

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

The world as a global community places very high value on justice and this view transcends to nations, states and enclaves of any sort as well as communities. Igbo land in general and the communities within are no exception. The modern law courts as well as the Umunna clan mediation groups in Igbo communities are there for the purpose of dispensing justice according to accepted norms and customs. Man is a social animal. He therefore needs to direct his activities according to rules and acceptable norms for peaceful co-existence. A dispute normally occurs in human relations and throughout history each party to a dispute expects that justice prevails as each believes or at least judges itself to be on the right path. A variety of disputes and dispute resolutions have therefore been at the centre of man's activities. This, on its own has become a very big challenge in the struggle to make the universe a place that would be conducive for people to live. According to Guanah (2008:13), "Before the advent of the Europeans our conducts and behaviours have been regulated by our own traditions. Our elders had always settled our private disputes, problems and our criminal complaints". Life free from strife and turmoil is very important to an Igbo man. Certain assertions as *udo ka mma*, that is, "it is better to live in peace" forms part of their philosophy of life. Mbiti (1982:205) reaffirms that "Social order and peace are recognized by African people as essential and sacred". It is based on this that Kanu (2015:169) states:

The social order is founded on the ontological order. Thus when an action is considered ontologically good, it is considered morally good and juridically just. However, if it is considered ontologically evil it will be considered morally evil and juridically unjust as well.

Laws are made to control human excesses. Isidienu (2013:3) citing Obodo (2005) expresses that “Law consists of a body of rules of human actions... and that every community is governed by a body of rules of human actions, which prescribe actual standard of behaviour adopted in the life of that particular community.” Actually without stipulated rules and regulations, human society could have been a chaotic place to live in. Peaceful co-habitation could have been very difficult to achieve. Perhaps if there are no conflicting interests, unacceptable behaviours, inappropriate and indecent attitudes there would be no need for justice. However, it is these unwarranted behaviours that cause disharmony and affect the communal life of the people. According to Ogugua (2003:14), “Co-existence is more basic than living in the society. It means participating in the life of the community”. Ogugua also quoted Nze (1989:7) stating that “Man is not truly man, than where he lives, and acts as a recognised citizen of the community”. Individuals cannot live in isolation. Igbo people usually cherish and appreciate community life. Since their sense of collective life is so deep, it is unavoidable that the bond that unifies the community must be maintained; if not there will be disintegration and destruction. In view of this, Mbiti (1982:205) affirms that:

There exist many laws, customs, set of forms of behaviour, regulations, rules, observances and taboos, constituting the moral code and ethics of a given community some of these are held sacred, and are believed to have been instituted by God or national leaders.

Igbo Africans, especially communities in Oyi Local Government Area have laws that govern the activities of their members. Some of these laws emanated from the cultures, custom, traditions, norms, moral rules that prescribe behaviour , which are handed down from generation to generation and stipulate behaviours that are acceptable or not. Most of these laws are designated as divine sanctions, and so were held very high and revered by the people. Anyone that flouts the

divine laws is believed to be punished by the unseen; it does not matter whether any person sees him or her, or knows about the contravention or not. Certain assertions such as *ome mma na-emere onwe ya, ome njog na-emere onwe ya* meaning literally that whatever anyone does whether good or bad, he does it for himself or herself, buttresses the fact that when one does anything good or evil, there is a supernatural power that sees everything. Therefore everyone gets a reward for everything he does. If he does good or evil in the secret or in the open he will receive good things as a reward while he will likewise be rewarded with evil on the account of his or her evil deeds.

In the past, people were more meticulous the way they lead their lives. The belief and fear that supernatural being rewards evil doers help to make most people avoid indulging in evil activities. Evil and conflict still thrive so much especially in today's society that pages of newspapers are filled with stories of murder, robbery, rape, even kidnapping and ritual killings as well as land disputes, inter-town conflicts and family feuds among others. Suffice it to state that the towns selected for this research are not excluded from all the above. Each party or affected persons who fall victim to the vices look forward to the justice system as the arbiter and hope for redress. When such hope is restored, people will have freedom of association, economic growth, political peace and religious life will be assured and reassured and life is made better.

There is a need therefore for just laws and just dispensation of laws since justice is the bedrock of any given society. Man has identified the idea that there exists a physical and spiritual world which interplay and are coordinated by certain forces. Man however relates with these two dimensions of the world. Madu (2004:25) states it thus:

Health for the Igbo means a harmonious existence between the different spheres of the cosmic order in which man is a member.

For man to say that he is healthy or alive therefore means that man should tune himself with the other forces of the cosmic order.

If man however, decides to violate the cosmic order, it will be attributed to as an unjust behaviour and his or her entire being will be thwarted. Kanu (2015:169) observes that “The harmony of the universe is an essential condition for the wellbeing of the African.” It is therefore obvious that improper way of behaviour attracts punishment to man. Certainly, it is worrisome that at one point in time or the other stories of cases of unrest arise from the research communities, for instance Okoli (2007) states that “At least, four persons have been confirmed dead and many people seriously wounded when the youths of Osile Ogbunike Community renewed their rampage... no fewer than seven houses were said to have been burnt.” Also Attah (2015) reports about Umunya community that “Villagers desert homes in fear for their lives, monarch accused of desperate attempt to take their land... the loss of lives is imminent as blood has already been flowing in the area going by the number of people already injured. The cause of the crisis is the power tussle over land...” Even at that, Okonkwo (2016) asserts that “The arrest of five youths from Uruebo village Nkwelle-Ezunaka... for alleged kidnap have continued to engender palpable tension in the area... some youths who have refused to engage in any meaningful source of livelihood... recently used their forest for kidnapping.” As if the crisis in Oyi Local Government Area is not yet enough, Ujumadu (2017) states that five were killed in Nteje and the traditional ruler, according to Ujumadu, stated that “The land dispute in Nteje started when some people organised themselves and became land speculators, adding that they have been illegally selling communal land for many years.” In Awkuzu community also, it was gathered that the traditional stool system of the community has been battling with internal squabbles, selection criteria, among other factors, as the conflict as to who is to be the next

traditional ruler is being handled in the modern law court. All these impliedly arose from the absence of justice or perceived absence of justice.

This research therefore seeks to examine what constitutes justice in Igbo culture and its role in social control on the one hand and on the other hand to inspect the methods of social control that could ensure justice in the society with particular reference to the communities in Oyi Local Government Area of Anambra State, Nigeria. These will in turn reveal agencies of justice. It will also generate an opportunity for a successful, peaceful co-existence and harmonious living which is the main aim of justice.

1.2 Statement of the Problem

Igbo native justice system was believed to be the laws of the supernatural. These laws are sacred and divine. People keep these laws mostly with reverence to the supernatural being, corporate living and to ensure that the community is free from calamity. It has been recently noticed that, there are so many unbecoming behaviours in the society, particularly in communities in Oyi Local Government Area. Certain attitudes like kidnapping, theft, assassination, struggling for other people's property among others which are unacceptable to God and man; yet some of the perpetrators do not care about the implications of their actions and rather carry them on with impunity.

Such improper and indecent attitudes are not in line with the acceptable norms of the communities in Oyi Local Government Area and the wider society. They therefore impede love, oneness, peace and progress in the society. It breeds hatred, malice, indifference, spite and rancour towards one another with the accompanied disposition to irritate, kill, harm, annoy or thwart other people's desires. The rate of these social ills has become worrisome. It generates

security risks and immobilizes economic, religious and socio-political activities. It is totally different from the authentic cultural values of the people.

In the past, different methods were used to check unwanted behaviours in Igbo society especially in communities in Oyi Local Government Area. Through the establishment of abomination, the words in Igbo philosophy of proverbs, through excommunication and oath taking, societal control was ensured for the attainment of justice to all and sundry. However, these institutions are more or less being neglected and ignored. This attitude has caused far reaching consequences on the social, political, economic and religious life of the people.

There are different agencies of justice in Oyi communities before the coming of the white man. These agencies ensured peace in conflict situations and had been a source of hope for the common man. Some of these agencies like the family, masquerade institution, age grade and so on are recently being undermined in their social control functions in the society. Thereby creating a vacuum in the system since some of the foreign justice system which some people in the communities in Oyi Local Government Area prefer, do not reflect the entire culture and traditions of the community, and so could not give adequate and satisfactory justice to the people.

1.3 Purpose of the Study

The main thrust of this work is to examine the concept of justice in Igbo land as a tool for societal control in the communities in Oyi Local Government Area. This study therefore aims at projecting the different perspectives through which justice can be used to curb the excesses in Igbo society with respect to the communities in Oyi Local Government Area. It will be an instrument for providing a community leadership in preventing and controlling crime and also ensuring the security of people and their property.

Furthermore, the research takes into account, the investigation of various operations by which justice can be maintained effectively. It aims at seeking adequate punishment for unlawful behaviours and ensures fair and impartial treatment to each individual without exception.

The goal is also to reduce crime and abuse of other people and their property. The study also, aims at finding out how much patronage is given to these procedures by the members of the community. It will also evaluate its relevance in the modern Igbo communities of Oyi Local Government Area.

1.4 Significance of the Study

Justice is the light of men. It is the mirror through which each community separates the right from the wrong for a better society. Its main aim is unity among men. The study therefore intends to be an instrument for promoting unity and fellowship among men. The members of the research community and the entire society will be inspired into being just in all their dealings with one another.

However, with the knowledge and application of justice in social relations; people will learn to live together in peace. The call by the world over for a harmonious and peaceful co-existence of all will be achieved. The members of the research community and the entire Igbo society and beyond will have a cause to appreciate the Igbo cultural heritage found in the Igbo justice system and tap the values as a veritable means of good living.

Generally speaking the research material will serve as a reference literature to custodians of culture, anthropologists, historians and sociologists for use and for further research work. Furthermore, the customary court also, will appreciate this work, for its relevance for the adoption of the work in their daily deliberations and decisions making.

1.5 Scope of the Study

The scope of this research is limited to the study of Igbo native justice in Oyi Local Government Area of Anambra State. It will further highlight the methods through which justice can serve as a means of social control. It will also explore the agencies responsible for the dispensation of justice.

However, the research study does not cover the entire Igbo society. It does not examine how justice can be used to neither check people's behaviour in the whole Igbo world nor investigate different agencies that handle cases in the entire Igbo community.

1.6 Research Questions

The following questions were meant to guide the study

- a) What is the source of Igbo native justice in the communities in Oyi Local Government Area?
- b) At what point do people deviate from communities' norms of behaviour?
- c) What are the agencies of justice in the communities in Oyi Local Government Area?
- d) In what areas can justice function as a means of achieving peaceful co-existence in the communities in Oyi Local Government Area?
- e) To what extent can justice serve as a means of social control in the communities in Oyi Local Government Area?
- f) How far is the process of social control applied in a fair manner in the communities in Oyi Local Government Area?

1.7 Limitations of the Study

It is obvious that the researcher will encounter some limitations in the course of the study. One of the constraints is time. Generally speaking, there is no unlimited time for the study, as one is expected to start and finish the research within a reasonable period of time. That notwithstanding the research applied time management techniques in order to overcome the limitation.

Reference materials also constitute a limitation to this research, since not much has been written on justice in the research communities, particularly as a means of societal control; therefore availability of source materials formed a part of the limitations. However the researcher tries to make use of existing literature and first hand information.

Another constraint encountered is that some of the respondents were checked severally before questionnaire was administered or retrieved. This constituted a hindrance since the studied communities are not very close to each other.

Also there is reluctance by some of the respondents to give full revelations about their communities; it could be because they may not want to expose the hidden aspects of their culture.

1.8 A Brief History of Oyi

Oyi Local Government Area is situated at the central part of Anambra State. The Local Government's name is derived from the famous Oyi River which flows northwards into Omambala River popularly known as Anambra River. The Local Government was created in the 1980s under the leadership of Chief Jim Ifeanyiichukwu Nwobodo as the then Governor of old Anambra State at that time with Umunya as the Headquarters. Later, during the military takeover, Oyi Local Government Area was merged with the then Anambra Local Government Area which

had Otuocha as the Headquarters. As ethnic groups clamoured for more participation and dividends in government, Enugu State was carved out of Anambra state in 1991 as a state of its own. Oyi local government area remained an important Local Government Areas, being one of the food baskets of the state but this time the headquarters was changed to Nteje with eight towns which were in the former Uzo- Uwani Local Government Area integrated into it. Later those eight towns were removed to form Ayamelum local government area. However, Nteje remained the Headquarters of Oyi local government area up to the present time with the following five towns: Nteje, Ogbunike, Awkuzu, Umunya and Nkwelle-Ezunaka as the towns that make up the local government area.

The local government area has a population of about 168,210 following the 21/3/2006 census exercise. (Source- National Population Commission of Nigeria web). Oyi people lead a communal life. Their major occupation is agriculture. They have a lot of festivals and ceremonies performed at different times of the year. They are deeply religious, hardworking, successful and hospitable.

Oyi people are democratic in nature. They had a traditional system of settling disputes before the coming of the Europeans. Even today, this traditional system still persists. Among the communities in Oyi Local Government Area, all cases and trials of cases end at the family level. However, any unresolved case is sent to the kindred level –*xmanna*, and if it cannot be resolved at this stage, the case will be referred to the village assembly-*ogbe*, meanwhile the highest judicial decision making body is the town assembly. Any decision and resolution made at this stage is final and irrevocable.

Among the conflict resolution agencies used in Oyi Local Government Area are the age grade, *xmxada*, *inyomdi* and the masquerade institution. People of Oyi also believe that God and the mother earth-*ala*, can punish those who commit atrocities in the land and were also able to exonerate the innocent.

CHAPTER TWO

LITERATURE REVIEW

This chapter is an in-depth review of related literature. The literature is reviewed in three dimensions. It encompasses both the conceptual, theoretical frame work and empirical studies. The conceptual aspect comprises of concepts and guidelines that are related to the topic of study, theoretical frame work covers the theory that is used for the study. The empirical component is a comprehensive view and assumptions of scholars on the topic of study.

2.1 Conceptual Framework

There are different thoughts that are related to the idea of justice that need to be identified for better understanding. Some of these conceptions include: care for life, truthfulness, ethics and *ofo*. These ideas cannot be forgotten or neglected in any thing pertaining to justice. Most of them are basically required for justice to be effective as justice cannot be treated in isolation. In addition to that, agencies of justice and methods of social control are basically paramount to the study.

a. Justice

Generally speaking, justice is the situation of fairness and equity in any occurrences or in sharing resources and in taking decisions. The words that can represent justice among the Igbo are: *ikpenkwumoto*, *akankwumoto* and *ikpeziriezi*. *Ikpenkwumoto* can be referred to as accurate judgement. *Akankwumoto* could mean honesty, openness, sincerity and truthfulness to the management of justice. It could also be referred to as straight-forwardness in establishing justice. *Ikpeziriezi* also refers to justice as a balanced and unbiased judgement. It is Oraegbunam (nd:56-57) who states that the idea of “straightness” in relation to justice can refer to an action or person. Certainly, when justice refer to action, it means that the action is not bent or misdirected for instance in case of deprivation, one is assured of all legal rights for instance to life, liberty

and pursuit of happiness. While referring to a person means that, one referred to is not biased, prejudiced, unfair, corrupt or unreliable rather he is of good morals, steady and direct. Nzomiwu (1999:35-37) also states that the Igbo word for justice is *akankwxqtq* and *ikpenkwxqtq*. According to him *akankwxqtq* refers to justice as a virtue of a particular action or person, while the latter *ikpenkwxqtq* or *ikpeziriezi* refers to justice in judgment. It seems that his idea of *akankwxqtq* also means straight-forwardness based on the following statements, that:

The notion of straightness which underlies the meaning of Igbo words for justice can refer to an action or person. When it refers to a person, it means that one's life is straight that is, one is straight-forward, upright, honest, predictable and impartial. When it refers to an action, it means that the action is not crooked. It implies that the action is performed as it should be, that is in a disinterested manner and as such it can be said follow a straight course.

From the preceding therefore, when justice is referred to a person it means that the person is the one who abides by the rules and regulations of the people. It means someone who lives according to the norms of the society, who actually keeps the custom and traditions of the people. Such a person can be justified in everything he does because he is reasonable, sensible, rational, realistic, a no-nonsense man, and such a person can be very useful to the society. On the other hand when justice is referred to an action, it means that the action is in line with the traditional values of the people. It agrees and complies with the acceptable norms. It is consistent with the custom and traditions of the people. Thus any behaviour or action that does not conform to the custom and traditions of the people is not acceptable. If it is a verdict it will not be binding. Such a verdict can create tension and bring neglect upon the people who made it in one hand and on the entire

system on the other hand. However where it involves attitude, it will violet the natural order and the culprit must face punishments and sanctions.

Actually, justice can be seen as the quality of one being honest and fair in every thing he does. It is the tenets of moral uprightness, complying with moral uprightness in action and attitude, submitting to truth and sound reasoning. Mifflin (2011) noted that “Justice is the upholding of what is just, especially fair treatment and due reward”. That is to say that justice is to support and sustain what is right and morally acceptable to the benefit of all. Collins (2014, para.2.) refers to justice as

- a. the principle of fairness that like cases should be treated alike.
- b. a particular distribution of benefits and burdens fairly in accordance with a particular conception of what are to count as like cases.
- c. the principle that punishment should be proportionate to the offence.

In actual fact justice is that, people should be dealt with in the same manner. That is to say that when two or more persons commit the same offence, there should be no preferential treatment. Rather, equal treatment should be given to them; that is when one can say that justice has been administered. The terms of reference must be from the mutual agreement of everyone concerned. Justice also demands that when certain things such as food, money, work, benefits, assistance, responsibility, blame and so on are to be shared; it should be done impartially according to the laid down rules. Okodo (2009:153) speaking about the Igbo, states that

The just behaviour of the Igbo which will justly take care of rights, preivilages and obligations of all Igbo people in such a manner that nobody will step on another’s toes. This situation will not provide any need for grudges, complains, or at extreme disputes for settlements at gatherings or courts of law.

For justice to be acceptable therefore it should be derived from the mutual agreement of everyone concerned; also equality and absence of bias should be emphasised. The absence of bias refers to an equal ground for all people concerned in a disagreement that is equity in the treatment of

people. The treatment must be reasonable and ethically correct. Each culture or society has principles of right and wrong behaviour guiding its members which is ethically correct, and therefore binds the society. In view of this, Ogugua (2003:14) states that “Justice is a virtue, which is giving ‘everyone his due’... Justice is the ligament that holds the hob of the society; without it, society will decay and turn dead”. It is justice that binds the society together. A society that lacks justice by taking decision based on who is involved is near anarchy and will eventually disintegrate. In line with this Wiley (2010) is of the opinion that “Justice is the proper ordering of people and things. All races and religions include justice in their codes of law and conduct. It is, in fact, the glue that holds societies together”. Notionally when there is justice, people get what is right, fair and appropriate and the society in turn gets stronger.

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Collier (1972:299) quotes Aristotle that justice is treating equals equally and unequal unequally but in proportion to their relevant differences. He pointed out that this involved first, the idea of impartiality, the honest judge, since justice is no respecter of persons, wealth or states. To be impartial entails doing nothing to profit oneself at the expense of another. It means doing to others as you would like them do to you. Some philosophers also believe that a just man is one who possesses integrity, who lives according to the consistent principles, and is not to be diverted from them by consideration of gain, desire, or passion. Added to this, Oraegbunam (n.d:56) avers that justice means many things and sometimes different things to many scholars for which there are myriad of theories of justice. He states that,

For the positivists, justice is seen as conformity to the law. For the social right theorists, justice is seen as doing what promotes the social good. But for the natural law theorists, justice is tied to the idea of natural rights where rights are regarded as the ultimate basis of justice.

As a matter of fact different scholars have varied opinions as regard the meaning of justice as observed above. Guanah (2008:7) in his own view asserts that “Justice is the accurate justification of a matter; rightly to declare one free from penalty or otherwise. It is fairness, just conduct, exercise of authority in the maintenance of what is right”. Rawls (1981) supports this idea, and simply states that justice is “Fairness”. However, when people are not fair in their dealings with one another it amounts to injustice. Injustice can create a very serious imbalance in the society. Okodo (2009:164) asserts that, it is “Because of the refusals of people to enthrone traditional justice within the Igbo land, various problems arise.” He continued “These problems include vices of different kinds like stealing, murder, telling lies, slavery, segregation, distraction of crops, refusal to pay debts etc.” When unjust behaviour thrives in the society, the onus lies on the justice system to bridge the gap for the interest of peace.

b. Care for life

In Igbo ontology the desire to preserve life rates high in the act of justice. The idea that life is supreme manifests in all aspects of Igbo man’s life such as personal names, proverbs, parables as well as in events and other activities of life. Obi (2009:7) emphasizing on the value of life among the Igbo, states that everything the Igbo do is towards the preservation of life. He enumerated them thus: “eating, drinking, sacrifices, rituals and rites, kinship, taboos and other moral provisions, worship and even the existence of sacred specialists is for the preservation of life”. Such Igbo clichés and statements as *Onye d[, ihe q ga-eme ad[*. Literally, means that when one is alive, one will be able to accomplish a lot of things in life. This idea also manifests in Igbo justice, the principle of *Egbe bere ugo bere* meaning literally let the kite perch, let the eagle perch (live and let live). In Igbo philosophy, if one is alive, one will be allowed to live freely and in peace with other members of the community. He will live and also allow others to

live their own lives. It is this communal living ideology that made Mbiti (1982:108) to declare that “I am because we are and since we are, therefore I am”. It is the community that gives the individual his meaning in existence, without which life is meaningless and unattainable. Among the Igbo, justice demands that both the eagle and the kite should perch and that which ever denies the other the right should suffer a broken wing. In admiration of this situation, Amadi (2005:58) affirms that this proverb expresses with varying subtlety the golden rule ‘live and let live’. He points out that the “principle is regarded as the acme of good neighbourliness”. *Ndx onye aghala nwanne ya, Ndx [bx onye nche nwanne*. The assertions mean that one should be one’s brother’s keeper and a preserver of one’s brothers’ life. This life is further x-rayed as Kanu (2015:191) quotes Iroegbu that:

The community is the necessary and sufficient condition for the life of the individual person. The individual person is immersed into the natural world and nevertheless emerges from it as an individual and a person within his conscience and freedom given him by the meditation of the community in which he senses a certain presence of the divine.

The individual has the right and free will to live his life. However he should bear in mind that his right to exercise his freedom should not in any way infringe upon another person’s freedom. If he does the community has the power to administer justice without fear or favour. According to Onyewuenyi (2002:419) “Life expresses the supreme value of Igbo as betrayed in their speech, thought, and their acts and deeds. People are named Ndubuisi (Life is first), Ndukaku (Life is greater than wealth). These mean that no matter the achievement of the individual, if those successes do not lead to the preservation and increase of life, then they are meaningless”. The sense of bodily mortal life or physical strength is not what an Igbo understood as life. It is

understood as existence, being. It means both living and existing. For instance, a human being who is dead is no longer living but existing. The implication of this is that life is, therefore fully actualized in the ancestral world. The ancestors on the other hand influence the growth of life of the living. Onyewuenyi (2002:420) emphasizes that the concept of “*Ndụ* is understood hierarchically in that God is *Ndu*. The spirits and ancestors participate in a higher degree in the life of God; then the living according to Primogeniture”. It is clear that this ontological relationship prevails on every Igbo person to increase, preserve and strengthen life. It is therefore not surprising that God, earth, spirits, deities, ancestors, the living are usually called upon in matters relating to justice. It is also strongly believed in Igbo metaphysics that other created things have certain forces and power embedded in them and are thus in most cases, beckoned on to manifest as witnesses.

c. Truthfulness

It can be said that justice in Igbo world view is synonymous with truth and also deals with truth and truthfulness. Igbo people value truth so much so that they do not want to associate with lie and liars. The extent can only be appreciated when one comes to understand that derogatory names such as *Ntụ bụ qzq* meaning that, the person in question has attained lie as his highest title. It should be noted that in most parts of Igbo land *qzq* is the highest title; *Onye ire abụq* meaning literally as a person with double tongue and who speaks from both sides of his mouth or tongue. The other remarks are *q s[g[kwrx*, *gbaba* that is, if he tells you to stand at a place, what he actually meant is for you to run away for your safety. Such people, as Oputa (1998:93) maintains are, people “Whose speech is full of contradictions,

fictions and inconsistencies. Somehow, the Igbo come to know and identify people who talk in this manner and of course, such people are not respected in the society”.

The way the Igbo value truth made them to equate it with life. This is expressed in their often used maxim *Eziokwu bx ndx* meaning that truth is life. Truth brings harmony in interpersonal relationships. It gives one security, strength and makes one to be in a state of tranquillity. Truth gives meaning, reason and value to life. Truth as noted by Ogugua (2003:13) “Is correlated value of justice. Real justice acts on the truth. The Igbo say *ihe ad[gh] eme onye aka ya kwx qtq* - “Nothing happens to the man of truth”. Justice is denied wherever there is no truth. But Igbo people believe that truth can never be hidden; that one day the truth will manifest. They say *e tigbusie eziokwu, O gbaa ihe elu*. After suppressing the truth, it will still surface. *E jighi aka ekpuchi eziokwu* literally means that truth cannot be covered with hands. Igbo people believe that anything that is true is as clear as day time as in *Eziokwu d[ka ehihie*. It is self explanatory and needs no conviction.

d. Ethics

Generally, justice in Igbo world view is based on Igbo ethics. Ethics deals on morality of an action, and moral uprightness is highly appreciated among the Igbo people. Thus, ethics can be referred to be a set of principles of right and wrong behaviour guiding a specific culture, society, group or individual. Onyewuenyi (2002: 421) states that “ethics generally deals with judgement of approval and disapproval, rightness or wrongness, goodness or badness of actions”. The

midpoint of the above opinion is the assessment of life which gives the Igbo a character. It is the intermediary between the seen and the unseen and both have a very strong binding relationship.

An action therefore, does not affect an individual personally; rather it connects the community and the spiritual beings. Ilogu (1985:27) asserts that “Breach of customs normally earn for the community some evils and disharmonious reaction from the ancestral spirits.” This assertion *Otu mkp[s]l aka rxta mmanx, O zue qha* literally translates as when one finger collects oil, it will affect other fingers explains the fact that, there is a great relationship between morality and ontological order. Further, and abomination such as murder committed by an individual will arouse the interest of the entire community. This is so because once it happens, an expression of untold wrong, solicitude, unnecessary calmness and anxiety grips the entire community because of the ontological relationship with the offender. Kanu (2015:238) avers that “With regards to morality, there is a strong connection between moral rules and the type of communal kinship relationships that exist among African societies”. When an abomination is left unattended and the gods unappeased or an act of injustice is allowed to perpetuate in a community the resultant effect is usually calamitous.

Morality is highly advocated in Igbo society because of the role it plays in the life of the community. Mbiti (1981:175) adds that “In the course of the years, this moral sense has produced customs, rules, laws, traditions and taboos which can be observed in each society”. It is a general belief among the Igbo that their morals were given to them by God. The ancestors therefore keep watch over the people to ensure their observances to these moral laws. Ilogu (1985:26) enumerated some of these moral laws as:

1. Do not take the life of the member of the commune
2. Do not steal, especially yam, the staple food of the people

3. Do not commit incest
4. Do not defraud strangers
5. Do not hide abominations

Certainly any deviation from these moral rules is highly punished. Mbiti (1981) acknowledges that “by committing a particular offence, a person puts himself and other people in the dangerous situation where God punishes him and other people”. Morals help to keep the society together. Its emphasis is on human conduct that enables him to live at peace with himself and other members of the community. Without morals the society would be in a state of anarchy. According to Mbiti (1981:75), they help people to ensure that they perform their duties to the society and enjoy certain rights from the society. He added. “It is morals which have produced the virtues that society appreciates and endeavours to preserve, such as friendship, compassion, love, honesty, justice, courage, self-control, helpfulness, bravery and so on”. Morals are deep rooted in the life of the Igbo people because of its long standing tradition of what is right or wrong. Justice demands a high moral standard. When justice is done, it keeps the society from disintegrating.

e. Qfq

Qfq is also one of the things that can be used to symbolize justice among the Igbo. Qfq is a widely known symbol in Igbo community. It can be said that the Igbo see it as a sacred tree believed to have been planted by God; and is regarded as a symbol of justice, authority and a god of justice. Among the Igbo different types of qfq exist, they range from family, kindred, village, towns qfq, among others. It is not everyone that has the power to hold qfq in Igbo land. It is therefore clear that it is the heads of these

various segments that hold *qfq* among the people. According to Nzomiwu (1999:100-101) "Through this tree the supreme being transmits his blessing to his creatures. The holder of the earthly *qfq* is believed to receive communications spiritually from the creator and has obligation to be just as the creator". It is obvious therefore, that in Igbo land *qfq* is closely associated with justice. Among the Igbo we hear certain assertions as *o ji qfq ga-ala* literally translates as whoever that holds *qfq* will be set free. It is worthy to note that the "holding" here is not a physical one, rather whoever stands by the truth in relations with his fellow human being will not be harmed in any way. For instance, two persons might have some misunderstanding between them; one may say *E jiri m g[qfq*. - I hold *qfq* for you. In view of this, Okodo (2009: 163) states that the real meaning of "I am holding a piece of the deteruim stick" is that "My actions are just and upright." *Qfq* could mean a lot of things, Ezenweke and Ogada (2012:159) were aware of this when they gave this instance: "*Qfq* ritual symbol of the Igbo people of Nigeria symbolizes at the same time ancestral presence, authority, uprightness, truth, agent of punishment and gerontocracy leadership". *Qfq* is used to associate with the ancestors and justice because of its role in effecting justice. For testifying the truth, *qfq* is used for oath taking. Here the accused swears with *qfq*, beckoning on the ancestors to be his witnesses. According to Nzomiwu (1999:106).

Just as *ofò* symbolizes the real but unseen power of the ancestors so does it symbolize their more perfect justice. Perfect justice is thus thought of as having its abode in the spirit world and ultimately in God. As *ofò* makes real the presence and the influence of the ancestors in every family and community in the same way does it make real, the necessity of justice for each community.

It is expected that the holders of *qf̄q* in various units such as family, kindred, and so on should exercise their authority with truthfulness and justice. Isidienu (2013) referring to the holders of *qf̄q*, avers that "all discussions, decisions and judicial matters are in their hands. These leaders should be upright and impartial. Each should hold his *qf̄q* in matters of decision; none is expected to hide evil in order to avoid the punishment of the gods". As a matter of fact, it is believed that the *qf̄q* does not only punish anyone who swears by it spuriously but also punishes the holder who gives an unjustified verdict. According to Uwalaka (1996: 7-8) "Qf̄q is the chief dispenser of justice and consequently the chief coercive power which ensures that the rules' and customs of the village are observed." She continued, "Qf̄q has a right not only to administer but also the right of life and death."

2.1.1 Agencies of Justice

Igbo people live a communal life. However people live an undisturbed life since no one can dictate to another person how to live his life or manage his affairs. Within this freedom of existence people have their ideas, attitudes and behavioural patterns which within the circle of

interpersonal relations interfere with other peoples' ideas. Therefore, as free as this social life, it is controlled by a potent and suitable organization and authority that is recognised and accepted by the people. Different organizations such as the family, kindred, elders of the community and titled men, age grades, *umada* God and deities, and the masquerade institution form the integral part of Igbo traditional agencies of justice.

a. The Family

Family members are the group of people who have blood relationship. They trace their origin from the same parents. An Igbo man's idea of a family includes the father, mother, children, brothers, sisters, cousins, nephews, aunts, grandparents and so on. The father presides over the affairs of the family. According to Kanu (2015:320) the "Father was the leader of the household and was in possession of the family *qfq*, which is the symbol of authority, justice, law and uprightness. The father was responsible for directing the affairs of the family". Following the same line of thought, Ejiofor (1978:65) states that occasionally, the "Family is denied that harmony, and the attitude of the respective children might degenerate from habitual apathy, rivalry and jealousy, to open hostility. It is the responsibility of the father to mediate and see that peace is maintained." When conflict situation arises in the family, the father or the family head will ensure that peace is returned, in consultation with other senior members of the family. If the conflict could not be resolved, the case will be sent to the kindred.

In the same way, if people from different families are conflicting over certain issues, they will take the case to the kindred. When the case becomes impossible for heads of the kindred to handle, they will send the matter to the village assembly or the elders of the town assembly.

b. Community

The elders of the community made up the town assembly. A case must first be presented to the family level to kindred, passing through the village assembly before the town assembly. From the above situation, it is evident that Igbo traditional justice applies arbitration processes. Fulton (1989:55) vouches that arbitration is a process whereby a

Private disinterested person called an arbitrator, chosen by the parties to a dispute... acting in a judicial fashion but without regards to legal technicalities, applying either existing law or norms agreed by the parties, and acting in accordance with equity, good conscience and the perceived merit of the dispute makes an award to resolve the dispute.

A process through which two or more parties use an arbitrator in order to resolve a dispute is a known conflict resolution in Igbo land. In this process the parties involved will reach an agreement between them to arbitrate, although one person may send a case to be arbitrated upon without first informing the other person. The rules of the arbitration will also follow the customs of the people. Also there must be a judgement, a sentence or a final decision. Specifically the decisions of the arbitrator(s) in the case will be submitted and communicated. Soyombo (1994:124-126) submits that “Conflicts were resolved at family meetings in the compound of the family head, who was assisted by some family elders... at the community level, the family heads may constitute a council which was responsible for the government of the community”. Cases are resolved based on the customs of the people by the elders of the community. Besides, Oraegbunam (n.d: 66-67) citing Egesimba (2002) indicates that,

Customary arbitration by elders of the community is one of many African customary modes of settling disputes and once it satisfies the necessary requirements, the decision would have binding effect on the parties and this creates an estoppels. It is recognised under Nigerian jurisprudence.

The role of elders in order to ensure that justice prevails cannot be overemphasized. It is believed that the elders are closer to the ancestors; therefore they know the gravity of offences, especially

such crimes as murder, incest, rape and many other crimes that defile the land, affect man and are considered evil before God. Ogugua (2003:19) points that “The fact that the action has planted imbalance in the order of nature, the elders go about to enforce public sanctions and cleanse the land”. Once the council of elders finished their sittings after deliberating on the cases before them, their decision is final. Oraegbunam (n.d:66) agrees with this, according to him,

Among the Igbo, arbitration was the commonest means of dispute resolution in which the parties involved agree to submit their dispute to the chiefs and elders of the community for the purpose of adjudication and redress, and wherein the parties feel themselves bound by the decision of the arbitrators.

The rulings of the elders are taken very seriously. No one tries to thwart them, for doing so will not augur well for the person. Igbo people believe that *nwata bulie nna ya elu, qgqdaq ayqchie ya anya*, meaning literally that if a child carries his father up, in disdain the clothes will cover his eyes. Based on the literary interpretation, when the clothes cover the eyes of the child, the possibility is that his views are blocked and he can stumble anytime. However, anybody that refuses to comply with the decisions of the elders invites misfortune upon himself or herself.

c. Age Grade

Age grade is another means through which Igbo people enforce justice. People of the same age group perform different roles that ensure the progress of the community. They also help in maintaining law and order in their various communities. According to Ogbalu (2006:30), “They help to maintain good neighbourliness among their members and have a number of rules guiding the social conduct of their members”. He continued, “A quarrel that has proved difficult or impossible to be settled through other channels or institutions must undoubtedly be settled by the members or committees of the age grades to which the disputants belong”. Chidili (2012:109)

avers that “Since each age grade is jealous of its good name, it does whatever it takes to control and discipline its recalcitrant members”.

Within the age grade, some people are marked by their stubborn behaviours. They may be unwilling to obey the constituted authority and refuse to cooperate socially with others. The members of the age grade are highly disgusted about such unruly behaviours by their members. They usually stand against it, try their cases and sanction them.

d. God

Among the supernatural forces that are instrumental to the management of justice in Igbo land is God, deities, and so on. God is the Supreme Being. Other beings are the messengers of God. Ogbalu (2006:45-47) refers to God as “Fountain of justice and the defender of the weak. He punished sin and transgression of all moral laws or taboo without mercy or change of heart”. He continued, “God’s law cannot be bent in favour of any individual. Sin is abhorrent to Him and everybody has his due reward”. Having the same line of thought, Mbiti (1982:206) asserts that “Most African peoples accept or acknowledge God as the final guardian of law and order and of the moral and ethical codes. Therefore the breaking of such orders whether by the individual or a group is ultimately an offence by the corporate body of the society.”

e. Divinities

Divinities are also regarded as an agent of justice among the Igbo. Amadioha, for instance, is the god of thunder and a messenger of justice. Ala who is the earth goddess exposes evil practices done in secret. *Onye merxxx ala ka ala ga-etigbu*, meaning that the earth punishes anyone that defiles it. Ogbukagu (2008:385) states that “A culprit charged with a particular offence is taken and made to walk through the Ogboli (a sacred road leading to the Ogboli shrine) to test whether an offence was actually committed or not by the accused person. Consequent death on the part of

the culprit, after the exercise is clear evidence that he or she was guilty”. Ogbukagu was referring to what happened in Adazi Nnukwu in Anambra State, walking through the Ogboli means walking on the land that leads to the shrine. The culprit is matching on the sand which has the power to detect and punish evil. Ogugua (2003:19) citing Ifesieh (1989: 35-36) states that

The earth is taken as the controller of morality in Igbo world view. She is regarded as the greatest of all spirits in the spirit world... She is good and bad. Good to all who abide by the laws of the land. She is bad to all who commit abominations and swear falsely by her...

The earth abhors evil. The food people eat comes from the earth, houses are built on the earth, livestock, arts and craft and virtually everything man does is done on the earth. For this reason the Igbo believe that there is no hiding place for man on the earth. The mother earth sees the activities of all men and rewards one according to his work. Ogbalu (2006:52) admits that

The earth is worshipped as the sustainer of all lives and fertility, champion of justice and defender of the weak. There is always an appeal or invocation to Ala when one wants to show that one is speaking the truth or seeks justice. Ala is believed to be all knowing and punishes people for their deeds.

The mother earth is believed to be closest to God and shares in his justice. As a mother, she harbours her children, she gives them long rope, enough warning before she punishes. Nzomiwu (1999:83) asserts that “The earth goddess is regarded as a merciful mother”. Minor divinities such as the deities and the ancestral spirits were placed or situated under the Mother earth. To prove it, Uchendu (1965:18) confirms that “Minor deities may not take action against Igbo people without asking Ala to “warn” her children, but no spirit may intercede or intervene when Ala has decided to punish. But she does not punish in haste, she gives many signals of her displeasures”. It is left for the person who committed an offence to do consultations in order to do what is demanded of him or her. If not *a na-agwa nt[q nxgh[e gbupu isi nt[*

esoro ya. Meaning literally that if ear does not heed to admonitions, when head is cut off, it will go with it.

Igbo people also consult diviners in matters that are beyond human understanding. Whatever the diviner says will be carried out to the latest because he divines through the *agwu* spirit. Although in some cases, they might want to consult more than one diviner to ascertain the truth of the matter. In view of this, Ukaegbu (2005:85) reasoned that “The Igbo used Diviners to maintain justice, peace and order, particularly, in complicated cases”. Diviners delve into unusual things that happen, by consulting or communicating with the gods to ascertain their mind, and possible solution to the problems at hand.

f. Masquerade Institution

Masquerade institution is another arm through which justice is obtained in Igbo land. They declare those laws which have been sanctioned by the elders and titled men. According to Ogbalu (2006:42) “A class of disputes on ownership of land or trees are often settled by *mmxq* either on their violation or on invitation”. He added “A piece of land under dispute which cannot be settled by other methods can be tied round with a string usually palm fronds and the disputants are thereby barred from entering it”. Masquerade institution is a veritable means of settling disputes among the traditional Igbo. Land cases, usually leads to lose of life; to avoid such, the land in dispute are banned to all the disputing members. By the time the case is brought forward for settlement, the zeal to fight and to eliminate the opponent must have been dead.

Masquerades were known for settling most difficult cases in the society. Achebe (1958:74-75) not only perceived them as a means of social control and orderliness, but also an agent of peace and unity. They are instrumental in the settlement of dispute between Uzowulu and his in-laws. However, in traditional Igbo society, their words are final based on the belief that they are the

spirits of the ancestors. In the same line of thought Chidili (2012:109-110) avers that “Often their members would appear masked, frequently at night, in their role as supernatural beings, and punish the offenders by denouncing and attacking them”. Apart from people who disobey the stipulated laws and orders in the community; there are others who refuse to contribute to the development of the community. It could be mandatory that people should pay certain amount of money for community development. Some disobedient individuals might refuse to pay despite all appeals. Usually the community organise themselves in groups moving to their houses, removing such important and valuable items as goats, fowls, chairs and so on. In most cases the defaulters usually fight the group; to avoid such situation therefore, they usually go with masquerades. Orji (1999:158) was aware of the fact that “when those disobedient ones saw the masquerade with the people, they always kept cool and calm while their belongings were being carried away”. Nzomiwu (1999:97) states that,

Apart from the formal role of masquerade in settling disputes the members of *otu mmuo* perform some other social duties connected with effecting of justice in the community. They have a lot to do with making laws for the community. They guard the village against thieves and thus serve as military policemen; they reveal those who are guilty of religious offences. They serve as village night guards, prosecutors of all forms of offenders and therefore protectors of public morality.

The role of masquerade in effecting justice in Igbo land cannot be relegated. It has been one of the approaches in keeping the traditional society at peace. They are agents of justice, harmony, law and order and moral uprightness.

2.1.2 Methods of Social Control

People sometimes behave in manners unbecoming of acceptable societal norms and ways; such that if left uncontrolled the society will be in chaos. Amadi (2005:56) states that “Those who are

chronically discontented; pose a threat to their neighbours in that they always tend to push and grab for more and more, making their neighbours nervous”. Unsatisfied people are found in the society and Igbo people have different means through which such unwarranted behaviours and characters are controlled so that the society can be at peace. Njemanze (2007:118) states that “The codification of laws, as a means of social control, is rooted in the history of the society in question”. Social control therefore is achieved in Igbo people’s life through the establishment of regulations for control which is found in their culture. Such social control measures that exist in Igbo societies are penalties for abominable acts, the use of proverbs, and institution of oaths, excommunication and acceptability and non acceptability of an action by members of the society among others. However, for better understanding social control and custom may rule will be explained.

a. Social Control

Certainly social control is very important in the society and since justice cannot be observed in a vacuum, it is, therefore, carried out among people that live in a particular community. The community on the other hand has its own culture from where the traditions, custom, rules, regulations, norms, ethics among others, manifest for a peaceful co-existence of the members of the community. The custom and traditions of the people spell out how people of a particular community should live. When such behaviours become a pattern of life and is acceptable by members of the community, it becomes their way of life. It generates into rules and regulations and anybody that contradicts it will be punished. In view of this Taboola (nd) states that social control is a “Means by which individuals are induced or compelled to conform to the usages and life values of the group.” Obviously societal rules reflect the values and the aspirations of the people, therefore these rules become binding to all no matter the status, age or any other

achievement attained in the society. This must have being achieved collectively over years and serves as a guide or a rule for a harmonious living. Therefore in all cases justice must be maintained.

From the forgoing, it is clear that justice is obtained and observed within a community that has the same cultural background. Culture is the fundamental bases for justice. When justice is neglected or denied the society will lack peace which is the major ingredients that binds the society together. Justice therefore can be a means of societal control. It has the capability of curbing excess and possibility of uniting the society. Society's world over tries to protect the citizenry from harm. They do this through the establishment of social control measures, by creating laws and regulations, norms and enforcing it. Obiefuna and Izuegbu (2016:151) point to the Igbo "Worldviews on justice is evidence that prior to the coming of the white man, the people had good sense of peaceful co-existence which could only be possible through the principles and practices of justice." They continued, "The society witness men of integrity and were ready to condemn evil to see that good was done and evil avoided." Social control in order words is a means of keeping individuals behaviours under control. It is a way of ensuring that individuals behave in a morally and ethically approvable manner. Every society has values it wants to protect. For this to be possible sanctions and prohibitions are made. Each society starts from home to get their children to keep these rules. Kumar (n.d, para.1.) asserts that the family is

The first place where an individual is socialized. He learns various methods of living, behaviour patterns, convention etc, from the family. He is taught to behave and respect social laws and obey social control. He learns customs, folkways, traditions and modes from the family. Family influence the individual directly through suggestions, persuasions, praise, blame, ridicule, criticism etc. Through

these mechanisms the family forces the individual to conform to the custom, folkways and modes of the group.

When an individual fails to conform to the family norms, he is faced with the consequences. The family norms reflect the societal ones and must be followed judiciously. Conformity to these norms approves one's actions. Non conformity attracts punishment which is justified by the people. In the society generally, one must abide by the social control measures, otherwise, he suffers the outcome. Justice demands that when an individual fails to conform to the acceptable modes of behaviour, he will be tried according to the customs, rules and regulations guiding the members of the society. Ross (1894) states that social control is "The process by which a community conforms to a set of rules." Social control therefore, helps to create harmony in the society and anyone who fails to adhere to the stipulated norms, rules and regulations is a deviant. Deviation from norms, social standard and social behaviour attracts punishment as stipulated by the custom of the land. It is the custom of the people that provides the materials for the customary law, which is used to try customary cases.

b. Customary Rule

Generally, customary law is as ancient as man. Before the introduction of the modern law court, people have a way of ruling themselves. The evolution of law began, before disputes are recorded and settlement done in the court of law. The rules in each community control the behaviours of its members. The duty to act in a positive way in a particular society became a customary law. Deviation from these rules results in sanction. Kottak (2008:209) avers that "States have laws, enforced legal codes based on precedent and legislative proclamations. Without writing, laws may be preserved in oral tradition, with justice, with elders and other specialists responsible for remembering them". Oral tradition among the Igbo has stored words

of wisdom and justice and has continued to regulate the conduct of individuals and groups in relation with each other.

It is a general belief that customary law carries a moral force behind it and as a matter of fact it becomes an obligation for every member of the community to abide by it. Customary laws are not static. It changes with the society. The changes go along with the needs and aspirations of the people, although such changes must take cognisance of the previous rules. However, in the olden days people were much more inclined to stronger conformity to these laws because of higher emotional and psychological attachments than in recent times. However customary laws at the present time are more acknowledged in the rural areas than in the cities. In the ancient Igbo, there is no hiding place for an offence such as murder; recently a murderer can be set free in a modern law court depending on the strength and knowledge of the lawyer handling the case. In line with this Oraegbunam (2010: 22) decries that:

One of the greatest challenges to traditional Igbo criminal justice administration is constituted by some principles of Nigeria legal system. This is expected as much of Nigerian legal and judicial structures today are a British legacy as a result of the colonial enterprise. The result is that most of the values of the traditional systems received a knock on the head and in some cases outright abolition by a setup that failed to undertake a disinterested cultural study of the traditional practices including the legal and judicial systems. No doubt, this colonial antipathy to traditional patterns spelt doom for the development of the justice system.

Customary law is unwritten laws that are approved by the people. It is deep rooted in the people's custom, it binds people and it's duly observed by the people. In line with the above, Okodo (2009: 151) noted about the Igbo that "Their culture is their unwritten laws which are called *omenala* in Igbo. There are various dos and don'ts which guide the people in leading their lives." According to him the dos refer to virtues which are approved by everybody while the

don'ts are vices that earn punishment of different sorts. Certainly these customs are laws because people accept it as such and should not be abolished completely.

The methods of social control were treated as follows:

i. Penalties for Abominable Acts

Abomination is a disgusting vice, which has social, economic, political and religious implications. Amadi (2005:15) asserts that “an abomination is an offence against a deity, who is expected to deal with the offender unless certain rites are performed and fines paid”. When a person fails to perform such rites or pay the stipulated fines he will be punished the more or even be ex-communicated from the society. Life is better when we live together and interact with each other amicably. Amadi (2005:109) seems to emphasis on this idea when he declares that,

Man, being a social animal, thrives best in the type of social setting that exists. Extreme individualism only generates despair and antisocial behaviour instanced by the senseless murders we read of in Western countries, where a man may shoot people for fun or publicity. Such a psychopath represents man at the lowest possible level of existence, whatever material comforts he may surround himself with.

God created man to live together in his environment. Man is expected to exhibit a kind of behaviour that will enable others to live harmoniously with him. For this reason, certain attitudes and behaviours are not acceptable in the society. If such attitudes are left unchecked, social relations would be jeopardized. Amadi (2005:15) insists that,

Improper behaviour is said to constitute a crime when the acts of one man infringe the rights of another and cause him serious inconvenience, injury or death. Example of such acts is murder, theft and arson. Since crimes of this kind cannot be tolerated by any society, laws are framed

to proscribe them, and offenders are punished appropriately.

When someone violates laws, one has to endure the pains or dishonour before the society. This is possible because for Chidili (2012:108) in a community where everybody knows everybody else and where everybody must cooperate with everybody else at certain activities, people will obviously depend on one another's approval or disapproval in any definite project. Thus, a collective pressure of approval of people can enforce a positive character. Adversely, such collective pressure which is expressed through ridicule, refusal to speak in a gathering, ostracism and intimidation is very hard to bear. In that case then, people do whatever it takes to comply with the laws of the land. Mbiti (1981:180) was also aware that when people commit certain crimes that "In some cases they are ostracized or kept out of the social circles of their friends and relatives". The effect is very clear as Kottak (2009:213) believes that "Shame can be a powerful social sanction." Life is usually very difficult for an ostracized member of the community. The person can change his attitude and reconcile with the members of the community when life turns out to be hard, shameful and isolated. Chidili (2012:108) supporting this idea states that "For a recalcitrant member of the community, repents and reconciles with the community when life becomes very unbearable due to the punishment."

Igbo people naturally perform a lot of good and profitable work to sustain themselves and their economy. It is expected that one should be satisfied with whatever one has. Even if the person is experiencing a rise and fall in his economic activities, Igbo people believe that *ebe onye dara ka chi ya kwaturu ya*. -Wherever somebody falls is where his Chi kept him. For this reason one should not steal or destroy other people's riches or still constitute any form of nuisance to be self

fulfilled. In order to put in check the state of discontentment, there are rules against stealing, theft, suicide and many other vices.

Some of these abominations are established to control the social, political and economic life of people. In view of this Ilogu (1985:27) affirms that “Most taboos are means of social control.” For instance, a crime of betraying one’s own land will normally attract punishment by death. Such other crimes may include murder, witchcraft, giving information to an enemy against ones land and so on. On this note Orji (1999:145) confirms that “Abominations were those conducts which the Igbo people felt were contrary and objectionable to the order of nature”. There are abominations which can lead to excommunication. As a means of social control people try to avoid such crimes. Actually it is a known fact that indulging in such ills such as murder will lead to a total separation from the community for years and certain rituals must be performed before that person is united to the community. Before the sanctions are imposed however, meetings upon meetings must have been convened to ensure that justice is observed and followed.

ii. Oath Taking

Oath is a pledge, a vow and an affirmation of the truth of a statement. Shorter (1978:117) referring to African societies points out that “They usually called God or the spirits to witness a declaration or promise, and the oath was taken in the presence of symbols related to the supreme values of the society”. When a crime is committed in the society and the culprit is not known; the people being suspected in the society will be summoned to take an oath. The application of oath serves as a means of check in the society, when one is aware that one will be caught through oath for actions committed in secret; one will refrain from crime and other evil practices. In other instances, if there is a dispute between two people over a property, one of them may be required to take an oath affirming with confidence that the property belongs to one. According to

Nzomiwu (1999:102) “Igbo take an oath to testify to the truth of their action. An oath for the Igbo, calls upon the ancestors to witness and confirm the truth of their words or deed”. Among the Igbo, oath taking is the last resort used in the enforcement of justice.

iii. Proverbs

Proverbs are used as a means of social control among the Igbo. For instance *A na-agwa nt[, q nxgh[, e gbupu isi nt[esoro ya* – if ear refuses to hid to admonitions, when the head is cut off, the ear will go with it. This type of proverb is used to advise, admonish, instruct as Kanu (2015:303) opines that proverbs “are sometimes employed, especially by elders while giving advice. In the same line of thought Opoku (1978:158) emphasizes that proverbs “May serve as prescriptions for action or act as judgement in times of moral lapses. Often a proverb, cited at an appropriate time during an argument can settle the dispute instantly.” Proverbs are veritable means of settling disputes.

Alhassan (1988:41) confirms that proverbs

Are employed to reinforce and sustain the traditional respect for elders, and they also serve as a potent means of social control. In settling quarrels and disputes, a proverb comes in handy because it is only one who is knowledgeable in words and proverbs that can settle quarrels with the use of proverbs.

Proverb is used to give guidance and exhortation. It is a veritable means of making suggestions, giving information, notice and recommendations. The type of situation or conflict situation determines the kind of proverbs to be used. For instance, *e mee nwata ka e mere ibe ya obi adi ya mma.* – If somebody or a child is treated fairly in the same way his colleagues are treated he will be happy. This kind of proverb and the likes would go a long way in ensuring societal control.

When everyone in the same place or situation is treated equally, there will be no need for conflict or seeking for justice or redness.

iv. Ogu

Generally, among the Igbo [*manye ugu* is another means of social control. In the past there were no law court or police where people could report their cases. Therefore when two people are having issues or if one feels that the other is disturbing him, he can send a warning to the person. Ogbalu(1981:104) states that “*isi ugu bx ka onye ahx mara onwe ya, sepx onye wetaara ya ugu aka n’ahx*”- ugu symbolises a call for harmony from the person who sent it. However the person might send his own *ugu* in response. The *ugu* is sent through the person’s closest friend or through the head of their family. The mediator can as well interpret the *ugu*, and then make arrangement for reconciliation.

As a matter of fact, it is assumed that the sender of *ugu* is righteous, that his hands are clean. It is in this way that *ugu* perfects the effect of *qfq*. It means that one cannot hold *ugu* without *qfq*. Igbo people say *ome ihe jide qfq*- if one is sending *ugu*, one will make sure that one is righteous and that he is on the part of justice. Ogugua and ogugua (2013:203) in line with this thought state that “*Ogu* is the complement of *qfq*.” Also stating on what *ugu* is recognised with, they quote Nzeako (1975) that “*qmx nkwx ka e ji ama ugu*.” They continued “it is with knotted palm frond that we recognise *ugu* or that *ugu* is made with knotted palm frond.” A person who wants to send a warning to another person will get a tender palm frond, knot it at the tip or at the middle. In some places too, *ogilisi* is used to send *ugu*. The bottom line here is that the aggrieved person is sending a warning to his opponent through a middle person to desist from his evil acts against him. According to Uwalaka (1996:5) “In the event of a dispute, *ugu*’s business is to accuse the culprit and charge him for falling short of the expectations of *qfq*.”

Receiving *ogu* is not a pleasant thing. The person will be viewed as creating enmity and blocking the flow of peace and love with a fellow member of the community. As a social control measure, it is assumed that people will try as much as possible to avoid anything that will lead to *[manye ha ogu]* by any member of the community. The situation is a shameful one; every body will watch to know how the offender will react to the issue. Either he changes his attitude or sends his own *ogu* in return. On this note Ougua and Ougua (2013:204) state that “*ogu* is a body of social principles and rules for co-existence and harmonious relationship in the society based on the basis of righteousness. It is a moral power base, a bulwark of strength.” The warning creates an avenue for a harmonious living. If however the person whom the *ogu* was sent to, send back his own *ogu* in reply, he is therefore proving to the people that he is righteous. Igbo people say *onye enu ji qfq onye ana ji qfq, sq qfq ma onye ji ya*. In a case where the parties involved are claiming to be righteous, the only way of establishing the truth is reconciliation by fair hearing.

v. {tx Iyi

It is a known fact that in some communities, there are people that are perpetuating evil activities, so hidden that in most cases the community will be in a state of confusion. When evil thrive, the community, group or individual concerned might bring a shrine or oracle against the unidentified culprit. According to Ogbalu (2006: 73)

It is the custom of dragging along or carrying emblems of idols about the town in public against people who secretly committed public offences (mostly stealing, kidnapping or ruining crops) and asking the gods and idols to deal with them. (*[tx iyi ka o gbuo nd[mere ihe qjq na nzuzo]*). It is believed that the idol may kill or punish them in any way they like.

As a social control measure, when people are aware that secret evils could be dictated by any means, most people will try to live in a more acceptable manner in the society. The consequences can also make one to decide to be in line.

vi. {sa Aka

Generally, [sa aka is a means by which one states that one is innocent of accusation. Some people at times because of hatred or envy conspire against others, in order to intimidate, punish or disgrace. The accused normally put his hands together, show it to the people and also show to the sky, shouting *aka m d[kwa qcha-* my hands are clean, *a na-akpqkwa m na nk[t[-* they are accusing me in vain, *q d[gh[kwa ihe m mere-* i did not do any thing. In most cases the accused might be asked to take an oath. According to Ekwealor (1989:97)

*Q bxx na e zuuru ihe mmadx n'ohi, q
bxx na o nwee nd[q na- enyo enyo, ha
nwere ike]xqqrq ya iyi iji zqrq onwe
ha. Onye a na- enyo enyo d[ka onye na-
enye ns[nwere ike]xq iyi iji kqwaa
na aka ya d[qcha.*

When someone's items are stolen, he may decide to administer oath to the suspects for them to prove themselves innocent. On the other hand when one is accused of poisoning, he can also take an oath in order to tell the community that his hands are clean. {sa aka could be seen as a means of social control. When the accused is found not to be guilty, in the future other people will learn to be sure before laying accusations.

2.2 Theoretical Framework

Laws should be established based on man's need and pleasure. It should be related to the acceptable principles of right and wrong. Law should be morally approvable when it refers to the act that affects other people. Law provides the common standard of conduct without which

social life would be difficult. Different theories of right and wrong behaviours abound, however, this study will consider only three theories, and base the study on any of the most suitable principles. The theories are Anomie Theory, Morality Theory and Natural Law Theory.

a. Anomie Theory

A leading proponent of Anomie Theory is Emile Durkheim (1858-1917). Durkheim borrowed the word anomie from a French philosopher, Jean-Marie Guyau and used it in his book *Suicide* (1897). According to David (nd) Emile Durkheim defined the term anomie as a condition where social and or moral norms are confused, unclear, or simply not present. Durkheim felt that this lack of norms led to deviant behaviour. From the foregoing, anomie can be seen as a period of normlessness. It is a period of absence of a clear societal norms and values. In view of this Crossman (2018, para. 1.) states that

Anomie is a social condition in which there is a disintegration or disappearance of the norms and values that were previously common to the society... Durkheim's view a transition phase wherein the values and norms common during one period of time are no longer valid but new one have not yet evolved to take place, people who live during periods of anomie typically feel discontented.

Certainly anomie is a period of drastic and rapid changes in the structure of the society. It affects economic growth, political stability, social relations, religious and every other sector in the society. Such instability puts every member of the society in a state of confusion. Bond (2015) explained that Dr. Merton expanded on the work of French sociologist Emile Durkheim on anomie with his theory on deviance and social strain. He stated that "Anomie in the simplest terms is a lack of social or ethical norms in an individual or group." Actually every society has an expected standard for its members, some individuals might however, go through illegal means

in order to attain such standards. On the other hand, some individuals in the society might end up in deviant behaviour thinking that the expected standard is too high to attain.

It can also be said that in most societies, the totality of all the beliefs is imbedded in the peoples' religion. In view of this Durkheim (1964) states that religion was a reflection of the force of a shared collective conscience and those early legal codes were also religious codes. He also stated that offense against the gods were offenses against society. Durkheim however claims that anomie refers to the ill formulated goals within the culture. It could be stated therefore that certain societal rules actually infringe on people's convenience, and so creates deviant behaviours.

Strength and Weakness of Anomie Theory

On the strength of anomie, individuals of different levels of the society can adopt different adaptations in the social structure. It also explains how individuals can adopt to different social formations.

On the weakness of anomie, it only explains the reason why people indulge in utilitarian crimes and totally neglect the reasons for committing non utilitarian crimes. Anomie is individualistic in nature; it deliberately pays no attention to collective crime. Inadequate behaviours can emanate from discrepancy in organizational formation. However, some people might think that there is no clear means of achieving societal goals, therefore opt to illegitimate means in order to achieve these goals.

b. Theory of Morality

Generally, morality is a guide to right and good conduct and a means by which right and wrong conduct is determined. It can be stated that a moral theory is a way upon which moral issues are

discussed in a reasonable manner. According to Anscombe (1920-2001) Kantian (1724-1804) theory of morality explains that right and wrong is determined by rationality/giving university duties. Kant believed that certain types of actions (including murder, theft, and lying) were absolutely prohibited, even in cases where the action would bring about more happiness than the alternative.

However, Contractarianism assumed that the rules of what is correct and incorrect should be that which everybody in the social order would have the same opinion in structuring a collective tie. Contractarianism as a matter of fact was of the opinion that people is moved to agree to moral principles as Narveson (1998: 148) supports that “First because we are vulnerable to the depredations of others, and second because we can all benefit from cooperation with others.” Certainly man cannot live in isolation. He must cooperate with other members of the society for life to be meaningful. In view of this leaders are not to be authorcratic but rather seek communal approval. Gale (2006) states that Sidgwick took a method of ethics to be a reasoned procedure for reaching specific decisions about what one ought to do. He claimed that humans have intuitive knowledge of a variety of independently valid moral principles and maxims, and therefore enumerated three methods used by common sense as intuitionism, utilitarianism and egoism.

Utilitarianism, theories of moraility believed that right and wrong is determined by the overall goodness (utility) of the consequences of action-“the greatest happiness principle.” It is concerned with everybodies happiness; however no action is intrinsically right or wrong. Dare (nd) states that the right action is the one that generates the most utility, as understood by the

early proponents as the greatest happiness for the greatest number of people. Perkins (nd) asserts that utilitarians hold that morality should be guided by the greatest good for the greatest number. On the other hand the Rights-Based theories of morality pointed out that people should act in accordance with a set of moral rights, which we possess simply by being humans. Perkins (nd) states that individuals have natural rights to life, liberty and property, which should only be limited by the need not to violet the rights of other people.

Strengths of Morality Theory

Mutual relationship was held in high esteem, although Kant was of the opinion that communal relationship could be harmful. Virtue was regarded as toppest in the pusuit of morality. Individuals were allowed to make or take decisions based on what is good for them not because they are lawfully right.

Weaknesses of Morality Theory

It puts much emphasis on individuals. It cannot delve into big moral issues, therefore cannot be applied universally.

c. Natural Law Theory

Natural law is an ethical belief or system of belief which is inherent in human nature and can be discovered by reason. Natural law is divine. It is a law that is believed to have come directly from God. Human beings are rational animals and they use their reasoning to discern these divine laws. They are morally obliged to use their reason to discern these laws and act in conformity with them.

Humans have the natural urge to procreate, eat, rest and seek for safety and so on. These actions are in line with the natural law for species to survive and procreate. Consequently, any action in consonance with this is morally good and those that run counter are morally wrong. Natural law provides guidance for human actions, such as law of survival, procreation and so on. In line with the above, Houghton (2011) described natural law as “a body of principles that are considered to be inherent in nature and have universal application in determining whether human conduct is right or wrong, often contrasted with positive law”. For this reason natural law is a body of rules of conduct that are inherent in human nature which is very essential and binding upon human society.

A leading proponent of natural law was Thomas Aquinas (1227-1274). According to him, the first precept of natural law is that good is to be done and pursued and evil is to be avoided. He states that natural law is common to all the nations. Aquinas also perceives natural law as the philosophy which acclaimed that certain rights or values are inherent by virtue of human nature and universally recognizable through human reason. This idea attributes to natural law as that which uses reason to analyze both social and personal human nature to deduce binding rules of moral behaviour. Aristotle (nd) quotes Sophocles and Empedocles that “universal law is the law of nature. For there really is, as everyone to some extent divines, a natural justice and injustice that is binding on all men, even on those who have no association or covenant with each other”. It is therefore, assumed that natural law is the system of right and wrong believed to be general to all beings and originated from nature.

According to Cicero (n.d.) “both justice and law derive their origin from what nature has given to man, from what the human mind embraces, from the function of man, and from what serves to

unite humanity. The aim of natural law therefore is to compel us to contribute to the general good of all. However, any action that is not in conformity with natural law is morally incorrect. According to Sullivan and Pecorino (2002) “what is consistent with the natural law is right and what is not in keeping with the natural law is wrong. Understandably, divine law represents those principles that are believed to be divinely revealed by God or other supreme and supernatural beings.

The naturalists have three schools of thought which are the divine, secular and historical natural law theories. The divine natural theory believes that the divine principle are reflected by authoritative religious writings, secular naturalists represent their principles which was derived from the physical, biological and behavioural laws of nature as was perceived by human intellect and elaborated through reason. While the historical natural law represents the principles that emanate over time through traditions, customs and experience.

The leading exponents of divine natural law agree that law must be made to conform to the commands which are believed to have been laid down or inspired by God, or some deity, who governs according to the principles of compassion, truth, and justice. These naturalists assert that the legitimacy of any enacted human law must be measured by its consonance with divine principles of right and wrong.

Secular school of thought replaces divine laws with physical, biological, and behavioural laws of nature as understood by human reason. They believe in observation and experiment before they can arrive at reliable truth and that however elevates human intellect. According to Locke (1980) “human beings live according to three principles – liberty, equality, and self-preservation”. This school of thought argues that because no government exists in the state of nature to offer police

protection or regulate the distribution of goods and benefits, each individual has a right to self-preservation that he or she may exercise on equal footing with everyone else. Rights include one's liberty for a peaceful living, right to accumulate wealth and property and other desires to satisfy one's personal needs. This may however infringe on other people's liberty.

Locke argues that anyone who deprives another person of his or her rights in the state of nature violates the principle of equality. He views the state of nature as approvingly unsatisfactory as human liberty is neither equally fulfilled nor protected. Because individuals possess the liberty to delineate the limits of their own personal needs or desires in the state of nature, greed, narcissism and self interest eventually rise to the surface, causing irrational and excessive behaviour and placing human safety at risk. Locke draws a conclusion that the law of nature leads people to establish a government that is empowered to protect life, liberty, and property.

Historical natural law has played an integral role in the development of African society, Igbo people of Nigeria inclusive. This school of thought affirms that law must be made to conform to the well known established, but unwritten, customs, traditions and experiences that have evolved over the course of history. These three schools of thought have helped the development of the society from inception to the modern times. Thus natural law in African setting could be best understood as the integration of historical, secular reason and divine inspiration.

In his own view Mckenna (2003) writes that "natural law theory is a legal theory that recognizes law and morality as deeply connected, if not one and the same". In continuation he stated that morality relates to what is right and wrong and what is good and bad. Natural law theorists believe that human laws are defined by morality, and not by an authority figure. Therefore, we

humans are guided by our human nature to figure out what the laws are, and to act in conformity with those laws.

There is a common knowledge and belief that human morality originates from nature. Himma (nd) affirms that “according to natural law moral theory, the moral standards that govern human behaviour are, in some sense, objectively derived from the nature of human beings”. It is assumed that everything in creation has a purpose. The purpose for which man is created is to live a good and happy life. Any action therefore, that would prevent a fellow human being from living a good and happy life is immoral and unnatural.

The purpose of law is to provide justice to all. Based on the natural law perspective any law that does not provide justice is considered as unjust and cannot be regarded as law at all. Any defect or error in law should not be followed. It is believed that any good law is morally good and any moral law is a good law. The ethics of moral law is that what is right and what is wrong is the same with everyone. Therefore, the natural law approach to problem-solving is based on the fact that everyone has the right to live his or her life. It also recognises the moral concept of self defence that justifies the acts of war. Thus, according to Magee (2013, para.1.) Aquinas defines law as a:

Dictate of reason from the ruler for the community he rules. This dictate of reason is first and foremost within the reason of intellect of the ruler. It is the idea of what should be done to insure the well ordered functioning of whatever community the ruler has care for. (it is a fundamental tenet of Aquinas’ political theory that rulers rule for the sake of the governed). Since he has elsewhere shown that God rules the world with His reason (since he is the cause of its being), Aquinas concludes that God has in His intellect an idea by which He governs the world. This idea in God, for the governance of things is the eternal law.

It was believed that law was not only in the reason of the ruler but also in the things ruled. Obviously the law of nature was imprinted in the things ruled by nature; therefore they act according to their nature. Everything reflects the order by which they are created for their own good; they therefore reflect the law which is in their very nature. Human beings have reasons and free will. They should use their reason to discern what is good and right for them. They should also exercise their freedom to determine what is good and best for their nature. However, the natural inclination of humans to use reason and free will to decide what is good for their nature is what is called natural law. To apply this universal law to humans, one should first decide those things that are ordained for human nature by God, which they should be inclined to. However, it could be said that what God ordained humans and that which, they should be inclined to, are contained in the ethics of various religious systems all over the world. Igbo people know about God right from inception, they therefore derived their laws from the natural law which is what God has destined man to be disposed of. In view of this, Orji (1999:152) enumerated those laws of the Igbo as preordained by God as follows:

Firstly, the Igbo people knew of the existence of the Great God... Secondly they never use the name of their Great God in vain. Thirdly, they keep their market days holy. Fourthly, no good Igbo child abuses his father or mother. Fifthly, the early Igbo know that the greatest sin or crime somebody could commit on this earth was murder... Sixthly committing adultery was a sin against God and humanity. Seventhly, from time immemorial, stealing in Igboland had been regarded as a serious crime. Eighthly, the early Igbo people took false accusation as a very serious sin or crime. Ninthly and tenthly the envious desires of another person's wife, his household property and his other possessions were roundly condemned.

Natural law focuses on basic human good such as human life and, idea of right and wrong as decreed by God has since been part of human nature as Odunukwe (2016) rightly states that “the

traditional Igbo legal concept and ontology is rooted on the natural law principle”. Sofola (1973) added the following cardinal virtues as typically African: an emphasis on wholesome human relations among people, respect for elders, community fellow-feeling, hospitality and a live-and-let-live philosophy. If humans, particularly Igbo people have been living up to the expectation for which the Supreme Being has ordained for them, there will be no need seeking for justice. Audi (2001:46) emphasized that natural law is “an objective norm or set of objective norms governing human behaviour, binding on all people alike and usually understood as involving a super human legislator”.

Strengths of Natural Law

Natural law is universal; such that every other law draws from its principles because of its emphasis on human rights and human dignity. According to Iwe (nd:69) “Only such a law of immutable principles and universal validity for all peoples and all nations can be the basis of the fundamental rights of man as well as the foundation of international law and cooperation.” Natural law appreciates and held human life in a very high esteem. It lays great emphasis on human virtues such as justice, fortitude, prudence, temperance and so on.

Weaknesses of Natural Law

Natural laws need a belief in Supernatural Being and provide rules that are authentic which are not based on human thought and human desires. Humans are therefore to use their reasons to recognise these truths and conform to it. Independent ideas of humans are not to be considered. Any law or action that is not in line with nature is therefore morally wrong and should not be adhered to. It is on this ground that the uses of contraceptives are morally wrong and abhorred; because it is unjust to eliminate human life. It has being noted that most societies condemn this act on the bases that, the abhorrence of contraceptives can lead to immoral acts such as over

population. Over population on the other hand can lead to unemployment and hunger. It was also argued that the non appliance of contraceptives can also lead to the spread of infectious diseases such as staphylococcus, AIDS, gonorrhoea and so on. This notwithstanding natural law stands for human good. It will lead to an unimaginable value if human law is to be based on its principles.

Having noted these theories and what they are, and for the purpose of this study, it is therefore necessary to approach this study through the natural law theory to find out how they can be applied in real life situations as well as their philosophical implications.

2.5 Empirical Studies

Various scholars have expressed their views on justice. This aspect of the study will therefore base on investigations, experiences, observations, comments of various scholars through direct and indirect observation, to express the actual condition of justice. Through discoveries, it was observed that in addition to Igbo idea of justice, that justice is also portrayed through Igbo names. Obviously Igbo names are not just for its sake; it is full of meanings that carry a symbolic value of the bearer. Perhaps that is why Onwuliri (2016: 36) remarks that “Personal names are thought to reveal information about the bearer, or even explain the experiences of the bearer’s parents.” Igbo people also believe that one’s achievement in life is affected by his or her name. This reflects in Igbo assertion that, *aha onye na-achqga ya*. Moreover Igbo name denote and imply justice. Commenting on the above Nzomiwu (1999:72) expresses that “some names are taken in contempt of certain attitudes with regard to justice. The purpose of such names is to show scorn for such tendencies and warn the community of the danger of such mode of acting.” Certainly some Igbo names are taken in disapproval of negative conducts and in most cases beckon on God, mother earth, kindred, and community among others to prevail. Even at that,

through experiences and observation, it has being noticed that some Igbo names generally points on rival as one of the major causes of hostilities; and as such people demand for justice. Some of the Igbo names and their literally interpretations that points on justice are:

1. *Chikailo*--God is greater than all enemy
2. *Chinagqrqm*—God is my defender
3. *Mmxqjekwu*—the spirits will decide
4. *Mmxqkwxgwq*—let the spirits reward
5. *Anakpee*—let the mother earth judge
6. *Igbokwe*—if the community agree
7. *Xmxnnakwe*—if the kindred agree
8. *Xmxnnanwezueakx*—if all the kindreds be wealthy
9. *Qk [kad [gbo*—people are never equal since ages
10. *Ilod [xba*—there are many enemies
11. *Iloerike*—enemeis are many
12. *Aghad [nxxnq*—hostilities abound in the family
13. *Ilod [nxxnq*—there are enemies in the family
14. *Iloegbunam*— enemies should not kill me
15. *As [egbunam*—heatred should not kill me
16. *Izuegbunam*—gatherings of the enemy should not kill me
17. *Qnxqraegbunam*—community’s utterances should not kill me
18. *Ejimkeonye*—whose own do I withhold
19. *Okeruruonye*—each persons share should not be denied
20. *Akxezuilo*—the enemies can never appreciate your wealth
21. *Ikpeamaqnwx*—death should not be blamed
22. *Qgqmegbunam*—my kindness should not exterminate me
23. *Nkemakqnam*—I should also have my own
24. *Nkeonyemetalx*—you reap what you sow
25. *Qgxgxamakwa*—He wiped my tears

Some of these names were further explained to deduce their real meanings.

- a. **Anakpee** : Igbo people believe that the mother earth sees the activities of her children and able to exonerate the innocent. A man who is accused of an offence could beckon on the mother earth for justice or for vindication. In this way, Igbo people emphasize the idea that no matter what happens, the innocent must be defended. However the offender will not go unpunished as Ilogu (1995:25) observes that “What is important here is that the morality lapses of an individual consitues an offence against the earth goddess and the

ancestral spirit. This result to punishments for all the members of the commune unless the proper propitiation and restitution, where necessary, are carried out.” Generally speaking, if the wrong done to an individual is carried out by one person, that person will bear the consequences. However, were the community is involved or know about the immoral and kept quiet the calamity will befall the entire community.

- b. **Aghad[nxnq]**: In most cases there are household enmity. Igbo people advocates for good interpersonal relations more especially among the kins. They always say, *ilo niile d[njq, ma nke ime xlq kas[njq,* and also *ilo kas[njq n’elu xwa bu ilo qny[* . It means that enmity is bad, but the household enmity is the worse, and also the worse enmity still is that between friends. Here Igbo people express their idea of communal life. Ogugua (2003: 14) observes that “The Igbo idea of justice can be properly understood if we turn our gaze at communalism for the Igbo, to exist is to be in the community.” However conflict normally occur among people that live together and share every thing in common; but Igbo people will always say, *q bxx na mmeghie ad[gh[mmgbaghara a gagh[ad[* But in most cases some people are unforgivable, and when such is the situation among relation or friends you might not know that you have not been forgiven. As a result, one might fall into the person’s trap. So it is not likely possible for one to dictate the situation on time because of the close relations that exist between them. Igbo people through their names warn against the dangers of household wickedness.
- c. **Xmxnnanwezueakx**: Igbo people were aware that conflicts normally arise when some people feel that they are not as progressive as others. Therefore when every member of the kindred is well to do, and were able to take care of there basic needs, hostilities will come to its lowest ebb.
- d. **Onyegbuna**: Igbo people appreciate life so much so that cases of murder cannot be tolerated. They advocate that people should not take other people’s life. They know that life cannot be replaced and must be protected.

- e. *Izuegbunam*: Igbo people were against those who use to instigate others. Those who plan to eliminate others or constitute a problem to them. Through this name such people are warned to desist from such wilful act for a peaceful co-existence.

Generally every aspect of Igbo man's life is characterized with justice. Okodo (2009:153) observes that "From birth to the death of the Igboman, there are conditions for the enthronement of traditional justice." In his remark, "on the birth of a child everybody has to be just." This expression is true since there are role expectations as it concerns the nursing mother, her mother and her husband. Any person that fails to carry out or neglects his or her role amounts to unjust behaviour. For instance a case where a nursing mother refuses to breastfeed the baby not on the ground of ill health but simply because she does not want to have a flat breast; amounts to an unjust behaviour against the baby. In that case she will be cautioned. However if she proves stubborn, the matter will be reported to the appropriate quarters for reprimand.

Other areas of interest that justice manifest in the life of the Igbo as described by Okodo were economy, religion, governance among others. It is obvious that the Igbo have rules that govern their lives. Every economic venture has its rules. There are rules that govern hunting, farming and fishing for those in the riverine areas. When people do things the way it should be done, no one will seek for justice or redress. However when rules are violated, bitterness and hostilities abound. If such situations are not controlled by the community's justice system on time, it could lead to anarchy. On religious issues, anyone that offends the mother earth, ancestors or gods of the land has committed a gross injustice; and must be punished. In governance also, it is not just for someone to force him or herself on a group. Igbo people practice democratic form of governance. Any attempt to force leadership on the people always creates hostilities and in more

serious cases leads to the killings of innocent people. When such situation arises people seek for justice.

Summary of the Literature Reveiw

Having come to the end of this chapter, it is necessary to state that, what other people have said, have received enough attention in this work. From the foregoing, none of the work studied, is the same with this study, and none have the same topic as the present study. For this reason, it is suggested that the present study has to be carried out. In addition to that, from the literature studied, it is obvious that there is a need for justice in the communities in Oyi Local Government Area. Since justice manifests in all aspects of their lives and most of these areas have experienced one form of crises or another; this study therefore stands to bridge the gap.

CHAPTER THREE

RESEARCH METHODOLOGY

Methodology of research is basic for research studies. The method enables the researcher to obtain adequate result. It is therefore the intention of the researcher to expose the methodological

procedure that was adopted for this study which creates an avenue for a sound research study and excellent result.

3.1 Types of Research Designs

This study adopts a descriptive survey design. Descriptive survey is a type of design that within the group of people that formed the research population, an adequate selection of few people who form a representation of the entire group is chosen. Based on that, data collection and analysis were carried out.

3.2 Area of Study

This is a research that focuses on Justice as a social control mechanism. The study has the towns in Oyi Local Government Area of Anambra State as the area of study. The towns include Nteje, Ogbunike, Awkuzu, Umunya and Nkwelle-Ezunaka. This means, in particular, that the focus of the study is on justice as a method of social control which affects the life of the people despite the functioning of an effective law court.

3.3 Population of Study

The population of this study is made up of two hundred and seventy persons. Two hundred and sixty of which is taken from the five communities in Oyi Local Government Area. Of this number one hundred and fifty-five consists of males, while one hundred and five persons are females. Meanwhile, the remaining ten persons are made up of the personnel of the customary court in Oyi Local Government headquarters which resides in Nteje community.

This group constitutes mainly people of responsibility and dignity in their various towns. The choice was based on the assumption that such persons must have at one time or the other taken their grievances to others in the community or have been involved in handling other people's

cases. On the other hand the customary court personnel are chosen because they, by profession, handle customary cases.

3.4 Sampling and Sampling Techniques

Two hundred and seventy respondents were selected from the five towns in Oyi Local Government Area of Anambra State. Simple random sampling which gave the categories of respondents listed, an opportunity of been chosen was adopted for the study.

The research communities were grouped into three major zones, which are Ezi, Ikenga and Ifite, with the exception of Nkwelle-Ezunaka which has six villages. Two hundred and fifty copies of the questionnaire were administered to both males and females on each community. In each community, thirty copies of the questionnaire were administered to males, while twenty copies of the questionnaire each were administered to females on each of the communities. Oral interview were also administered to ten respondents selected for the study. Oral interview were administered to two persons each from each of the research communities, these respondents consists of one male and one female for all the research communities. Meanwhile, the remaining ten copies of the questionnaire were administered to the personnel of the customary court.

3.5 Instrument for Data Collection

This work relies heavily on primary data collection through structured and unstructured questionnaire. The unstructured questionnaire aimed at allowing the respondents a complete liberty to the questions posed by the questionnaire. It also serves as an effective means of obtaining authentic and first hand information from the respondents. Ten research assistants were also used by the researcher. Two research assistants each from each of the communities helped in

the distribution and retrieval of the questionnaire. Oral interview and observation were also used. Camera, writing materials and tape recorder were also used during the oral interview.

3.6 Method of Data Collection

Collection of data was based mainly on extensive and intensive use of structured and unstructured questionnaire. The questionnaires were collected from two hundred and fifty respondents in the five towns of the research communities. Fifty questionnaire were collected from each community; thirty questionnaire each from males in each of the research communities and twenty questionnaire each from females from each of the research communities. This gave a total of one hundred and fifty copies of the questionnaire that were collected from males, and one hundred copies of the questionnaire from females. Data was also collected through oral interview by the use of writing materials, camera and tape recorder. Meanwhile, ten copies of the questionnaire that were administered to the officials of the customary court were also collected.

3.7 Method of Data Analysis

In order to aid the achievement of the desired objectives, the available data was analysed using the natural law theory, adopting a Holistic Approach and Interpretative Method. It is assumed here that justice resides chiefly with those who make decisions that shape the social life of the people. However, decisions, if left alone, cannot change the state of things, it is therefore necessary to analyse the available methods and agencies of justice in the research communities.

CHAPTER FOUR

PRESENTATION OF DATA

This chapter collates and presents the questionnaire results. The first section of the questionnaire was presented on a coding spreadsheet put in tables as shown below

Table I: NTEJE

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12	Q13	Q14	Q15	Q16	Q17	Q18	Q19	Q20
A	17	25	26	0	17	28	19	20	11	20	19	19	10	23	30	2	9	a 4 b 36	5	2
S/A	30	22	22	1	30	17	28	24	25	20	30	29	39	22	13	32	40	a 0 b 4	3	2
D	2	2	1	24	0	4	1	5	10	5	0	1		3	4	0	0	a 0 b 1	30	23
S/D	0	0	0	24	0	0	1	0	3	4	0	0		1	2	15	0	a 3 b 1	11	22

NOTE: Q1 – Q20 = Represents No. of questions in section “A” of the questionnaire. For instance the above table show the responses to the questions in section “A” of the questionnaire in Nteje community. Q1 above represents question no 1, the figures under Q1 represents the number of respondents, therefore “A” which is written in front of 17 means Agree, that is 17 respondents agreed to question No 1. S/A=30 means 30 respondent strongly agree etc. See below

	Responses	No. of Respondents
Agree	A	17
Strongly Agree	S/A	30
Disagree	D	2
Strongly Disagree	S/D	0

The above analogy is applicable to the other research communities in the tables below.

Table II: OGBUNIKE

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12	Q13	Q14	Q15	Q16	Q17	Q18	Q19	Q20
A	15	34	12	2	7	14	23	22	30	21	13	29	15	40	42	0	22	a 5	23	21

																		b17		
S/A	28	13	36	00	4	26	19	24	10	19	35	17	32	4	5	9	26	a 4 b14	0	0
D	5	0	0	26	1	5	2	2	3	5	0	1	1	4	1	1	0	a 3 b 4	25	24
S/D		1	0	20	0	3	4	0	5	3	0	1	0	0	0	38	0	a 0 b 1	0	3

Table III: AWKXZX

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12	Q13	Q14	Q15	Q16	Q17	Q18	Q19	Q20
A	19	17	30	1	17	27	25	28	20	12	30	27	15	27	26	1	24	a 4 b19	2	3
S/A	26	27	16	0	28	13	15	18	24	30	16	17	30	14	14	15	22	a 3 b 15	6	1
D	1	2	0	29	0	5	4	0	2	3	0	2	1	1	4	5	0	a 1 b 2	28	28
S/D	0	0	0	16	1	1	2	0	0	1	0	0	0	4		25	0	a 1 b 1	10	14

Table IV: XMXNYA

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12	Q13	Q14	Q15	Q16	Q17	Q18	Q19	Q20
A	40	22	21	1	17	30	21	24	18	22	15	26	22	35	32	0	14	a 7 b 23	11	14
S/A	5	22	24	1	28	13	20	19	24	20	30	19	23	10	10	14	31	a 4 b 11	0	0
D	0	0	0	23	0	2	3	2	2	2	0	0	0	0	3	1	0	a 0 b 0	34	22
S/D	0	1	0	20	0	0	1	0	1	1	0	0	0	0	0	30	0	a 0 b 0	0	9

Table V: NKWELLE – EZUNAKA

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12	Q13	Q14	Q15	Q16	Q17	Q18	Q19	Q20
A	27	28	30	0	16	20	22	19	25	28	30	29	21	25	21	1	13	a 2 b 23	6	4

S/A	19	20	14	4	29	20	20	29	13	11	17	17	24	18	21	16	35	a 3 b 20	1	1
D	2	0	4	20	3	5	2	0	7	7	0	1	0	3	3	3	0	a 0 b 0	20	15
S/D	0	0	0	24	0	3	4	0	3	2	1	1	3	2	3	28	0	a 0 b 0	21	28

The researcher organised the data collected from the respondents in table forms and translated them into percentage. The presentation of data was done under the following sub-headings:

1. The sources of Justice in Oyi Local Government Area.
2. Behaviours seen as bad in Oyi Local Government Area.
3. Agencies of justice in Oyi Local Government Area.
4. The role of Igbo native justice system in Oyi Local Government Area.
5. Justice as social control in Oyi Local Government Area.
6. The fairness or otherwise in handling disputes in Oyi Local Government Area

Two hundred and sixty questionnaires were distributed to the respondents. The first section of the questionnaire (Section A) contains twenty questions while the second section (Section B) contains forty-eight questions. Meanwhile the customary court questionnaire contains ten questions. Out of the two hundred and sixty questionnaire distributed, two hundred and forty-five were retrieved. Fifty questionnaires each were distributed to each of the five communities in Oyi Local Government Area of Anambra State. Ten questionnaire were distributed to the personnels of the Customary Court in Oyi Local Government Area. 15 questionnaires were not retrieved.

The situation is as shown in the table below which indicates the number of questionnaires distributed, retrieved as well as those not retrieved.

Communities	No. Distributed	No. Retrieved	No. Not Retrieved
Nteje	50	49	1
Ogbunike	50	48	2

Awkuzu	50	46	4
Umunya	50	45	5
Nkwelle-Ezunaka	50	48	2
Customary Court	10	9	1
Total	260	245	15

The above table shows the total number of questionnaire that were not retrieved which is made up of 1,2,4,5,2 and 1, for each communities, and which is considered insignificant compared to the total numbers of questionnaire distributed in each of the five communities and customary court personnels. Below is a comprehensive data presentation based on the responses on the questions.

4.1 Sources of Justice in Oyi Local Government Area.

Data gathered from the study indicated that justice originated from three different sources. They include God, man and the traditions of the people. This confirmation was made based on the responses to questions 1 – 3 in section “A” of the questionnaire displayed on the table i-v above.

Response from the five research communities put together is presented below:

Questionnaire Item	Total No of Responses	Responses	%	Remark
1. Igbo justice originated from God?	236	118	50	A
		108	45.8	SA
		10	4.2	D
		-	-	SD
2. Some Igbo justice originated from man?	236	126	53.4	A
		104	40.1	SA
		4	1.7	D
		2	0.8	SD
3. Some Igbo justice also originated from tradition?	236	119	50.4	A
		112	47.5	SA
		5	2.1	D
		-	-	SD

Figure: 1

The above table show a comprehensive response of the respondents on the questions posit to them on the origin of justice in their various communities.

In section “B” of the questionnaire the no 1 qestion posits to the respondents is- what is the meaning of justice in your community? The responses of the respondents in the research communities are shown below:

In Nteje research community, 25 respondents stated that justice means equal treatment that is devoid of marginalization to all persons. It means giving fair hearing and treatment to people. It is being truthful especially in times of conflict between people, setting one free from guilt. While 24 respondents perceived justice as truth, unbiased mediation or settlement of dispute; justice is good ruling or decision between two enemies or warring situations according to native rules and customs.

In Ogbunike community, 17 respondents stated that justice is doing things in the right way; that it is to give right judgement or just verdict; it is seen as fairness and fair play meaning *nwa mmadx emegbuna nwa mmxq ma nwa mmxq emegbuna nwa mmadx*. 15 respondents stated that justice is a punishment meted out accordingly to the deserving person. It is also vindicating or setting one free from guilt or rendering what is due or merited to someone. It is judging without impartiality. It was also gathered from 16 respondents that justice is standing for the truth at all times. It is truthfulness and fairness to all not minding social standing and giving each man or woman his due in accordance with the traditions of the people.

Among Awkuzu people 10 respondents see justice as *nwa mmadx emegbuna nwa mmxq ma nwa mmxq emegbuna nwa mmadx*. 10 respondents stated that it is taking a truthful stand in the face of any dispute. 9 respondents stated that it is declaring

the unjust guilty and setting the just person free. While 17 respondents stated that justice is a vessel for maintaining peace and order which means bringing equity, peace, unity and resolution of conflict for the benefit of all.

Among Umunya community 10 respondents stated that justice is giving the right judgement in any situation while 35 respondents stated that it is a system embodying the collective will binding the community and its members in unity.

In Nkwelle-Ezunaka community 12 respondents stated that justice is fair treatment, impartiality in the treatment of people, according to their tradition. 10 respondents stated that it is truth and giving exactly the truth of the matter, going straight to the point without favouring any party. 18 respondents said that it is creating peace, love and cordial relationship among people and settling dispute among people. While 8 respondents stated that justice is the act of imposing initially outlined punishment on the offender of certain crimes or occurrences which are abominable.

Question no 2 in section "B" of the questionnaire, what is the Igbo word for justice in your community? Responses from the respondents in the five communities were represented as follows: In Nteje community, 20 respondents stated that justice is *Ikpe zili ezi, Ikpe nkwxmqtq*, 19 respondents refer to justice as *Ikwuba aka oto na eziokwu, iji ofo*, while 10 respondents refer to justice as *nwa mmadx emegbuna nwa mmxq, ma nwa mmxq emegbuna nwa mmadx, egbe belu ugo belu*.

In Ogbunike community 21 respondents referred to justice as *ikpe nkwxmqtq* and *ikpe zili ezi*, 16 respondents felt that justice is

qfq, while 11 respondents stated that justice is *ikpe eziokwu, ikwxba aka qtq, ikwu eziokwu*. In Awkuzu community 24 respondents referred to justice as *ikpe nkwxmqtq* and *ikpe zili ezi* while 22 respondents stated that it is *eziokwu bx ndx, ikwxba aka qtq na eziokwu*. Among Umunya community 31 respondents said that justice is *ikpe zili ezi, ikpe nkumoto* while 14 respondents felt that justice is *odinani maobu iwu, and idozi okwu*.

Furthermore, in Nkwelle-Ezunaka 18 respondents see justice as *ikpe nkwxmqtq, ike ikpe zili ezi* and 16 respondents felt that it is *eziokwu*, while 14 respondents said that justice is *[ka ikpe and ikpe zili ezi na nke d[mma n'iru Chineke na iru mmadx*.

These items are further presented in the table below

Questionnaire Item	Community	Total No of Respondents	Responses	%
1.What is the meaning of justice in your community?		236		
a.Equal treatment and fair play	Nteje Ogbunike Awkuzu Umunya Nkwelle-Ezunaka		25 17 10 10 12	31.4
b.Truth	Nteje Ogbunike Awkuzu Umunya Nkwelle-Ezunaka		24 16 10 10 -	25.4
c.Equity,peace,unity	Nteje Ogbunike Awkuzu Umunya Nkwelle-Ezunaka		- - 17 35 18	29.7
d.Punishment meted out accordingly and setting the innocent free	Nteje Ogbunike		- 15	

	Awkuzu Umunya Nkwelle-Ezunaka		9 - 8	13.6
2.What is the Igbo word for justice in your community?				
a.Ikpe zili ezi, ikpe nkwumoto	Nteje Ogbunike Awkuzu Umunya Nkwelle-Ezunaka		20 21 24 31 18	48.3
b.Ikwxba aka qtq, eziokwu	Nteje Ogbunike Awkuzu Umunya Nkwelle-Ezunaka		19 11 25 - 16	30.1
c.Nwa mmadx emegbuna nwa mmxq, egbe belx ugo belx, qfq	Nteje Ogbunike Awkuzu Umunya Nkwelle-Ezunaka		10 16 - - -	11
d.Iwu, qd [nan [, [ka ikpe	Nteje Ogbunike Awkuzu Umunya Nkwelle-Ezunaka		- - - 14 14	11.9

Figure:2

The above table represents the responses on the meaning of justice and the Igbo word for justice in the research communities as stated by the respondents.

4.2 Behaviours seen as bad in Oyi Local Government Area

The respondents in the five communities in Oyi Local Government Area indicated that not all the members of their communities are good citizens; therefore there is need for justice in the said communities. These were shown on the table i-v in section “A” questions four and five above.

The table below explains further.

Questionnaire Item	Total No of Responses	Responses	%	Remark
4. Every member of your community is good citizens	236	4	1.7	A
		6	2.5	SA
		122	51.7	D
		104	44.1	SD
5. There are need for justice in your community	236	74	31.4	A
		155	65.7	SA
		4	1.7	D
		1	0.4	SD

Figure 3

The above table show a comprehensive response by the respondents on the need for justice in the research communities.

Information gathered from the study indicated that there are behaviours unacceptable within the communities which when occur, people cry for justice. Among the five research communities, the behaviours can be grouped into abomination, behaviours that lead to oath taking and excommunication. They are presented in groups below, with the number of respondents for each group of offence.

Offences that are regarded as abomination

The underlisted, answers questions no 4 and 5 in section “B” of the questionnaire.

Among Nteje community, below are the behaviours that are not acceptable, such offences portray one as bad among his or her people.

- i Suicide – Taking one’s life (especially hanging one’s self), abortion, murder----10 respondents
- ii. Stealing generally, kidnapping, yam theft, selling of land that does not belong to one ----8 respondents
- iii. Arson, exposing the community secret, destruction of valuable property e.g building, destroying planted yam or seedlings----12 respondents
- iv. Unmasking a masquerade in the public, destroying of a deity, tampering with ufejioku----6 respondents
- v. Poisoning people, secret planting of charm in people’s home or any where----6 respondents
- vi. Rape, incest, sex with blood relations, daughter, wife or brother----7 respondents

Some of the offences reported as abomination by the respondents in Ogbunike community that deter one from being a good citizen are:

- i. Suicide, murder----12 respondents
- ii. Stealing , stealing of yam (Ifejiqkx), uprooting food crops, kidnapping, moving boundary stones----9 respondents
- iii. Unmasking or desecration of masquerade, *igbu eke*, eating of python or tortoise, Exhuming the dead, widows not mourning the dead husband, a woman climbing a palm tree, *qjl* or *kolanut* tree ----6 respondents
- iv. Poisoning----7 respondents
- iv. Raping, incest, having sexual relation with relatives, blood marriage, Married woman sleeping with another man (adultery), Pedophilic tendencies ----9 respondents
- vii. Beating one's parents----5 respondents

In Awkuzu community the respondents listed the following offences as abomination. They include:

- i. Suicide, deliberately killing (murder), deliberate abortion, ----16 respondents
- ii. Stealing of farm products like yam, exceeding one's boundary, covetousness (be it of landed properties of another or of another man's wife), *ile mmadx*----11 respondents
- iii. Unmasking masquerade----4 respondents
- iv. Giving poison to your blood relation----7 respondents
- iv. Rape, incest (sex between blood relations), Sleeping with another person's wife (adultery)----8 respondents

Furthermore, the underlisted offences are regarded as abomination in Umunya community.

- i. Suicide, abortion , *Igbu mmadx*, murder ----11 respondents
- ii. Stealing, *izu ori*, [*bq ji n'ubi mmadx*----9 respondents
- iii. *isu be mmadx qkx*, *Imebi ife a kqlxn'ubi*----11 respondents
- iv. Exposing the masquerade cult secret, *Igbu eke*----5 respondents
- v. Incest, rape, pedophilic tendencies, [*dakpo nwaany*]----9 respondents

In Nkwelle-Ezunaka community, the respondents reported these offences as act of abomination.

- i. Suicide, murder, abortion---9 respondents
- ii. Stealing, trafficking human being---5 respondents
- iii. Setting community hall or someone's house ablaze, damaging food crops especially yam out of malice---6 respondents
- iv. Unmasking a masquerade, killing of monkeys, nwaany[[1[enu nkwx ----7 respondents
- v. Voodoo (juju) magic for evil purposes---6 respondents
- vi. Rape, incest, *xgwa*, (sex between blood relations), adultery---8 respondents
- vii. A woman spraying sand on her husband, maltreating your late brother's wife or struggling for land or property with her---7 respondents

These items are further represented in the table below:

Questionnaire Item	Nteje	Ogbunike	Awkuzu	Umunya	Nkwelle - Ezunaka	Total No of Respondent	Responses	%
List all acts that are regarded as abomination in your community	49	48	46	45	48	236		
i.suicide,etc	10	12	16	11	9		58	24.6
ii.stealing, etc	8	9	11	9	5		42	17.8
iii.arson, etc	12	-	-	11	7		30	12.7
iv.unmasking masquerade,etc	6	6	4	5	7		28	11.7
v.poisoning,etc	6	7	7	-	6		26	11
vi.rape,etc	7	9	8	9	8		41	17.4
vii.maltreatment	-	5	-	-	7		12	5.1

Figure 4

The table above was a list of offences that are regarded as an abomination as stated by the respondents in the five research communities.

Offences that can lead to oath taking were as follows:

The underlisted, answers question no 8 in section “B” of the questionnaire.

Among Nteje community some of the underlisted offences can lead to oath taking.

- i. Accusation, allegations, to clear doubtful minds, in order to prove that one is innocent, suspicion----7 respondents
- ii. When the accused or suspected person denies an accusation, denial of rightful ownership of properties, denial that one does not commit a crime ----6 respondents
- iii. Making agreement, to bring families together so that no one can kill each other with charms or any other means – [*gba ndx* ----7 respondents
- iv. Family conflict, land dispute, unresolved dispute, enmity in leadership----8 respondents
- v. When there is fear and distrust in the community, alliance (secret) with other community to undue ones community----8 respondents
- vi. Claiming items, projects, buildings----5 respondents
- vii. When there is threat to life, causes of death, incessant deaths of influential members of the community ----8 respondents

The respondents in Ogbunike community also enumerated the following as some of the ills that can lead to oath taking.

- i. False accusation, stealing----8 respondents
- ii. When someone denies the allegation levelled against him or her. *Onye mere ife qjqq na-as[as[, a ga-akpxga ya n'arxs[ka q nwxa iyi iji gosi na aka ya d[qcha.* Denial of allegation of murder----6 respondents
- iii. *Igba ndx* ----6 respondents
- iv. Family conflict, land dispute, lack of peace, serious disagreement over an issue concerning perhaps financial transaction etc----10 respondents
- v. Killing, death under mysterious circumstances, seeking proofs of accusation----11 respondents
- vii when one is not satisfied with judgement delivered in a resolution of conflict----6 respondents

For the respondents in Awkuzu community the cases that lead to oath taking are:

- i. False accusation, suspicion ----7 respondents
- ii. Denial by an accused person----7 respondents
- iii. To bond a relationship or agreement----8 respondents

- iv. Family conflict, land dispute, disagreement over issues, defamation of character---15 respondents
- v. Fear of giving false witness, when truth are not told---9 respondents

The underlisted can lead to oath taking in Umunya community.

- i. *Ibochi mmadx qnx* - when the person has false allegation levelled against him or her ----11 respondents
- ii. When one is wrongly accused and try to deny----8 respondents
- iii. *Igba ndx*----9 respondents
- iv. Family conflict, land dispute----10 respondents
- v. Mostly it is due to dissatisfaction with judgement delivered in a resolution of conflicts----7 respondents

Also, in the Nkwelle-Ezunaka community some of the social ills that can lead to oath taking are:

- i. Allegation for murder, stealing, witchcraft accusations, poisoning when there is an allegation that a widow is responsible for her husband's death, *ibochi mmadx qnx*----10 respondents
- ii. Land dispute, taking another person's property by force, misunderstanding among family members and kindred, contesting for community title ----9 respondents
- iii. *Igba ndx*----12 respondents
- iv. Unfair judgement, lack of trust, false witness----11 respondents
- v. Missing items, claiming of property----6 respondents

The table below represents the above items

Questionnaire Item	Nteje	Ogbunike	Awkuzu	Umunya	Nkwelle-Ezunaka	Total No of Respondent	response	%
What are the things that can lead to oath taking in your community?						236		
i. accusations	7	8	7	11	10		43	18.2
ii. denials	6	6	7	8	-		27	11.4
iii. agreement	7	10	8	9	12		46	19.5
iv. conflict	8	7	15	10	9		49	20.8
v. fear and untrust	8	-	9	-	11		28	11.9
vi. claims								
vii. threat to life	5	-	-	-	6		11	4.7
viii. dissatisfaction	8	11	-	-	-		19	8.1

	-	6	-	7	-		13	5.1
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Figure: 5

In the five research communities, the above table represents the acts that can lead to oath taking as stated by the respondents.

Offences that can lead to excommunication

The underlisted, answers question no 10 in section “B” of the questionnaire.

In Nteje community the ills below can lead to excommunication

- i. Murder----9 resp.
- ii. Kidnapping----8 resp.
- iii. Rape----8 resp.
- iv. Theft/robbery----6 resp.
- v. Witchcraft---4 resp.
- vi. Exposing community secret to neighbouring communities,genocide act against the community without remorse,disagreeing with community laws and regulations (opposition), Sabotage, refusal to participate in development project or refusal to accept or implement judgement by duely constituted authority----5 resp.
- vii. Setting someone’s house ablaze (arson)--- 9 resp.

Meanwhile the respondents in Ogbunike community also enumerated those offences that can lead to excommunication as:

- i. Murder, killing ---10 resp.
- ii. Rape –7 resp.
- iii. Theft/stealing---9 resp.
- iv. Poisoning---7 resp.
- v. Incest—7 resp.
- vi. Insubordination, all abominable acts not attoned for ----4 resp.
- vii. Failing to abide by community by-laws, reporting family issues to police---6 resp.

In Akwkuzu community these offences can lead to excommunication

- i. Murder----7 resp.
- ii. Kidnapping ---5 resp.
- iii. Rape ----4 resp.
- iv. Stealing ---4 resp.
- v. Incest----6 resp.

- vi. {gba ama as[megide obodo ya, selling community land,laying against the king of the community, giving wrong evidence against one's kindred, *kwenyero n'ife obodo kwulu* ----5 resp.
- vii. Burning of peoples' houses ---6 resp.
- viii. Poisoning -----4 resp
- ix. Refusal to pay penalty if found guilty of an offence, violating certain sacred rules, committing a particular crime and being punished at least three times for that crime----5 resp.

The offences that can lead to excommunication in Umunya community are:

- i. Murder--- 8 resp.
- ii. Kidnapping---7 resp.
- iii. Rape ---7 resp.
- iv. Stealing, yam theft –6 resp.
- v. Witchcraft, sorcery -----4 resp.
- vi. Incest, when a woman commits adultery ----6 resp.
- vii. Arson ---7 resp.

The underlisted offences can lead to excommunication in Nkwelle-Ezunaka community.

- i. *Igbu ochu*, murder, abortion----9 resp.
- ii. Rape----7 resp.
- iii. Habitual stealing (at regular rate), *ibulu onyinye a1xs[n'ori*---7 resp.
- iv. Taking or selling community land single handedly, non-participation in community activities, taking a family member to a shrine----6 resp.
- v. Incest, when a woman sleeps with her husband's brother while her husband is alive (Adultery) ----8 resp.
- vi. Incessant bad attitude such as regular trouble making-----5 resp.
- vii. Poisoning ----6 resp.

These items are represented in the table below:

Questionnaire Item	Nteje	Ogbunike	Awkuzu	Umunya	Nkwelle-Ezunaka	Total No of Resp.	Response	%
Name offences that can lead to excommunication in your community	49	48	46	45	48	236		
i.murder	9	10	7	8	9		43	18.2
ii.kidnapping	8	-	5	7	-		20	8.5
iii.rape	8	7	4	7	7		33	14
iv.theft	6	9	4	6	7		32	13.6
v.witchcraft	4	-	-	4	-		8	3.4
vi.sabotage	5	6	5	-	6		22	9.3
vii.arson	9	-	6	7	-		22	9.3

viii.incest	-	7	5	6	8		26	11
ix.poisoning	-	5	4	-	6		15	6.4
x.insubordination	-	4	5	-	5		14	5.9

Figure 6

The above table is a representation of the offences that can lead to excommunication in the research communities as responded by the respondents.

The respondents in the research communities stated how some of the above offences are handled in their various communities. (Questions no 6 and 11 in section “B” of the questionnaire)

Nteje Community

14 respondents in Nteje research community stated that when any or combination of the offences listed above is committed especially those that lead to excommunication, and once excommunicated, everyone complies or take the risk of being excommunicated. In some cases the charges are taken up by the elders, imposing and serving notice of penalties on the offender and treated by the community. In this case the offender must show remorse and ask for forgiveness. The case must usually be treated at the family, kindred, village levels and by the elders and or the ruling age grade. 17 respondents stated that in the olden days any person that committed any abominable act must leave the community. In case of very serious violations such as arson, witchcraft and sabotaging the community, the offender is publicly humiliated such as making him or her naked at the market place. 18 respondents stated that recently most cases such as murder is sent to the law court or the culprit is sent to government forces for prosecution which may sometimes lead to imprisonment.

Ogbunike Community

Meanwhile 16 respondents in Ogbunike community stated that such cases as above are deliberated at the appropriate meetings. The head of the family would convene a meeting of the

family heads and make a pronouncement. Cases are also presented to the kindred council of elders, *xmxada* group, and age grade. However the traditional ruler and the elders in council have the final say in such cases. On the duration and approach, 14 respondents stated that the community can excommunicate such persons for about seven years after which they will ask him or her to perform certain rites before he or she can be brought back to reunite as a member of the community again. 4 respondents stated that the duration of exile is for a stipulated number of years depending on the offence. Through native justice system, the murderer will be expelled from the community for seven years before he or she could be allowed to return. 14 respondents stated that the offender will be made to take an oath and still be handed over to the law court.

Awkuzu Community

Among Awkuzu community 12 respondents stated that the approach is that the person will be made to pay certain fine in addition to other punishments, but if he or she could not do so, the person will be excommunicated as justice has to prevail. 15 respondents further stated that oath taking can be used when finding out the truth becomes difficult. 19 respondents stated that the traditional institutions, family, kindred, heads of villages and elders of the town will intervene by administering an oath; if the person fails to comply, that person will no longer relate with his or her kindred, he or she will be ostracised.

Umunya Community

Among Umunya community on how the excommunication cases are handled, 15 respondents indicated that, when someone commits murder, the person is asked to go on exile for a number of years. However, before the punishment, *a ga-ekpe onye afox ikpe ka a mata maqbx eziokwu na o mere ya, q bxxr eziokwu a ga-asxpx ya.* 15 respondents stated that such a person will face native justice. The elders and heads of clans

with the traditional council will handle the case to ascertain the truth. It must be a unanimous decision. 16 respondents stated that the elders of the town shall first handle such matters, if it is unsuccessful, the court of law will be involved.

Nkwelle-Ezunaka Community

17 respondents in Nkwelle-Ezunaka community stated that anyone that committed the above crimes must be tried. He or she will be given fair hearing as the case is directed to the family members, *xmxxna*, *xmxxada*, age grade of elders or Igwe's cabinet to judge and determine the appropriate punishment. If the crime is *igbu ochu* – they will ask the person to leave the town for seven years or determine the number of years for each offence. 18 respondents stated that if a family member took his or her fellow to shrine, members of the family will tell him to withdraw the case; if he refuses he will be excommunicated. 13 respondents stated that in the case of incest both the male and female will be humiliated – *isu mmanxx n'isi*.

4.3 Agencies of justice in Oyi Local Government Area

Data collected during the fieldwork show that the elders play a vital role in conflict resolution and in the maintenance of justice; that the age grade has power to try their member's case. They believe that God, divinities and *ala*, mother earth can punish or provide justice to the people. They also accepted that the family, kindred, elders and masquerade institutions have roles to play in conflict resolution. See table i-v on questions eleven to seventeen above. The table below presents a comprehensive result of the entire research communities.

11.Do elders have any role in conflict resolution?	236	107 128 1	45.3 54.2 0.4	A SA SD
12.Do age grade has the power to try their members?	236	130 99 5 2	55.1 41.2 2.1 0.8	A SA D SD
13.Can God punish someone who commit crime in your community?	236	83 148 2 3	35.2 62.7 0.8 1.3	A SA D SD
14.Do divinities have power to punish someone in your community?	236	150 68 11 7	63.5 28.8 4.7 3	A SA D SD
15.Does the mother earth(ala) punish someone in your community in order to provide justice?	236	151 63 15 5	64 26.7 6.4 2.1	A SA D SD
16.Does these agencies (family,masquerade,elders,community, age grade,etc)enshrine justice to the people of your community in truth?	236	4 86 10 136	1.7 36.4 4.2 57.7	A SA D SD
17.If a case cannot be settled at the family level it is moved to the kindred?	236	82 154	34.7 65.2	A SA

Figure 7

The above table represents a comprehensive response of the respondents on those who are instrumental to justifiable verdict in the five research communities. However, answers to questions no15 to 23,26,27,32,33,34and 35 of section “B” as stated below show those institutions that handle cases in the various research communities, their levels of administration and ways cases are handled.

Nteje Community

Among the respondents in Nteje community, a number of institutions and agencies were unanimously enlisted; people rely on these institutions for fair hearing. These institutions include:

- i. Town union, *igwe* in council, community leaders, community, vigilante group, *nd[ichie, ojiana*
- ii. Family, *kinderd*
- iii. *Xmxqkpx* or *xmxada*
- iv. Age grade, youth association
- v. Native doctors association
- vi. Oracle or deity
- vii. Church
- viii. Court of law, law enforcement institutions, as a result of ugly politics and gang-ups in the community, people rely on government and the judiciary for better and fair hearing

The respondents in Nteje community unanimously agreed that at the family level the cases that are treated are enmity and disputes between brothers and siblings including rape matters, inheritance of land or properties, fighting or assault, land boundary, marriage cases, misunderstanding between husband and wife, land dispute, quarrelling among family members, accusations, inter/intra family conflicts. The respondents indicated that all these cases are tried through investigations, open hearing, taking of evidence, consensus agreement and verdict. However, the victims will be given a condition that there will be peace among them. The people involved will therefore be summoned for settlement. However, in most cases one of the persons involved in the case can report the matter to the family members, presenting a kola nut before the case is tried. Both parties will then be invited.

31 respondents in Nteje community stated that at the kindred level the heads of the various families made up the kindred mouthpiece. They are the people that try cases at the kindred level. Severe cases that are above family capacity will be tried by the *xmxnna*. It is done by married men, in some cases with the males above eighteen years of age to the eldest person in the kindred; also inclusive are the elderly people and the youth - *Nd[diqkpala*. 18 respondents stated

that in the family it is the male members, especially those seen as being responsible family members that try cases and take decisions.

The respondents in Nteje community unanimously listed a number of levels of administrations where unresolved cases from the kindred will be taken to. They include : village meetings, village heads or a particular age grade in charge of the village, town union, *ojiana* for various quarters, age grade, deties, oath taking, umuada, women married outside the kindred and law court.

Furthermore at the town level the respondents unanimously listed a number of people that judge cases as: *nd[ojiana* (higher level - a particular age grade ruling at that material time), the President General with his exco members (PG town union executive), a special committee can be set out, elders, *igwe* in council, *akpakwulu qba* for matters related to the titled people, *qgbq irunatq* and the excos of Nteje development union, age grade, chief priest of oracles, deities and council of native doctors.

28 respondents among Nteje community stated that for one to present his or her case to the members of the town assembly he or she should present three kolanuts, a bottle of hot drink and two thousand naira (N2,000) cash (ego oji). One has to offer kolanuts and palm wine/hot drink; that will make the elders to open the floor for him or her to voice his or her complaints. While 21 respondents stated that the presentation could be oral or written presentation. Whichever way the person wants it, the fact remains that there must be a presentation of *kolanut* and wine and appropriate fee due for settlement of cases and the appropriate group will however be assembled. On the other hand, the kinds of cases treated at the town level as stated by all the respondents in

Nteje community are : civil matters, political issues, marriage issues, land cases (*okwu ana*), land disputes, land sales, death, criminal cases, murder, *okwu qchx*, stealing, *okwu ori*, family matters/conflicts, adultery, rape, appeals from kindreds, villages and families, inter village/kindred cases, masquerade case, asset sharing especially in polygamous families, very serious disagreement between two enemies or groups and arson.

Concerning the type of cases tried by age grades in Nteje community, respondents unanimously stated that it is a case that concerns the age grade. *Okwu gbasalu ndi ogbo ha*, such as disagreement among them, age grade constitutional violation, failure to perform duties assigned to age grade by the community by person(s) belonging to that age grade, cases of disrespect between two members, disobedience to the rules of the group, breach of rules and regulations of age grade, snatching, taking over or marrying of wife of a member by member. Others are breaches of any of age grade's laws, members that fight in the market place or stream, refusing to perform village duties such as sweeping of the village square on Eke market day, clearing bush paths to the farmland or digging of grave for the dead. They try such cases that are related to their members' only (i.e if both parties are members).

According to the respondents the age grades try their members by listening to both parties and sanctioning the guilty and setting the innocent free. The accused will be called upon to present or say what happened and why. The hearing and judgement is by consensus. In most cases the *exco* presides or they can set up committees to that effect. However it is an open hearing and judgement. That is, the case is tried in the general assembly of the age grade or by the executives or committee appointed by the age grade. It is therefore through summoning, consultations and investigations. *Q bx site n' [kpqku nd[okwu a gbasalx, gee ha nt[ma*

daa ha nra d[ka o si kwes[. The offenders are made to pay fine, in some cases their properties or belongings are seized until the offender comes to settle the members with money.

20 respondents in Nteje community stated that the type of cases tried by masquerades were as follows: *[ta mmxq* (revelation of masquerade secrets) *igbu mmxq* (unmasking of masquerade/stripping the masquerade naked), woman who killed her husband by refusing to take oath or refused to partake in mourning for number of days and very difficult cases, for instance where there is fear of enmity as against those who say the truth exists.

28 respondents stated that cases tried by masquerade are as old as Adam and Eve, but in the recent times it is not practised as before. They also said that the fear of masquerade alone in the past would not allow someone to err.

35 respondents stated that the masquerade brings justice by issuing a verdict that will outline sacrifices and purifications for the cleansing of the land. They evoke severe curse on recalcitrant persons. The masquerade can also go to the offender's house, expose him or her by destructing his or her property. Barricading the person's house and stopping the person from entering. They could also get together masquerades and native doctors at their level and invade the person's house. The elders could also use native doctors to tax the victim or give him condition. They can also use fortune-tellers, seers and other acceptable methods through the elder's incharge of masquerade to ensure justice. If the victim is a witch, he or she can be excommunicated through the use of a masquerade. 14 respondents stated that in case of conflict, both parties can be invited in the village square by the masquerade group, and their cases tried and resolved. It was generally stated that the accused will be asked to bring the necessary items that will be used to calm the masquerade. *A ga-enye fa efi, ewu, qkxkx, ji na qj[*.

The respondents in Nteje community unanimously listed a number of cases that can be handled by the sisters union (*xmxqkpx*) as: *imegbu nwaany[ajada*, unfair treatment towards a widow, their brother's death especially when it is said that it was the wife that killed him, insult, quarrelling, fighting in their father's house, mother in-law and daughter in-law matters, cases that concerns umuokpu alone, injustice to a member, disobedience of a member, conflict between family members, husband and wife, disagreement between two families or in a family, conflict among community women, marriage issues, unfair treatment to a husband or wife, when a married woman is committing adultery, scramble over father's possession by brothers and maltreatment of their member before her death.

17 respondents in Nteje community stated that in the above situations the leaders of umuokpu will confirm the issue and give appropriate directive. That is after hearing both sides they will tell the guilty person to desist from every act that brings enmity. *Ha ga-agwa onye na-imegbu nwaanyi ajadu ka o wepu aka enwe n'ofe tupu o ghoo aka mmadu*. They will also impose fine on the defaulter, that is particular charges will be imposed on the victim. In the case of threatening their sister by her husband, they will caution her husband. In the case of unfair treatment of mother-in-law, they will impose fine on those married women in that family for not taking care of their mother-in-law. The offender will be forced to abide by their decision or badly mal-handled by the umuokpu in defence. 32 respondents stated that recently most people do not refer their cases to umuokpu; some prefer to handle it the way they like or move the case to court. However, questions no 24 and 25 of section "B" of the questionnaire is stated below

Most of the respondents in Nteje affirm that in most cases people bypass or ignore the levels of peaceful resolution set up by the community and resort to modern law court. The reasons for such actions as noted by the respondents are many. 10 respondents stated that it is when cases are

not properly handled by the community or town union. When there is evidence or perceived partiality or bias in judgement, and because of that some people may opt for modern law court, because they want justice to prevail. *Xfqdx xmxnna na-ekpe ikpe akaazx megide onye enwerq onye ga-ekwulu ya.* The traditional Judges take sides when the person you have issues against is among the people to hear your case. Some fear partiality in the village justice system, some lack confidence in what they are doing. 5 respondents stated that most people choose the modern law court because of unfair hearing, collusion and injustice in the native justice system. 10 respondents stated that when *ojiana* make someone to swear before a deity or an oracle to inherit someone's land, the victim can reject the judgement and proceed to court. Also in some cases where one fears that he or she may not receive fair judgement or when a wealthy person aims at punishing a less privileged. 4 respondents stated that it is due to westernisation and especially when the case becomes difficult to be resolved in the town by the *ojiana* age grade. 13 respondents stated that some still go for the modern law court because they are not favoured by the traditional judging system. They want to be on the winning side no matter the amount of money spent. Some prefer the modern law court because they know that they can easily be winners in the law court. The respondents stated that people who are not known by the members of the community can stand to bear false witness in the law court but if it is in the village setting, everyone is known. They also felt that some people are more connected in the modern law court, therefore uses it as an edge over others. Also 2 respondents stated that they may think that court cases might give a better hearing and judgement (fair hearing). However, 5 respondents stated that those who bypass the traditional method of justice in the community are at the risk of sanctions, that such people are sanctioned according to the law of the community.

Furthermore, on the questions about God and ala, questions no 28 to 31 of section “B” of the questionnaire state that all the respondents in Nteje community stated that on the part of the offences punished by God that none of the offences are left unpunished by God; but murder and adultery is the worst crime that is punished by God. *Onye gburu mmadx, onye dinalx nwunye nna ya*. Others are as follows: incest, killing, maltreating an orphan, usurpation of land and other valuable assets belonging to a widow, giving justice to undeserved people, *alu na nsoana*, destruction of life and property, fornication, abortion and deceitful oath taking.

The respondents in Nteje unanimously stated that God may not punish any crime directly. He is invisible. But experience shows that all his creatures serve him. So any calamity on a person may be serving this purpose. So some of the responses by all the respondents on how to ascertain that a punishment comes from God are as follows:

- i. It can be known or best known by the persons involved.
- ii. When it fails all manners of solution
- iii. When there is a different kind of sickness that has no solution.
- iv. Through divination – strange illness that may elude modern medical diagnoses.
- v. Continuous misfortune, mishaps.
- vi. When there is no remedy for curing in case of disease or disaster.
- vii. Directly or indirectly God punishes them at his convenient time with hardship, sickness or diseases.
- viii. Instant death
- ix. *Q na-egbu mmadx maqbx mee ya q d[ndx qnwx ka mma*

On the offences punished by ala, the respondents in Nteje community unanimously stated that ala serves the same purpose as God and so punishes everything called offence. In most cases the punishment of God does not differ from that of ala. Any bad offence can be punished by ala. Some other offences punished by ala as stated by the respondents are: incest – *mmadx idina*

nwanne ya, ori ji, abominations against the land, claiming somebody's land falsely, murder, all abominations committed against the customs and the laws of the land and hidden matters.

The respondents in Nteje community unanimously stated that *ala* punishes through sending accident or visiting the person with an unknown disease. She sometimes inflicts various kinds of sickness or even kills the person. That is manifestation of strange illness and sickness. It could be instant death or sickness. Infliction of diseases that often leads to open confession. The processes are diverse; it is the way it deems her fit. It could also be unexplained deaths, regular misfortunes, strange illnesses and prolonged and protracted illness. The offender may be killed or caused to have disgraceful sickness, calamities, death, sickness which sometimes comes from unexplained sources. It could also be untimely death, retrogression. *Q ga-eme onye afox ka q d[ndx na-ele ule.*

Ogbunike Community

In Ogbunike community, the respondents unanimously gave the following institutions and agencies as a place where people hope for fair hearing.

- i. Council of elders, *nd[nze na qzq*-the red cap group, town union, *qgbq [saa* age grade, the village and community levels, traditional council of chiefs, *qgbq [satq*, of late the vigilante, *igwe* in council
- ii. Family, *xmxnna*-kindred
- iii. *Umuada*, *xmxqkpx* group, *inyomdi*
- iv. Age grade, *otu qgbq*
- v. Masquerade, *otu mmqnwx*
- vi. Deity, they prefer to go to shrines, oath taking
- vii. Customary court, law courts
- viii. The church

The respondents agree that the cases that are likely to be treated at the family level are: disagreements between brothers or within the family setting, *esemokwu ezinaxlq*, land

dispute, rape, incestuous act, case between husband and wife, *ikpe di na nwunye*, fighting over land, land matters, killing, lies, petty theft, disobedience, insult, abuses, fighting, envy, fornication, adultery, divorce, inheritance and partiality.

25 respondents in Ogbunike community stated that the cases are handled through fair hearing, *{kpq ikpe ezinaxnq}*. The concerned normally brings kegs of wine to establish the case, and the family will look into it. They will gather together to hear each side. The parties involved are called upon to report their cases. 14 respondents stated that cases are presented at appropriate levels. The two parties involved in the case will be called at the assembly of the *xmxada* group or council of elders where they will state their cases for hearing. Also complaints may be reported to *diqkpala* who will summon the elders and other members of the family to resolve the case. 9 respondents stated that cases are resolved by calling a family meeting or setting up committees. Then inviting two or more persons to give fair hearing to the issue and give them advices.

The people that try cases at the kindred level in Ogbunike community as commonly accepted by the respondents are: *nd[isi xmxnna*, president, chairman or the most elderly persons, the executives or the entire members, or a committee may be set up i.e all members or a sub-committee appointed by the kindred, the elders of the family, chairwoman of *xmxada* group, elders and married men, women family meeting, adult males and females

20 respondents stated that, any unresolved case at the kindred level will be handed over to the *ogbe*, the village level, then town level or the titled group. 28 respondents stated that some people do go to law court for resolution.

The judges at the town level as commonly stated by the respondents in Ogbunike community are: *igwe na nd[ichie, nd[aka eze*, elders, *igwe's* cabinet, the male members of the community, president general and the executives and the ruling age grade in the town (*qgbq [saa* age grade)

17 respondents stated that for someone to bring his or her case to the members of the group he or she will bring wine and four kolanuts i.e four Igbo kolanuts and two gallons of palm wine, *iweta qj [na mmanya*. 16 respondents stated that, it could be oral or written appeal, but with hot drink and kolanuts, with that one lays a formal complaint to the executive or general meeting. 15 respondents stated that the one presenting his or her case will have witnesses and must bring kolanut and other requirements which include upwine and money to the members.

The respondents in Ogbunike community unanimously stated a number of cases that are likely to be treated at the town level as: land disputes, *oke an[, [zq an[, rape, killing, murder - Igbu qchx*, case between members of different villages and that between one village and another, disagreement over ownership of properties of the deceased, theft, infidelity issues, inheritance, fighting, *i[a isi mmanwx* and *nwaany[[r[elu qj[*

The cases tried by the age grades as stated by the respondents in Ogbunike community are: breaking of the age grade's constitution, conflict between age grade members and their wives or parents. *Onye qgbq na ibe ya*, deviant and unruly behaviour of age

grade members, beating of wife, fighting of parents, drunkenness, and stealing, gossip between two members, dispute between two members, disobedience, fighting between the *qgbq'*s, family problems, absent from community work and case between a member and his wife or children.

On how the cases related to age grade is tried in the community, 28 respondents stated that in the age grade meeting there is constitution that guide their activities, so in case of conflict, it is by the use of age grade constitution. The first thing is the summoning of the disputants to their meeting, [*kpq ha ikpe*]. They hear from the person reporting the case and also from the accused. Investigations are done after which they give their verdict. 20 respondents said that the people concerned normally report the case as required by their constitution and each tells his story with witness and the members rule from what was said before them. However it is through dialogue and fair hearing to parties involved.

The respondent in Ogbunike community unanimously stated that the masquerades can bring justices to conflicting parties in any or combination of the following ways: by imposing fines on the parties, after hearing from the parties the masquerades will make pronouncements that are binding, barricading the person's house with *qmx, imegha onye afx*, seizure of property and or mass flogging, impose fine on the offender, amicable settlement and when one is guilty of grievous offence strike with charm or give final verdict as final court of appeal, that is, and causes the erring party to pay compensation.

The cases that can be treated by *umuokpu* as listed by all the respondents in Ogbunike community are: disputes in the kindred like factionalization and adultery cases – husband or

wife's unfaithfulness, family disputes between husband and wife and brothers, persecution in families, widowhood issues, fight by co-wives – *esemokwu nwunyedi na ibe ya*, stealing of cassava and cocoyam, conflict between husband and wife, mother-inlaw and daughter-inlaw, mother and children, poisoning, incestuous act, cases of the death of nwaokpu and setting peace among brothers, dispute between umuokpu – among themselves, dispute between umuokpu and a member or members of the kindred.

On how umuokpu resolve conflicting issues in Ogbunike community 37 respondents stated that, it is outright punishment, they mete out penalties, and they also fine the offender depending on the facts before them. They may likely ask the victim to pay fines, bring food items and so on. That is, *[ma onye ikpe malx ikpe na [da ya nra.* 11 respondents stated that they normally unite the family through *[gba ndx.*

In answering the questions no 24 and 25 of section “B” the respondents in Ogbunike community agreed that in many instances people have ignored the traditional levels of conflict resolution and resort to modern law court. 28 respondents stated that in land cases people jump the town and move to law courts. 12 respondents stated that it is when they are tired with the family and the town levels in the native justice. 8 respondents stated that it is not possible for one to ignore the peaceful resolution of case at the native system and opt for modern law court without letting the town to be aware of it. The town however do excommunicate any person that bypasses them.

The respondents in Ogbunike community give reasons why people ignore the traditional method of conflict resolution and select the law court. 23 respondents stated that people do not have confidence among some of the people dispensing justice in the community. People do not get justice or at times they do not trust that they will get justice. People lack trust because fair

hearing is not granted to the complainant. People feel that the other levels of native justice system may alter justice. They also take their cases to law court because, *fa chq1x ka e kpee ikpe afx qfxma. Kaa fa nweta ikpe zilu ezi.* That is to obtain ruling from the court, to avoid manipulation of justice due to familiarities. 11 respondents also stated that some people think that court will give them what they want or that they can be faster. 7 respondents stated that some people feel that local men are not qualified to try their cases and so feel that law courts are the right adjudicatory process to try cases because their verdict is recognised and authentic. They also need certificates from government which they think are more authentic. There are also issues of nepotism and issues of being uneducated, of members in the traditional justice, as raised by the respondents. 7 respondents further stated that most of the modern people are not familiar with the traditional institutions and native norms and that some also refuse to go by native justice because of their religion and faith.

However the respondents in questions no 28 to 31 state the offences punished by God and ala. Therefore some of the acts punished by God directly as unanimously stated by the respondents in Ogbunike community are: incestuous acts, cases against his command for instance murder, secret crimes, all abominable crimes, deprivations, killing of an innocent person, *ibo mmadx ebubo*, wickedness and disinheriting children of their possession, especially orphans of their inheritance

The respondents agreed that the signs to show that the punishment comes from God are the following: *onye afx ga-anwx qnwx oge elughi elu*, that person will die premature death, the person concerned normally dies of uncommon or and as such shameful death, the victims confessing their sins in open market place, nemesis – when you reap exactly what you sow, severe punishment, *q ga-*

anq na nnukwu afixfx, it is seen in the person's character or there will be no progress in what he or she does and affliction with incurable diseases or instant death after open confession i.e public confession by the victim.

On the other hand ala as agreed by the Ogbunike respondents punishes all offences against the mother earth which includes: murder, *igbu qchx*, incest, eating of forbidden animals such as python and tortoise, stealing, all abominable acts, secret sins, *mmerx ala*, adultery, *q bxlx na-ad[rq a chxlx ya aja mgbe o kwes[lx* claiming of another person's land, casting of spell and sacrilege of bestiality.

The respondents in Ogbunike community with undivided opinion stated that ala punishes in the following ways: the victim develops or may start to have swollen and enlarged belly, confess openly and finally dies, mysterious deaths and bad omen, *ajq qya na qnwx qjqq. Q na-akxtu onye afix n'ajq qya nke na-ewelx ndx onye afix*, she will strike that person with a deadly disease, in most cases the victims suffer incurable illness, pronouncement from the priest, sickness, diseases and death, by cutting the persons fingers and hand, *isi mgbaka na qnwx ike*, untimely death

The respondents in Ogbunike community unanimously noted some of the cases tried by the masquerade as follows:cases of infidelity,deseccration and unmasking of masquerade, stealing and land disputes,exposing the secrets of the masquerade, *[ta mmqq, [takwo isi mmqq*,witch craft,diabolism,security offences,deseccrating of streams and market square and burning homestead.

Awkuzu Community

In Awkuzu community, the underlisted are the institutions and agencies where people rely for fair hearing as unanimously indicated by the respondents.

- i. Community meeting, *igwe's* cabinet, elders, *ojiana*, *nd[xmxduuru obodo*, *nd[ichie*, *ndi[vigilante*, *qgbq na-ach[obodo*
- ii. Family, *nzukq xmxnna*, kindred meeting, ward leaders, village meeting, village heads. where it is hard to crack it goes to the elders
- iii. *Xmxada*, *xmxqkpx* women group
- iv. Organisation of age grade
- v. *Ije n'alxs[na [nwx alxs[*
- vi. Churches
- vii. They usually use the legal system i.e going to court rather than settling in the community, police, then it extends to court
- viii. Masquerade

The cases that are likely to be treated at the family level as agreed by the respondents in Awkuzu community are: marital issues or conflict, *ikpe di na nwunye*, family land disputes, defamation of character, exceeding a known boundary, encroachment, *[zq an[*, *[zq xnq*, sexual promiscuity, cases between blood relations eg fighting, boundary adjustments and adultery. 22 respondents stated that the above cases are settled by giving fair hearing to the people concerned. The person will approach the eldest man in his family with a kola and present the issue so that a date will be fixed for the resolution of the case; or the affected people will be invited and asked to explain, that is the people concerned must be called together and the members of the family will hear from them one after the other. Both parties must be heard by the family in order to give them fair hearing. It is open and fair hearing and afterwards the offender is punished. However they usually gather elderly males and sometimes the first daughters of the family to come for the resolution and decision. 17 respondents stated that, it is by inviting the offender before the

family elders and make him or her to pay fine and then face certain punishments. In case of land issues the elders can settle it, and then return the land to the rightful owner. 7 respondents said that, it is by going back to the land if it is land issues to re-establish the boundaries or making covenants ([gba ndx]).

At the kindred level the people that try cases as stated by the respondents in Awkuzu community are: the elders of the kindred or the male adults, especially responsible ones or the executive members of the kindred meeting as well as the elders of the kindred; or the elders, including men and women that are married or the elderly members and the youth depending on the case.

The respondents in Awkuzu community with undivided opinion stated that any unresolved case is likely to be handed over to the following agencies: village level and town level – *nd[obodo*, the titled men, *nzukq xmxada*, the executives of the town, courtcustomary court, *igwe* in council and to the committee meeting and the king of the community.

The judges at the town level as agreed by Awukzu respondents are: the town union president and the executives, *ojiana obodo*, *igwe* and his cabinet, the church, *nd[isi alxs[* (chief priest), the elderly men called *nd[okenye*, the women representatives, and youth representatives

Cases are presented to these groups in the following ways: 27 respondents stated that you will present your case for hearing with certain amount of money and a bottle of hot drink or palm wine. *Ide akwxkwq, weta qj[, mmanyana ego d[ya*. The presentation of case could also be by either writing or oral by the two persons that are having issues. 19 respondents stated that the person will come on the meeting day and wait until the time people will be called upon to report new cases. The people concerned could also convene a meeting through the chairman of the kindred. In case of *nd[qgbq*, cases can be instituted by presenting kolanuts and hot drinks.

The likely cases treated at the town level as unanimously presented by Awkuzu respondents are: minor cases not involving arm robbery, all cases that are not criminal, *ikpe onye mebili iwu obodo*, and murder attempt, land case between villages, stealing, rape, communal clashes, family fights and town developmental problems

The following cases are tried by the age grades as unanimously stated by the respondents in Awkuzu community, deviation or going against their rules, fight between age grade members – *ikpe qgx fa nxlx*, outcome of kindred judgement on the members, killing of a member by another member, adultery involving members and their wives, having sex with a woman who is the wife of your age grade level, molestation and disrespect among members, snatching of another member's wife, overdue indebtedness, abuse of office by officers and clear case of forceful possession of property – [*naya mmadx ife n'ike*].

The respondents in Awkuzu community agreed that the age grade uses their laws known as “*iwu*” being set or formulated in agreement to judge members. That is using their constitution or written laws or rules and regulations. Cases are tried during meetings of all members or at committee levels or a disciplinary committee. It is open and fair hearing with sanctions. However the affected people will be invited in the presence of the members of the age grade and their case tried. *Onyeisi qgbq ga-akpq nd[afx q metxtal[*.

The cases tried by the masquerades as agreed by the respondents in Awkuzu community are:

- i. [*ta mmqq* in the village or town, revealing the secrets of masquerade
- ii. Owing a masquerade for a long time
- iii. Bad character
- iv. *Onye nusol[mmqq qgx*
- v. Marital issues
- vi. Killing of the masquerade

vii. land disputes

The masquerade punishes as unanimously stated by Awkuzu respondents through any or combination of these: *inye ha iwu*, with stipulated sanctions, *ida ha nra,ha ga-ekweta na ihe mmoo kwulu*, attacking the offender directly, preventing people from entering the person's house with "qmx" (barricade), wives that cook late meals masquerade will be throwing stones on the roof of their houses, *a ga-ap[a onye afx mkpala iji taa ya afxfx*.

The lists of cases handled by umuokpu in Awkuzu community as agreed by the respondents are:

- i. Where a married woman fight another married woman.
- ii. Widowhood issues
- iii. Women who disrespect their husbands
- iv. Crimes against *nne na nna di*, issues between *nne di na nwunye nwa*
- v. Harsh treatment of member by her children or husband
- vi. *Nwaany[tili di ya ife maqbx nne di ya.*
- vii. *Nwoke na-emegbu nwunye ya*
- viii. Non attendance of members to functions
- ix. Unfair treatment of women in the town

The umuokpu resolve situations among themselves as unanimously stated by Awkuzu respondents, in the following ways:

Xmxqkpx ga-enye onye ikpe mal[iwu. Q bxlx na q merq ya, a daa ya nra. They will order the person to be of good behaviour. They will give honest and fair hearing and justice with caution and sanctions or penalty paid when necessary. They can ostracise and excommunicate the offender from their gatherings and functions if she cannot pay a fine. They can also defend their members by taking the matter to higher council or at the *Igwe's* palace.

Questions 24 and 25 of section "B"

The respondents in Awkuzu community agreed that most people ignore the traditional institutions of peaceful resolution and choose the court for redress and fair hearing. 30

respondents said that it is frequently done especially when lives are being threatened or verdict biased, so if you do not want to go to the *igwe*, you can go to law court. *Q bxlx na onye afox anabatarq ikpe e kpelx*. However 16 respondents said that it is rarely done.

The reasons given by 19 respondents why some people ignore the levels of traditional justice in Awkuzu community are: *ikpe azx, ikpe malx eziokwu na ili aka azx n' ikpe*, people felt that, they might not get justice, they might also be afraid of not getting fair hearing from the community; that is people feared that injustice might be done unto them. Again some people do not believe in these levels of native peaceful resolution of cases in the town. 17 respondents stated that it is because of religious differences, lack of trust or unfair judgement, modern life style and computer age. 10 respondents stated that one might feel that his or her opponent has bought favour in the eyes of the people with gifts. One might also want the case resolved by unknown people to avoid being biased.

Questions 28 to 31 of section "B"

The following offences were unanimously stated by the respondents in Awkuzu community as the ones which are punished directly by God.

- i. Laws that affect common law like - *Idine nwunye mmadx, izu ori ji.*
- ii. Murder
- iii. Taking another person's property by force or crook.
- iv. Sexual promiscuity
- v. Every crime
- vi. *Alx na nsqan[*

The underlisted evidence as agreed by the Akwuzu respondents confirms that the punishment comes from God.

- i. *Onye sara ivi, okwue ife qjqqq nine q mel[*
- ii. *Afq ga-eto onye afox, nke qzq ile ya ga-apxta na-akpx n'an[.*
- iii. When the culprit suffers from ailment that could not be medically confirmed.
- iv. When the person is suffering from mysterious sickness that does not have any direct medical cure.

- v. Prolonged and strange illness
- vi. Strange death.

The offences that *ala* punishes agreed by Awkuzu respondents are: land issues - land disputes, *alx* in all ramifications, shedding of innocent blood , *nsqan[*, murder cases and secret killing, taking property that belongs to another and lie against innocent persons

Awkuzu respondents unanimously stated that *ala* punishes through: sickness or death - *q nwel[ike tee aka maqbx d[nso*, protruded belly, swollen legs, blindness, by making the person to confess before he or she dies, by giving warning and signs, protracted illness of unknown cause and same as God

Umunya Community

In Umunya the respondents agreed that the members of the community relied on the following institutions and agencies for fair hearing.

- i. Qgbq [satq*, community, the elders, the traditional council or chiefs (*nd[ichie*) that comprises of *igwe's* cabinet
- ii. Xmxqkpx*
- iii. Xmxnna*
- iv. The customary court
- v. The age grade
- vi. The Church

The cases that are likely to be treated at the family level as agreed by Umunya respondents are: lies, adultery, petty theft, fornication, disobedience, land encroachment, sexual abuse (harassment), incest, fights, quarrels, disputes and normal conflicts between members of the family.

The above cases are treated through setting up a committee that will resolve the matter. The parties will therefore be summoned and judged accordingly and justice meted to the parties. The people that judge cases in the kindred as reported by 30 respondents are the kinsmen, the elders of different families within the kindred, and the *xmxada*. 15 respondents indicated that it is the heads of the kindred and their exco or *xmxqkpx* that handle and resolve issues.

As agreed by Umunya respondents, when there is an impossible case, the next level could be: town level, council of chiefs, elders of the community, and elders of the village, age grade or court.

Those who judge cases at the town levels in Umunya community as agreed by the respondents are: the eldest and oldest man, age grade – *qgbq [satq*, the *igwe* and his cabinet, traditional council, *nd[ichie*

To present a case to the members, 21 respondents in Umunya community indicated that the person has to bring kolanut and a gallon of palm wine or up-wine, or a carton of beer. 14 respondents stated that the person will bring four kolanuts, one bottle of dry gin and one thousand naira only. 10 respondents stated that for one presenting his or her case, one should present it in a written form to sue the oppressing party; or one may report directly to the *igwe* and council or the leaders of the kindred will do so.

Part of the cases treated at the town levels as agreed by the respondents in Umunya community are: land dispute, murder, witchcraft, stealing and incest, land adjustments within the family and boundary disputes.

The respondents in Umunya community unanimously listed a number of cases tried by the age grade, they are:

- i. Fight among members
- ii. Conflict among members
- iii. Quarrels
- iv. Debts – Non-payment of levies
- v. Non-attendance of road clearing in village or town
- vi. Where a member is not treating the wife well
- vii. Embezzlement of the age grades fund
- viii. Stealing
- ix. Adultery
- x. Disobedience

The respondents agreed that the age grades try their members by hearing from the culprits or the defaulters who conspired and mete out levies or punishments to them. At times they do appoint a committee from the age grade who will treat the matter. Most of the time there will be imposition of fine on the defaulter after hearing from him.

The type of cases tried by masquerades in Umunya community as unanimously stated by the respondents are stubbornness or disobedience among peers, stealing, fighting, leaking the secret of masquerade, insulting the masquerade and dispute among them. For justice to reign they at times visit the offender, pronounce or inflicting punishment on him or her. In most cases they may flog the offender.

The cases handled by umuokpu as stated by all the respondents in Umunya community are:

- i. When a man or woman maltreats his or her spouse.
- ii. When a widow is given ill-treatment
- iii. Cases among their members
- iv. Infidelity
- v. Domestic violence (especially if the victim is a member)
- vi. Failure to care for ones elderly parents
- vii. Cases of wives having problems among themselves
- viii. Cases among the *xmxnna* which the *xmxnna* could not handle.

In Umunya community the respondents unanimously stated that they resolve such issues by outright punishment. They can mandate the culprit to pay a fine or levy and to repent afterwards.

In the case of the death of an ill-treated person, the offender is made to pay fine and may not be allowed to see the corpse of the late father or mother, father in-law or mother-in-law.

Questions no 24 and 25 of section “B”

On whether there are instances where people bypass the traditional methods of justice and go to court for peaceful resolution, all the respondents answered in affirmation; stating that any person can, where he or she is not satisfied with the decision of the elders of the community.

In Umunya community 19 respondents mentioned some reasons why some people ignore the traditional justice procedures as non-satisfactory with the native justice, issues of nepotism, some feel that the right judgement will not be meted out to them. 14 respondents thought that the leaders are not intelligent enough to handle those cases, that is, issues of being uneducated. Another reason stated by 12 respondents is that some people no longer say the truth; they twist cases once they are lobbied.

Questions no 28 to 31 of section “B”

The respondents in Umunya community agreed that God punishes all crimes. Crimes that the community regard as serious abominations such as sleeping with someone’s daughter or son, poisoning people and so on. Ala also punishes all abominable cases and she punishes by bringing ill-health and death. The victims most of the time suffers from incurable sicknesses. The person might be inflicted with one problem or one kind of disease and if the culprit confesses and repents, he or she will survive.

Nkwelle-Ezunaka Community

In Nkwelle-Ezunaka community the institutions and agencies where people rely for fair hearing as stated by all the respondents are:

- i. Council of elders, town union, president general of town, king and his cabinet, *igwe-in-council/cabinet, red cap chiefs, nze qzq, qgbq [saa, xmxnwoke obodo, town*

union, youth body' *nd[ogbuefi/onowu, vigilante, ojiana, nd[mkpala*

- ii. Women's wing, *xmxada, nd[inyom, nd[nwunyeedi*
- iii. Age grade, peer groups – *xmx qgbq*
- iv. Shrine, *iyi ojii* shrine, masquerade
- v. Kindred, *xmxnna*, family heads
- vi. Courts, law court, customary court

The cases handled at the family levels as agreed by Nkwelle-Ezunaka community are: misunderstanding, quarrels, disobedience, normal family cases like fighting, keeping of malice, insult among siblings and to elders, unwanted pregnancy, rape, stealing among the family, incest, disagreement, assault, abuse, maltreatment, land disputes, case of ownership of landed property, *ori e zulu n'etiti ezinaxnq*, conflict among brothers or sisters.

14 respondents in Nkwelle-Ezunaka community stated that such cases will be taken to the family meeting, calling the parties involved to hear from them and then give judgement on the case. The culprit might be advised, cautioned, in case of property it should be handed over to the rightful owner. *Ha ga-eke ikpe*. 11 respondents stated that in case of incest, the necessary rituals must be done. 11 respondents stated most of these cases are handled through oath taking and calling of witness. 12 respondents stated that some of those cases are settled in court.

People that try cases at the kindred level as unanimously stated by the respondents in Nkwelle-Ezunaka community are: elders, eldest man or chairman and officers, *nd[xmxnna*, the elders of various families, every member, chairman and secretary with all the elders and committee members.

The respondents agreed that any difficult case will be handed over either to age grade, *qgbq [saa, Igwe-in-council, xmxada* general, law court, to the community, town union, *obi Igwe*, to oath taking, village community and church.

The judges at the town levels as agreed by Nkwelle-Ezunaka respondents are: *igwe* and his cabinet, president general and *nd[ichie*, elders of the community, youth leaders and red cap chiefs. 26 respondents in Nkwelle-Ezunaka community stated that cases are brought to the town assembly through the presentation of kolanut, hot drink and small amount of money for kola breaking. It could be oral or written through president general or elders who will accompany the person and stand by him or her. *Q na-ejekwulu onyeisi qgbakq, q gwa ya xbqs[q ga-ab[a n'qgbakq kqqrq ha ihe q chqlx ikwu*. 22 respondents stated that the person will first of all present kolanut which is called *[wanye qj[*. That is presenting four kolanuts at the meeting, after presenting the kolanut the members will then ask what the kola stands for. He or she will then present his or her case.

The cases that are treated at the town levels as agreed by Nkwelle-Ezunaka respondents are: murder, *[kpachapx anya, gbuo mmadx*, landed property, serious land disputes, boundary cases, conflict among the kindred, one selling land that belong to the kindred , *[txba agbqghq ime mkpuke*, rape, wars, regular stealing, robbery, *ibulu onyinye alxs[* and denial of properties

Almost all the respondents in Nkwelle-ezunaka community stated that people do bypass the traditional modes of conflict resolution and opt for court of law. Few respondents stated that in their village they were told not to call police for their brothers yet some people are still doing it up till now.

Cases tried by the age grade among Nkwelle-Ezunaka community as agreed by the respondents are as follows:

- i. Fighting among members

- ii. Violating the rules and regulations of the age grade.
- iii. Making love or having sex with the wife of your age grade mate
- iv. Quarrel between two members, gossips, abusive words
- v. Debt, indebtedness at meeting or owing another member
- vi. Non participation at events and meetings
- vii. Failure to contribute for community development and welfare of the grade.
- viii. Stealing by member.

Age grade related cases as agreed by the respondents in Nkwelle-Ezunaka community are treated according to their constitution during the meeting with all the members present. Both parties will be called together for fair hearing and settlement. They will give their different sides of the story with their witnesses and the case will be resolved for peace to reign. They may tell the offenders to pay a fine and then make peace with them. They may also caution or penalize the guilty or may sanction them by telling them the amount of money to pay. At times the age grade goes to the house of defaulters and seizes their belongings.

The type of cases tried by masquerades as stated by all the respondents in Nkwelle-Ezunaka community is;

- i. Unmasking and desecration the masquerade
- ii. Insulting the masquerade
- iii. Woman neglecting her husband or cooking in the midnight outside.
- iv. When a woman fought her husband
- v. When a woman (new widow) became pregnant may be just a month after the death of her husband.
- vi. When a woman refuses to bury her husband, mourn him or give him a befitting burial according to the custom.
- vii. Revealing the secret of masquerade – [*ta mmqq*].
- viii. If a woman is disobedient to the husband or wants to kill the husband.

The Nkwelle-Ezunaka respondents unanimously stated that the masquerade bring peace by taking action against the defaulter. They will scare the person. They may sing against that person

and calling them names. In some cases, they may be invited by the midnight. They can also kill the person or make him or her to pay fine.

The cases that can be handled by *xmxqkpx* among Nkwelle-Ezunaka research community as agreed by the respondents are:

- i. Family cases or misunderstanding between husband and wife, mother in-law and daughter in-law, between co-wives.
- ii. Incest
- iii. A man beating his wife.
- iv. Someone going against the laws of *xmxqkpx*
- v. A woman insulting her husband
- vi. Where the fellow *nwqkpx* is killed.

25 respondents stated that in handling such cases the *umuokpu* will carry out investigations and then punish the offender. They may at times fine (at time in form of money, goat, fowl) the defaulter, warn, or caution him or her, and then a monitoring team will be set up to know if they have stopped. 23 respondents stated that they will discipline any woman that insults her husband, made her to pay fines, but where their fellow *nwqkpx* is killed, they will retaliate. They give final order to whoever is guilty and tell the person to ask for forgiveness. They will however make sure that there is peace in the family.

Questions 24 and 25 of section “B”

The respondents among Nkwelle-Ezunaka stated some reasons why most people ignore the native justice system and charge their cases to court as follows: 15 respondents stated that some people are not satisfied with the judgement of the people handling cases in the native system, also when cases are not fairly or well treated and truths are not justified. Some people also believe that the elders may not say the truth and can lie against them; that is to mean that there is failure of adequate justice by traditional means. 10 respondents stated that at times they believe that the modern law court will give them fair hearing than the native justice. May be they consider the law court more reliable than that of the local court in the community. 13

respondents stated that the local people cannot issue you certificate, it is only modern law court can do so. 10 respondents stated that some people believe that the world has advanced, and has overcome such native justice system. They stated that the world is no more sleeping that what you think you know that another person may know it better.

Questions 28 to 31 of section “B”

The crimes that God punishes directly as all the respondent in Nkwelle-Ezunaka stated are:

- i. Any abominable acts like murder, incest
- ii. Maltreating an orphan
- iii. Any act of wickedness to a widow e.g taking over her land
- iv. Suicide
- v. Taking somebody’s land forcefully
- vi. All crimes have their own punishment from God
- vii. Dubious acts

The respondents in Nkwelle-Ezunaka unanimously stated that it is known that the punishment comes from God if or when

- i. *Onye gbulu mmadx nwere ike nwxq na-enwerq ife kpatalxya.*
- ii. The person will make open confession or have swollen abdomen
- iii. Nemesis will come upon the person by sudden or in a strange way
- iv. God rewards every act whether good or bad.
- v. Miserable diseases will fall upon the person and when you go for medical test, nothing will be found.
- vi. Misfortune will befall the person.
- vii. When the person keeps on being ill
- viii. By death or ill-health
- ix. Through generational mishaps and family deaths.

The punishments that are punished by *ala* as agreed by Nkwelle-Ezunaka community are:

killing, murder, *igbu qchx*, *[kwafu qbala*, stealing of yam, abominable acts, taking your brother’s land by force, damaging the crops of a widow, *ife ana na-asq nsq*, incest - *xgwa*

The various ways through which *ala* punishes as agreed by Nkwelle-Ezunaka community are:

- i. Swollen stomach – *Oge xfqdx afq na-eto onye afx*
- ii. Inability to talk
- iii. Serious sickness or disease
- iv. Killing the person
- v. Nemesis will fall on the person
- vi. In case of taking people’s land by force, the person will lose what is worth more than that land or in another way.
- vii. By infecting the victim with an illness which may be beyond cure so that the person may confess or die from the illness.

The table below show the expressions of the respondents in all the research communities on the issue of neglect or ignoring the native justice system. Section A of the questionnaire

Questionnaire Item	Total No of Responses	Responses	%	Remark
18.In times of conflict which do people in you community prefer? a.Native justice system	236	22	9.3	A
		14	5.9	SA
		4	1.7	D
		4	1.7	SD
b.Modern law court		118	50	A
		64	27.1	SA
		7	3	D
		3	1.3	SD
19.Does the modern justice(court) system totaly serve the needs of the members of your community?	236	47	19.9	A
		10	4.2	SA
		137	58.1	D
		42	17.8	SD
20.Do you think that the native justice system can withstand the test of time in this global era?	236	44	18.6	A
		4	1.7	SA
		112	47.5	D
		76	32.2	SD

Figure 8 above shows the responses of the respondents on the choice of the members of the research community between native and modern justice system and the strength of the native justice system in this global era.

Section B of the questionnaire

Questionnaire Item	Nteje	Ogbunike	Awkuzu	Umunya	Nkwelle-Ezunaka	Total No of Resp.	response	%

What are the reasons why people bypass or ignore the levels of peaceful resolution of native justice system and resort to modern law court?	49	48	46	45	48	236		
i.partiality,lack of confidence, trust, etc in the native justice system	10	23	19	19	15		67	28.4
ii.collusion, etc in the native justice system	5	-	10	12	-		27	15
iii.when people reject judgement in the native justice system	10	-	-	-	-		10	4.2
iv.due to westernisation, religion, etc	4	7	17	-	10		38	32.2
v.when native justice did not favour them	13	-	-	-	-		13	5.5
vi.court gives better hearing	2	11	-	-	10		23	17.2
vii.those who bypass receive sanctions	5	-	-	-	-		5	2.1
viii.local people are unqualified, uneducated and does not issue certificate	-	7	-	14	13		34	26.5

Figure 9 above show reasons why members of the research communities ignore the native justice system as stated by the respondents.

4.4 The Role of Igbo Native Justice in Oyi Local Government Area

Questions 36 and 37 of section “B”

On the role of *qf* in ensuring justice among the Nteje community, 19 respondents indicated that the function of *qf* is to ensure love, peace and harmony among the people in the

community. *Qfq na-egosipxta eziokwu*. It is having faith that is if one is not liable of the crime being accused, he or she will have faith that nothing will happen to him or her. It means that ones conscience is very clear, therefore whatever bad done to that person cannot prosper. *Mmadx bx qfq. Qnx aka nni bx aka nnaya*. It is a symbol of peace like National Assembly's mace. The use ensures that true justice takes place. 10 respondents stated that *qfq* helps for the truth to prevail and stands for fairness and righteousness. 8 respondents stated that *qfq* is involved in serious cases between families and kindred that it is a wooden object believed to be so powerful in punishing those who commit atrocities against the land. 10 respondents stated that *qfq* is the symbol of justice actually and it really gives justice but nowadays there is perversion.

19 respondents in Nteje community stated that *qfq* is used during serious issues. It is used to exonerate the righteous, used by the people when nothing but only the truth is required; used to swear in order to ensure justice. *Qfq* is live and let others live, *egbe belx ugo belx, nke si ibe ya ebena nku kwaa ya*. It is also used in taking oath before a shrine. It is used to demonstrate cleanliness of hand. 16 respondents stated that those who hold *qfq* is the most elderly man in the family, kindred, village and community; that it is involved in serious cases between families and kindred. Eldest male person uses it to bless or otherwise in serious cases that are difficult to resolve. But he must stand on the side of the truth for it to be effective. Our people use *qfq* while speaking the truth. *Ha na-akx qfq na- ana mgbe q bxna e kwubili okwu*. 14 respondents stated that *qfq* is used these days with mixed feelings because of Christianity and secondly perversion and long throat.

In Ogbunike community, 20 respondents stated that *qfQ* is a piece of wood recognised by the community to have the power of justice (*eziokwu*). It stands for justice, equity and fairness in any deliberation. *QfQ* ensure that the truth must be spoken. *Ka e kwue eziokwu*. It is believed to be a symbol of truth and justice. *QfQ* is used to enshrine justice. *Ka eziokwu wee pxta*. The *qfQ* which is a sacred symbol is used to determine innocence. *E ji qfQ ama onye aka ya d[qcha*. 18 respondents stated that *qfQ* is the symbol of authority and righteousness. *qfQ* is a staff of office for peace and justice. It is the strength of a leader and strength of the community. It is a symbol of authority usually held by the eldest in the family and used for justice in any matter. The person holding the *qfQ* in the community is highly honoured and any pronouncement made by him is binding or irrevocable. 10 respondents said that *qfQ* is used to settle secret cases and punish offenders.

29 respondents in Ogbunike community stated that *qfQ* is used to establish the truth of a matter. It is highly revered. They respect it and bring it out during serious deliberations so that the parties involved can tell the truth and will not tell lie. They use it whenever an issue that requires high level of sincerity is to be judged. 19 respondents stated that the deviant person is called upon to hold *qfQ*, if he or she is innocent nothing will happen to him or her; if not there will be repercussion. The person will be given the *qfQ* to swear by it. The people of the community also make incantations with the *qfQ* stick. *Ha na-eweta ya oge ikpe iji chqpxta eziokwu. A na-eti ya na-ana mgbe e kwusilu okwu*. The eldest man is the custodian of *qfQ*. He uses *qfQ* in his hand in making pronouncements, prayers, blessings and curses.

The respondents in Awkuzu community agreed that *qfQ* is a symbol of truth and peace. It is a sign of finality in judgement. Irrevocable decisions are actualized with *qfQ*. The use of

qfq enhances the people to say the truth. It ensures that justice has been done to any case, to avoid, bringing it up as untreated or a case not treated well. Therefore, when saying the truth before God and man, that is where *qfq* works in particular. *qfq ka e ji ekpe ikpe kwu oto. Qfq e tiri n'ana eziokwu d[ya.*

Qfq is used for oath taking, as stated by 32 respondents in Awkuzu community. It must be presented in times of dispute resolution. When you are saying the truth, you bring the *ofu* and hit it on ground at the end of the matter. *Q bxlx na-ekwusie okwu a ga-eti qfq n'ana (ezi okwu bu ndx).* 14 respondents stated that the eldest person is the one that holds the *ofu* and strikes it on the ground at the appropriate time. *Qfq* is a confirmatory instrument. If you are given the *qfq*, then you have the right to do what you should do.

Among the Umunya community, 14 respondents stated that *qfq* is the symbol of justice; one who stands with *qfq* is always seen as being right and truthful. 11 respondents stated that it comes out when there are serious matters to settle that *qfq* which is a sacred symbol is used *qfq* is a staff of office to determine innocence. It is an indication of justice, peace, unity and that you are also calling the ancestors to witness as stated by 20 respondents.

The respondents in Umunya community agreed that *qfq* is used as the greatest sign of authority and justice and is used to treat serious matters and for taking the oath of office. In determining innocence, the accused is called upon to hold it; if

he or she is innocent, it will not harm. The members of the community use it (the person who should hold it) when truth is to be said, after that they hit the *qfQ* on the ground.

16 respondents in Nkwelle-Ezunaka community stated that *qfQ* is a symbol of authority and evidence of justice. It is the dignity and prestige of the community, so it rules the community. *QfQ* is an authority of truth. It stands as the final say. 22 respondents said that *qfQ* is for transparency, fairness and justice; it therefore stands as a symbol of justice and a powerful instrument. 10 respondents said that the role of *qfQ* shows that final declaration has been taken by the holder to ensure justice.

QfQ is used against the guilty as stated by 20 respondents in Nkwelle-Ezunaka community. Whenever the chief priest raises it, it means that all cases have been ruled. It is used to ensure that truth is prevailing; that is the reason for its use for oath taking. *QfQ* is used for last orders in Nkwelle-Ezunaka community according to 15 respondents, after resolving cases; and also used in fighting for justice. When the truth known about any case is said, they lift *qfQ* up and hit on the ground. According to tradition *qfQ* is handed over to the first son during the burial of the father. It is the custody of the eldest son. It is therefore used to ensure justice and for the identification of the first son. 13 respondents stated that *qfQ* is used for incantations. Whenever the *qfQ* is raised up, it means that both parties have agreed to the resolution. It must be handled by the most elderly man or the chief priest whenever they are treating any case.

Questionnaire Item	Nteje	Ogbunike	Awkuzu	Umunya	Nkwelle-Ezunaka	Total No of Respondents	Response	%
What is the role of ofo in ensuring justice in your community?	49	48	46	45	48	236		
i.ensure peace, love, harmony, etc	19	-	-	20	22		61	25.8
ii.punishing offender and setting the innocent free	8	10	-	11	-		29	12.3
iii.for truth to prevail	11	20	46	14	16		107	45.3
iv.neglect of ofo	10	-	-	-	-		10	4.2
v.righteousness and strength of the leader	-	18	-	-	10		28	11.8

Figure 10

The above table represents the role of ofo in maintaining justice in the research communities.

Questions no 45 and 46 of section “B”

On the issue of value attached to life, the respondents in Nteje community unanimously enumerated a lot of reasons for attaching much value to life. They are:

- i. Life is sacred and precious. It brings progress and development, but life destruction brings all kinds of evil to the community.
- ii. Life is very important to God and humanity and without life one becomes a non-living thing. It therefore ensures continuity of existence.
- iii. Life is paramount, valuable, and fragile and a natural gift from the creator and so man cannot create man.
- iv. *A na - akwanyelx ndx ugwu maka na ndx ad[rq [bxq.* To avoid silly behaviour from the citizenry. If you allow people to kill anybody, there will be nothing like family, kindred, village and community. And so for harmony, peace and order.

On how life relates to justice among the Nteje community, the respondents agreed that:

- i. Right to live is a natural justice recognised by the traditional religion.
- ii. Everybody has a right to life which is nature’s rule.

- iii. Life and justice are interwoven. Life is justice. Justice is life.
- iv. It relates because without justice, people may take laws into their hands.
- v. All humans value their lives and none wants to lose his or hers.
- vi. The reason is for security, production and economic growth.

The respondents in Ogbunike community unanimously stated the reasons for so much value attached to life in their community as: Life is sacred, precious, and sacrosanct. It has no duplicate; life taken away cannot be replaced anymore so everything is done to avoid the loss of life. Life is given by God. We believe that every life is from God and nobody has powers to terminate it. God gives life and one should not take away what he did not give and cannot replace. It is irreplaceable. The value also attached to life is for peaceful co-existence, peace and unity. *Ka udo wee d[. Ka onye bili ka ibe ya wee bili.*

On how life relates to justice the respondents in Ogbunike community agreed that life is justice and that nobody has the right to somebody's life according to law. Justice is about doing what is good. It therefore makes people feel resistant in doing some evil which will portray them in bad light. Justice demands that anyone who takes away the life of another will have his own life taken away. Life relates to justice because it is a natural justice 'live and let live'. *Egbe belx ugo belx.* It shows love. It helps to maintain peace in the community. So, enlightenment on the value of life helps members of the community to abstain or shun the acts that threaten life.

Among Awkuzu research community, the reason for the value attached to life as stated by all the respondents is that life is precious, so dear and ultimate; you do not play with life in our community. God is the creator, therefore life is sacrosanct. Life is very essential and every individual have right to life. Also life is valued in order to protect the dignity, sanity of life, and for orderliness. It is also to ensure safe living in the community and protection of properties and

foreigners who came to the town. *Ka obodo wee na-ebi ezigbo ndu, d[n'udo ma txa egwu Chukwu.*

On how life is related to justice in Awkuzu community, the respondents unanimously stated that life is meant to be protected, that justice protects life and that is what justice represents. Value attached to life propels people to pursue peace and order in the society. When life is protected, there comes orderliness and there must be justice.

The reason for the value attached to life in Umunya community according to all the respondents is that life is a sacred thing; therefore everything is done to avoid the loss of life. Life itself is precious; and should be mostly preserved to ensure safe living by the citizenry. Life is valued for peace, love and protection to reign in the community.

On how life relates to justice the respondents in Umunya community agreed that justice protects life and make people live without fear. However if justice is not administered violence can take lives.

Among the respondents in Nkwelle-Ezunaka community the reasons for value attached to life as unanimously stated is that in our community we do not play with lives, life is very precious and valuable and should be protected. Everybody has right to live. *Bili ka m bili.* Life has no duplicate and only God gives and takes life. Another reason is to ensure security of life and property and to maintain orderliness, peace and harmony of the community.

On how life relates with justice the respondents unanimously stated that since justice demands that no one will take life, it gives the citizenry a sense of freedom. They live without fear in the

society. It therefore helps to curb social vices. Also when one considers the value of life he or she may not think of killing another person. These help to move the community in a better direction because the progress of any community is its reputation.

Questions no 47 and 48 of section “B”

The values attached to truthfulness as viewed by the all respondents in Nteje community are:

- i. Truthfulness brings God’s nearness to the community. God means truth. It is the key to all progress and development in the community.
- ii. Truthfulness is life and can save every situation. It is symbolized in *ofo*. One feels safe if one is on the side of *qfq/truth*. *Eziokwu bx ndx. Onye na-ekwu eziokwu na-ad[ogonogo ndx. Onye na-ekwu eziokwu na-enwe nsqpxlx*. People value honesty.
- iii. When truthfulness is enthroned in every case in our community, justice must take its place.
- iv. Truthfulness brings trust, equity, fairness, peace, love and unity among members of the community.
- v. Value attached to truthfulness is that without it, one becomes a bad citizen.

On how truthfulness relates to justice among Nteje community, the respondents unanimously stated that;

- i. Truthfulness makes one to be justified and that truth is justice.
- ii. Truth signifies justice. Only truth can give justice.
- iii. Truthfulness relates to justice because it is the guilty one will be punished, and others will learn from it.
- iv. Truthfulness in every matter will surely pave way to justice.
- v. *Onye eziokwu na-akwx n’ikpe zili ezi*.
- vi. It is the most sincere form of justice since it is based on truth. Everybody respects it.
- vii. When the truth is determined, justice is automatically done.

On the reason for value for truthfulness in Ogbunike community the respondents unanimously stated that truth is life. *Eziokwu bx ndx*. Truth is seen as divine, supreme and sets one free. It is an easy means for resolving disputes. Truthfulness exalts a nation. Truthfulness brings peace, long life and progress and a basis for justice. Truthfulness ensures that justice prevail. *Ka*

e nwee qganiru. Another reason for this value is that people around you know you and whenever need to rely on people, they come to you. *'Ezi afa ka ego'*.

On how truthfulness relates to justice the respondents in Ogbunike community agreed that where there is truth there is justice. Justice is incomplete without truth. Justice is all about saying the truth. Justice demands that truthfulness must be upheld without favouritism. Truth speeds justice. Without unveiling the truth of the matter justice cannot be made on a matter. Truth and justice are synonym. Therefore anyone who must go for equity must come with clean hands. Truth makes people to be responsible and trusted. Truth enhances final judgment. It is a divine dimension. When truth is said justice is maintained. They are the two sides of a coin. Justice depends on truthfulness.

On the reason for value attached to truthfulness, all the respondents in Awkuzu community agreed that truth signifies justice. Truthfulness is a way to preserve life. *Eziokwu bx ndx. Nke onye metalx qwelx isi ya bulu. Ezi afa ka ego*. Truthfulness is valued in order to build a fiduciary relationship amongst people and for justice and fairness to take place.

On how truthfulness relates to justice the respondents in Awkuzu community agree that truthfulness paves way for justice. With truthfulness justice can be delivered. Truthfulness results or translates to good society. It ensures that things are done the right way.

On reason for truthfulness the respondents in Umunya community unanimously stated that truth gives life. *Eziokwu bx ndx* Truthfulness makes people to have trust in one another. It brings peaceful co-existence. Truthfulness lessens the gravity of an offence.

On its relationship with justice the respondents in Umunya community agreed that truth is justice in real sense. Truthfulness speeds up the process of justice. When one admits that he or she has done wrong, it shows respect and willingness to change for better.

On the relevance of truthfulness the respondents in Nkwelle-Ezunaka unanimously stated that truth is life. *Eziokwu bx ndx*. God is always beside whomever that says the truth. Truthfulness brings progress, peace and tranquillity. Truth boasts people's trust and honesty. On its relation to justice, truth and justice are interrelated, justice depends on truth. *Q na- ezipxta ikpe e kpelx nke qma*. Justice cannot be without truth, it therefore encourages people to stand on the truth.

4.5 Justice as Social Control in Oyi Local Government Area

On whether offence seen as abomination can on their own serve as a means of social control in the communities in Oyi Local Government Area, it was gathered from Nteje, Ogbunike, Awkuzu, Umunya and Nkwelle-Ezunaka respondents that any crime termed abomination is capable of deterring people from committing such crimes thereby serving as a means of social control. The respondents also confirmed that excommunication, oath taking and other means of shuning unwarranted behaviours are able to serve as a means of social control. See question 6-10 in section "A" below.

Questionnaire Item	Total No of Responses	Responses	%	Remark
6.Can those crimes seen as abomination serve as a means of social control?	236	119	50.4	A
		89	37.7	SA
		21	8.9	D
		7	3	SD
7.Can oath taking be a means of social control?	236	110	46.6	A
		102	43.2	SA
		12	5.1	D

		12	5.1	SD
8.Do you think that excommunication can make people not to behave in the same manner as the excommunicated?	236	113 114 9	47.9 48.3 3.8	A SA D
9.Can measures used to shun unwarranted behaviours such as refusing one to talk in the public be a means of social control?	236	104 96 24 12	44.1 40.1 10.2 5.1	A SA D SD
10.Can making someone ashamed be a measure of shuning unwarranted behaviours?	236	103 100 22 11	43.6 42.4 9.3 4.7	A SA D SD

Figure 11 above represents the responses of the respondents on the instruments of social control in the research communities.

Question 3 of section “B”

Among Nteje community, 20 respondents indicated that the ways through which justice can be used as a means of social control is by applying sanctions such as excommunication, placing fine on people, and flogging people in the public. It was believed that such treatments bring shame to people. In a bid to avoid shame, people are moved to behave in accordance with the rules of the land. 15 respondents stated that the fear of punishment, scandal, reproach and disgrace usually deters people from evil acts. It was gathered from 14 respondents that by punishing offenders, people will be more willing to be law abiding.

Questions no 4 and 6 of section “B”

On what is abomination, the respondents in Nteje community unanimously stated that abomination is something that is bad before God and man; it is an act against God, deities and fellow human beings. On how it is handled the respondents agreed that sacrifices will be offered to cleanse the land or to appease the gods. However 28 respondents stated that in recent times most abominable cases are referred to the Police, vigilante and law court with the exception of

abortion cases. 20 respondents stated that it can be handled by the authorities of the community that such people will face community's trial and justice. There will be confession before the elders at *aja-anl* shrine and sacrifices (*[kpu-alx)* done (*isu mmanux nisi*) i.e to show contempt and ignominy, treat him or her disdainfully so that the person will be humiliated.

Question 3

Among Ogbunike community it was gathered by all the respondents that justice can be used as a means of social control by upholding of truth, excommunication, paying of fine and when justice prevails it serves as a warning to those with the intent of doing evil, thereby aiding social control. It therefore convicts the rightful offender and thus teaches other prospective offenders to desist.

Questions no 4 and 6 of section "B" of the questionnaire

The respondents in Ogbunike community unanimously stated that abomination is an act that is abhorred by the community, anything that runs counter to the acceptable norms of the society. They see it as a dreadful act committed by some people in the community which attracts both spiritual and physical abhorrence and that most of the time it is committed against the god of the town. The respondents also agreed that such acts lead to propitiation. The culprit will go for cleansing and will perform some sacrifices in order to please the gods. In some cases the offender will be ostracized from the town. 8 respondents stated that it is "*ikpe ya ikpe na []x iyi*" meaning that the offender will be tried or is made to swear an oath. 8 respondents stated that it is *[kpu arx, na igba oşo oçhx* and that however any abominable case is handled according to the gravity or nature of the offence committed. 15 respondents stated that cases of abomination are sent to court. 9 respondents stated that the case will be reported to the council of

elders or umuada or igwe-in-council or masquerade group, the ruling age grade and titled men. 8 respondents stated that such cases are reported to the kindred, villagers and then to the Igwe of the town but if it is suicide cases Nri people have to be invited to handle it.

Question 3 of section “B”

In Awkuzu community the respondents agreed that the ways through which justice can be used as a means of social control is by providing rules that will control the social behaviour of people. When the act of breaking the law is punished by the community, what it meant is that the offender is punished and the offended is defended.

Questions no 4 and 6 of section “B” of the questionnaire

It was unanimously stated by the respondents that abomination is anything seen as bad and unacceptable by the community. They are those things (character) that the law says one should not do and which God forbids too; also what humanity forbids, it is any crime against human life. It is an act that devalues the law and constitution of our community and also any crime against human life. However, there is no comment on how abominable cases are handled.

Question 3 of section “B”

Among Umunya community, the respondents unanimously stated that justice is mostly seen as a means of social control when matters are settled truthfully as it concerns the people. They believed that when justice prevails it serves as a warning to those with the intent of doing wrong to keep off and this aids social control. Since those who contravene the law face punishments or face condemnation, every member of the community tries to abide by the law.

Questions 4 and 6 of section “B”

It was also gathered by the respondents that abomination is a dreadful act committed by people within the community which is against God and humanity; however the respondents did not make any comment on the issue of handling abominable cases.

Question 3 of section “B”

In Nkwelle-Ezunaka community, the respondents agreed that justice can be used as a means of social control through *ime onye afox ife ifere* (subjecting the person to shame) *oge xfoqdx a na-eme ka q nwxq iyi* (taking of oath), *qchanja* (excommunication), *[da nra* (fine). And that justice can be achieved by treating people equally and by that approach preventing people from indulging in social vices thereby promoting cooperation within the community.

Questions 4 and 6 of section “B” of the questionnaire

Abomination is regarded as *xgwa* by the respondents; this means a despicable habit committed by people in the community. The respondents did not comment on the issue of how abomination is handled.

Question 7 of section “B”

In Nteje community, 29 respondents stated that oath taking is *[nwx iyi wee gosi n'aka g[d[qcha n'ebubo a na-ebo g[*. Oath taking is a traditional means of proving one's innocence especially when one is being the accused. It ensures that one is free from an accusation levelled against him. It is an act that helps to stamp the truth. It is swearing before God, the gods, *alxs[, an[* to prove one's innocence. It is swearing between, among, two or more persons never to engage in heinous acts against the community. It is committing oneself in an agreement with God or an oracle as witness or in claiming ownership of a property or

innocence in an allegation with God or oracle or deity as witness. 20 respondents stated that it is an act of swearing in court of law or before the elders as witnesses.

29 respondents in Ogbunike community indicated that oath taking is *[nwx iyi iyi chqpxta eziokwu*”. It is used to find the truth. It is a promise or strong assurance by one, of his or her truthfulness in a case. It is also an exercise whereby one swears on something to exonerate oneself from an alleged offence. It is denying an allegation or making a vow before a shrine or divinity or swearing to absolve oneself from accusation. They also perceive it as a means where two disagreeing persons agree not to harm each other by swearing. However 19 respondents stated that it is a process whereby parties to a dispute engage in swearing either to deities or the Bible depending on their faith.

30 respondents in Awkuzu community said that oath taking is *[gqlx alxs[maka aka [d[qcha, [gba ndx, onye q bxna emegbuna nwanne ya, eziokwu ga-ach[, []x iyi*. Some still stated that it is an agreement that is binding between the person and the entire community claiming that he or she did not commit the said offence. 10 respondents stated that it is making a promise to abide by certain rules and regulations. 6 respondents did not comment on the issue.

Among the Umunya community 25 respondents stated that oath taking is *[nwx iyi na alxs[, [gba ndx*. Oath taking is a process whereby parties to a dispute engage in swearing either to deities (shrine) or the bible. 16 respondents stated that it is a system of solemn appeal to a deity or revered persons or thing to witness one’s sincerity or promise. That it is a state of swearing of your innocence in a case. 4 respondents made no comment on the issue

27 respondents in Nkwelle-Ezunaka said that oath taking *pxtalx [nwx iyi iyi wezuga onwe onye na q bxrq ya metalx ife e ji anwx iyi*. It is when somebody declares oneself not guilty in front of a shrine. It is declaring oneself not guilty in front of a shrine. Oath taking is the act of swearing to prove one's innocence in a particular case. 12 respondents stated that it is done when there is no trust. Therefore a solemn pledge or promise to a god, king or another person to attest to the truth of a statement. 9 respondents stated that it is promising not to have a hand in killing of a brother or sister and is done in a shrine, court or church.

Question eight sections "A" above, in the coding spreadsheet, answers the question on whether excommunication can make one not to behave as the excommunicated. On the meaning of excommunication in question no 9 of section "B" the respondents unanimously stated that excommunication means *[machi mmadx ka q ghara iso nd[obodo ya na-eme ife* (ejecting). It means excluding someone from taking part in community activities. It is depriving of some privileges to someone who is a member of the community or the right of doing things together with the people. That is excluding someone from a group. It is the act of banishing a member from his or her community or group. Excommunication could mean chasing one out of the community or depriving one of association with the community, *[sxp x mmadx*. It is sending one to exile and to deny one not to partake or enjoy any activities in the community. Excommunication is when one is asked to stop exercising one's rights of dealings with his people or neighbours for the offence he was accused of. That is out casting someone for the offence committed. It is an act of not having interaction with someone who committed grave offence against the community or any person in the community. It is a situation where a community vows not to deal with any person who has committed an abomination. It could also

be when relations are asked not to deal with one of their brothers or sisters, not to enter his house or deal with him or her in any manner. Excommunication is when a person or a group of people is being told to stop interacting or discussing with a person or people in the community because of the evil committed.

In Ogbunike community excommunication according all the respondents is *ikewapx mmadx na mmekxl[ta maqbx mkpal[taxka nd[obodo*. It is the act of preventing someone from having relations with members of the community. That is separating one from the community. Not allowing a person to socialise with others in the community. It is when somebody is denied the right of association. One who has been excommunicated is the person being segregated from others in the community and denying him or her membership of a group. It is preventing a member of the community from relating or communicating with other members as individuals or group. It is also when one is forbidden to mix up (associate) with his people. It is barring a particular person from communicating with the entire community. It is *[spx mmadx*, asking one who committed crime to be on his own, which is not to relate with anybody within the community. It is disassociating with evil doers. *[machi mmekq onye mere ajq ife na nd[mmadx inwe mmekql[ta. [mapx mmadx n'obodo*. That is sending somebody out of the town for committing abomination and to expel someone from being a member of a community as a consequence of his offence. Banishing a deviant member of the community as a punishment for an offence committed.

Among Awkuzu community the respondents with undivided opinion stated that excommunication is *nspx; Ekwe ekwe na ekwe n'ute ekwele*. It is banishing someone from

the community or refusal to have an association with a person due to certain mandate in the community. Excommunication is *[mapx mmadx n'obodo*, it means that nobody in the community should communicate with the victim. It is banishing one from talking to other members of the community or from buying things from the market. It is preventing someone from being a member of, or to cease being a member of the community. It is separation without communication, and to discontinue one from various activities with other members of the community.

Among Umunya community, all the respondents stated that excommunication is *[sxp x mmadx n'obodo* never to have anything in common with anyone who committed abomination in the community. It is banning someone from communicating with others in the community. It is to avoid that person intentionally, preventing him or her from social association. It is also the act of sending away a deviant member of the community as a punishment for offence committed. An act of isolating somebody from the community due to a very serious offence committed.

The respondents in Nkwelle-Ezunaka community unanimously stated that excommunication is *nsxpx, [machi mmadx, ikewapx mmadx n'qgbakq nke pxtalx na o nwerq ike iso ibe ya eme ife a na -eme n'obodo*. It is forbidding one from relating to the community members and excluding the person from the community. A means where by a citizen in the community is barred from taking part in all activities in the community. It is also when someone is asked not to do or come where their kindred are. This is letting someone out from where others are, as a rejection. The person is separated completely from the community. It is when the entire community is against someone and the person is being avoided. It is also the act of telling someone that he or she is no longer part of the family or town.

Isolating someone from the community due to wrongful act committed and the person is sent out of the community for a number of months or years. It is when one is banned from associating with his or her brothers in the community. That is denial of association with the community where one belongs. The prevalence of these things in the community is also clear from the statement used in the communities indicated below:

Questions 12 to 14 of section “B” of the questionnaire

In Nteje community for instance, the respondents unanimously give proverbs that are used to admonish one against evil behaviours and as such a caution to people. These proverbs and their literal interpretations are listed below:

- i. *Qma akwa awx arx malx onwe ya*---one who bathes tying a cloth should know oneself
- ii. *Qkxkq nyxa arq ana achxba ya qsq*--when a fowl defecates, the land will pursue it
- iii. *Anx gbanaa taa echi bx nta*---if one fails to catch an animal today, tomorrow will be another hunting
- iv. *Isi kote ebu, ebu qgbaa ya*---the head that attracts the bee shall receive the sting
- v. *Onye kpalx nkx arxr s[lx ngwele pxtalx ya ql[l]*---he who collected the firewood with ants is calling the lizard for a visit
- vi. *A gwa nt[ma q nxrq, e gbupu isi nti[e soro ya*---when the ear is admonished and it does not listen, when the head is cut off, the ears go with it
- vii. *Ome mma meelx onwe ya, ome njq meelx onwe ya*----whatever one does, whether good or bad , he does for himself
- viii. *Xkpala nt[ike bx okpoko na-egbu ya* ---grasshopper that is hard of hearing is killed by okpoko
- ix. *Onye anya ukwu I ga ebi n'ana bili n'enu ?*----will an envious person reside on the land and the sky at the same time?
- x. *Bili ka m bili*---live and let me live
- xi. *Q ma nke ya ama nke onye qzq*---caring much about his own affairs, without thinking about others
- xii. *Onye anya ukwu bx ori*----greed is as the same as theft
- xiii. *Qchq nke ya abxrq ajq ihe*----one that is looking for his own is not a bad thing

- xiv. *Qnx mmadx abxrq Chukwu*----the voice of man is not the voice of God
- xv. *Onye lie ife q na-amxlx anya xla a txq ya*----if one eats what makes him to be awake, he will sleep
- xvi. *A na-adx onye ori ji, q welx obi na-ap[mbazx*----when a yam stealer is being admonished, he sharpens the digger in his mind
- xvii. *Qkxx na-ad[rq anx ife na-anx n'ite ofe agadi nwaany[*---a fowl that does not listen to advice rests in an old woman's pot
- xviii. *Ijiji na-ad[rq anx ife na-eso ozu ana n'ili*----a heady fly enters the grave with the corpse
- xix. *Qchx nwa qkxx nwe ada nwa qkxx nwelx mwemwe qsq*---a chaser of the fowl always fall but the fowl continues to run
- xx. *Egbe belx ugo belx nke s[lx ibe ya ebena nku kwaa ya*---let the kite perch and let the eagle perch, any one that says that each shall not perch, let it have a broken wing
- xxi. *Onye ad[rq ka eze, q s[ka e bue ya ka eze*----someone who is not like a king, says he should be carried like a king
- xxii. *Anx gbaa ajq qsq a gbaa ya ajq egbe*---if an animal runs badly, it will be shot badly
- xxiii. *Ori na-ebute qnwx ike*---theft causes sudden death
- xxiv. *Xbqs[nine bx nke onye ori mana ofu xbqs[bx nke onye nwe xnq.* ----every day is for the thief, but one day is for the owner of the house
- xxv. *Q b[alx ga-egbu m, gbue onwe ya* ----let one who comes to kill me kill himself
- xxvi. *Okoko anya na-ebute qd[da*----greed leads to downfall

It was gathered among the respondents in Nteje community with undisputed opinion that these proverbs serve as a catalyst used to convey meaning without having to talk much. They are used to let such persons that dwell in evil practices know that their conduct is socially unacceptable. It also alerts them of the dangers waiting any of the evil done in the community. It is also stated that a word is enough for the wise. They are used to warn people to desist from devilish act. These proverbs are used to advise the citizenry against committing crimes in the community and can also be used to teach one the right things to do.

The respondents agree and reaffirm that these proverbs can be used to curb excesses in the society because the fear meted to the culprits can help to reduce the crimes in the society. It was also gathered that repeated and constant usage will cause the person to exhibit self control and

will also make for understanding and assimilation of the proverb. And having passed the information, anyone caught is to be treated harshly without fear or favour. They however stated that in recent times the use of proverb in admonishing the younger ones is no longer common.

The proverbs below were gathered from all the respondents in Ogbunike community as a means of admonition and as a social control measures. Their meanings were also stated.

- i. *Mkpxrx onye kxlx q ghqlx*---whatever you sow you will reap
- ii. *Nkx onye kpalx n' qkqch[ka q ga-anya n' udu mmili* ----it is good to prepare for the rainy day
- iii. *Xkpana okpo buulu bx nt[chili ya* ----to be fore-armed is to be fore-warned
- iv. *Qkpa na-aga walawala, anya na-aga walawala na-afx ya*---nothing is hidden under the sun
- v. *isi kote ebu q gbaa ya*----if you invite trouble, do not complain when it comes
- vi. *Ife onye metalx o bulu*----you reap whatever you sow
- vii. *Wepx aka enwe n'ofe tupu q ghqq aka mmadx*----nip evil at the bud
- viii. *Ijiji ad[rq anx ife na-eso ozu aba n'ini*---one who do not take advice usually ends up in greivous mistake
- ix. *A]x gbaa nwata q txb a okpoloko ijiji egwu*---when a shocking thing happens to someone,he start to suspect every one
- x. *A na-agwq mmadx ibi, q na-eto afq*----one day, one trouble
- xi. *Onye zakqq o kpobe*----whatever you sow you shall reap
- xii. *Abxzx na-ele n'qkx q chee na q na-ara mmanx*----a fool at forty is a fool forever
- xiii. *Onye na-ejirq ife ibe ya ji na-ene ajq anya*----one who is not prosperous in life use to castigate others
- xiv. *A d[rq ele qkxkx qkpa jili n'xnq*---you do not lie to those you should tell the truth
- xv. *Egbe belx ugo belx nke s[lx ibe ya ebena nku kwapx ya*---live and let live
- xvi. *Iko onye ji ama ka a ga-eji amalx ya*.----the measure you give is the measure you recieve
- xvii. *O gbu mma na-ana na mma*----him who live by the sword die by the sword

- xviii. *Ada-agwa o chi nt[na-aya esu---*no point telling a stubborn and heady person that trouble lies ahead
- xix. *Iru d[mma ad[rq mma [tx mbq----*it is good to maintain good relationship
- xx. *Onye gba qtq ad[rq etinye aka n'akpa----*you do not give what you do not have
- xxi. *Onye nwrxr mmili qkxkx abago n'ori----*whoever shares in the booty is also a thief
- xxii. *Onye afxlx n'ukwu ose zulu ori ose----*where you find the evidence is the thief also
- xxiii. *Anx gbaa ajq qsq, a gbaa ya ajq egbe-----*when the going get tough, the tough gets going
- xxiv. *Anx nwelx aj[solu ngwele maa mmili, q kqq ngwele q ma akq ya----*one with good behaviour that eventually join people with bad character will not be able to absolve himself when the time comes
- xxv. *Q b[alx egbum gbuo onwe ya---*whatever that comes to eliminate me should boomerang (back to sender)
- xxvi. *Qma nke ya ama nke mmadx----*selfishness does not pay
- xxvii. *Q chq ife ukwu na-anya agba enyi----*the greedy is never contented

Among all the respondents in Ogbunike community it was gathered that these proverbs are meant to let people know that they will reap whatever they sow. That, people should caution themselves and be of good behaviour or face the anger of the society. Whoever that commits any evil act must bear the consequences and when one claims to be stubborn, the person will be treated according to the laws and customs of the land. People should not harm anyone who does not harm them because they will reap it and that whatever evil that people commit in their youth; they must also reap in their old age. It was also gathered that these proverbs meant that people should be contented and be very careful with their actions and how they live their lives. It was also gathered that these proverbs can be used to curb excesses in the community because it is used to teach, advice and admonish the young ones on the consequences of deviance. When an elder use any of the proverbs, it sends a warning to those with the intention of doing evil.

Therefore it is used to tell people that what they are doing is not good. It was also gathered that these proverbs are used indirectly to rebuke someone or group of people from wrong doing. As a result he or she will take corrections. When the proverbs are directed to a victim, he or she may reflect on it and repent; since most of these proverbs instil fears in people. These proverbs as gathered from the respondents are used based on a particular wrong doing of someone, and when that person fails to listen, evokes full weight of the laws of the land. Recently these proverbs are being neglected as the respondents noted.

The underlisted proverbs and expressions were gathered from all the respondents in Awkzu community as a means of societal control.

- i. *Onye na-enwerq uche q s[ka onyed[cheel[ya---whoever that lack proper reasoning,whom does he expect to reason for him*
- ii. *Onye ofu anya ad[eje qgx ebe a na-atx iche---one should not bet with his only resource*
- iii. *Nke onye metalx ya na ya erulu---whatever you do you must pay for*
- iv. *Onye kpatalu nkx arxr s[lx ngwere b[alx ya qlx---you caused your own trouble*
- v. *Q bxlx na-agbarq xzq qwele mgba q garq echi---unless this anomaly is challenged it is bound to continue*
- vi. *A narq akqlx ochi nt[na agha esugo---whoever that indulges in evil act should not be reminded of the consequences*
- vii. *{ welx otu mkp[s[aka na-alx mmadx, nke qzq ana-alx g[---- before you accuse others remember your own mistakes*
- viii. *Q ma akwa awx arx malx onwe ya----all defaulters should mind themselves*
- ix. *Egbe belx ugo belx nke s[ibe ya ebena nku kwaa ya----live and let live*
- x. *Q chx nwa qkxx nwe ada, nwa qkxx nwelx mwemwe qsq---- whoever that is innocent will always be exonerated while the accuser will continue to fail*

- xi. Aka na-aga n'ike, q lxtarq ns[q lxta arq ---one that is habitually perpetuating evil will eventually be rapt with one of his evil acts*
- xii. O me ka sq ya bx nwa----a selfish person that want every other person to be taking care of him*
- xiii. Nke onye kwes[ya----you should respect other people's things*
- xiv. Onye anyaukwu na-anwx ma oge ya eluberq----greed can lead to unimaginable loss*
- xv. Aka aja aja na-ebute qnx mmanx mmanx----no cross no crown*
- xvi. Xbqs[nine bx nke onye ori mana ofu xbqs[bx nke onye nwe xnq----every day is for the thief but one day is for the own of the house*

Among all the respondents in Awkuzu community it was gathered that these proverbs meant that whatever one does in life there is repercussion for it. If we do not prevent evil now, or fight to stop it now, it will never stop. One needs not to be told what punishment lies ahead, when one commits an atrocity. People should mind their businesses and live and let others live. Envy is very bad. Hard work pays and let one's own be his or hers. When you are contented with what you have you may not want to steal or be jealous of another. These proverbs mean that a word is enough for the wise.

It was also gathered from Awkuzu respondents that these proverbs can be used to curb excesses if parents can inculcate them into their children; since most parents rarely use proverbs regularly. Also it can make someone to control and hold him or herself together and through them learn good behaviour; and stick to justice.

The proverbs gathered from 35 respondents in Umunya community are as follows:

- i. Egbe belx ugo belx nke s[ibe ya ebela, nku kwaa ya----live and let live*
- ii. Ife onye metalx ya welx isi ya bulu----you reap whatever you sow*
- iii. Xkpana okpoko buulu, nt[chili ya--- whoever that does not listen to advice, will have himself to blame*

- iv. *Ijiji nt[ike na-eso ozu ana n'ime ini----*stubbornnes ends one into trouble
- v. *Onye aw[wq nwxq onye aw[wq enie ya----*one who is scheming,ends up with a crafty person
- vi. *Okkx nt[ike na-anx ife n'ite ofe agadi nwaany[----*stubbornness usually begets one into very big trouble
- vii. *Anx nwelx aj[solo ngwele ma mmili q kqq ngwele q yarq akq ya-----* one with good behaviour that eventually join people with bad character will not be able to absolve himself when the time comes
- viii. *Wepx aka enwe n'ofe tupu q ghqq aka mmadx---*desist from evil deeds before it escalates
- ix. *Ebe onye qsq lulu ka onye ije ga-elu----* despite delay in someone's destiny, he will eventually equalize with his peers

Among the respondents in Umunya community 10 respondents did not give any proverb; however the respondents that commented unanimously stated that these proverbs meant that, you do not reap what you do not sow. People must fulfill their destiny if they are hardworking; therefore, there is no need to be envious. However anyone who fails to listen to early warning bears the consequences.

Furthermore, it was gathered that these proverbs can curb excesses in the community if taught. They are used as a form of warning against bad behaviours. When an elder says any of these proverbs, it sends a warning to those with the intent of doing wrong; therefore where people understand the meaning and apply it appropriately it will help in reducing crimes in the community.

In Nkwelle-Ezunaka these proverbs were gathered by all the respondents, they are:

- i. *Onye e nwerq qgqdq d[mma na-as[na nke onye qzq yi d[mmanx mmanx---*someone who is unable to attain his goals in life, usually condemn other people's achievements
- ii. *Nwanyq nwanyc ka e ji alacha ofe d[qkx----*one should approach life gradually

- iii. *Xkpana okpoko gbuulu nt[chilx ya---*whoever that does not listen to advice will have himself to blame
- iv. *Ijiji nt[ike na-eso ozu ana n'ini---*whoever that refuses admonition from people usually makes gravious mistakes
- v. *A gwa ogbenye ife e ji aba qgalanya q s[ka ya nqlx ka ya ra---*to imitate the rich is not easy
- vi. *Akx fechaa q daalx awq---*what one dreams of will eventually come
- vii. *Mmili dqlx n'uju dqqlx nwa nk[ta---*if you do not do your bit it will continue to be unattended to
- viii. *E jirq aka atxlx oke qnx---*you do not force nature
- ix. *Nke onye metalx o jili isi ya bulu---*whatever evil one commits, one will bear the **consequences**
- x. *Okwu d[mma nze ataa qj[, okwu ad[rq mma nze a taa oji---*life goes on no matter the situation
- xi. *Ogx xbqs[bx nke onye ori mana otu xbqs[bx nke onye nwe xnq-----*every day is for the thief but a day is for the owner of the house
- xii. *Onye kpalx nkx arrx s[lx ngwele b[alx ya qlx---*he who commits evil invite trouble for himself
- xiii. *Nwata bulnie nna ya enu qgqdq ayqchie ya anya---*a child that neglects the advice of the elders usually stumbles
- xiv. *Onye ji ife nwata welie aka enu, aka lobe ya o wetue ya---*someone's destiny can only be delayed but cannot be denied
- xv. *Ewu dine n'ana dine n'akpxkpq ya---* a goat that lies on the ground, lies on it's skin
- xvi. *Qma akwa awx arx malx onwe ya---*anyone with evil thought should refrain

The respondents in Nkwelle-Ezunaka community commonly stated that these proverbs meant that any wealth acquired through evil means vanishes easily. Actions speak much about someone than spoken words. People who do good will never regret but evil doers never go unpunished at last. People that indulge in evil behaviour invite trouble for themselves. Therefore

one should not try to revenge since revenge is like adding salt to an injury. It is believed that in all cases justice must surely prevail no matter the duration. The respondents also stated that when people indulge in evil deeds, it does not mean that they did not know what to do or what the law says against their actions, rather they have hardened their hearts not to abide by the rule. The respondents stated that in their community it is impossible for one to live an isolated life; therefore people should be careful with their actions.

Most of the respondents in Nkwelle-Ezunaka community also indicated that these proverbs can be used to curb excesses in the society by educating people the dangers and consequences of indulging in evil act. These proverbs should be applied at the right time and at the right situation, therefore should be taught for easy comprehension. They act on people's conscience and through their meanings, people admonish themselves; they also stated that the youth are lacking interest in the use of these proverbs.

4.6 The Fairness or Otherwise Applied in Handling Disputes in Oyi Local Government Area

The respondents in all the research communities unanimously stated that punishment meted to the defaulting members of the communities are justifiable bearing in mind the effect of offences on the society. Each act is punished according to the gravity of the offence committed. Questions 39 to 44 of section "B"

Nteje Community

i. Murder Case: 14 respondents stated that, in case of murder the community will apprehend the culprit for justice and to fulfil the necessary conditions against murder. The community must insist that the person must face hanging or at least marry wives, etc in place of the murdered. He

or she will be brought to the village square for questioning and after that, ostracism or the hanging of the offender.

10 respondents stated that the person will run away from the community for a period of years [*gba qsq qchx*]. He or she will perform the cleansing ritual after staying away for some time; that is, rites of purification and a replacement of the murdered with a wife.

25 respondents stated that the person must leave the community for seven year. The various purification processes, [*kq mnee*] before he returns. Then he marries a new wife for the family of the deceased. *Ha ga-achupu ya n'obodo. Onye afx gbulu qchx ga-akq mnee.* ([*kq mnee*] for the family of murderer and murdered). However, all the respondents stated that recently the case of murder is treated by the Police and court.

ii. Case of Incest: 20 respondents in Nteje community stated that there must be purification, *isu mmanx n' isi*, [*kpx arx*]. Some rituals, sacrifices will be carried out. The persons involved will meet a diviner who will tell them what to do in order to appease the gods. *Nd[afx ga- akpx alx site na [takql[ta nzu n'ama*. It is a taboo and the culprit will be rejected by the community and severe punishment will be meted to both parties. 14 respondents were having the impression that it is a serious crime and no sacrifice may be able to cleanse it. It is an abomination and purification and sacrifices must be done if the person is to survive. The respondents stated that, incestuous act is usually regarded as more serious for adult males forty (40)

years and above. Respondents stated that the two parties will be called out to the village square, people will gather, they will kill a goat and then conclude all necessary formalities. 15 respondents still said that the offender will be forced to go round the community shouting his offence. Then kolanuts, fowls, goat or cow, yam etc are imposed on the offender for appeasing the fore-fathers in the spiritual world.

iii. **Kidnapping Case:** The respondents unanimously stated that it is an abomination, *alu* an injustice. The person must provide the one he or she kidnapped or his or her life will be taken, his house and other properties burnt down. The offender is severely punished, heavily fined, or ostracised. If he or she is titled, the person will be derobbed. However in the recent times the case of kidnapping is above community intervention. The justice is done by the government according to the law against it.

iv. **Revealing the Secrets of Masquerade:** According to all the respondents in Nteje community, this is a serious case and an abomination [*ta mmqq*]. It will be handed over to the elders and native doctors. *Onye afox ga-edokwa ya edokwa site n'igota efi, ewu, qkxkx, ji, qj[na mmanya*. Purification exercises, at the end of which cows are slaughtered. Also the person's house will be burnt. The respondents stated that in recent times, a house same as the offenders house will be erected for destruction. However, all the masquerades in the community and beyond will invade the house of the offender for many days with shocking, fearful and dangerous utterances and expositions.

However, if one denies all allegations to an offence in Nteje community the respondents agreed that the next line of action is for the person to take an oath or native investigation will be done through the native doctors. The actions that will be taken are:

- a. swearing an oath, *[nwx iyi*
- b. consulting a seer, *ije n'[ta*
- c. consulting a fortune-teller, *[gba afa, Obodo na-agba afa, jue ese iji mata ife melxnx.*

Any other crime can be handled by imposing fine on the offender, banned from attending meetings, written or oral apology, and mediation between parties, dialogue and sanctions. *Q bxlx nwaany[na-ata amuosu a na- eji mmqnxw eduna ya be nnaya.*

Ogbunike Community

i. Murder Case: The respondents agreed that the person will be excommunicated from the community, banned, and exiled, *gbaa qsq qchx* for at least a period of seven years. The victim is firstly expelled for a period of time. On his return purification will be done and may he or she be asked to replace the person he murdered by marrying a wife for him. The respondents also stated that recently murderer case is handed over to the police and court.

ii. Case of Incest: All the respondents agreed that it is an abomination, *alx. Q ga-akpx alx, q meghaa ya.* In most cases the deviant is excommunicated from social events, gatherings and membership of certain groups. The cleansing of the land will be done, after which he or she will be incommunicated again. The culprits have to offer sacrifices to cleanse the land and/or face banishment.

iii. Case of Kidnapping: The respondents unanimously stated that kidnappers are handed over to the Police and taken to the law court for trial in the recent times.

iv. Revealing the Secrets of Masquerade: All the respondents stated that it is a very serious offence; the person will undergo a lot of rituals. *Q ga-emegha ya emegha.* The victim is fined,

bring cocks, goat, yams etc in order to restore the land and cleanse the abomination. The person's house will be barricaded with *qmx nkwx*. The person will be sent out of the town and in most cases burn down his house.

If someone denies all allegations to an offence, he or she will swear an oath of vindication before a shrine or whatever deity provided. The community in a native way will go to diviners or soothsayers, or he or she may be asked to take an oath, *[]x iyi*. If the person who took an oath, survives after seven market days, he or she is proved to be innocent.

Any other case can be treated through fair hearing, asking for witnesses, denouncement, it can be handled through *[tx alxs]*, deliberations, excommunication. Deviant ones are summoned by the relevant authorities. In case of stealing, the person is required to pay back, despite the castigations that will be done. Criminal offence must be reported to the Police; thereafter the community may take further actions like excommunication.

Awkuzu Community

i. Murder Case: The respondents agreed that the murderer will be made to leave the community for a period of time. *Q ya agba qsq qchx*. The person will be excommunicated and sent out of the community. That is the person will be sent on exile, the murdered must have being buried before amnesty is given to the murderer. *Obodo ga-achxpx onye afx, q nata, q ya akpx alx. Q ga-anxchi nwaany[*. However, the respondents stated that in recent times the person will be detained in Police custody if found guilty, he or she will be tried in the court.

ii. Case of Incest: The respondents agreed that, *fa ya akpx alx*. The criminal will be made to undergo certain rituals. There will be purification and cleansing, *isu mmanx n'isi*. The

person will be brought to the community gathering to dance naked after which he or she will be taken to the chief priest of the community for cleansing.

iii. Case of Kidnapping: The respondents agreed that the kidnapper will be arrested and made to face the law. The government directive will be followed by referring the case to law enforcement agency.

iv. Revealing the Secret of Masquerade: The masquerade group will decisively deal with the individual. *A ya esuli ya mmanx n'isi. Nd[mmqnwx ya eje be onye afx daa ya nra. Q ga-akpx alx.* If someone denies all allegations to an offence, *a ga-agba afa, jee n'[ta, (eziokwu ga-apxta).* *A ga-agq onye afx n'alxs[.* The person will take oath or the two parties will enter into a covenant. The matter can be reported to all the shrines in the community. Through investigation they will seek spiritual assistance through divinities.

Other crimes such as very deadly ones might lead to imprisonment. Some issues might be resolved through conflict resolution or disciplinary committee set by the people. *[nwx iyi.* By swearing an oath at the shrine or recently, handled by the court or church. *A ga-akpxnye onye afx nd[uwe ojii.*

Umunya Community

i. Murder Case: The respondents stated that it depends on the magnitude or gravity of the murder committed. But, what happens generally is that, it mainly attracts public disgrace. The community will first of all excommunicate, ostracism him or her from the community. *Qsq qchx.* Purification will be done and his or her relations will replace the person murdered with

an unmarried girl. They stated that most times the person is stoned or hanged or ostracised except the killing is done on self defence.

ii. **Case of Incest:** The respondents agreed that the *xm̄xqkpx* this time will deal with the person. The person will be excommunicated from every event in the community. They will be tasked to cleanse the land (*[kpx arx]*). A ritual must be performed, and if overlooked, is likely to cause problems that will be unknown to the people in the future.

iii. **Case of Kidnapping:** The respondents unanimously stated that the case of kidnapping usually attracts death sentence. The person is judged by the elders, he or she is ostracised after releasing their hostage. However in the recent times the person will be arrested by the community and handed over to the Police.

iv. **Revealing the Secret of Masquerade:** The respondents stated that it is excommunication or suspension from the group and the person is levied. The masquerades will visit the person's house, burnt the house and excommunicate him or her. If however one denies all allegations, deep investigation can still be carried out and the truth will manifest. The person will be compelled to take an oath or he or she will be tortured. Another way is by peace meal, communion, *oriko* or an idol will be used against the person, *[tx ya n'alxs]*

Other crimes can be handled through, *[tx alxs]*, Oath taking with *alxs]*. In case of rape the person will be publicly disgraced and excommunicated. Some crimes mentioned earlier such as kidnapping and murder can no longer be handled by the community in recent times; such cases are taken to the Police for redress.

i. **Murder Case:** The respondents agreed that the offender will be disgraced publicly, excommunicated or ostracised and, or banish the person from the community for a period of time (seven years as stated by respondents). Later, there will be cleansing of the land, and also settle the family of the deceased by marrying a wife for them. The person will be hanged or forced to commit suicide. However such matters are handed over to the Police and law court in the recent times.

ii. **The Case of Incest:** *Ha ga-akpx alx* – sacrifice to cleanse the land. The community will ask the person to bring goat, fowl or cow for purification. Both will be called out, each of them will carry a pot of palm oil on their head. The kindred will be dipping their yam inside i.e as their purification. They will be excommunicated until after cleansing. Two of them both the male and the female will be brought out before the public they will carry pot of palm oil on their heads; while all the elders will eat their yams deeping their hands inside the pot of red oil the culprits are carrying on their heads for their purification.

iii. **Case of Kidnapping:** The report will go to the *igwe* and also to the Police. The victim will be sent to law enforcement agents to be prosecuted through adjudicatory processes since in the recent times such cases are above the community.

iv. **Revealing the Secret of the Masquerade:** The person will be penalized. The group of elders' in-charge of the community masquerade will go to the family with anger to tell them the offence committed. All the masquerades will visit the person early in the morning. A heavy fine will be paid; meanwhile the victim will be pleading for mercy. Sometime the victim's house will be burnt down.

If there are denials of allegations, some other ways to handle the situation are: the accused person will be engaged into oath taking at *iyi ojii* shrine. The oracle priest will be consulted.

They may be asked to call witnesses. Other ways are: investigations, inviting native doctors to consult their gods, taken to the shrines, cursing the victim, swearing before a deity, consulting oracles, *ije n'afa*, and law court.

Some other offences can be handled through litigation, fair hearing, oath taking, investigations, setting up committees, reporting the case to the council of elders, age grades, law courts. In case of rape the accused is excommunicated or brought to the village square to appease the gods.

Data Presentation from Customary Court Personnel

Questions 1 to 10 of section “C”

On what is the basis of customary court's operation, the respondents unanimously stated that the basic foundation of customary court is to ensure the welfare of all the persons in the local government area on the tenets of freedom, equity, and justice and to make stronger the oneness of the people.

On the relevance of the law vis-à-vis the customary practices in the local government area, the respondents indicated that the people considered customary law important to them because it deals with what has been long established in the communities with some exceptions.

4 respondents indicated that people from the local government area prefer native justice system, although the law banned them from handling certain cases, 5 respondents said that they prefer modern law court.

On the type of cases usually handled by the customary courts, the respondents unanimously stated the following among others:

- i. Divorce cases
- ii. Claims/ownership of economic trees

- iii. Land disputes
- iv. Inheritance matters
- v. Family disputes
- vi. Wanton destruction of economic crops

The respondents also stated that there are some offences they do not handle. These include:

- i. Adultery – The respondents stated that they do not handle adultery cases unless it comes under divorce.
- ii. Incest
- iii. Revealing or exposing the secrecy of masquerade in the land.
- iv. Witchcraft
- v. Kidnapping
- vi. Theft
- vii. Murder – Any act of murder will be definite and punishment prescribed as it is in the written law.

The respondents unanimously stated that in most cases some members of the communities in the local government area overlook and bypass their traditional justice system and move to Police and law court.

On the reason for the above actions, 5 respondents stated that it could be when one is not satisfied with the manner of trial or of the judgement by the levels in the community. It will also be that their judges are biased and could not give them fair hearing and possible justice. 2 respondents stated that it could be because some people have the money and also were learned; therefore they know what the law says in any case. 2 respondents stated that some may feel that they want to have a legal backing towards any judgement obtained and so have to go to court.

On whether the modern law court can totally serve the needs of the members of local government area; 7 respondents stated that the law court cannot meet all the demands of the natives 2 respondents believed that the modern law court is able to fully satisfy and fulfil the needs of the community.

However the respondents unanimously stated that the native justice system can hardly withstand the modern times with the changes and challenges that occur on daily basis.

Questionnaire Item	Total No of Responses	Total No of Respondents	%
1. What do you think is the reason why people bypass or ignore the peaceful resolution of cases in their various communities and resort to modern law courts?	9	5	55.6
a. Unsatisfied with the manner of trial or of the judgement by the levels in the community; judges are biased and could not give them fair hearing and possible justice.		2	22.2
b. Some people have the money and also learned; therefore they know what the law says in any case.		2	22.2
c. They want to have a legal backing towards any judgement obtained			
2. Do you think that the modern law court alone can completely serve the needs of the members of the people in the Local Government Area?	9	7	77.8
a. the law court cannot meet all the demands of the natives		2	22.2
b. the modern law court is able to fully satisfy and fulfil the needs of the community.			

The above table represents the responses on why people ignore the native justice system and the strength of the native justice system in this global era as stated by the customary court respondents.

Data Presentation of Oral Interview of section “D”

The result of the oral interview was as follows:

Question 1

The respondents in the research communities unanimously stated that not all the members of their communities are good citizens. That you cannot come to any community and find out that everyone is good; that if every person in a community behaves well, problems will not be arising. They stated that there are some people who do not like good things, and for that reason they continue to constitute problem in the society.

Question 2

The respondents in the research communities unanimously stated that the behaviours which manifest among the bad groups of people are *anyaukwu*-greed, *enweghi afq ojuju*-unsatisfaction [*gba ama as*]-bearing false witness, *izu ori*-stealing, *ime omume ga-emetxta ezinaxnq fa maqbx xmx fa*-exhibiting bad behaviour that will eventually affect their children and family. *I butelx nd[fa chelx na fa anafelugo nsogbu site na izu fa ori*-creating problems for those whom they think that they have excelled in life by stealing and destroying their properties. They can sneak and destroy people's farm crops, burn people's houses, although it is not an every day occurrences, but they do happen. The respondents also added that some of these bad citizens form clicks, gangs, some of them smoke and drinks a lot. They rape, steal, some chase other people's wives and in the same way feel that nothing will happen.

Question 3

The respondents in the research communities agreed that justice is very essential in the research communities, we cannot do without justice. *O nwelu ndi na-adiro ekweta n'ife a na-ekwu bu a*

na-ekwu n'enu fa a na-ekwu n'ana-there are some people who do not want to do what others are doing, they are out laws. Their actions disrupt peace in the community.

Question 4

The groups that try cases in the research communities as stated by the respondents' are *ezinaxnq-nne ojiji*-it starts from the immediate family, when it fails, you move to the *xmxnna*-kindred to the wider clan-*ogbe*. If it fails at this stage, you move to the ruling age grade, *qgbqnaabq, ojiana*- elders, *nd[ikenye*-elderly people, *n[iichie*-they try land cases among others; for instance when a case is between two persons, the elders will call them or one of them might report the case to them, after given them fair hearing, the elders will tell them to go, that they will later hear from them. *Fa ga-eje fx ife e mebilx ma q bxlx ife mmebi*. After the investigation, they will call them back. *A raalx fa oloo*-judgement. *A ga-edozi okwu afx site n'[da nra, [kpx alx,q nweekwaa ike bxlx [gwa onye mejqrxrnx ka q yqq mgbaghalx maqbx gochie maqbx dozie ife e mebilx.f* *ga-eme ya ka q larudo fa n'obi maka na ikpe obodo ara ama ofu onye. Fa ga-ekwukwa nqqkwa nwanne g[ka [daalx ya*. The elders will settle the case by given fair judgement. They might tell one person to ask for forgiveness, to repair or replace what is damaged, but will not fail to remind them that they are relations. The respondents stated that in addition to elders, any person accepted by the members of the community as an honest person can be among those that try cases. The *otu qgbq*-age grade has bylaws which specify how the members should behave. *Okwu a na-ekwu bxlx ife gbasalx mmadx abxq nq n'ofu*

qgbq, ofu onye nwee ike jee kpesalx nd[qgbq fa, ka fa wee tinye okwu qnx. Nd[qgbq fa nwee ike, fa ama nche ka ekpesalx fa tupu fa abanye n'okwu afx iji wee mechapx iru fa, gqqlx onwe fa, wee gwa obodo n'aka fa d[qcha, na fa akwadoro ife qjqq nd[qgbq fa na-eme -if a case is between two people of the same age grade, one of them might report to their members; in most cases the members of the age grade might not wait for a report before intervening in the case. This action is to exonerate them and to show the community that they are not in support of their members bad behaviours.

Ndi nze na qzq, otu mmqnx-masquarede, xmxada, inyomdi were also among those that try cases. *Izu na-ach[obodo*-town assembly, it is only difficult and unresolved cases are brought to this level. *E kwusie ka e si mee ife, o d[z[a onye afx ka q ka fqq, q jez[a n'izu na-ach[obodo mana tupu nke a emee [malx na okwu afx esigo nnukwu ike.* After this stage if the person is still not satisfied, he or she can go to modern law court. Along the line there must be someone that will tell the person that the verdict is the right and correct thing to do, but if he insists on going to court, let him proceed. The respondents also stated that the customary court try marriage cases, stealing of goats among others.

Question 5

On whether these groups of people mete out justice to the members of the research communities in all fairness, the respondents in the research communities unanimously stated that in most cases, but sometimes you do not rule out the idea of vested interest. In some cases some people are bribed in different ways, because of that they do not say the truth, and that affects justice.

The respondents in Awkuzu community however noted that if those who handle cases in the traditional system do not give fair justice, that at the first instance no one will be going to them, but the fact remains that, in some cases they are subject to influences. For instance a wealthy person can influence them, there could be jungle justice, in that one might be cut stealing goat, without investigation and appropriate trial, the person might be tried immediately, and could be killed at that instance. In addition to that, the respondents in Nkwelle-Ezunaka community stated that occasionally human factor comes to play-sentiments-*q bxxkwa nwadiana m*, because of that, in some cases people are not given deserved justice. The respondents stated that for instance after fair hearing instead of telling the person to bring goat, he might be told to bring fowl; and that is why most people do seek for a higher level of intervention.

Question 6 and 7

On whether the members of the research communities prefer traditional or modern justice system, the respondents in Nteje community stated that it depends on the magnitude; otherwise they prefer traditional justice system first. They stated that the extent of the conflict determines because in most cases it is a rule that you do not take your kinsmen to court without first going through the traditional system, but in most cases people feel that they cannot get justice in the traditional system, they may decide to pay the stipulated fine against such offence in the community and then take their case to modern law court. The respondents in Nkwelle-Ezunaka stated that people often follow the line of the traditional justice system unless any of the parties is not satisfied with the decisions of the traditional system, then the person may make recourse to modern justice system. The respondents in Ogbunike, Awkuzu and Umunya communities also held the above opinion. The respondents in the research communities also stated that stealing

depending on the magnitude can be handled locally, but criminal cases such as murder, rape, fighting with weapons among others, cannot be handled recently by the traditional system.

Question 8

The respondents in the research communities affirmed that justice can be a means of social control, since shapping people's behaviour is the aim of justice. They stated that if someone misbehaves, that it is by fair justice that the person can be called to order. They stated that every person wants justice, that when justice is done certain things that happen will not be happening. The respondents stated that it is lack of justice that makes people to take laws into their hands.

Question 9

The respondents in the research communities stated that using justice as a means of social control is an unending thing. They stated that those that are bad are bad; the only thing is to keep their behaviour under control through justice. They stated that when people interact, it is obvious that conflict and disagreement is bound to arise. However if one steals for instance and every body around says the truth, and appropriate punishment given, the person is bound to stop stealing.

The respondents also stated that using justice as a means of social control command respect and courtesy. It defines limit, whether of liberty or of right. It spells out consequences.-i mekwaa ife di etuu nekwa ife ga-esi na ya puta. The respondents stated that justice enthrones peace and harmony, coupled with the fact that any society without justice will lack love and if care is not taken it will fizzle out, because it is justice that binds society together.

The respondents in the research communities also stated that proverbs can be a means of social control. They stated that the emphasis is made on the need to behave well, act or relate well at all times. For instance when a question is raised-*kedx onye melx ife a-who did this?*

Qma akwa awx arx malx onwe ya- literally translates as who ever that ties wrapper while bathing should be cautioned. This proverb summarizes everything which includes, warning, and consequences of the action.

The respondents unanimously state that praise and encouragement can be a means of social control. They said for instance somebody that obtains justice will be encouraged. He will continue to do good since one good turn deserves another.

The respondents also stated that when someone commits abomination and he is duly punished, other people will learn from it. These are forms of social control. The respondents stated that [*mapx mmadx*-excommunication, *inwu iyi*-oath taking were also forms of social control. They however stated that excommunication is an extreme measure. For instance if someone kills another person-*q ga-agba qsq qchx*-the person will leave the community for seven years, at the end the rite of [*kgq mme*e will follow- rituals and other forms of cleansing. According to the respondents, this serves as a good punishment that also discourages others. They said that punishment deters people.

Question 10

The respondents unanimously stated that some people no longer abide by or respect the social control measures. In some instances there is an element of fear because some of the people that indulge in bad behaviours normally go on hiding. Sometimes when it clears from their eyes, they will be sorry for what they have done. The respondents stated that, that is the reasons why some people are seen confessing their evil acts.

Question 11

The respondents stated some reasons why some people disregard the social control measures. They stated that the societal pressures on individuals, occasioned by severe socio-economic situations contribute to that effect. The respondents reaffirm that the society expects much from people unlike in the past. These expectations as they stated is not possible because of socio-economic indispositions. This can therefore led some people into doing evil things in order to meet up with the expectations. Some members of the society believe that there is no stop, you must move from strength to strength. The respondents stated that in the past it is *nwayq bx ije*-slow and steady. *Mgbe onye ji teta bx xtctx ya*. They stated that the pressure and the rate to accerelate is much in the present time, unfortunately it cannot be possibly met because of economic situations. This however can make someone to do bad things.

Question 12

On whether there are instances were people ignore the traditional justice system and move to the modern law court, five respondents stated that if one believes that he cannot get fair justice at the traditional system, he or she may decide to pay the stipulated fine and go to police since the most important thing to him is to get fair hearing. Three respondents stated that there are few cases where people ignore the traditional justice system, especially where one person feels that he has resources to intimidate and to subdue the opponent. Two respondents affirm that some people simply ignore the traditional justice system simply because they want to catch in on the ignorance and reluctance of the other party. Such people are obviously indifferent of the traditional justice system because their ways are not clean. The respondents stated that such people behave as they like and do things with impunity.

Question 13

On whether the modern justice system can totally serve the need of the members of the research communities, four respondents stated that it cannot because of congestions. They said for instance, that a case can last up to five to ten years without been tried. The respondents stated that in most cases there will not be a true justice because of bribery and corruption and in most cases people loose their property through technical error. Six respondents stated that modern justice system cannot totally serve the needs of the members of the research communities. They stated that the modern justice system is costly, has long duration, and there is the possibility of unsatisfactory verdict. The respondents unanimously stated that the modern justice eystem should be blended and that the traditional justice system can be upgraded as ulternative dispute resolution or conflict resolution. They stated that if certain aspects such as documentation, recording among others are improved, that it will serve the people better.

Question 14

On whether the native justice system can withstand the test of time, four respondents stated as follows-the traditional justice do not attend to all the cases, they do not have the capacity to attend to certain cases, they are limited- that is they do not have the jurisdiction to attend certain level of cases. Six respondents stated that the world is now a village and a household name. However if the traditional justice system is improved in the line of alternative dispute resolution, it will obviously impart more positively on the life of the people, given that, in the modern justice system one can secure favourable or deserved judgement but not peace. The traditional justice has human face. People live together, so in handling cases, they ameliorate. The respondents also stated that the traditional justice is cultural; it reflects to the need of the people, it uses the language of the people, and needs no interpretation.

CHAPTER FIVE

ANALYSIS AND INTERPRETATION OF DATA

In this chapter, the researcher presents the analysis of the result of this research work, which was the data collected in the course of the research study. Analysis was done based on the Natural Law Theory using a Holistic Approach and interpretative method.

5.1 Research Question: A

What is the source or meaning of Igbo native justice in the communities in Oyi Local Government Area?

The aim of justice is common good. Based on the data collected, the respondents in the research communities of Oyi Local Government Area indicated that justice originated from God, man and from the tradition. For instance 95.8% of the respondents affirmed that justice originated from God, while 4.2% negated the idea. 93.5% insisted that justice originated from man while 2.5% of the respondents disapproved it. On the other hand 97.9% confirmed that justice originated from the peoples' tradition while 2.1% objected it. Information gathered has shown that most of the respondents agreed that justice originated from God, man and tradition while only few respondents disagreed; therefore any violation of the three laws, which is laws of God, of man and of tradition means disrupting one's basic nature, the essence of existence and a commonly

held system. God is the author of all things; He placed everything in nature in a proper order. He gave man the power to procreate and multiply. He also gave wisdom to man, to enable him fashion his life for a good living. In a bid to order man's life properly, he formed various rules and regulations, these rules were in line with God's order on how things should be. Every other law, both those enacted by man and those drawn from traditions of the people were in line with God's order of things. That is why the natural law forms the basis for all laws since it orders man's life in line with the creator's approval. Any violation of these laws as believed by the research communities attracts punishment; because it is not a proper and acceptable way of behaviour.

The respondents in the research communities of Nteje, Ogbunike, Awkuzu, Umunya and Nkwelle-Ezunaka stated that justice is doing the right thing at the right time with all fairness. It is also when punishment is meted accordingly, and when truth is said always. For instance 31.4% of the respondents in the research communities indicated that justice is giving equal treatment and fair play to people, 24.5% stated that justice is equal to truth, 29.7% indicated that justice is equity, peace, unity and so on, while 13.6% stated that justice is when punishment is meted accordingly and the innocent is set free. It is clear that when people are treated alike, there will be no need for rancour. If fair hearing is given to people and the truth said in every situation; punishing the offender accordingly and setting the innocent free; there will be a peaceful and harmonious society. That is, the aim of justice is to have an ordered society. When a deviant cannot buy his way out of a case by making the people concerned to bend the rule, he or she will be forced to behave accordingly. Justice as a result has played a role of corrective measures in the society. To the respondents justice here stands for *nwa mmadx emegbuna nwa mmxq, ma nwa mmxq emegbuna nwa mmadx*. This

is in line with the Golden Rule which is “do unto others as you would like them do unto you”. If “nwa mmadx” does not maltreat *nwa mmxq* and *nwa mmxq* does not maltreat *nwa mmadx*, everybody will leave in peace and this achieves the natural law order of harmonious living. This will also be in line with the Igbo proverb *Oke amana xma tapu akpa dib[a, ma dib[a amana xma buo oke qnx*. No person should intentionally try to harm or undue another person for such behaviour is not acceptable and also creates hatred and disunity among people.

The respondents in the research communities gave Igbo names for justice, for instance 48.3% stated that justice is *ikpe zili ezi* and *ikpe nkwxmqtq*, 30.1% declared that justice is *[kwxba aka qtq* and *eziokwu*, 11% referred to it as *ome mma na-emelx onwe ya*, *ome njq na-emelx onwe ya* and *egbe belx ugo belx* while 11.9% referred to it as *iwu*, *qd[nan[* and *[ka ikpe*. It therefore appears that the research communities see justice as *ikpe zili ezi*, *ikpe nkwxmqtq*, *iji qfq*, *idozi okwu*, *qd[nan[*, *iwu*, *egbe belx ugo belx*, and so on. All these portray the Igbo word “*bili ka m bili*”. The natural law advocates freedom for all people; therefore when two warring individuals are given a straight forward and sincere verdict. They are more likely to accept it, and that will resolve their differences. It gives one a sense of belonging and free spirit to continue to associate with the members of his or her community. This will eventually be *ikpe zili ezi na nke d[mma n'iru chineke na iru mmad* as proposed by respondents in Nkwelle-Ezunaka community.

5.2 Research Question: B

At what point do people deviate from communities' norms of behaviour?

Based on responses on the questionnaire and oral interview it appears that there cannot be a perfect community. For instance, 95.8% of the respondents indicated that, it is not every member of their community is good citizen while 4.2% refute it, which is insignificant, indicating that there is evidence of bad citizens in the research communities. It means therefore that there is need for justice as 97.1% of the respondents insisted that there is need for justice in the research communities, although 2.1% objected. Most people can at times feel like taking laws into their hands and then do what they like. Some actually deviate in order to know what will happen or they feel that the prescribed norms do not suit them. Some people might not really want to deviate but they do because of their situation. However from data collected it does appear that some people deviate due to the influence from the western culture, they may think that certain things about the community is old fashioned; then they will like to live like the westerners abandoning the community's norms of behaviour. On the other hand some people might feel that the norms of behaviour are in favour of a particular group in the community, they deviate. There are offences that are regarded as an abomination in the research communities; some of the offences can lead to oath taking while some of the offences can lead to excommunication. For instance, 24.6% of the respondents stated that suicide, murder, etc is an abomination, others and their responses are: stealing, kidnapping, etc 17.8%, arson, etc 12.7%, unmasking of masquerade, etc 11.7%, rape, etc 17.4%, poisoning, etc 11% and maltreatments 5.1%. However for the offences that can lead to excommunication and their responses are: murder, etc 18.2%, kidnapping, etc 8.5%, rape, etc 14%, theft, etc 13.6%, witchcraft 3.4%, sabotage, etc 9.3%, arson, etc 11%, poisoning, etc 6.4% and insubordination, etc 5.9%. The respondents enumerated a number of offences which are stated above and many others which the society abhors, and

which some people in the community indulge in. Among such acts is suicide, which is taking one's life, especially hanging one's self. Natural law affirms that life is good; therefore everyone has an obligation to protect his or her own life. People must keep themselves from harm or injury, and do every thing possibly good to keep fit and maintain good health. For this reason it is morally wrong for someone to take his or her own life.

Furthermore, the respondents in the research communities have contempt for abortion. The nature has endowed in humans the urge to have sexual intercourse for the purpose of procreation; therefore terminating pregnancy is a wrong act and not acceptable to the members of the communities in Oyi Local Government Area. The research communities valued procreation and therefore have an obligation to raise progeny. This could be the reason why in the research communities part of the questions during inquiry, before marriage could take place is the potency of both parties. However no artificial contraceptives are required because it is God who gives children and a woman is virtually supposed to give birth to all the children in her womb. Also rape, incest, adultery by women and sometimes by men, and having sexual intercourse with animal is morally wrong and attracts punishment in the research communities.

Some other scornful behaviour indicated by members of the research communities are arson, murder, destruction of valuable property such as building, theft, poisoning, secret planting of charm in people's houses, exposing community secret, witchcraft among others. Natural law advocates good neighbourliness. It stands for deep emotional link, connection and union among people. There should be love among people that live together. People should establish friendship and loveliness. Humans therefore have moral obligation to live together in peace. In the research communities therefore, any attitude such as those listed above and so many others, are totally condemned for the evil that they can create in the society. It is unjust for people in the research

communities to destroy people's property, take for instance burning down of someone's house. They see this act as *qchx* (murder). The cost of rebuilding the destroyed house cannot be attained easily. The person and his family would either be sleeping under the rain and sun or forced to be a refugee. His or her entire life is thwarted for the unjustifiable denial of one of the most basic necessities of life.

In the same way, one should not propagate false and malicious statements especially that which is injurious to a person's reputation, exposing his or her communities' secrets and so on for such lies are morally wrong. It destroys relationship and the stronghold of the community. Igbo proverbs say *a d[gh] eke qsxkwu n' ah[a]*. One should not expose his or her family, kindred or community to the public. These offences in the research communities cannot go unpunished; it also deters other people from deviating. Most grievous offences such as murder and many other crimes were regarded as abomination as indicated by the respondents in the communities in Oyi Local Government Area. Some of such crimes can lead to excommunication. The respondents stated that excommunication is a good reprimand and were able to be a lesson to miscreants.

The respondents in the research communities enumerated some of the offences that can lead to oath taking as accusations, land disputes, family conflict, suspicion, theft and so on. For instance, 18.2% indicated that accusations, etc can lead to oath taking, others things that can lead to oath taking with their responses are: denials, etc 11.4%, agreements, etc 19.5%, conflicts, etc 20.8%, fears and distrust, etc 11.9%. The respondents indicated that oath is taken to ascertain the truth of a matter. It provides proof that discourages other people who may wish to swear falsely. Natural law is enshrined in the human nature and was patterned into the human mind. Therefore one

knows when he or she is telling the truth or not. Humans have been furnished naturally with or have been bestowed freely with conscience, and should use it for something good. Communities in Oyi Local Government Area abhor swearing falsely. Swearing especially falsely has a lot of implications on the people concerned. The oath manifestation could lead to the death of the culprit and that can create a stigma among his or her family members. However the outcome will go a long way in discouraging some unscrupulous elements in the communities from having the same faith. Truth leads to freedom and liberty, and that is what the natural law is propagating.

5.3 Research Question: C

What are the agencies of justice in the communities in Oyi Local Government Area?

The respondents in the research communities enumerated some of the agencies for a justifiable verdict. For instance, on whether the elders can try cases, 99.5% confirmed that the elder can handle cases in the research communities while 0.4% disapproved; the number is however insignificant compared with the number that approved it. It is therefore established that elders in the research communities were among those that try cases in the said communities. 96.3% of the respondents also stated that age grades can try their members while 0, 8% of the respondents disapproved. People in the research communities can therefore rely on these agencies among others for fairness and equity. These group of people as stated by the respondents are *igwe* in council, age grade, the president general and town union executives, *xmxqkpx*, kindred, masquerade, court, customary court(oral interview respondents specified that they try marriage cases, stealing of goats, etc), oracle, deities, law enforcement institutions, elders of the community among others. These agencies as listed by the respondents handle cases and ensure a peaceful resolution for equity, unity and harmonious living in the society. However, the researcher wish to emphasize that court of law and law enforcement agencies are not among

those who try cases in the communities in Oyi Local Government Area traditional society as stated by the respondents. The new development they stated could be because of westernisation, but in actual fact most of the respondents were of the opinion that the traditional justice system lack reliability, therefore some people in quest for fair justice resort to modern law court and other law enforcement agencies. For instance, the response on whether the agencies that handle cases give judgment in all fairness to the members of the research communities, 38.1% affirmed that they do, while 61.9% object to it. This shows that there is an evidence of inconsistency verdict in the research communities. Also the oral interview respondents' indicated that in most cases you do not rule the idea of vested interest and that some people are at times subject to influences. This could also be the reason why some people prefer modern justice system to native one. From the data collected 15.2% stated that people in the research communities prefer native justice while 3.4% stated that they do not prefer it, however 77.1% affirmed that people in the research communities prefer modern law court, while 4.3% of the respondents disapproved. The information gathered show that really the members of the research communities do ignore the native justice system. The reasons for this action are varied, for instance, 28.4% of the respondents stated that there are incidence of partiality, distrust, lack of confidence, etc in the native justice, 15% pointed out on collusion, etc, 4.2% stated that it is when people did not accept their judgment, they ignore them and went to law court, 32.2% indicated that people ignore the traditional justice system due to the influence westernisation, religion, etc, 5.5% stated that it is when native justice did not favour them, 17.2% stated that some people felt that court can give better hearing, 26.6% stated that the local people are unqualified, uneducated and cannot issue certificate, although 2.1% of the respondents stated that those who ignore the native justice do receive sanctions. This could also be the reason why most people felt that the native

justice system could not survive in this global era. The responses on whether the native justice system can withstand the test of time, 20.3% of the respondents affirmed that it is possible, while 79.7% revoke the idea. It is therefore clear that the native justice is derailing. From the responses, it is also clear that most respondents perceived the native justice as a thing of the old, and therefore is no longer in vogue. Although some of the respondents disagree with this belief since whomever that takes his family member to law court or police must be made to bring the case out or face sanctions. They also stated that those who ignore the traditional justice system do so in a bid to outwit their opponent with their money and power. This could also be part of the reason why 75.9% maintained that the modern justice system cannot totally serve the needs of the people, although 24.1% canceled the idea. No matter what the people may think or the reasons for this action, natural law makes it clear that man should know what is just. People does not need any rule for them to know or do what is good for themselves and their families, but if however, those in the herm of affairs try to mandate one person against his right in order to favour another person, the person will vehemently oppose it. If however the elders or any other group in charge of justified verdict in the research communities contrive against one person against the other person. When the verdict is inconsistency and not conforming to one standard, the resultant effect is an intense conflict and the affected and unsatisfied person will take the matter to law court or other law enforcement agencies. Thereby committing what could have been personal or what concerns only the members of the community open to the general view.

On the other hand the respondents affirm that God, *ala* and other deities punish a lot of offences without fear or favour. 97.9% of the respondents believed that God can punish offences while 2.1% refute it. 90.0% affirmed that *ala* can also punish offences while 8.5% disapproved it. From the forgoing, it is clear that people also rely on them for justice, since most people

responded in affirmation. However to be certain that the punishment to an offender comes from God, the respondents stated that, it is when there are different kinds of sickness that fails all manners of solution; continuous misfortune or mishap. This suffices it to say that when a particular sickness or varied forms of ill luck begin to attack someone who has done some evil whether seen by people or not, that God at His own time will inflict the person with sickness and the person will be kept in an unbearable situation. The Igbo adage *ome mma na-emelx onwe ya, ome njq na-emelx onwe ya* portrays this fact. The punishment will however prevent other people from indulging in evil practices.

5.4 Research Question: D

In what areas can justice function as a means of achieving peaceful co-existence in the communities in Oyi Local Government Area?

The respondents in the research communities stated that the role of Igbo native justice is for peace, fair play and equity. It contributes to the essence of life and harmonious co-habitation. These also manifest in the use of *qfQ*, value attached to life and need for truthfulness in the society.

The respondents in the research communities of Oyi Local Government Area indicated that the role of Igbo native justice in the research communities can manifest in the use of *qfQ*, truthfulness, and the value attached to life because of what they signify among the people. The respondents also stated that the role of Igbo native justice in the communities in Oyi Local Government Area is for peaceful living. *QfQ*, one of the symbols of peace indicates that truth

shall prevail in all situations. In other words whoever that holds *qfQ* is on the right part and stands for equity and fairness. *QfQ* is also used to prove that one is innocent, and is used to deliver a straight forward justice.

The respondents also stated that the value attached to *qfQ* makes clear the role of justice in preserving unity in the society. On the role of *qfQ* in ensuring justice 25.8% stated that *qfQ* ensures peace, love,harmony, etc,12.3% stated that it punishes offender and used to set the innocent free,45.3% indicated that *qfQ* stands for truth,11.8% avered that *qfQ* stands for righteousness and strength of the leader, however 4.2% maintained that in recent times there is perversion. The respondents stated that the natural justice stand for right judgement which *qfQ* is upholding through the dispensation of fair and unbiased judgement. *QfQ* is a link between the people and the ancestors and it also delivers the truth that comes from God. So whenever the *qfQ* is struck on the ground, a case is closed and the outcome is the final and the truth of the matter. In order words, evil people and anyone that do not have a clean hand cannot hold *qfQ* since doing so will be calamitous to the person. In this way *qfQ* helps to maintain peace, justice and fair play in the communities in Oyi Local Government Area.

The respondents also stated that the value attached to life brings to the lime light the role of justice in binding members of the society together. The respondents indicated that life is sacred and very important to God and humanity, and also that life ensures continuity. The implication is that, if life is not preserved the human race will diminish, and this will be against the natural law. God created the human race and gave them power to maintain its continuity, and everyone must be allowed to live his or her life. The respondents in the research communities are aware of this

fact since they stated that everybody has right to live, for that is the rule of nature. The respondents also indicated that life and justice are interwoven and that nobody has right over another person's life and that justice is about doing the right thing.

The respondents in the research communities were of the opinion that justice makes people feel reluctant in doing something evil because they would not want to be portrayed as an evil people. Here justice plays the role of making the people to be good citizens which is the aim of natural justice that humans will always bring out the good in them. An Igbo word stated that *ezi afa ka ego*. This could be the reason why people in the research communities abhor anything that could damage their name or family name; if this is actually upheld, the research communities will be a lovely and harmonious one. The respondents in the research communities also emphasize that enlightenment on the value of life will help members of the research community to abstain or to avoid any act that threatens life. Natural law emphasizes that nature plan is for man to live a good and happy life; therefore any act that discourages that is immoral and unnatural. Therefore justice is used to preserve life. The respondents also indicated that justice ensures security of life and property and were used to maintain orderliness, peace and harmony in the community. The respondents in the research communities maintain that since justice mandates that no one can take life; this gives the citizenry a sense of freedom. Freedom makes people to live without fear and it also helps to curb social vices. It is also indicated that the value attached to life helps to maintain the communities' reputation. It is impossible for any community in hostilities to experience peace. Automatically the indigenes will migrate and investors will find it difficult to invest any meaningful business in such community where there is no security of life and property. The situation will create a great setback to the said community in terms of economic growth, political peace, and social relationship among others.

Commenting on the role of justice in relation to truthfulness, the respondents in the research communities indicated that truth is life and a way to preserve life. Truth is divine, supreme and it is used to set people free. They further stated that truth brings progress, peace and tranquillity. Natural law asserts that all human parts have a function it performs. Therefore lying to one another or lying in situation where people want to ascertain the truth of a matter is wrong. It is against the role to which speech is supposed to play in human communication. Communication deals with the thought in our mind, so an action becomes deceptive where there is desire or inclination and intention to lie. Lying creates hostilities and dishonesty so that the friendly relationship in the society becomes scornful. Justice is easily attained in a community where people always say and stand on the truth. It lifts the community to a greater height, it lighten burden, makes people free and creates a harmonious living among people. The respondents in the research communities also indicated that truth and justice are interrelated, that justice depends on truth. The implication is that anyone who refuses to say the truth of the matter has denied justice to the people concerned.

5.5 Research Question: E

To what extent can justice serve as a means of social control in the communities in Oyi Local Government Area?

Based on the responses of the respondents, it is obvious that there is need for justice in communities in Oyi Local Government Area. The respondents indicated that there are incidences of bad citizens, which means that there are cases of breach of laws which infringe on human relationship. For this reason most of the respondents in the said communities felt that there is need for justice. This however could be a way of curbing excesses. Where these

excesses are not in check, people will be taking laws into their hands, the strong will then lord it over the weak and the weak will not have a place to resort, for justice and equity to prevail.

When people habitually deviate from the normal acceptable behaviour in the society, the only solution is to face the communities' justice system. This will however be a means or a way of curbing excesses. If these excesses are not in check, some people will take laws into their hands as stated early. The weak will be at the mercy of those who fell that they are stronger and the cry for equity to prevail lies only on the onus of the community's justice system.

The respondents in the various communities in Oyi Local Government Area stated that for offences that are abomination, the consequences there in are one of the ways of societal control. The respondents in the research communities therefore believed that the offences seen as abomination can serve as a means of social control. For instance, 88.1% affirmed that abomination can be a means of social control, while 11.9% respondents which is insignificant compared to the other, disapproved. The respondents see abomination as an offence against God, divinities and man. People are usually very uneasy when abomination is committed. It is not surprising, because it deviates from the laws of the nature. Punishment depends on the type of abomination committed; where nothing is done about it or the act is hidden the consequences are usually calamitous.

The respondents in the research communities also indicated that some abominable acts can lead to excommunication. The respondents also indicated that excommunication can make people not to behave in the same manner as the excommunicated. For instance, 96.2% of the respondents in the reseearch communities insisted that excommunication is a good reprimand, while 3.8% object to it. In Nteje community for instance, most of the respondents affirmed with the idea but very few respondents disagree with it. In Ogbunike community almost all the respondents agree

and strongly agree that no individual will want to exhibit the kind of behaviour that will lead to excommunication. However, an insignificant number of the respondents disagree to that. Among Awkuzu community most of the respondents agreed while others strongly agree that excommunication can deter people from behaving like the excommunicated. Among the respondents in Umunya community an insignificant number disagree while most of the respondents affirm with the idea that people would not repeat any behaviour that has led one to be excommunicated from his or her community. The respondents in Nkwelle-Ezunaka community unanimously consented that excommunication could be a deterrent to people. Also the oral interview respondents affirm that excommunication can be a means of social control but it is an extreme measure.

In a typical Igbo society no one wants to be separated from his or her community and in a bid to avoid it parents normally try to bring their children up to live acceptable life, exhibit acceptable behaviour in order to avert such consequences. When one is separated physically the person is also separated spiritually; the person is united after serving his or her punishment, he or she will be reunited and begins to commune with other members of the community. The respondents also indicated some misbehaviour that could lead a person to the paying of a fine. Such payments are very painful no matter how little; and people would rather avoid the things that could bring such because it is not the payment as such but what it connotes. For instance, in the future people will always recollect what happened, since such things are indelible. The respondents also indicated that some misbehaviour attract public flogging. It is a shameful thing, and no sensible individual will attempt to commit any offence that could lead to that. Such meting out of justice deters people from committing heinous acts. For instance, 86.6% of the respondents stated that making someone ashamed can be a means of shunning excessive behaviours. Other ways of

punishing people who commit certain abominable acts is what some communities in the research group called *isu mmanx n'isi*. The five communities in Oyi Local Government Area value their family names more than any other thing. No one will ever be happy to see one of the family members receiving such ignominy. Therefore people try to avoid any act that could bring that kind of punishment.

The respondents in the research communities indicated that oath taking can serve as a means of social control. For instance, 89.8% of the respondents affirmed that oath administration can serve as a means of societal control, while 10.2% refute it. However in Nteje community almost all the respondents answered in affirmation. In Ogbunike community most respondents answered in affirmation while an insignificant number of the respondents disagreed. In Awkuzu community most respondents agreed while some respondents cancelled the idea. In Umunya community almost all the respondents affirmed that oath taking can be used as a means of social control while an insignificant number of the respondents rejected the idea. In Nkwelle-Ezunaka community most respondents believed that oath taking can be used as a means of social control while few respondents said that it does not. The respondents stated that oath taking is a way by which an accused testify his or her innocence. One may by oath swear that he or she will no longer commit a grievous offence against his or her community again. The respondents stated that it could also be a process where parties to a dispute swear not to harm each other [*gba ndx*]. As a matter of fact, many things can lead to oath taking as the respondents in the research communities have noted. The implications of oath taking are varied, one may therefore weigh the consequences and decides to say the truth and then withdraw from his or her evil plots. Furthermore the parties that are committed to [*gba ndx*] will deter from anything that can cause harm to the person with whom he or she took the covenant with. The fact remains that any

hand to injury, hurt, damage or cause misfortune to the person one took covenant with, will eventually boomerang, so having the knowledge of its repercussion discourages one from performing evil act. Each person will however have a cause to live his or her life without fear of being killed or poisoned. One therefore is free and will be able to attain his or her destiny in life. As the essence of natural law is freedom, no one should deprive another one the right to exercise his freedom unlawfully, therefore oath taking serves as a means of ensuring a free and fair society. Although in some cases where some of the accused persons who were made to swear oath uses antedote *ndagbuiyi*, this however cannot cancel totally the benefits and roles of oath taking in native justice system in the research communities.

The respondents in the research communities also enumerated some proverbs used to admonish people to desist from evil acts, and however a means of societal control. The respondents in the research communities of Oyi Local Government Area enlisted a lot of proverbs that serves as a means of controlling excesses in the society. Some of these proverbs are narrated as follows:

- a. *Qma akwa awx arx malx onwe ya.* The literally interpretation of this proverb is that whoever that baths putting on his or her cloth should mind him or herself. In the literal sense one does not meant to bath wearing his or her cloth, the cloth must be removed while bathing. In Igbo sense therefore, it means one who his actions or deeds were clothed with evil, one who has hidden agenda, one who has done some hidden evils and has concealed it. So this proverb is warning all the defaulters to mind themselves. The proverb is also pointing an accusing finger to an unknown or uncovered evil; reminding the person that the evil is manifesting but the culprit is not yet known, therefore the person should desist from such an act. Oral interview respondents stated that

this kind of proverb summarizes everything including warning, and the consequences of the action. This proverb can also lead to *xbqs[nine bx nke onye ori mana ofu xbqs[bx nke onye nwe xnq*. Literally everyday is for the thief, but one day is for the owner of the house, which means that one may be concealing some evil or crime but one day his activities will be exposed. Since the natural law solicits us as mortals to become the best we can; these proverbs will make some people who have evil plans they intend to carry out to retreat; this will in turn help to maintain an orderly society.

b. Qkxx nyxa arq ana achxba ya qsq, literally, it means that when a fowl defecates, land begins to pursue it. This proverb explains an artful dodge by some persons who have done or exhibited some evil acts in the community. For instance one could be invited for the explanation of certain issues, he will continue to deliberately excusing him or herself from the group. This proverb shows that the person's activity has been known by people, he or she will not have any other option than to ameliorate his or her ways.

c. Egbe belx ugo belx nke silx ibe ya ebena nku kwapx ya. Let kite perch and let eagle perch but which ever that tells the other not to perch should have a broken wings. Live and let live. This proverb is used to admonish people with envious behaviour. The natural law emphasize on the right for everyone to live should not be hindered by another person; and when it is obstructed or cursed to suffer pains without due justice, it negates the aim of the supernatural being who gives that life. Therefore if somebody appreciates his life and that of his family and property, he or she should not wish or do anything that will bring a downfall or failure to another person. If not his or her wilful act should go back to him or her in return. That

could be part of the reason for *Q b[alx ga-egbu m gbuo onwe ya*. Meaning, whoever comes to kill me should kill him or herself. Life is very much valued among the research communities and so whatever that should diminish, impede or terminate life should be negated. Diminishing life could also mean destroying someone's house, farm crops, and domestic animals among other things, since doing so is also regarded as *igbu qchx*.

d. Onye ad[rq ka eze, q s[ka e bue ya ka eze, meaning literally that someone who is not like or who is not a king wants or tell others to carry him or her like a king. This proverb is against those claiming what they are not. It is against people wanting to attain or take what they could not do or afford. This attitude could lead to stealing, cheating, dispute among others; it could also lead to another proverb *okoko anya bx ori*. If that person is not admonished and changed it could lead to a more grievous offence.

e. Onye na-ejirq ife ibe ya fa ji na-ene ajq anya, literally, he who does not have what others have use to eye them. One who is not prosperous in life use to castigate others. *Ajo* means bad; so having bad intention for someone who is progressing among ones people is roundly condemned by the natural law. One should not be envious of another person's property or other things. Doing so could lead to stealing, destruction, poisoning, witchcraft, murder among others. Therefore if one feels that other people have progressed more than him or her, the person should work hard because if however the person does not retrieve from his or her bad wishes, but later manifest it. *onye zakqq o kpobe*. The outcome of the deed could take years or a generation to cleanse; that is why natural law could still be a simple and universal law to judge one's actions.

f. Onye na-enwerq uche q s[ka onyed[cheel[ya? Literally, he who does not have sense or cannot think; who did he want to think for him? Whoever that lack proper reasoning, whom does he expect to reason for him? Among the research communities what it implies is that, it is somebody's faculties that tell what he or who she is. *uche bx mmadx, uche akpa, uche bx afa.* Natural law advocates right thinking and rational reasoning. So whoever that does not reason well in the society usually creates problems for him or her self and other members of the society. Reasoning also affects what one says, which means that, such an unreasonable person may not be useful in the society. He cannot be called whenever any serious decisions are made because he cannot give any useful information or advice. It also affects people's behaviours and readily disintegrates society if not in check. When one receives this type of proverb, the person will look into himself and learn to fashion his thought, behaviour and speech in the right direction for the good of everyone and for the progress of the society.

g. Onye e nwerq qgqdq d[mma na-as[na nke onye qzq yi d[mmanx mmanx. The literally interpretation of this proverb is that a person who does not have good cloths use to say that other people's clothes are stained with oil. The proverb meant that someone who is unable to attain his goals in life usually condemn other people's achievements. This proverb admonishes against envy and jealousy which is usually the main root of hatred that leads to varied greivous criminal acts. When one is not able to attain or be able to make progress in life, one might begin to condemn other peoples' achievements. That could lead to a situation where one may say that a family member who is more prosperous than others has tied other people's destinies. It could also lead to certain allegations that some persons achievements are illegally gotten and also in an evil manner. This could bring a very bad feud in the family or in

entire community. The power of words in this proverb is likely to reshape such people, especially the lazy ones and never do well in the community to look for something better to help themselves and the society. Natural law is based on reshaping human character; therefore this proverb will go a long way in controlling human actions for a harmonious living.

h. Okwu d[mma, nze ataa qj[, okwu ad[rq mma, nze ataa qj[. In literally terms if the outcome of an action is good, the titled men will eat kolanut, if it is not good, they will also eat kolanut. This means that the natural order of things should not be thwarted. Life goes on no matter the situation. Whether a situation favours one or not; life must go on. One should not cause trouble or do something that will bring disunity just because things are not going on well with him or her. One should accept things when they are good and also accepts bad aspects of life. Most of the time life may turn around, to teach one some lessons. Ife na-abx mgbe xfqdx q tqtx xtq, mgbe ufqdx o nutx inu, xwa a wee na-aga. These are ways of letting people know that they are not God, that they have limited powers. They must therefore depend on the supernatural being for survival. Ife si na chi.

These proverbs among others are used for societal control. This was also indicated by oral interview respondents that they emphasis the need to behave well, act and relate well at all times. However, most of the respondents stated that the use of proverb in training the younger ones is being neglected in the present time. The researcher also observes that the use of proverbs is recently degenerating. Oral interview respondents also indicated that encouragement and praise can also be a means of social control. When one gets justice, he will be encouraged to do more.

5.6 Research Question: F

How far is the process of social control applied in a fair manner in the communities in Oyi Local Government Area?

From the data collected in the research communities it does appear that the social control measures are applied in all fairness. These communities have different punishments for different offences which are commensurate with the deeds done.

i. Murder Case: The respondents in Nteje community indicated that the murderer will be executed or ostracised after which he or she does a purification rite. The person will also do the rite of *[kq mme* which is replacing the murdered person with a wife. However, recently it is a police and court affair. In the same way, in Awkuzu community, the respondents indicated that the murderer will be sent on exile, the murdered must be buried before he or she is given amnesty. He or she will also replace the murdered with a wife. However, nowadays the person is usually detained in the police custody and tried in the court. In Ogbunike community the only difference is the number of years spent on exile. While the respondents in Awkuzu community said that the person will be exiled for some time. The respondents in Ogbunike community stated that, it is a period of seven years. The situation was the same in Umunya community with some differences which the respondents indicated that the first thing is public disgrace followed by excommunication, then his family members will replace the dead with unmarried girl but most of the time the murderer is stoned except if he or she killed the person on self defence. In Nkwelle-Ezunaka community, murder case is handled in no different ways as other communities in Oyi Local Government Area.

It is worthy to note that the communities in Oyi Local Government Area do not play with human life. The respondents see life as precious, something that comes only from the creator and cannot be replaced therefore no one should waste it. It is therefore not surprising the type of agonizing

situation or and of punishment which the communities normally cast on the offender. Natural law indicates that people should not shed innocent blood and that people should not take laws into their hands. However one should be responsible for his or her action. Everyone has right to his or her life and no one has the right to kill another person. Killing is against human nature. It is against the purpose for which man is created. Man is created by God to live a good and happy life, therefore the act of murder negate this idea and can therefore diminish human race.

The implication is that if there are no punishments awaiting people who murder other people, the community of humans could be a horror. The society must have been a miserable, terror of great displeasures. There is a saying *azx ka ibe ya o loo*. Meaning literally ‘let the biggest fish swallow the smallest ones’. Therefore people who feel that they are greater, better off and the only one that is supposed to be dictating for others in the society will then be eliminating the weaker members of the society. Where there is no freedom people live in bondage and also live at the mercy of others.

However the respondents in Umunya research community indicated that the murderer may be exonerated if he or she killed the one in self defence. In the same line of thought natural law was of the opinion that as the kind of animals human are, that they have the right to their lives, property, right to liberty and also to defend themselves against those who want to kill them, or people wanting to take them into slavery or those who want to deprive or steal from them especially using force or violence. Therefore among the communities in Oyi Local Government Area self defence is not a crime, Igbo people say *q b [a]x ga-egbu m gbue onwe ya*.

Furthermore, the customary court respondents indicated that murder case is not in their jurisdiction to handle, that any case of murder must be recorded, make definite, and appropriate

punishment given as stipulated by the law in the law court. The implication is that some people might consciously indulge in the act of murdering or of being hired assassins as the case may be; and still be moving about in the society, since the communities have no power to execute a murderer in the recent time. It may be argued that anybody that specializes in the act of murder is handed over to the Police and later tried in the court of law with adequate punishment. It was however discovered that some of the people caught in such grievous crime usually uses money to close their case, as some respondents in the research communities have stated that some people prefer going to modern court of law because they know that they will always be on the winning side. This action could however aid in the continuation of crimes in the society and counteract the aim of justice.

ii. Incest: Among the respondents in Nteje community incest is an abomination which attracts the wrath of the gods. The respondents enumerated a lot of punishments awaiting the culprit as *isu mmanx n'isi*, [takqr[ta nzu n'ama. The culprit will be going round the village announcing the offence they have committed. They will later bring goat, fowls, yam etc which will be slaughtered in the village square. The respondents in Ogbunike community said that the persons will be excommunicated from social events, gatherings and membership of certain groups; and sacrifices for cleansing must be done. The respondents in Awkuzu community added that among the above things mentioned the culprit will dance at a community gathering in nudity. The respondents in Umunya community added that, the umuokpu will deal with the culprit. The respondents in Nkwelle-Ezunaka community spelt out the same ordeal that will happen to the culprit as indicated by other communities in Oyi Local Government Area but narrated how the *isu mmanx n'isi* is done.

From the foregoing it is understandably clear that the communities in Oyi Local Government Area do not keep calm whenever an abomination is committed. Abomination can create a serious imbalance in a community if the culprit is not identified, punished and necessary rituals performed. Natural law avers that humans should use their common sense to know what is good. It is therefore wrong for people who have blood relations among the communities in Oyi Local Government Area to have sexual intercourse. This is against the laws of the land and members of the community should know it and avoid it. They are not animals who have no rules on mating; so the grievous punishment which the respondents from the research communities indicated as the portion of anyone who commits incest will go a long way in discouraging anyone who has an eye on one of his or her relations. This will go a long way in maintaining peace, avoiding unwanted pregnancies and babies, discouraging laziness, gossip and family feud. However in the customary court the case of incest is not seen as an offence thereby neglecting the customs of the people.

iii. Kidnapping: Among the respondents in Nteje community kidnapping is an abomination. The respondents also said that the one who kidnapped another person must produce his or her subject. If the person refuses, he or she will be killed or his or her property burnt. He or she will be excommunicated if a titled man, he will be derobed, but however the respondents in the research communities stated that in recent times, kidnapping cases are government issues. Natural law asserts that individuals have right to liberty and so the act of kidnapping goes against this right. From the foregoing it is clear that, it is wrong to kidnap another person since every individual has right to his or her life ;and also have right to freedom. The implication is the agonizing

nature of kidnapping, because it creates suffering, restrictions, pains and panic, and retards human resources; and manpower development.

The customary court respondents indicated that they do not handle kidnapping cases and respondents in the research communities have also stated that kidnapping is government issues. It was however discovered that in Anambra State anyone caught in the act of kidnapping must be prosecuted. The building on which the kidnapped person was kept will also be pulled down, it is a wonderful effort made in order to put crime to a stop. This however affects only those cases that were reported and verified and acknowledged as complete and true. But there could be some exceptional cases where the communities could not report because of security purposes and the kidnapper will continue to terrify the members of the community. If the research communities could be allowed laws into their hands as in the olden days; they could eliminate any one that is terrifying them, matching the crime with the offense committed; and the communities will have peace.

iv. Revealing the Secret of a Masquerade: The respondents in Nteje community indicated that *[ta mmqq* is an abomination. The person who reveals the secret of the masquerade will be handed over to the elders and native doctors. The person's house might be burnt down, coupled with other punishments. Other respondents in the research communities also see the act of revealing the secret of a masquerade as a very greivous offence which must attract ritual cleansing with other punishments.

In Igbo land generally and Oyi communities in particular masquerade represents the spirit of the ancestors and is held in high reverence. The masquerade perform different functions in the society such as committing the young boys to be moral and conscious especially during their

initiation period, help in maintaining peace and order in the society, collection of levies from disobedient persons who refuse to pay for community development, serve as corrective measures in different occasions among other functions. The implication is that if masquerade is reduced to nothing and seen to be irrelevant, these functions will be relegated to the background. Everyone in the community must try his or her best to be the best they can without creating problems in the society. One should also pay his or her levies because of the benefits he or she is receiving in his community. However some people despite all persuasion tend to refuse to pay for community development. In most cases it is the masquerade that the community uses to collect such levies. The person or persons involved will not react to the situation, as he would have done if it were ordinary people in the community. It was however gathered from the customary court respondents that they do not also try any case pertaining to the unmasking of masquerade.

Concerning the denial of an offence, the respondents in the research communities indicated that if the accused person denies any allegation, the community will demand the person to take an oath. They may consult a diviner, a seer, to make investigations etc. These entire acts are in a bid to find out the truth so that an innocent person should not be punished. Justice seeks that the innocent should be set free and the guilty punished. The implication is that if all these decisive measures are not taken, the community or the people involved might do the wrong thing which does not follow the order of nature. It could therefore be calamitous and disastrous. Therefore, in the olden days, the communities in Oyi Local Government Area seem to be fair in the handling of cases.

CHAPTER SIX

SUMMARY AND CONCLUSION

The emphasis on this chapter is to present the findings of this research work. Special attention was also given to recommendations and suggestions; conclusion was also drawn based on the outcome of this research work.

6.1 Summary of Findings

The result of this research work on justice as a social control mechanism in Oyi Local Government Area exposes justice as a means to check, or in other words restrain and control excess in the society for a harmonious living. It was discovered that in the research communities

justice is regarded as fairness and fair play. It is truth, unbiased mediation, declaring the guilty and setting the innocent free. Justice is also referred to as creating peace, love and cordial relationship among people. The findings also disclose some Igbo words used in the research communities for justice, as *ikpe zili ezi*, *ikpe nkwxmqtq*, *iji qfq*- doing things from the right perspective, *nwa mmadx emegbuna nwa mmqg ma nwa mmqg emegbuna nwa mmadx*- live and let live, *egbe belx ugo belx*- live and let live, *ikpe eziokwu*- truthful judgement, *ikwu eziokwu*- saying the truth, *qd[nan]*- custom, *iwu*- rules and regulations, *idozi okwu*- to broker peace, among others.

From the findings, it was discovered that there is need for justice in the communities in Oyi Local Government Area because there are some people who deviate from the acceptable norms. The findings emphasized that if those behaviours are not in check the research communities will be in disarray; when such unbearable situations arise, the only answer is to rely on the justice system established by the members of the research communities.

The findings indicate a number of ills which the members of the communities in Oyi Local Government Area abhor. Such behaviours are suicide, abortion, murder, kidnapping, theft, arson, unmasking a masquerade, witchcraft, poisoning, incest, rape, paedophilic tendencies, beating ones parents, uprooting food crops, exceeding one's boundary, killing of totem animals among others. The findings indicate that defaulters of any or combination of these offences never go unpunished; this will however serve as a lesson to other people. Most of the offences such as murder, arson, kidnapping, theft, rape, and incest, among others are regarded as abominations and were severely punished.

The findings reveal the agencies entrusted for peaceful resolutions in the research communities as the *igwe* in council, town union president and executives, age grade, family, *umuada*, elders, masquerade, oracle, law court among others. Findings show that these agencies ensure justice to all and sundry. However, the result of this research work brings to light the activities of some of the members entrusted with these agencies which have led some people in the research communities to neglect the traditional method of conflict resolution and embracing the modern Law court and other law enforcement agencies. On the other hand the results also show that those who bypass the traditional method of conflict resolution and opt for modern law court do so in a bid to outwit their opponents. It was therefore discovered that anyone who take his kinsmen to court must bring the case out before he could have dealings with his or her kinsmen. It is assumed that part of the problem why crime is increasing is that, some people who handle cases traditionally are not sincere to their duties while some who handle cases in modern court also thwart justice in most cases.

Findings unveiled a wide belief among the research communities that God, *ala* and other divinities punish offenders. It was discovered that any incurable and mysterious ailments are the outcome of their activities. People can therefore disavail themselves from any act that attracts such punishments and this can go a long way in promoting peace and good neighbourliness.

Findings make the role of Igbo native justice among the communities in Oyi Local Government Area visible in the use of *qfq*, value attached to life and truthfulness. Findings indicate that justice is for peaceful co-habitation which also manifest in *ofo* which is a symbol of peace and equity. Also value attached to life shows that life is sacred and should be preserved for continuity. Also truthfulness preserves life and ensures that justice is prevailed in all situations.

The findings also expose some of the offences that can lead to oath taking; these are: theft, suspicion, accusations and host of others. The outcome or the resultant effect of oath can discourage people from misbehaving. Findings expose oath taking as one of the ways of discouraging deviant behaviours. Most acts are uncovered through oath; it is evident that most people would avoid such erroneous acts that can be discovered through oath administration. The justified punishment placed on the offender can discourage people from transgression. Justice can therefore make people to be law abiding.

Findings show that through the institution of abomination, excommunication, justice acts as a catalyst to societal control. It discovers that once an offence is termed abomination, no sensible individual dares to commit it. This therefore can reduce crime in the communities in Oyi Local Government Area. It was pointed out by the findings that people in the research communities cannot proceed on any act that will not benefit them therefore will disapprove any offence that can led to excommunication. Findings prove that there is no hideout for people who indulge in evil act, justice system therefore turns to be an advantage to the people of Oyi Local Government Area.

Findings disclose other means through which justice can be a deterrent to members of the research communities. Findings reveal that some punishment could lead to public disgrace such as flogging in the market place or village square, *isu mmanx n'isi*, [*kq mme*], paying of fine; fair treatment, establishment of truth and so on. These go a long way in promoting peace, love and good neighbourliness.

Findings also expose a lot of proverbs through which the justice system admonishes people for a better life that can be of a good benefit to the society. These proverbs teach, admonish and also advice against deviant acts and is able to change bad behaviour. It also show that recently the usage of proverb is relegate to the background.

Findings show that the punishments placed on offenders are justifiable. For instance in the research communities a murderer must be publicly disgraced, exiled, and must perform rites on return and also replacement of the murdered with a wife. The research communities see life as very important and sacred which can never be restored. Therefore whoever that wasted it, is duly punished. It was however discovered that the members of the research communities in the recent times, do not handle murder cases. Recently murder case belongs to the Police and court of law. The case will be recorded, tried in court and punished if found guilty. Findings unveil that some people who have committed erroneous offences can recently move about in the communities since it is possible for some people to buy their way out with money.

Some other offences pointed out by the findings are incest, kidnapping and revealing the secret of the masquerade. The native justice system is fairly applied to these offences, such that it can discourage some people with evil intent. However findings indicated that in Anambra State which is the State of research communities kidnapping issue is recently a state affair. Findings noted that when kidnapping is in the hand of the traditional justice system, people know themselves and were able to collectively punish a kidnapper without fear or favour but recently some people are afraid to report any suspected individual since one may not know whether he or she may buy his or her way out. If such a thing happens, those who reported the case may be the next target.

Incestuous case, witchcraft, adultery, and revealing masquerade secret among others are not among the offences tried by the customary court. This means that, they are not recognised, the knowledge can also create more crimes in the communities.

Findings show that in times of conflict people prefer the modern justice system. The meaning is that there is a great move from native justice system to modern court and outright neglect for native justice system in almost all the research communities. Maybe the reason for this as indicated by the respondents is that most people see native justice system as not reliable; that they cannot issue certificate, that native justice is a thing of the past, that most people are not satisfied with their verdict and also that there is an issue of nepotism, that the leaders are uneducated and unintelligent, some of them do not say the truth, some twist matters, *ikpe azx, ikpe malx eziokwu*, among others as stated by the respondents.

However, findings also show that some people neglect the traditional methods of impartial verdict because they are more connected and also know that they can easily be on the winning side by going through the modern law court. Findings also indicate that part of the problem for this neglect is westernization, religion and faith. In line with this, it was disclosed that the modern justice system cannot totally serve the needs of the members of the research communities and that the fear is that the native justice system may not withstand the test of time in this global era.

Finally, the result indicated that the modern justice system can secure desired judgement but not peace. It indicated that the traditional justice system has human face, that it is cultural and therefore uses the language of the people and can ameliorate.

6.2 Recommendations and Suggestions

It is worthwhile that some recommendations and suggestions are made as part of the last component of this research work. This will go a long way in minimizing crime, assist in promoting peace, love, harmony, good neighbourliness and happy living among people. Since justice is unbiased mediation, setting the innocent free and placing an appropriate punishment to the offender for peaceful co-habitation. It is advisable that members of the research communities should not deviate from this main purpose of justice which is impartial judgement without prejudice. The value which will be tapped will create oneness that will profit each and every member of the society.

Furthermore, since some kinds of offences thrive in the research communities; people should not emulate the evil doers rather endeavour to live exemplary life. They should be alert, fish out the law breakers, make report to the appropriate agency of justice in order to take its full force. When every member of the society know that each person's activity is monitored by other people; this will go a long way in reducing the rate of ills in the society.

Oath taking as one of the ways of finding out the truth and meting out justice should be upheld. When people see the outcome or what happened to those who swear falsely, it will make them to be truthful always. Any society that is rooted in truthfulness is likely to progress enormously.

The members at the different levels of native justice that ensure right judgment, should be up and doing. It is suggested that some of the members who are partial, biased, prejudiced, taking sides and tendentious should refrain from such evil act. As elders in their various levels of

dispensation, their actions will go a long way in creating new problems to the members of the society and if not put to a halt, the upcoming leaders will emulate their evil practices.

It is also recommended that the native justice system should be upheld; that on no account should a kinsman take his or her fellow kinsmen to law court or other law enforcement agencies without the approval of the kinsmen. If it will be possible let there be no law suits among people of the same community for that will increase the love for one another, spirit of oneness, unity and peaceful relations.

Fines, exile, public disgrace among others are also recommended, for such could immensely bring misconduct to its lowest ebb. Since life is sacred, precious and valuable, *qf*q symbolizes equity and peace among people while truth preserves life; these values should highly be reserved for its benefits to the society. It is suggested that no one should ever take his or her own life or the life of another person since it is against the law of nature and life cannot be bought or replaced.

Furthermore, government should encourage the traditional justice system to operate in its fullness. However any case that is found in the traditional setting to be difficult to resolve by the elders could be referred to the law court; and on no account could anyone be allowed to buy a case over, against another person. Therefore, let there be fairness in every situation.

Finally, the native justice system should not be allowed to die. It is closer to the people, uses their language and needs no interpretation. The people know themselves; and will be able to notice on time those who generate evil blood in their communities. This will help for quick and easy identification and the follow-up action. This will also help in eliminating evil and creating a peaceful environment for people. In the same way it can also be upgraded as an alternative

conflict resolution if certain aspects such as documentation, record keeping among others are incorporated.

6.3 Conclusion

Justice is the hub of any given society. It is being fair. It stands for just judgement, setting the innocent free and punishing the offender appropriately. The entire world need and demands for justice as the root that establishes peace in the community. Once justice is denied, annoyance, unhappiness, malice, bitterness, war and so many other unbearable attitudes might arise in the society. This situation cannot be different from the situation in communities in Oyi Local Government Area. However when evil thrives in the society; justice system is called upon to avert the situation. In the research communities there is an obvious need for justice, there is also agencies that ensures that justice are given. Justice plays a lot of roles in the research communities which manifest in different ways such as through the value attached to life, *ofò* and truthfulness.

There are some behaviours such as kidnapping, murder, land disputes, theft, incest among others found in the communities in Oyi Local Government Area; such that, they threatened the peaceful co-existence of the people. Justice system therefore serves as a means of reducing or to an extent stopping these behaviours through the establishment of abominations, excommunications, institutions of oath taking, fine, public disgrace, use of proverbs among others; these however will go a long way in uniting the people and creating a happy society that live together in harmony. When there is peace in any community, it is bound to increase progress and also develop greatly both in economic, spiritual, social, political, and moral spheres. Therefore, when true justice is given there will be no cover up or hide out for evil perpetrators.

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APPENDIX I

QUESTIONNAIRE

Justice as a Social Control Mechanism in Communities in Oyi Local Government Area.

Dear Respondent,

The researcher is a Postgraduate student of the Faculty of Arts, Nnamdi Azikiwe University Awka. The questionnaire is purely for academic purpose. All information will be handled as confidential. You are kindly requested to answer the questions to the best of your knowledge, to help facilitate the study.

Background information:

Tick in the space provided

Gender:

Male

Female

Home Town:

Nteje

Ogbunike

Awkuzu

Umunya

Nkwelle-Ezunaka

SECTION: A

Please kindly read the following questions and respond as appropriate.

Please tick as appropriate

S/N	Description	Agree	Strongly Agree	Disagree	Strongly Disagree
1.	Igbo justice originated from God				
2.	Some of the justice originated from man				
3.	Some justice also originated from tradition				
4.	Every member of your community are good citizens				
5.	There is need for justice in your community				
6.	Can abomination serve as a means of social control?				
7.	Can oath taking be a means of social control?				
8.	Do you think that excommunication can make people not to behave in the same manner as the excommunicate?				
9.	Can measures used to shun unwarranted behaviours such as refusing one to talk in public be a means of social control?				
10	Can shame be a measure of shunning unwarranted behaviour?				
11	Do elders have any role in conflict resolution?				
12	Do age grade have the power to try their members?				
13	Can God punish someone who commits crime in your community?				
14	Do divinities have the power to punish in your community?				
15	Does the mother earth (ala) punish in your community in order to provide justice?				

16	Do these agencies (family, masquerade, elders, community, age grade, etc) enshrine judgment to the people of your community in all fairness?				
17	If a case cannot be settled at the family level it is moved to the kindred				
18	In times of conflict which do people in your community prefer? (a) Native justice system (b) Modern law court				
19	Does the modern justice system (Court) totally serve the needs of the members of your community?				
20	Do you think that the native justice system can withstand the test of time in this global era?				

SECTION B

Note: Please kindly write your answers in the space provided. You can write your answers in your native dialect (Igbo) especially where it applies to the use of proverbs or any other as you deem necessary. Secondly an extra sheet is attached for elaborate explanation that may not be contained in the spaces provided.

1. What is the meaning of justice among the Igbo?
2. What is the Igbo word for justice in your community?
3. In what ways can justice be used as a means of social control?
4. What is considered as abomination in your community?
5. List all acts that are regarded as abomination in your community.
6. How do you handle such cases?
7. What is oath taking?
8. What are the things that can lead to oath taking in your community?
9. What are excommunication/ostracizing?
10. Name offences which can lead to excommunication in your community.
11. How do you handle such cases?
12. List proverbs used in your community to admonish people or that is used as a warning against evil behaviours such as envy, jealousy, stealing, selfishness and so on. Please give proverbs on each of the ills.
13. What are the meanings of these proverbs?
14. How can it be used to curb excesses in the society?
15. What institutions do people rely on if they want to have a fair hearing in your community?
16. Name all the agencies/groups that try cases in your community?

17. What are the cases that are likely to be treated at the family level?
18. How do people in your community try such cases?
19. Who are the people that try cases at the kindred level?
20. Which other level will a difficult or unresolved case be taken to?
21. At the town level who are the judges?
22. How does one bring or present his case to the members?
23. What are the likely cases treated at the town level?
24. Are there instances when people bypass/ignore these levels of peaceful resolution of cases and resort to modern law court?
25. What are their reasons?
26. Mention the types of cases tried by age grades.
27. How do they try these cases?
28. Which crimes does God punish directly?
29. How can it be known that the punishment comes from God?
30. What offences does ala punish?
31. How does she punish (the processes)?
32. What are the types of cases tried by the masquerade?
33. How does masquerade bring justice to conflicting parties?
34. List the cases that can be handled by umuokpu
35. What are the processes of handling such cases?
36. What is the role of 'ofo' in ensuring justice among the people of your community?
37. How do the people in your community use it?
38. How does the case of abortion handled in your community?
39. What is the procedure for handling murder case in your community?
40. How do you handle the case of incest in your community?
41. How do you handle kidnapping cases in your community?
42. For one who reveals the secret of masquerade in your community how is it tried?
43. If the person denies any of these crimes or refuses to plead guilty, what are the processes of finding out the truth?
44. How can any other crime apart from the ones mentioned above be handled by the members of your community?
45. What are the reasons for the value attached to life in your community?
46. How does it relate to justice?
47. What are the reasons for the value attached to truthfulness in your community?
48. How does it relate to justice?

APPENDIX II
SECTION C (CUSTOMARY COURT)

Questionnaire

Justice as a Social Control Mechanism in Communities in Oyi Local Area

Dear Respondents,

The researcher is a postgraduate student of the faculty of Arts, Nnamdi Azikiwe University, Awka. The questionnaire is purely for academic purpose. All information will be handled as confidential. You are kindly requested to answer the questions to the best of your knowledge, to help facilitate the study.

Please kindly write your answers in the space provided.

Local Government Area of deployment-----

Position held-----

1. What is the basis for your operation in the customary court?
2. What is the purpose of customary court?

3. How related is the customary law and the customary practices of the people in the Local Government Area?
4. In times of conflict do people in the Local Government Area prefer native justice system or modern law court?
5. What are the types of cases usually handled by the customary court?
6. Are there some cases that occur in the local communities which the customary court has no authority to handle? If yes please name them.
7. Are there instances where people bypass or ignore the peaceful resolution of cases in their various communities and resort to modern law courts?
8. What do you think is the reason why people bypass or ignore the peaceful resolution of cases in their various communities and resort to modern law courts?
9. Do you think that the modern law court alone can completely serve the needs of the members of the people in the Local Government Area?
10. Is it possible for the native justice system to withstand the test of time in this era of globalization?

APPENDIX III
SECTION D (ORAL INTERVIEW QUESTION)

1. Do you think that every member of your community is a good citizen?
2. What are the things that some people do that portray them as bad citizen?
3. Do you think that there is any need for justice in your community?
4. Please name all the groups that try cases in your community
5. Do these groups mete out judgement to the people of your community with all fairness?
6. In times of conflict which do people in your community prefer -traditional or modern law court?
7. What do you think is there reason?
8. Do you believe that justice can be used as a means of social control?
9. In what ways can justice be used as a means of social control?
10. Do people still abide by these means?
11. If no, what are there reasons?
12. Are there instances when people bypass the traditional levels of peaceful resolution and resort to modern law court?

13. Can modern justice system totally serve the needs of the members of your community?
14. Do you think that the native justice system can withstand the test of time in this global era?

NAMES OF THE INTERVIEWEE

Nkwelle-Ezunaka

1. Engr. Dike Ndulue-----above 55years
2. Mercy Oguejiofor-----above 60years

Awkuzu

3. Sir. M. C. Chilokwu(JP)-----above 63years
4. Theresa Ifekandu-----above 70years

Ogbunike

5. Iyom Odisa Ibemesi-----above 82years
6. Chiedu Udemezue-----above 49years

Nteje

7. Obiageli Ezeabali-----above 68years
8. Nweke Odili-----above 75 years

Umunya

9. Louis Nwoye-----above 60years
10. Regina Obi-----above 50 years

APPENDIX IV



Oral Interview with Sir. M. C. Chilokwu (JP) Town Union Executive and Secretary to Nze Adhoc Peace and Reconciliation committee, Akwuzu Oyi Local Government Area. 20/1/2018



Oral Interview with Engr. Dike Ndulue, Ezibudu-Ezeani Ifite, Nkwelle-Ezunaka Oyi Local Government Area. 31/1/2018

APPENDIX V

MAP OF OYI LOCAL GOVERNMENT AREA OF ANAMBRA STATE

