

Original Research Article

## Women and Dispute Resolution: The 'Isu-Aefifia' Method in Item Community of Bende Local Government Area of Abia State, Nigeria

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**Abstract:** The study examines the involvement of women of Item in Bende LGA of Abia State, Nigeria using the 'isu-aeififia' technique in conflict resolution. Both primary and secondary data were used. Primary data was from interview while secondary data were collected from textbooks, peer-reviewed journals articles, among others. 30 people were interviewed and data was content analyzed. The study observed that while conflicts are part of human existence, some unscrupulous people who benefit from it, may not want it to end. Most importantly, because of the patriarchal nature of the Nigerian society, women are hardly included in the affairs of the community when it comes to serious matters such as dispute resolution or management because of their perceived feminine nature. However, the 'isu-aeififia' approach used by women has become a veritable tool for dispute resolution in Item Bende LGA. It is recommended that other communities explore the method of conflict resolution.

**Keywords:** Women, Dispute Resolution, Isu-Aefifia.

## INTRODUCTION

The human society is characterized by dispute/conflict. In Nigeria, literature is replete with issues of conflict (Alao, Akhimien & Chukwukere, 2016; Bature, 2016, Chimaroke, 2002; Oni-Ojo & Roland-Otaru, 2013; Salawu, 2010, p.345). Oni-Ojo & Roland-Otaru (2013), in a study titled 'Alternative dispute resolution strategies for sustainable development in Africa: Insights from Nigeria', showed that land/boundary adjustment ranked highest among the causes of dispute/conflict in Nigeria. Other causes according to them are natural resources, power (leadership), and religious conflicts. They aptly cited many examples to buttress their points.

The 2010 bloody clash between members of Umumili village and Abudum village in Anambra State Nigeria was as a result of land dispute and removal of an ancient boundary hedge demarcating the two communities (Odogwu, 2011); the Abakiliki of Ebonyi State of Nigeria communal war between Ebonyi and Ukelle people of Cross River State (Uka, 2009), the Benue and Nassarawa crisis between farmers and Fulani herdsmen due to dispute on farming and land grazing (Ovuakpori, 2011). Oni-Ojo & Roland-Otaru further observed that there is scarcely any community in Nigeria which has not been involved in boundary and communal disputes. Thus, Onuoha (2008), has defined conflict as a situation of struggle between and /or among opposing individuals, groups, communities or states over certain perceived desirable values arising from differences in the action of any of the parties in the quest to realize or secure those values such as struggle may be over tangible values such as money, property, land, water, mineral influence, title, respect, and position, to mention but a few.

Thus, conflict arises from the interaction of individuals or groups who pursue incompatible means, leading to a situation of deputation for any of the parties. Various approaches to dispute/conflict resolution have been used in the Nigerian communities and in Igboland in particular. Chimaroke (2002), for example, demonstrated how participatory

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method and the 'Ogu-bie' used by the Ngwa women of Abia State helped in resolving conflict. He also demonstrated how the kolanut (*cola accuminata*) and fresh palm frond (locally called 'omu') served as key instruments in dispute/conflict resolution in Ngwa Land, in Abia State, Nigeria. Even though these studies have demonstrated how these techniques helped in the resolution of dispute/conflict, none has discussed the 'isu-aeffia' method. Therefore, the paper shall describe and show how the 'isu-aeffia' by Item women of Bende LGA of Abia State, Nigeria is used in dispute/conflict resolution.

### **Statement of the Problem**

The history of mankind is fraught with disputes/conflicts. The method of its management and resolution differs based on the age or time. In the contemporary times, it is the court of law that determines and handles the hearing in order to bring about its resolutions. However, due to some challenges inherent in the court, such as long court adjournments, costs, and technicalities associated with litigation, alternative dispute resolution (ADR) mechanisms or methods evolved. This, according to Abia & Ekpoattai (2014) include customary arbitration, mediation and out of court settlement. While the literature is replete with conventional dispute settlements, publications on alternative dispute settlement are few and far between. That is why this study on Women and dispute resolution: The 'isu-aeffia' method in Item community of Bende local government area of Abia state, Nigeria has been designed as contribution to the body of knowledge on the topic.

## **REVIEW OF RELATED LITERATURE**

### **Conceptual of dispute/Conflict**

Dispute and conflict are used interchangeably as one from the layman's point of view to mean disagreement over interests or personal goals which could lead to severance of relationships and even to war which outcome may be undesirable. In this paper, the word dispute or conflict mean the same thing. However, many authors, scholars and writers have defined the term conflict differently, but the central theme remains the same, that is, dispute/conflict all over the world connotes disagreement or struggle over interest and values and claims to power and resources in which the aims of the disputing parties are to neutralize the powers or authorities of the other.

This usually leads to destruction both human and properties. (Galtung, 2000 cited by Oni-Ojo & Roland-Otaru, 2013, Onuoha, 2008). It occurs at all levels of society ranging from interpersonal, family, tribes to national and even international level. In other words, conflict is everywhere and it usually appear in the forms of tension, divergence of opinion within a group, power, prestige, verbal or physical abuse, disagreement, income partibility, annoyance, interference, or rivalry it can occur when two or more individuals or groups have diverse interests and incompatible goals and they pursue these interests and goals intensely with the desire to gain advantage or defeat one another. This often involves one or both sides consciously interfering with the efforts of the other side to achieve its goals. Thus, Onuoha (2008), defines conflict as a situation of struggle between opposing individuals, groups, communities or states over certain perceived desirable values arising from differences in the action of any of the parties in the quest to realize or secure those values such as money, property, land, water, mineral influence, title, respect, and position, among others. The term conflict has no single and clear definition.

However, conflict can also arise when individuals or groups are trying to cooperate in attaining a common goal but have divergent opinions and beliefs about the best way of action doing so. Conflict can range from friendly competition to extreme violence. Conflict is the process which begins when one party perceives that another has frustrated, or is about to frustrate some concern of his (Thomas, 1976 cited in Oni-Ojo & Roland-Otaru, 2013). In other words, conflict is inevitable whenever human element is involved. And how individuals respond to conflict issues depends on their concern for their own outcomes and for their opposing party's outcomes (Oni-Ojo & Roland-Otaru, 2013). Galtung (2000) explains that the term conflict emerges from 'confligere' which means 'shocking together' while in this instance, "what is shocking together" are goals or interest held by different parties when the realization of one excludes the realization of others. This explains why many communities struggle over land or other resources that they hold valuable to themselves. On the other hand, women are adult females of the human species. This could also mean the opposite of male gender.

### **Empirical Review**

Onyema (2012) studied the Multi-door Court House (MDC) Scheme in Nigeria. She looked into the effectiveness of the scheme in Lagos state and noted the two major hinderances to access to justice---a mono track dispute resolution system and delay arising from court congestion generally. The methodology adopted for the research was both qualitative and quantitative.

It involved a review of the literature on access to justice in Nigeria, analysis of the statistics provided by the LMDC on the operation of the scheme and deductions from interviews and responses to questionnaires. A structured questionnaire, 70 in number was administered to disputants who had used the services of the LMDC. The disputants

included commercial banks, construction companies, small medium and large-scale companies, information technology providers and individuals. Unstructured face-to-face interviews were conducted with key players in the LMDC scheme. The study found that court referrals play a major role in increasing the number of cases at the LMDC. The study recommended that referrals should be continued, and that more citizens' Mediation Centre and private alternative dispute resolution (ADR) providers should be established; there should be an increase in the number of trained mediators and arbitrators on the LMDC panel of neutrals, and lastly, disputants should be better informed of the nature of the chosen ADR process, to facilitate an increase in the numbers and percentage of disputes resolved.

In another study, Nwazi (2017) assessed the efficacy of alternative dispute resolution (ADR) in the settlement of environmental disputes in the Niger Delta region of Nigeria. The study relied on qualitative data to analyze the data involved. Analysis of the data showed that in spite of using the court to settle disputes, that because of the delays, costs, publicity and technicality associated with litigation, that alternative dispute resolution (ADR) mechanisms evolved. This takes different forms as arbitration, mediation, conciliation, negotiation, among others.

Abia and Ekpoattai (2019) worked on Arbitration as an alternative method of conflict resolution among the Ibibio of South-East Nigeria. The study described describes customary arbitration and its importance in conflict resolution among the Ibibio of South-East Nigeria.

The researchers adopted a multi-disciplinary approach supported by primary and secondary data sources. The findings of the study among others were that conflict resolution is not only hierarchical but also structured to reconcile parties to bring back to their pre-dispute status while ensuring peaceful co-existence and justice.

### **Theoretical Framework**

The paper adopts the agency theory as its theoretical framework. Agency theory as used by Agbalajobi (2009), conceives women not only as victims but outlines the roles women can play as soldiers, supporters, informants among others. Women should rather be perceived as agents in conflict resolution and peacemaking than as victims. Similarly, Schirch and Sewak (2005) agree that women's interests have often been ignored based on the perception that women's role is that of the victim.

That instead of considering the different activities women do in dispute/conflict which include waging conflict non-violently, building capacity, reducing direct violence and transforming relationships; they are often seen as victims. The authors outline the four kinds of activities women engage in dispute resolution and peace building, for example, they work as advocates and activists for peace, they pursue democracy and human rights, they are peacekeepers, relief aid workers and work as mediators, counsellors and policy makers. Pankhurst (2003), also argues that instead of perceiving women as advocates for peace and being peaceful by nature, their roles should be seen as opposite to that of men, and that the perception of them as victims should be changed.

The term agency is the capacity humans have to shape the circumstances for their own life and how the actions people think of as free, untainted by others, often are a result of the structures in the society one lives in (Hitlin & Elder, 2007). Thus, Shepherd (2016), discusses women as agents of change rather than victims of violence. She argues that many scholars maintain that men are the perpetrators while women are the victims of violence in conflicts. However, Shepherd observes that the masculinized story of war does not describe the complexity of men's and women's role in war; that only letting women be represented as victims of violence undermines their agency role and all their experiences in conflict. In this paper, the Item women are seen as agents of dispute/conflict resolution and not as victims.

## **METHODOLOGY**

The study adopted descriptive design/method. It relied entirely on qualitative data. Both primary and secondary data were used. The primary data was from interview, while the secondary data were collected from textbooks, peer-reviewed journal articles, among others. A total of thirty (30) people were interviewed between February 15 and March 15, 2019 including key informants such as the Okpi of Item, HRM, Eze Silas Okeofia Igwe, who is the head of all the traditional rulers in Item community; Owani, Elder John Ukaegbu the head of the Elders-in-council in Apuanu Item then, all the traditional rulers in the nine (9) villages that make up Item, Women leaders of the nine (9) villages in Item and Emeritus Professor Mba Ogbureke Okoronkwo, OON of the National Open University of Nigeria among other interviewees that provided information for the study. Data were content analyzed.

### **The "Isu-Aefifi" Approach to Conflict Resolution**

The 'Isu-aefifi' as an approach to dispute resolution in Item, Bende Local Government Area of Abia State, Nigeria Dispute/Conflict is akin to human society. However, what is worrisome is its devastating effect both to human and natural resources. Thus, many societies, organizations and governments have sought and devised various means to resolve dispute /conflicts. These methods range from the non – conventional to conventional means (Albert, Awe &

Herault, 2018, Chimaroke, 2002, Oni- Ojo & Ronald-Otaru, 2013). Thus, the “*isu-aeffia*” Concept shall be explored as one of the means to dispute/conflict resolution strategy.

The “*Isu – aeffia*” concept has its origin in Item, Bende LGA of Abia State, Nigeria. It is a process used in dispute/conflict resolution whereby women from Item community go half naked and each woman carrying a tree branch full of leaves as they chant songs to demonstrate, usually around the palace of the traditional ruler. This is to express their displeasure over the dispute at hand. After the demonstration, the women would heap those leaves at the boundary of the two disputing communities. This action is to tell the traditional rulers and the disputing communities that “enough is enough” and that the dispute/conflict has lasted too long and should be resolved. This action is carried out by the women from the two disputing communities, this shows solidarity in action

In response to this action, the traditional rulers of the two communities will ask the women to go. Then the traditional rulers would confer among themselves and agree to hasten the process in order to solve the issues in dispute as the actions of the women often connote danger or evil. If nothing is done after the demonstration, people will start dying in their numbers or other calamities will start happening in these communities. However, this action does not happen too often. It happens mainly after a land dispute has lasted for a very long time and must have taken a high toll on the lives of the members of the disputing communities and destruction of valuable economic resources.

This approach, the ‘*isu-aeffia*’ was used successfully in resolving the dispute between the Apuanu and Amaeke Item communities in Bende LGA of Abia state, Nigeria that lasted for over seventy-five (75) years, (1898-1973).

### **The Cause of the Dispute Between Apuanu-Amaeke Villages In Item Community Of Bende Local Government Area Of Abia State, Nigeria**

The dispute as narrated by the informants happened about 75 years ago. Most of the people who witnessed the dispute have all died, leaving us with the recall ability of a few present elders between 70-80 years old who were handed over this oral history. Among them, the writer interviewed HRM, Eze Silas Okeofia Igwe, the Okpi of Item, High Chief Eme Abiayi and Professor (Sir) Mba Ogbureke Okoronkwo, OON.

History has it that during the age of migration, the Amaeke people settled on a rocky and not very fertile farming land. Even now, it is still rocky. As a result of the rocky/unfertile nature of their land, it could not sustain any serious farming activities. For this reason, the Amaeke elders decided to negotiate with the leaders of Apuanu for lease of part of their fertile land for farming. As it is customary in Item, these elders took jars of palm wine, meat and kolanut to families at Apuanu Item village to solicit for loan of some parcel of land for farming activities. If the families approached accepted the request, such families would give their land on lease for two years. The first year would be for planting of yam, vegetables, pepper and other crops, then the second year for cassava. Thereafter, the land owner will lease it to another tenant from Amaeke. The parcel of land that was usually leased to Amaeke people was located in an area called ‘Ozara’ and has retained that name to date. Ozara used to be fertile with much Mushrooms, vegetables and other economic plants.

As time went on, and perceiving that the original owners of the land had passed on, the Amaeke people began to claim ownership of the land thereby encoring the wrath of Apuanu land owners. When Apuanu people resisted this, Amaeke people resorted to violence and killing of any Apuanu person who might have been alone or stranded in the farm. This resulted to a large-scale war especially if the Apuanu people tried to retaliate the killing of their sons. Hundreds of human lives, natural resources and man-hours were wasted. At a point the two villages were keeping vigil and anybody that trespassed was killed.

However, Apuanu village being the head of Item community and the original owners of the land (led by the Elders or Ndi ichie) decided to give out part of their land at the boundary between them and Amaeke as public land to forestall further clashes for the benefit of the two communities. Despite this peace move, the Amaeke community was still causing havoc to Apuanu people and their property. There is an Igbo adage that said that ‘it is better to search for a black goat in the day time’. On the strength of this adage, Apuanu community decided to take the matter to court for adjudication since their good gesture was rejected. This court case lasted for a long while. The poor farmers from Apuanu were levied for the prosecution of the case. Of course, in matters of this nature, some unscrupulous elements that were benefitting from the violence by extorting money from Apuanu community would not want the war to end.

The case was moved from the Native court in Uzuakoli to Umuahia and eventually moved to the Supreme Court in Lagos which gave orders to Amaeke village to stop the incursion and the removal of beacons on Apuanu land. The Supreme Court further warned the two villages to settle their case amicably. However, this warning fell on deaf ears as Amaeke community continued with their killing and removal of the beacons until Apuanu people reported back to the

court. The Supreme Court reported this to the King of England who sent the West African Royal Frontier Force from Ghana to Amaeke.

The West African Royal Frontier Force attacked and killed a lot of Amaeke people. This made the women from the two villages to rally round and agreed to do something to stop the war. Coincidentally, there is no family in the two villages that you will not find an indigene of the other village due to inter-marriage as grand father or mother and other relatives. For this reason, the women agreed to approach the paramount rulers of the two villages on the need to end the war through the instrumentality of 'Isu-aeifia'. This decision arose because the women realized that in any dispute or conflict, the women suffer rape, death, loss of husbands or children. Accordingly, the women from both Apuanu and Amaeke went half naked and each woman carrying a tree branch full of green leaves as they chanted songs to demonstrate, usually around the palaces of the two traditional rulers. This was to express their displeasure over the dispute at hand.

After the demonstration, the women heaped those leaves at the boundary of the two disputing communities. This action was to tell the traditional rulers and the disputing communities that the dispute/conflict had lasted too long, claimed the lives of their sons, husbands and other loved ones and should be resolved peacefully. This action was carried out by the women from the two disputing communities, this showed solidarity in action.

In response to this action, the traditional rulers of the two communities asked the women to return to their various villages for proper meeting of the women and to plan for an amicable solution to the problem. Then the traditional rulers conferred among themselves and agreed to hasten the process in order to solve the issues in dispute as the actions of the women often connote danger or evil. Usually, if nothing was done after the demonstration, for some inexplicable reasons, people would start dying in large numbers or other calamities will befall the communities. However, this action by the women does not happen too often. It happens mainly after a land dispute or other dispute had lasted for a very long time and must have taken a high toll on the lives of the members of the disputing communities with the destruction of valuable economic resources.

Surprisingly, the court case continued even after the women had protested. Apuanu community was represented in the court by the following men of blessed memory, Messer Jacob Ukala, Elder Onyike Nnanna, Mr. Teacher Simon Nnanna, Mr. Isaac Abiayi Ogwo and Mr. Mathias Abiayi Ogwo as the team leader and also the President-General of Apuanu Item Union at that time. On the other side, Amaeke Union was led by late Chief Agwu Obike, who happened to be the President- General of Amaeke Welfare Union and a close friend and business associate of Mr. Mathias Abiayi Ogwo at the same time. The efforts of these men to broker peace did not yield expected outcome. By this time, people from the two villages had started cooperating as a means of finding an amicable solution as opposed to litigation. When these two men died, their successors, late Chief J.O. Maduka- President- General of Amaeke and late Chief Dick Ukaukwu, President-General, Apuanu Item Development Union, took over the matter. Relative peace was achieved by Chief J. O.Maduka who went back to Apuanu people with palm wine, hot drink, kolanut and meat to renegotiate the lease of Apuanu land for his people. Apuanu people being lovers of peace welcomed and accepted to make peace.

To actualize this peace move, Apuanu people ceded some portions of their land close to Amaeke village to serve as common good of all. It was a mutual agreement without any documentation. The two parties then set up a committee to work out modalities to strengthen the new relationship. The first thing that was put in place was the construction of a road called the 'Unity' road which they believed served as a boundary between the two villages. No village will cross to the other side to build. There was also the building of a Primary School known as Umannato Primary School (Apuanu, Amaeke and Amaekpu) that not only served the two villages but also other neighboring villages such as Akanu village of Item and Nkporo Community.

A health centre was also constructed on the common land provided by Apuanu village. One other striking thing that happened as part of the peace process was that Apuanu people asked Amaeke community to join them in their own market since Apuanu market was bigger and the two villages trade on the same day, the 'Eke' market day being the first day of the week according to Igbo calendar. Amaeke community accepted and joined. Uptil now, the two villages trade together at 'Afia Eke'. Similarly, a former Director at Abia State Universal Basic Education Board (ASUBEB), Chief S.O. Igwe, now the Okpi of Item, attracted a Comprehensive Secondary School which was located on the common land donated by Apuanu. Children from the two communities and elsewhere are schooling there to date.

The other thing that helped the peace process was the issue of marriage. During this period, there were increased inter-marriages between the two villages. The resolution of this impasse between Apuanu and Amaeke Item community has further strengthened the relationship between them.

Nonetheless, despite the seeming settlement, there have been squabbles between the two villages. Because there was no formal documentation of the agreement over the land, some indigenes of Amaeke are still trespassing the boundary and building on Apuanu village land. This caused a serious problem last three years save for the intervention of some elders. There is also the problem of neglect on the part of Amaeke women in the maintenance and sweeping of the market, the whole burden falls on the Apuanu women; even with the maintenance of the health centre. In short, there has been uneasy calm between the two villages.

There are other examples where ‘*isu-aeffia*’ is made use of in the determination of cause of death through poison and marital dispute.

In the case of death, the women of the particular village where the incident occurred will notify the other women from the nine villages in Item and they will agree on a date to visit that village. On the fateful day, early that morning, the women will carry their tree branches with green leaves chanting their distress song to the particular village. After marching around the village, they will then converge at the house of the suspected murderer, pull down his/her house and drop their leaves. Within a few days, the suspect if guilty will die. Many who were guilty have died through this means.

The other area *isu-aeffia* is made use of is in marital dispute where there is an allegation of infidelity. The women, especially the daughters from the man’s compound are first notified of the problem in the marriage. They will try to mediate but when all efforts fail for peaceful resolution and the wife continues in her escapades or other atrocities frowned at according to the custom of the people, then the women or Umu-Ada will then march with their tree branches chanting their songs to the house of their brother and by force, take the wife and whatever the husband considers as her property back to her father’s house. The reason for this action is that infidelity in marriage if not stopped kills the husband who is considered to be a weakling.

### **Post-Conflict Resolution**

Conflicts are deadly, but if properly managed, can lead to development and fruitful relationships. To that extent, it is not only ending a conflict that is important but how to build enduring peace. In the case of Apuanu and Amaeke communities of Item, according to all the interviewees, in order to cement their agreement and end hostilities, the two villages decided to embark on the following projects as sign of peace on the disputed land. These are:

1. The establishment of a market *Afia Eke* at the piece of land that is in dispute,
2. They built a community primary school at the boundary of the two villages.
3. Also, a Health Centre was built to serve the two villages and the neighboring villages. (Researchers Field report, 2019).

The peace moves had a far-reaching effect on the two villages as gathered from the interviewees. In addition to these landmark projects, the Okpi of Item, HRM, Eze Silas O. Igwe, stated that the two villages took an oath not to violate the peace or do anything that will jeopardize or harm anybody from the two villages.

Since 1973 that peace was made, the two villages have become best of friends and doing things together such as marriages and other cultural activities. In fact, there is no compound in the two villages that one will not find an indigene of the other village as wife or having grand – parents or aunts or uncles.

### **Challenges Encountered During the Resolution**

It is said that in every twelve, there must be a Judas. This is true of every human society. When the researcher tried to find out the challenges the two villages encountered towards ending the crisis, most of the interviewees stated that the major challenge was the issue of propaganda fueled by people or the emissaries who will want to exploit the situation by extorting money from the villagers. That these people will always collect money to go to court and will report back that the case was adjourned to a future date when actually they did not go anywhere. Note that every member of the community cannot attend the court sessions. This is also the case of married women from the two villages who would divulge information to their own people. However, the interviewees stated that culprits were appropriately sanctioned and depending on the family, it could lead to divorce.

## **CONCLUSION**

The paper affirms that conflict exist in every human society. It must be resolved in order to stop its devastating effects on both lives and properties. While a number of approaches have been used in conflict resolution, the “*isu-aeffia*” approach was found a veritable method of dispute/ conflict resolution by the Apuanu and Amaeke villages of Item community in Bende, LGA of Abia state, Nigeria and should be explored by other communities and states in Nigeria in dispute/conflict resolution.

### **Recommendations**

Based on the study, the following are recommended

1. While not advocating for conflict/disputes, communities and states should explore the use of “isu –aefifia” as an approach to resolving conflict and ensuring lasting peace.
2. Community leaders and custodian of custom and tradition should ensure that history is put right to avoid members of the communities struggling over things that do not belong to them.
3. More studies should be carried out in Igbo land and Bende LGA of Abia state to come up with other approaches that can help in dispute/ conflict resolution.

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