, there is need to orientate elites to be more nationalistic and patriotic in their dealings and in guiding and directing their people.

VI. CONCLUSION

The chapter has shown that before the advent of colonial rule, land in Africa had no much economic value, however, with the integration of Africa into the world capitalists system during the colonial period, land which was in most cases under the custodian of traditional rulers became a valuable commodity. Besides, the admixture of colonial and post-colonial native systems produced a cumulous of contradictions in the transfer of land and chieftaincy rights

⁴⁷. See Ukase, "Reflections on the Zaki Biam Massacre of 2001," 230.

⁴⁸. M. Odey, "Land Disputes in the Benue Valley Since 1999," 693.

⁴⁹. P. Ukase, "Traditional Rulers and Partisan Politics".

⁵⁰. F. E. Nlerum, "Security Implications of Land and Chieftaincy Disputes," 349.

⁵¹. F. E. Nlerum, "Security Implications of Land and Chieftaincy Disputes," 349.

and this resulted in complex and sensitive disputes, which sometimes paralysed national security. Using examples from the NCR region, the chapter demonstrated that these conflicts have wider implications for the social political and economic development of the region. While calling on the government to be more proactive in handling these conflicts, the chapter also stresses the need for government to create more employment opportunities for the nations teeming youths who are often used to ignite and perpetuate these conflicts. In addition, the chapter stresses the need for the government whose responsibility it is to monitor the process to ensure that king makers follow due process in the selection and appointment of traditional rulers.

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