

THE POLITICAL ORGANISATION OF THE URHOBOS OF THE
MIDWESTERN STATE OF NIGERIA

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ABSTRACT

This thesis is a sociological analysis of continuity and change in the political organisation of Okpe, an Urhobo tribe, in the Mid-western State of Nigeria.

The discussion is presented in nine chapters. The first introduces Okpe tribe by a brief account of its history, territory, kinship grouping, religion and economy. Chapter Two deals with Okpe political structure showing how power and authority are affected by the age organisation, personal efficiency, the chieftaincy institution and kinship. Recruitment to positions of power in these four fields is discussed. Against this background, Chapter Three deals with Okpe governmental processes at two levels: that of the town and that of the tribe as a whole prior to the establishment of effective British rule in about 1890.

Chapters Four and Five are concerned with the impact of British rule on Okpe which, like other tribes, lost its political sovereignty in the process. Chapter Five also discusses some of the problems encountered in the revival of Okpe kingship in the 1940s. It further describes briefly some of the statutory changes and the constitutional development of Nigeria before independence in 1960.

Chapter Six highlights some aspects of Okpe cultural behaviour which are currently manipulated in order to maintain tribal exclusiveness within the new state.

Chapter Seven shows, on the other hand, that Okpe tribe is an integral part of the Midwestern State of Nigeria. This situation results in two types or arenas of politics: the politics of the tribe and that of the new state. In many cases, these two types of politics have opposite effects on the political organisation of the tribe. But the new state government and politics tend more and more to involve the tribal government and politics. Chapter Eight shows that recruitment to the top political positions in the tribe is now statutory and can be done only with the approval of the Government of the Midwestern State of Nigeria.

The thesis is concluded in Chapter Nine by a brief discussion of its theoretical implications.

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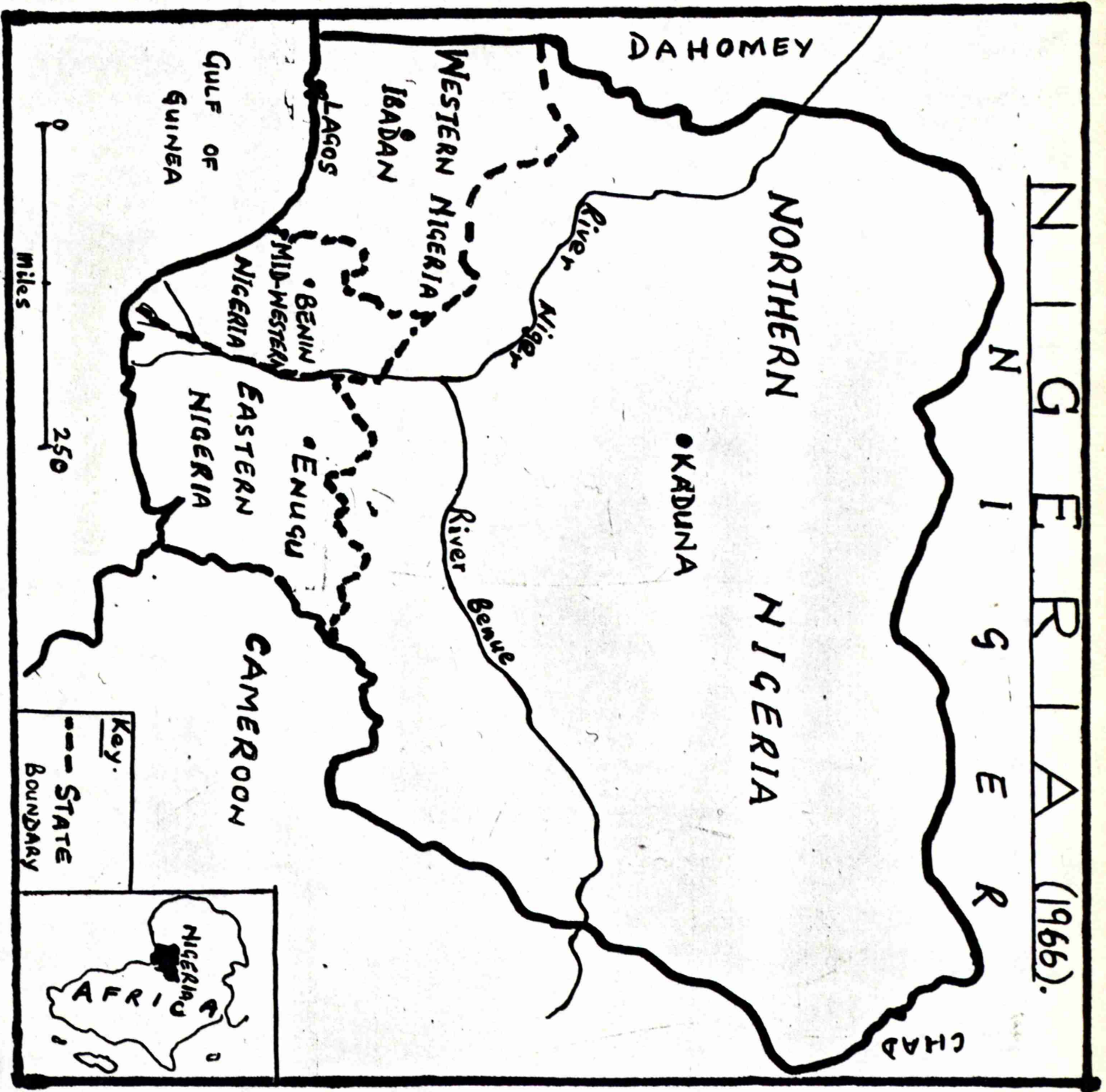
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N I G E R I A (1966).



GULF OF GUINEA

DAHOMY

WESTERN NIGERIA

NORTHERN NIGERIA

NIGERIA

N I G E R

CHAD

0 250 Miles

LAGOS

IBADAN

BENIN

ENUGU

KADUNA

EASTERN NIGERIA

CAMEROON

Key.

STATE BOUNDARY



CHAPTER ONE

I N T R O D U C T I O N

THE PROBLEM

This thesis is a sociological analysis of continuity and change in the politics and the political organisation of Okpe tribe in the Midwestern State of Nigeria. The theoretical implications of the analysis are discussed in the concluding chapter.

The political system of Okpe tribe can no longer be treated as an isolate. This would be unrealistic. Yet as part of the new state, Okpe tribe asserts its own identity, and also re-interprets its cultural symbols from time to time in order to sustain its exclusiveness under a new distribution of power. The problem of Okpe as a tribe therefore consists of tribal autonomy and dependence in the Midwestern State of Nigeria. I consider it appropriate to analyse this problem in terms of continuity and change in Okpe political system within the new state.

Throughout this thesis, I call Okpe a tribe. I use this term in the sense that the Okpes believe that they are descended from a common ancestor, have common traditions of origin and possess a separate territory and a cultural heritage including a special dialect. They are politically united and are distinct in their collective cults and religious organisation.

The fieldwork on which this study is based was carried out from

March, 1967, to March, 1968.¹ The social anthropologist's technique of settling in one village or town while studying 'his people' has some advantage when concentrating on a small community. My fieldwork, however, shows that such methodology has great limitations in current political studies of tribes in the Midwestern State of Nigeria. For, as this thesis shows, the tribe now exists as a part of the new state.

THE URHOBOS: POPULATION AND GEOGRAPHY

The Urhobos are a conglomeration of twenty socially and territorially related tribes² who, according to the 1963 census figures, total 491,736. They inhabit an area located within roughly latitudes 6° and 5° 15' North and longitudes 5° 40' and 6° 25' East in the Delta-Province of the Midwestern State of Nigeria. These figures do not include those for the Isoko tribes who, until October, 1963, formed part of Urhobo Division. In 1952, the census figures showed that approximately 28,000 and 43,000 Urhobos and Isokos lived in Benin and Ondo Provinces respectively, 25,000 in other parts of Western Nigeria and others in various parts of West Africa.³

The present land of the Urhobos consists mainly of evergreen forests, now cleared in parts for farms, and an extremely large number of oil palm trees. There are a few low-lying swampy areas with mangrove

1. In addition to this period, I made a part-time study mainly through participant observation of the inner working of the Midwestern State Government while I was Administrative Officer from February, 1964, to October, 1965.
2. Two other social groups not included in this number are the Agbassa and Okere Urhobos who are currently placed under Warri Administrative Division. These cannot, as yet, be properly called tribes. It should also be noted that the concept of 'Clan' as it has been used with reference to Urhobo and other tribes in the Midwestern State, is unscientific and, therefore, rejected in respect of this study.
3. The 1963 census figures have not been broken down to show the number of Urhobos living outside their territory.

forests. An important feature of Urhobo territory is the physical network of rivers and streams. The most important of these are the Rivers Ethiope, Jamieson, Warri and Forcados with their numerous branches flowing virtually over all the tribal lands of the Urhobos. There are two main climatic seasons in this tropical area: the dry season, from November to March, during which most of the streams dry up and the rivers ebb; and the wet season, from April to October, when all the rivers and streams are full and when parts of Urhoboland are flooded. Until the construction of good roads under the British Government, the rivers provided the main physical routes through which foreign social contact with the Urhobos was possible. These early penetrations never went far enough and they resulted in various impressionistic statements by early Europeans who located the Urhobos in some area beyond the other side of River Ethiope or the Warri River.⁴

The neighbours of the Urhobos are the Binis in the north, the Ijos in the south, the Isokos and the Ukwani in the east and the Itsekiris in the west. Today, the Urhobos are one of five main social groups inhabiting the Delta Province and one of twelve such groups inhabiting the two provinces of the Midwestern State of Nigeria, as shown in Table I and in the following map.

4. For example, see Gallwey, H.L., 1893, Geographical Journal, Vol.1, p.127.

TABLE I

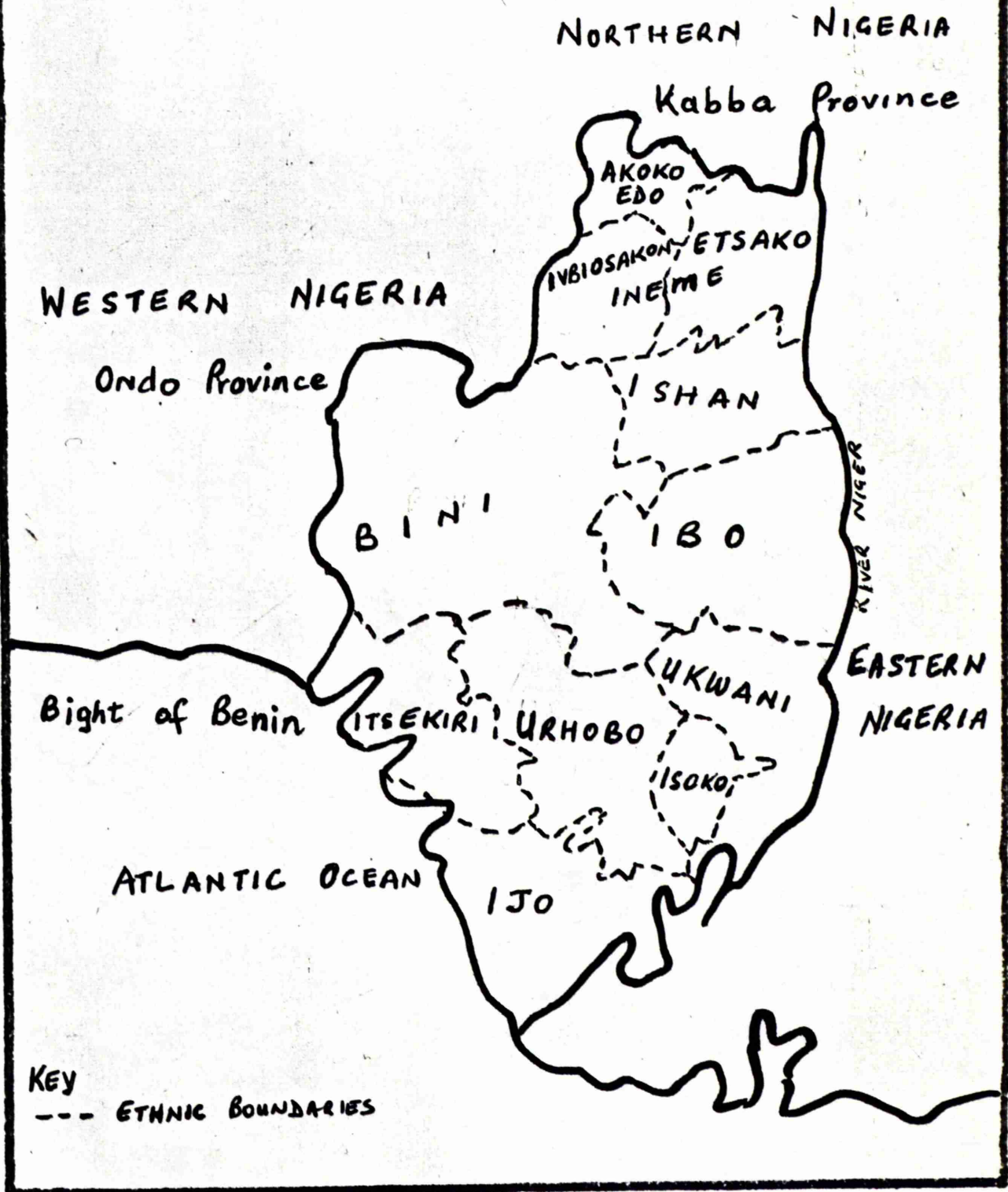
MAJOR SOCIAL GROUPS IN THE MIDWESTERN STATE OF NIGERIA*

SOCIAL GROUPS - BY PROVINCE	GOVERNMENT ADMINISTRATIVE DIVISION OF SOCIAL GROUP	ADMINISTRATIVE DIVISION OR PROVINCE	
		POPULATION	AREA IN SQUARE MILES
A. BENIN PROVINCE	-	1,345,986	8,482
1. Bini	Benin	429,907	4,000
2. Ishan	Ishan	270,903	1,162
3. Ibo i. Aniocha ii. Ika	} Asaba	315,998	1,215
4. Akoko-Edo		Akoko-Edo	112,186
5. Etsako	} Afenmai	225,992	
6. Ivbiosakon			
7. Ineme **	?	?	
B. DELTA PROVINCE	-	1,180,853	6,440
1. Ijo	Western Ijo	231,746	2,351
2. Itsekiri	Warri	145,060	1,400
3. Isoko	Isoko	134,157	} 1,836
4. Urhobo	Urhobo	491,736	
5. Ukwani i. Aboh ii. Ndosimili iii. Others	} Aboh	178,154	853
TOTALS	12	10	2,535,839
			14,922

Notes: * The figures used here were obtained from the Statistics Division, Ministry of Economic Development, Benin City. In April, 1967, the 10 Government Administrative Divisions were replaced by 14, that is, Eastern Benin, Western Benin, Ishan, Asaba, Ika, Akoko-Edo, Etsako, Owan (formerly Ivbiosakon), Western Ijo, Warri, Isoko, Eastern Urhobo, Western Urhobo, and Aboh Divisions.

** For details about the Ineme people, see Bradbury, R.E. 1957, The Benin Kingdom and the Edo-Speaking Peoples of South-Western Nigeria. Ethnographic Survey of Africa Part XIII edited by Daryll Forde, pp.123-126.

AN ETHNOGRAPHIC MAP OF THE MIDWESTERN STATE OF NIGERIA



THE URHOBOS: HISTORY AND PROBLEM OF IDENTITY

Any account of the history of the Urhobos cannot, at present, pretend to be any more than a tentative proposition based on current oral traditions and on available documents prepared by early European traders, missionaries and British Government Administrative Officers.

Because of its importance in the understanding of the political development of Urhobo tribes and of their relationship with their neighbours, an outline history of the Urhobos is made the subject of Appendix 'A'. This as yet inconclusive history may be read as an introductory historical component of this thesis. But it should be noted that it was not until October 1, 1938, that the name, 'Sobo' or 'Subou' was changed officially to Urhobo as the appropriate and desired collective name for the twenty tribes.⁵

It is suggested that the grouping into these separate Urhobo tribal units is a result of their separate migrations to their present territories. The tendency in these units has been to consolidate their separate political processes and tribal cohesion. But tribal assertiveness is probably regarded, in many respects, as a problem in the way of an all-Urhobo unity particularly vis-a-vis neighbouring Binis or Itsekiris and other apparently more united large social groups in the new state. That the Urhobo Progress Union should be formed in the 1930s is, therefore, hardly a surprise attempt to over-shadow tribal separateness

5. See Nigeria Gazette No. 49, Vol.25, Notice No.1228 of 8.9.38.

with a comparatively wider all-Urhobo cultural macro-symbolism.⁶

Thus, on one hand, there is an awareness of a common language and collective traditions among Urhobo tribes. On the other hand, each Urhobo tribe manipulates its separate historical, political and cultural symbols as a means of asserting its own exclusiveness. It should be noted in this connection that in the urban areas and outside Urhoboland, a respondent often identifies himself first as an Urhobo and secondly, if asked further, as an Okpe or other tribesman.

Okpe is chosen out of the twenty Urhobo tribes shown in Table II for an extended case study to illustrate the manner in which it has used its own history, politics and other aspects of its social system to identify itself not only among other Urhobo tribes but also among other social groups in the Midwestern State of Nigeria. It should also be noted that the nature and functions of Okpe social subsystems are similar to those of other Urhobo tribes although they operate within separate political frameworks.

OKPE TRIBE

Table II shows Okpe tribe to possess the highest population (79,519), among the Urhobos. It also has the largest territory (about 200 square miles) consisting of swampy and mangrove forests near the creeks and of evergreen forest inland. River Ethiope separates Okpe

6. More about the Urhobo Progress Union in Chapter Seven. For comparison at this stage, see Lloyd, P.C. 1960. Sacred Kingship and Government among the Yoruba. In Africa. 30, 3: pp.223-4. Lloyd suggests that the Yoruba in the early 19th century and before, regarded themselves as Ifes, Ijeshas, ~~and~~ Oyos etc. Their kingdoms were named accordingly. Also note the original aims of the Egbe Omo Oduduwa as shown in Chapter Seven.

TABLE II

URHOBO TRIBES - POPULATION DISTRIBUTION (1963 CENSUS FIGURES)

TRIBE	TOTAL POPULATION	TRIBAL HEADQUARTERS *	
		NAME	POPULATION
1. Abraka	20,106	Abraka Inland	?
2. Agbarha	9,346	Agbarha-Oto	?
3. Agbarho	14,925	Orho-Agbarho	2,737
4. Agbo	62,064	Agbo (Isiokoro)	?
5. Arhavwarie	1,526	Arhavwarie	1,314
6. Ephro-Oto	847	Ephro-Oto	847
7. Ewreni	7,869	Ewreni	?
8. Ewu	22,737	Ewu	5,300
9. Idjerhe	24,880	Idjerhe	1,278
10. Oghara	27,559	Ogharefe/Oghareki	5,781 (Ogharefe)
11. Ogo	5,715	Otogo	1,307
12. Okparabe	1,701	Okparabe	1,060
13. Okpe	79,519	Orerokpe	2,745
14. Olomu	13,345	Agbo	292
15. Orogu	19,372	Orogu	?
16. Udu	31,287	Ot' Udu	477
17. Ughelli	21,904	Otovwodo	981
18. Ughievwe	39,616	Ot' Ughievwe	1,265
19. Uvwie	13,413	Ephro	7,309
20. Uwheru	12,998	Uwheru	?

Note * i.e. where the tribal head (Ovie, Orodje etc.) stays or ought to stay.

territory from those of Oghara and Idjerhe tribes. Okpe also shares common boundaries with the Itsekiris and with the Urhobo tribes of Agbarho, Agbo, Ughienvwe and Uvwie. These are all illustrated in the map in Chapter Seven. The second largest town in the Midwestern State, that is, the urban and industrialised town of Sapele with a cosmopolitan population of 61,007, belongs to Okpe tribe.

It should also be mentioned that although the Okpe dialect is part of a common Urhobo language, the tribe possesses an additional peculiar dialect which is incomprehensible to other Urhobos and which is, itself, sometimes used to justify their separate entity.

OKPE HISTORY AND KINSHIP

The history of Okpe tribe is closely connected with the structural position of the major descent groups. Both reinforce each other and both are used at different levels and arenas to legitimate entitlements to the kingship and to other political offices. But before these political claims and the nature of the political structure are considered, it is essential to examine the tribal history and kinship and other pertinent areas of Okpe social system.

The history of Okpe tribe itself cannot, at present, be more than tentative. For example, it is not quite clear whether it is correct to assert that ~~Okpe tribal predecessors~~ were some of the descendants of Uhobo or of his close kin, or to maintain that

"they are the direct descendants of the ancient ruler of Ife" and therefore "originally, we came from Ife - in Benin direction - the Binis also came from there."⁷

It is possible that these two assertions involve no conflict. What is fairly agreed, however, is that Okpe emigrants through Benin eventually arrived in Ijo territory near Patani from where they moved to a site near the present Olomu tribal town of Okpe. According to Bradbury,

"The founder, Igboze, is said to have been a son of the Oba of Benin who obtained the title Ovie and conquered some of the aboriginal Urhobo. He was joined by the Ibo, Olomu, who persuaded Igboze to make him his heir."⁸

Fierce disputes and disagreements over succession on Igboze's death made his son and his followers leave Olomu territory. According to Hubbard,⁹ these emigrants settled in the Agbarho quarter of the present Isoko Okpe which has a common boundary with Ozoro tribe in Isoko Division. Okpe himself is said to have lived and died here.

But before his death, he had the following four sons in order of seniority: Orhue, Orhoro, Evwreke and Esezi. Orhue, a hunter, searched later for food and a fertile region for settlement and camped near the present site of Ehwerhe in neighbouring Agbarho tribe. The Okpes say that Orhue later crossed a stream and founded Orerokpe, the tribal

7. Statement by leading Okpe Chiefs - Ayomanor and A.E. Omarin on behalf of Okpe people as plaintiff in the Sapele Land Case with Ginuwa II the Olu of Itsekiri from 1941 to 1943. See Suit No.W/37/1941 of the High Court, Warri.

8. Bradbury, R.E. 1957; The Benin Kingdom and the Edo Speaking Peoples of Southwestern Nigeria. p.131.

9. Hubbard, J.W. 1948. The Sobo of the Niger Delta, p.107.

capital and marked Okpe ownership of it by planting an Oghriki tree near the Adene.¹⁰ His three brothers, together with their kinsmen including affines, came later to settle together on the new site. Until recently, both the Urhobo Okpes and the Isoko Okpes exchanged annual visits and each group participated in the religious worship of the other group.¹¹ The somewhat mixed social core of the Urhobo Okpes¹² centred on an Okpe patriclan formed the nucleus of what is now properly called Okpe tribe. As a tribe, Okpe

"never appear to have been conquered by any tribe and though they probably came indirectly under the Oba of Benin, this appears to have been a nominal sovereignty."¹³

Kinship in Okpe is patrilineal but this is complemented by matrifiliation. On the basis of patriliney, Okpe tribe possesses four major descent groups. These are named after the four sons of Okpe, that is, Orhue, Orhoro, Ewreke and Ezezi.¹⁴

Different types of lineages and clans studied by social anthropologists vary widely in generational depth. In practical terms, this

10. More about this tribal 'heart-land' later in this thesis.
11. During an interview on 25/11/67, the Otota of Okpe (more about this title later), Chief J.E. Biokoro, recalled the conference which representatives of both Okpe-Urhobos and Okpe-Isokos had in November, 1966. On this occasion, the latter group showed the former the tomb site of their ancestor, Okpe (?), together with the coconut and the kola trees which their forefathers planted before leaving for their present territory in Urhoboland. According to Hubbard - The Sobo of the Niger Delta, p.108 - such a meeting had been inadvisable because of tribal wars prior to pacification by the British Government.
12. The Urhobo Okpes call the Isoko Okpes, Okperikpeghre, while the latter group call the former group, Okperisi, i.e. Okpes living in a foreign land.
13. Fellows, L.E.H. 1928. Report on Ukpe-Sobo Clans, p.4. In file C.S.O.26/3, 21943. National Archives, Ibadan.
14. The Okpes call these four major descent groups the four quarters of Okpe.

variation occurs even within the same tribe. Among the Okpes, the smallest social unit is the family. This consists of a man, his wife or wives and their biological children. This social unit constitutes the minor lineage group. What, in older ethnography is called the extended family (also by the Okpes simply called a family but on a higher level), is the major lineage group. This involves three or four generations. The name of the family itself indicates the size and the nature of the group thus showing whether it is a minor or a major lineage or a clan.¹⁵ The major lineage group - not necessarily living together but within which genealogical relationships are well known - is headed by the eldest member who also keeps the lineage shrines. The head of a minor lineage group is a potential head of a major lineage group, just as the major lineage group head is a potential head of a patriclan group. But until he achieves the age status of a major lineage group head, he cannot properly keep lineage shrines whether he lives outside or within the territorial fold of the major lineage group. The major lineage group is the largest social unit where effective kinship authority is exercised, though the degree of control depends on the age and the proximity of the residence of its members. The death of the head of the major lineage group does not automatically constitute each of the former minor lineage groups into a major lineage group. Instead, they remain for some time as developing and maturing units multiplying within the framework of the original patriclan.

15. The Glossary shows that a family is called either Orua or Ekru. Thus, for example, Ekru r'Umukoro (i.e. Umukoro's family) could be a patriclan within which may be found both Ekru r'Ato as a major lineage group and Ekru r'Odafe or, indeed, another Ekru r'Umukoro, as a minor lineage group.

Several major lineage groups constitute the patriclan group which is headed by the eldest man of any of the component lineages. But if he lives in a village at the time of his qualification for the patriclan headship, he is expected to go to the parent town to live with his patriclan in order to be available for consultations and for the efficient control of the whole clan. The patriclan group has its own separate shrines kept in its hall. This hall is either built separately in a section of the patriclan land or improvised from a part of the house of the patriclan head. Patriclans sometimes reach the seventh generation with a named ancestor at the apex but with whom genealogical connections are not always clearly defined. For some people, it is sufficient that they are accepted as descendants of the ancestor, that they live in the patriclan land and feel related to any other descendants in the patriclan. Religious symbolism, as shown later in this chapter, does support and strengthen kinship symbolism and all those that worship together are kinsmen although distinctions are made through the notion of near-kinsmen.

The next social unit is the ward, named after the founder, from whom several patriclan group ancestors are believed to have descended. Members of a ward therefore regard themselves as descendants of a remote but remembered ancestor to whom genealogical connections are rarely ever traced. Kinship relationship is here regarded as the original basis of the right of any person to stay and to farm in any part of the ward land. In practice, the ward is no more than a congery

of patriclan groups because kinship relationships are sufficiently distant to make them non-existent in the daily lives of the patriclan units.

On the other hand, a town consists of two or more wards whose founders are believed to be descendants of the founder of the town. At this social level, kinship is practically immaterial and, like the different wards, what holds the town together appears to be more in the nature of territorial or community relationships, common religious worship and collective participation in the town's government.

Patriliney is vital in the political relations of Okpe tribe. If in need, a person utilises the ideally dyadic relationships involved in the concept of filiation to trace successive relationships with his or her *matrilineal* kin. In this case, the mother is used as the starting point in a chain of relationships with her patrikinsmen as well as with her matrilineal kin group. This process has the effect of a meshwork of kinship relationships that cut across the effective circle of the patriclan.

It should be noted that neither patriliney nor matrilineal connections are sought and used for different and exclusive purposes in Okpe tribe.¹⁶ If a person decides, in exceptional cases, to live with his maternal kin group, his paternal relationships are not thereby severed. His privileges, duties and obligations are similar to but not the same

16. For a discussion of this point in a double unilineal descent system, see Forde, D. 1964. Yako Studies, Chapter IV.

as those resulting from residence with his patrikin group. His assertions and claims in the former case tend to be weaker in the instance of competition for offices. But, matrifiliatory kinship weakness is an important loophole for rival political candidates to manipulate especially if the opponent's patriliney is either outside the tribe in the first instance or is non-Urhobo in a wider scale contest. As regards the highest political post in the tribe, that is, the office of the king, to have only matrifilial connection with Okpe is a dis-qualification.

In other political spheres, complementary matrifiliation is utilised in the attainment of chieftaincy posts and in the acquisition of political support not only in Okpe but also in other Urhobo tribes. For example, a chief in Uvwie tribe becomes an 'Abive' that is, literally, double hands or two sides, by obtaining the Ohowore chieftaincy title from both the father's and the mother's wards.¹⁷ Also among all Urhobo tribes, a person with the financial resources and the desire can obtain the chieftaincy title from two or more tribes on the basis of both his patrilineal and matrifilial kinship connections.¹⁸ In one way or another, these kinship threads are manipulated by politicians during elections and succession to high political offices. In addition, most of the advantages inherent in multi-political statuses are pooled at higher levels for the success and prestige of the Chief and his kin groups.

17. Interview with the Ovie (king) of Uvwie, His Highness, Eruohwo II on 26/3/68.

18. The Urhobos express complementary filiation itself by saying that a free born person should Kpara 'bi 've i.e. should have or raise two hands.

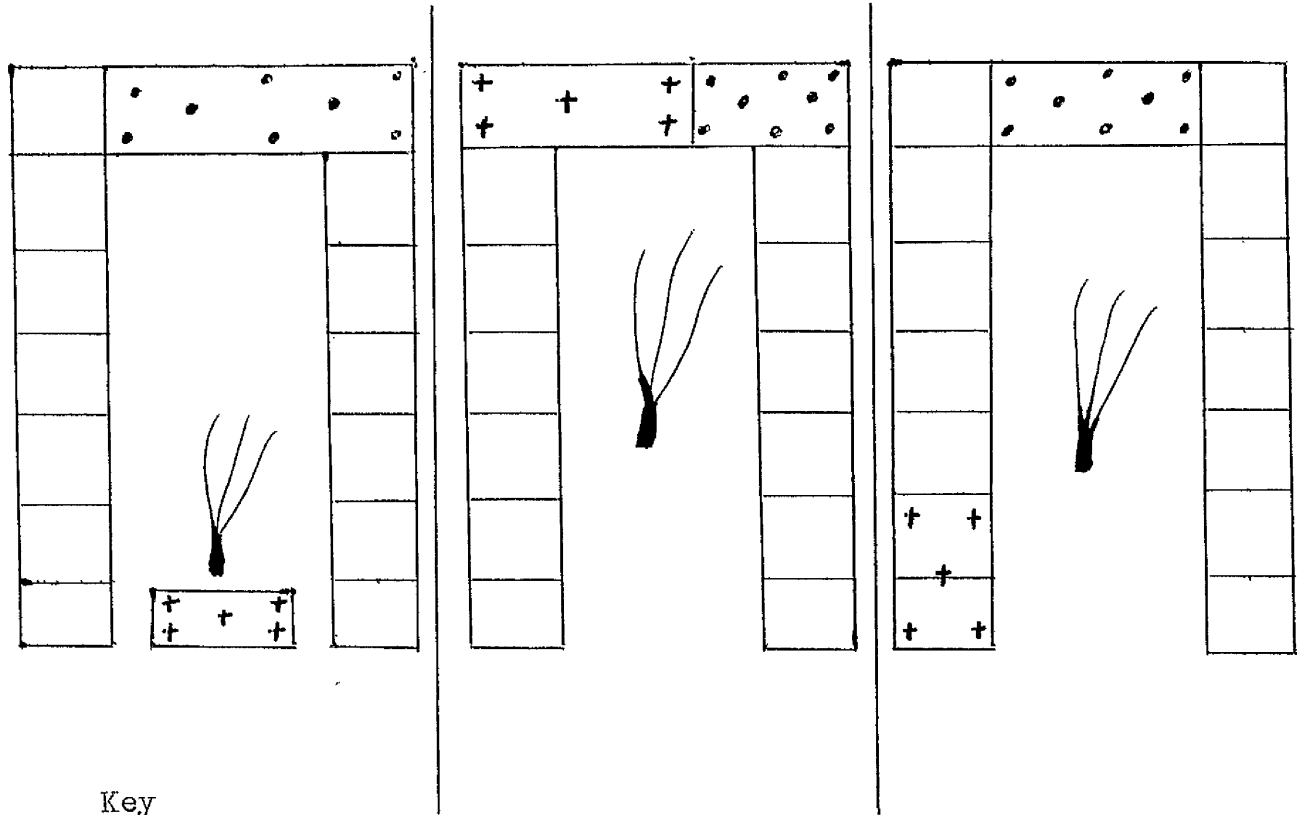
In this way the Uvwie tribal Abive attracts prestige or paramountcy at the town and tribal levels.

At all other inter-tribal levels, double or multiple political posts gained through kinship relationships may be utilised to gain popularity and political preferences at the constituency political arena. Holders of double ward or tribal political posts also act more successfully as arbitrators in inter-ward or inter-tribal disputes. But in all cases of unresolved or unresolvable role incompatibility, the rights, privileges and duties accruing through patrikin group membership are normally preferred.

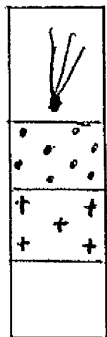
KINSHIP AND TERRITORIAL SETTLEMENT

Members of one or more minor lineage groups and/or of a major lineage group live in one 'U'-shaped compound which varies widely from 10 to 30 yards long and from 8 to 15 yards wide. A compound opens into a street. Its head is the lineage head. He stays at the end of the 'U' or somewhere at the beginning of the compound, as in Diagram I.

DIAGRAM I: THE TYPICAL LINEAGE COMPOUND IN OKPE TRIBE



Key



Oghriki tree marking the foundation and the heart of the compound.

The shrine hall.

Apartment of Headman of compound.

Two-room apartments for matricentric families or minor lineages.

Several related lineage group compounds constitute the patriclan houseland and settlement which form the whole or part of a street. In situations where two or more patriclans inhabit different sections of a street, the ensuing social relationships are based principally on affinity, neighbourhood and mutual assistance in labour.

Two or more streets open into a ward. The ward is thus a composite unit for all its streets and for the patriclan groups together with their house sites and farm lands.

Similarly, the territorial area of a town is the total of all ward house lands and farm lands. A town's physical appearance shows a wider street which connects its wards. This main street contains the town's shrine hall; it is also used as a theatre for collective dances, plays and festivals as well as for youth games. At one end streets which are themselves connected by paths open into the town's main street while at the other end, and like the town's main street itself, they narrow down to paths or main roads leading to the bush or farms or to a village or to other towns and tribes.

The Okpe and other Urhobo tribes differentiate between a town and a village not only on account of their names (see Glossary) and the less formalised physical structure of the village, but also because the town is a government unit in respect of the tribe. Not being independent, village dwellers go to the town especially on market days to sell their produce and to participate in patriclan and town religious worship, festivities and government. Village participation is logically accepted as an outcome of the fact that its founders¹⁹ are emigrants from particular patriclans in the town. Motivation for the founding of villages lies not only in economic reasons - more space and land for farming, streams for fishing etc. - but also in the desire to escape from the dangers of alleged witchcraft or from subordinate positions within the parent patriclan. A village does grow and mature and eventually attain the status of a town. In fact, most of the present towns started as small settlements, hamlets or villages founded by one man or family.

19. Villages are named after their founders.

Strangers or remote kinsmen may be sponsored for house site or farm land under the collective agreement of patriclan members. This agreement is reached normally after the payment of a fee of about twelve shillings and the presentation of two bottles of gin. These are collectively shared and consumed. This act is a non-kinship pact between the patriclan heads on the one hand and the admitted strangers on the other. But it does not exclude the often theoretical possibility of the expulsion of such strangers from the patriclan piece of land which they occupy. Unless a stranger's house has fallen into disuse and decay, neighbourhood friendly relationships tend to induce the practice of permitting the stranger to stay for long periods and also of allowing the stranger's relatives to occupy the house already built without fresh permission. Such a stranger or his relatives or successor cannot, in any circumstances, lease, sublet or pawn the piece of land allocated for his use.

The various patriclan group farm lands are sometimes far from each other. Nevertheless, their settlements and house lands are compact on both sides of a street. In terms of kinship and territorial relationships, it has been shown that such streets constitute wards which in turn constitute an Okpe town.

There are 150 such towns and villages²⁰ in Okpe tribe as shown

20. This number is an extraction from the 1963 Census data. But in a written speech on 26/3/67, for the Traditional Official Proclamation of the death of Ezezi II in Orerokpe, Chief J.E. Biokoro, the present Otota and acting head of Okpe tribe, estimated that Okpe consists of 200 towns and villages. It was not possible during the fieldwork to ascertain which among these are towns.

in Chapter Two. But while the tribal territory is the simple total of the territories of the various towns and their villages, its social relationships rest on a segmentary system based on two calculations. Firstly, each town, as a composite unit of its wards, streets, and patriclans, is itself a major kinship unit with reference to the tribe. In this respect, however, the town functions much more as a government unit, as will be shown later, than as a kinship unit per se. Secondly, all Okpe towns were founded by the descendants of the four sons of Okpe. Thus, each town is a major kinship segment in respect of patrilineal descent from one of the four sons. Therefore, Okpe tribe as a whole has a four-fold kinship organisation. Although the four groups are basically kinship units, it will be shown later in this thesis that they are potential political arenas and political units in other circumstances.

Though empirically real and analytically useful, both the territorial and the kinship composition of Okpe are not mutually exclusive. This feature derives from the activation of claims to land and residence based on complementary matrification and from the fact that some towns consist of descendants of two or more of the four-fold descent groups.²¹ One demonstration of the above double manner of constituting Okpe tribe occurred during the signing of the Okpe Agreement of October 5, 1942, to revive the office and roles of Orodje (King). On this occasion,

21. E.g. Mereji town consists of descendants of Orhue, Orhoro and Esezi living in different wards of the town. Also, localised residence in the tribal capital, Orerokpe, as resettled after the 1920s, is not based on the four-fold kinship relationships.

representative signatories were drawn separately from the four major descent groups on the one hand and from ten Okpe main towns on the other hand.

KINSHIP AND MARRIAGE

Marriage is an aspect of every kinship system. This section discusses only those aspects that are relevant to Okpe politics.²² Both polygyny and monogamy are found in Okpe tribe. Exogamy is the rule within the whole circle of patrikinship and of one's matrilineal kinsmen. The fact that the arrangement and celebration of marriage involve both the patriclan, particularly the patrilineage group, and the matrilineal kinsmen of both the man and the woman, tends to ensure a non-transgression of exogamic rules. It also tends to contribute to the stability of marriage.

A son-in-law and his (near) kinsmen show deference to 'their' wife's kinsmen. In this sense, exogamy could be regarded as a mechanism for regulating the authority system and the social relationships of the units within the patriclan groups. Marriages for prestige and for political ends are contracted from other renowned patriclans by people who wish to obtain parallel status for their children and secure mutual support in political and other social arenas.

It should be noted in connection with marriage that all Okpe children are legal children. If the father of a child is unknown, he

22. For details about certain aspects of the process and costs of marriage, see Bradbury, R.E. 1957. The Benin Kingdom and the Edo-Speaking Peoples of Southern Nigeria. pp. 155-158.

or she belongs to the unmarried mother and to her patrilineage group and answers her surname. A child born through adultery is a legal child and belongs to the adulterer whether or not he pays compensatory damages to the woman's husband.²³ Ante natal or post natal divorce does not affect the legal status of a child. For all purposes and in all respects, a child born to a man by his lover has the same legal status as any child born to him by his legal wife. Any Okpe child or man, therefore, has the legal right to inherit property and also to obtain a title and a political position from his patriclan group or, if he chooses, from his mother's patriclan group.²⁴

The whole marital and reproductory process thus sums up the membership of any Okpe social unit as a product of two normal and universal events: marriage and birth. Both of these are vital areas in any consideration of eligibility to share in and to manipulate the collective socio-political symbols of Okpe tribe.

A third means of 'membership' recruitment, that is, slavery, is now discontinued as illegal, as discussed in Appendix 'B'. It should be mentioned that even when slavery was a third means of recruitment to an Okpe social group, slaves had no status in the kinship groups. They

23. In the days of slavery, a child born through adulterous intercourse with a slave woman belonged to her master but the genitor could pay some amount - roughly ibuje i.e. about £10 for a male child and ibogba i.e. about £15 for a female child - as price for a legal claim to his child. This was also the practice in most Urhobo tribes notably Ewu, Olomu and Ughienvwe.

24. For a discussion of some aspects of inheritance among the Urhobos, see Odje, M. 1965. Law of Succession in Southern Nigeria with special reference to the Midwestern Region. Ph.D. Thesis. University of London. pp.360-363.

could neither participate in lineage group ancestral worship nor share in sacrificial meals during religious worship at any social level or arena in Okpe tribe.

On the whole, both marriage and birth give rise to various kinship relationships. These criss-cross the whole of Okpe tribe just as the physical links through paths and roads connect the tribe as one separate unit. Similarly, both social and physical relationships reinforce each other and link Okpe to other social groups in the Midwestern State. They also provide a tribal socio-territorial framework which is itself given supernatural legitimacy and support by Okpe tribal religious symbolism as discussed below.

OKPE RELIGIOUS SYMBOLISM

An Okpe, like any other Urhobo tribesman, rarely carries out his daily occupation without some form of religious activity. An Okpe man believes in and possesses personal spirits which are represented by carved or some other objects. He keeps these religious objects in a corner of his room - on the floor or on top of the door frame - and worships his personal spirits through them every day with gin, kola and native chalk. His aim is to solicit success from supernatural powers for the day's business. The carvings or objects²⁵ identify individual units within the compound or lineage group.

Collective religious worship has more relevance for this study as the main means of having supernatural legitimacy for membership

25. These are called Oma, Obo etc.

in any Okpe social unit. In this respect, the smallest religious social unit is the major lineage group. Members of this group may or may not all live in one compound. Within this social unit, three main religious arenas are discerned.²⁶ Firstly, every Okpe person believes in a universal High God, called Oghene, who created every person. But the High God lives in the sky from where He is believed to touch the ground only at the horizon. He is remembered and represented in the compound by a long pole of from 20 to 30 feet high. The pole is fork-shaped at the top to hold some plantain as food and offering for the High God and also to act as container or magnet for His blessings. Pieces of white and red cloths are tied to the top of this pole while, at its base, prayers are said nearly daily with the lineage head officiating. On such occasions, gin, kola, native chalk and sometimes food - in the form of pounded yam mixed with oil - are offered on a stage to the High God. Peace, prosperity and the multiplicity of children in the compound are, in turn, expected from the High God. But, although He is believed to be the original source of good fortune and kindness to mankind, the High God is withdrawn. Because of this, and because He punishes evil doers with misfortune, sickness and death, He is approached through various lesser but more intimate gods or spiritual agencies.

Secondly, every compound in Okpe possesses its Oto (henceforth called the Earth Cult) marked by an Oghriki tree, as shown in Diagram I.

26. It was not apparent during the fieldwork that the Okpes ever had totems at any time in their religious history.

This marks the 'heart' or centre of the compound.²⁷ Although it originally denoted the foundation and the ownership of the compound site, it is subsequently used as a spot for religious worship by all members of the major lineage group who pray to the supernatural power represented for their collective health, longevity, wealth and fertility of women.

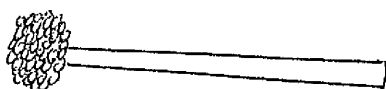
Thirdly, Okpe tribe performs ancestor worship. This is the most important religious arena in Okpe and other Urhobo tribes. The head of the group officiates as its chief priest. A special room or apartment for ancestral worship is provided in every compound, as in Diagram I. During worship, chalk is rubbed on the forehead and centre of the chest of males while it is 'thrown' on the abdomen of female worshippers. All participants share in the initial kola and gin presented during any occasion of worship. Food cooked is eaten collectively and skulls of animals and big fishes together with bits of yam or plantain used in service are offered as food in front and on top of the ancestral shrine. Part of the food is placed in the 'mouth' or in front of a mud or carved wooden figure, if any, of the lineage group ancestor. Food is also 'given' to the Ovwo²⁸ (see Diagram II) because it represents the collective spirit of the group's ancestor and predecessors. Reasons for the worship, prayers and requests to the

27. Hence it is called Oto r'Egodo.

28. The Ovwo is a carved stick of about 9 inches long with cowries tied to one end and rubbed all over with white chalk. The chalk content is renewed each time that there is worship.

ancestor are addressed to the shrine objects on behalf of all lineage members, present and absent. The lineage²⁹ members participating at this smallest level of ancestral worship share in the food prepared³⁰ and thus eat in communion not only among themselves but also with their ancestor who is believed to be eating unseen in the same hall of worship.

DIAGRAM II: THE OVWO



This whole image - empirical and imagined - of the whole lineage group at a meal is an important religious symbol which itself sets the stage for the total collective kinship role syndromes and expectations involving both the living and the dead.

Although there are no matrilineages as a further sanction for the existence of complementary matrifiliation, ancestresses are also worshipped. This is, however, only at the lineage group level and without shrines or shrine halls. The eldest patrikinswoman officiates in this religious sub arena. Worship takes place in the centre of the compound and attended predominantly by women and children of the lineage.

29. I.e. the major lineage group because minor lineage groups are headed by people whose fathers are living heads of major lineage groups.
30. It is not on every worship that food is cooked and eaten. On daily occasions the lineage head, alone or with a few people, offers gin, kola and chalk to the ancestor on behalf of himself and the whole group.

The need to worship at the three main religious arenas in a lineage group arises from the desire of those who, acting on the advice of a fortune teller,³¹ are anxious to propitiate any of the shrines prescribed in order to offset personal or family calamities, misfortunes, barrenness, and sickness or chronic disease. All ancestors are believed to live in the spirit world (Eriwvi).³² Okpe tribal concept of a group-focussed religiosity therefore includes symbolic behaviour in respect of the dead members who are believed to occupy vital statuses in the total tribal social structure.

This lineage group formation through religion is repeated with some differences in emphasis and scope at the higher social group levels - the patriclan, the ward and the town. For example, all the component lineage group heads within and outside the patriclan household represent their units in a patriclan ancestor worship at which ancestral material such as carved elephant tusks, ivory and sword, may be paraded as objects of social identity and exclusive pride. Only the name of the patriclan group ancestor is called at its ancestral worship because various participants or lineages are connected to him through different predecessors who are themselves addressed during lineage group ancestral worships. Calling the patriclan group ancestor's name in this manner is itself a vocalised symbol of group identity and unity. As at the lineage group level, the power of the patriclan group

31. I.e. an Obuevwa.

32. Ancestors themselves are also collectively called Eriwvi. Those with incomplete burial or funeral ceremonies and those whose bodies were thrown into the bad bush for dying bad deaths, e.g. leper's death, are classified as evil spirits if they returned, as believed, to trouble the living with sickness and disasters.

ancestor to punish offenders, for instance, for committing adultery or incest, and also his power to reward good behaviour or assist in obviating calamities is believed to be limited to his patrilineal descendants only.

The patriclan group may have other shrines. But, usually, it has neither an earth cult nor any common symbol for the High God. On the other hand, a street possesses no cults other than the earth cult which is marked in the same way as that of the compound. During the worship of a street's earth cult, a descendant of the founding patriclan ancestor acts as the chief priest. Descendants of the founding ancestor often constitute a majority of the participants although the worship is inclusive of all the patriclan units in the street.

At the ward and town levels, special halls are also built for the group ancestral shrines called Edio. These halls also serve normally as town or ward meeting places for important town deliberations. Ward or town shrines are collectively and ritually placed in the custody of the eldest man of the social unit for whom they also act as religious symbols of socially approved government authority. A patrilineal descendant of the founder of the ward or town, as in previous cases, officiates during the religious service of its earth cult. On the other hand, the eldest man of the group acts with few exceptions as the chief priest for the worship of the Edio on behalf of all its members. The Edio is a collective name for the ancestor and predecessors of the ward, town or tribal group. All these dead elders are represented as

one body by the Owo and other objects and carvings all of which constitute the Edio shrine. Henceforth, the Edio will be referred to as the ancestor/predecessors' cult.

At the town level, all forms of worships are initiated by ward or sometimes by patriclan group representatives. Acts of worship at this level are also more impersonal and entail less formal cooking but show more emphasis on the sharing of gin, kola and the money presented.

At the highest level of social grouping, that is, the tribe, both the earth and the ancestor/predecessors' cults are vital religious means for rallying Okpes together as one social entity in the tribal capital. The Okpe tribal ancestor/predecessors' shrines consist mainly of two items which are kept in a special locked apartment in the shrine hall.³³ In other circumstances, a major part of this hall is used for tribal meetings. The first of the items is a magnificent carving of about ten feet high and two feet in circumference. It is divided into four sections showing first, a kingly figure on top with red beads and a royal sword; second, a notable figure of inferior status holding an elephant tusk and wearing a white wrapper round his waist; third, three less dignified men and women on four sides of the section; and lastly a man with native chalk and a fan and wearing some cloth round his waist like a medicine man. Under an overall colour scheme dominated by red and white, the total carving is a significant symbol of the total Okpe polity and of the whole social structure and authority relations of the Okpes.³⁴

33. I.e. the Ogwedio as shown in Chapter Six.

34. This point will become clearer as this thesis progresses.

The second important item of the tribal shrine is the Ovwo as already described. It should, however, be noted that just as every man possesses an object to represent his spirits while he lives, so also, when he dies, and as a lineage group ancestor, an Ovwo is made to represent his spirit. In the same manner, an Ovwo is made for the ward, town or tribal group ancestor/predecessors. Other items in the tribal shrine room are dry skulls of sacrificed goats hung on the wall behind the carved figure and a blood stained cutlass used for slaying sacrificial animals at the foot of the carving.

The special chief priest³⁵ of the ancestor/predecessors' cult is not the eldest man of the tribe. He is, at least today, chosen collectively for life to conduct worship - prayers and sacrifices - on important occasions when there is need to solicit assistance from the tribal 'living dead' for the prosperity of the whole tribe.³⁶

The tribal earth cult (called Otore) is represented by an Oghriki tree of about 100 feet high and about 30 feet away from the tribal ancestor/predecessors' cult hall. Services and worship before it are meant to solicit principally the fertility of women and land and the prosperity of all the land users. Its chief priest is a patrikinsman of Orhue, the senior and founding descent group. Although this descent group appoints him, such an appointment is later accepted by the whole tribe.

Worship in both the earth and ancestor/predecessors' cults are

35. He is called the Ogedio.

36. E.g. on March 28, 1967, a day following the traditional official proclamation of the death of Ezezi II. On that day, prayers were said for the choice of a suitable successor and for such a successor's long prosperous reign over Okpe tribe.

made on behalf of the whole tribe. This takes place only in the capital but the constituent Okpe towns pay for the expenses of worship in turn. In respect of religion, Okpe, therefore, possesses common visible tribal objects and shares the rotatory expenses involved in worship. There is, also, a tribal collective possession of the ancestor/predecessors' shrine hall and the earth cult and the foundation tree. In addition to these, the vocalised prayers and addresses to the tribal ancestor as well as the communally shared drinks, kola, raw animals and cooked food, are vivid religious acts which show all the descendants of Okpe as one social unit. This oneness is shown through participation in worship by representatives of both the town units and the four-~~...~~ descent groups. Per se, the latter have no separate cults or ancestor worship.³⁷

Ancestor worship and other forms of religion in Okpe tribe are thus of vital importance in the tribal social relations and authority system. They are also important in indicating the relative importance and seniority³⁸ of the various kinship segmentary units in Okpe tribe.

Symbolic behaviour in the religious arenas is, at present, greatly affected by Christianity which is said to have been brought to Urhobo tribes in about 1910.³⁹ No definite date can, at present, be given

37. It should be mentioned that though inactive now, another powerful unifying religious cult was the War shrine (Egba) which was believed to provide the source of charms and strength which ensured the success of Okpe warriors.

38. The determination of seniority of individuals and of segmentary groups is a normal advantage inherent in patrilineal descent systems.

39. Hubbard, J.W. 1948. The Sobo of the Niger Delta. p.276.

about its spread to Okpe tribe. But it would appear that the initial religious wind of change originated from the short verse given by Bishop Johnson⁴⁰ to Mr. Avbaire - a non-Okpe - during their meeting in Sapele in the first decade of this century. According to Hubbard, the verse in Urhobo language states that

"Otu re g'edjo g'ire, g'ame,
Vbai yarhe ra g'Oghene, O rhe!"⁴¹

This verse was recited by Avbaire and his followers who spread its message that worshippers of 'juju', wood, and water should change to worship God.

Within the context of Okpe traditional religion, this verse is misleading on two main grounds. Firstly, it classifies Okpe concept of God and of their traditional religion as 'edjo' or 'juju', that is, devilish. Secondly, it erroneously interprets the tribal intention and symbolic behaviour to mean the worship of carved sticks or wood, objects or water.

The impact of this new religious behaviour was apparently insignificant initially. But, with increased missionary activities in all Okpe towns, several converts were won especially from those people who started their education in Mission Schools, and those who were anxious to avoid the evil effects of witchcraft and evil spirits. It is difficult to measure both qualitatively and quantitatively, the actual conversion to Christianity in Okpe tribe but it is perhaps interesting to

40. Bishop Johnson was a Sierra Leonean Missionary (Church of England). He died in 1917.

41. Hubbard, J.W. 1948. The Sobo of the Niger Delta. p.280.

note that when Christian 'converts' revert to their own culture's pattern of religious worship and symbolic behaviour, they are often described derisively as 'fallen Christians'.

In addition to Christianity and the Christian church organisations, there are, currently, some indigenous church organisations and religions in Okpe tribe whose theological and liturgical aspects appear to come mainly from outside the tribe. A typical example is the Igbe Church in Orerokpe which draws some of its members from within Okpe tribe. Most members are those who hope or believe that some material benefit such as good health, wealth, and childbirth to an otherwise barren family, may be gained. Whether or not and if so, why, these new churches took their cue from the Christian churches is a moot point.

In total, the Christian and native church religious interventions do not appear to have seriously or deeply cut into Okpe tribal religion. In any case, the name of the ancestor at all the religious group levels and arenas is remembered for its inclusiveness of both the Christian and non-Christian members alike just as its worship is one significant way of keeping the whole social group together.

THE MAIN ECONOMIC ACTIVITIES IN OKPE TRIBE

Okpe tribal history as well as its kinship and religious symbols constitute a vital mechanism for uniting the various territorial units and the four kinship descent groups as parts of one tribe. They also give legitimacy to various positions in Okpe political system. But because qualification for some social and political positions also depend

on people's monetary income, I consider it necessary at this stage to introduce some discussion of the tribal economy. This discussion is brief and it is intended to show the opportunities available to Okpe citizens for the acquisition of wealth with which to achieve political offices. Both the economic and the social, including political, motivations for the desire to achieve political positions will be shown later in this thesis.

Some Aspects of Okpe Land Tenure

This section discusses Okpe land ownership as the main source of all economic earnings, material exchanges and mutual obligations.

The earliest information about Okpe tribe in their present territory shows that all Okpe people once lived in Orerokpe, the tribal capital. At that time and besides farming, Okpe rights over their territory appeared to have amounted to political power by virtue of which they were able to hunt and exploit the forests and streams for animals and fishes. They regarded their land boundaries as marking the limit of the Okpe political ingroup in relation to other tribal groups. Land was then so plentiful that no necessity arose for any complicated system of tenure, a feature which was common to other Urhobo tribes at that time. Increase in population resulted subsequently in the foundation of several towns and villages under the tribal ruler to whom theoretically all Okpe land still belongs. Originally, some towns such as Aghalokpe with its six wards, cleared and thus owned virgin land together without marking the lineage, clan or ward boundaries

at the initial stages. Also at that time, any piece of land not required for immediate use was given out to outsiders for seasonal farming after paying a recognition fee of two shillings (in the form of produce or cowries) which were shared amongst the wards irrespective of the ward in which the strangers were farming.

Today, every piece of land is owned in Okpe tribe, as already indicated. The town lands owned by individual partriclans are effectively worked by patrilineages. A street is not a land-owning unit except if it coincides with a ward or patriclan. The lineage land is controlled by the lineage head, that is, the eldest man, who, on behalf of his people, rebuffs encroachments and allots land to needy lineage men. When he dies, the eldest surviving brother automatically takes up the land control. There is, therefore, no primogenitural control over land except if the first son of the late controller becomes the eldest man of the major lineage. Thus an important distinction is made between the lineage entitlements and personal property of the deceased major lineage head: the lineage lands and shrines pass to the eldest living man while the personal belongings, rights and debts, plus the widows, if young, are shared by the lineage elders amongst the children of the deceased. Both individual and lineage rights thus co-exist with reference to any piece of land but while individual rights are temporary, the rights of the lineage as an ongoing kinship unit are permanent and over-ride those of the individual whom it cannot, however, dispossess.

There are no royal lands in Okpe nor is the land communal to the extent that any Okpe man can farm in any part of it. The concept of tribal communal land ownership must be seen in terms of an ascending order of aggregated ownerships of land. Communal land ownership exists only in an arithmetic sense involving the addition of the pieces of land of the various lineages, clans, wards and towns. The grand total constitutes the tribal land of Okpe.

This brief discussion shows that land cannot be a political tool manipulated by the King to compel people to support him and his regime or to break down any opposition in the tribe. The King has his own lineage land but land disputes are taken to him in his role as the highest arbitrator in Okpe tribe. He is the theoretical overlord of all Okpe land, a point which is clarified in the Okpe Agreement of 1942 in which it is stated that all palm and farm bushes or lands and fish ponds do not belong to the King in his personal capacity but only nominally as a trustee for the people and for the land owners.⁴² The King cannot dispossess any Okpe man and there are no lands which he re-allocates to his needy tribesmen. For, uninherited or unused land within the territory of a town is, in theory, redistributed by the town head. In practice, such a piece of land is occupied as required by any lineage members in or near whose territory the land is found. This feature of Okpe land tenure is a contrast, for instance, to the land tenure of the Lozi who consider themselves permanently indebted

42. Okpe Agreement dated 5/10/42 and signed by the Chiefs and Elders of Okpe tribe.

to their king for the land they live on and for the land they farm.⁴³ In Okpe tribe, however, no land may be leased to the new State Government or its Agencies, private firms or other corporations without the consent of the King-in-Council.

The only communal type of land ownership in Okpe tribe is set up under the Okpe Communal Land Trust in 1959 by the Government of Western Nigeria.⁴⁴ The trustees consisting of Okpe chiefs with the King as Chairman, have limited jurisdiction under the Trust over Sapele Urban District Council area where land may now be obtained on lease only. Sapele is the only urban area owned by Okpe tribe and the trustees are not expected to interfere with the rights of family owners and occupiers who were granted possession by their original owners.⁴⁵

Except in Sapele or Orerokpe, the practice today in Okpe tribe is that a lineage can sell its own land to an Okpe man but may only lease it to a stranger. In all transactions over land of very big size such that will affect neighbours within or outside the tribe, the lineage normally informs its townsmen and/or the King-in-Council. The King does not normally sign any land lease except and until he is certain that the lineage land owners will also sign the lease. This feature presupposes a meeting during which the lease is discussed and approved. It also shows that the King and his chiefs cannot impose

43. See Gluckman, Max, 1965. Politics, Law and Rituals in Tribal Society. p.37.

44. Western Region Legal Notice No.219 of 11th June, 1959.

45. Thomas, Justice S.P. and Ogunyemi, S.O. Report of the Commission of Enquiry into the Sapele Urban District (Okpe Communal Lands) Trust.

lease on any lineage or force it to sell its land to any Government or foreign interested parties. This point was well demonstrated in 1964 when the project approved by the 'King' and his tribal chiefs for the State Ministry of Agriculture and Natural Resources to build a farm settlement involving several acres of Okpe land was abandoned as a result of opposition by the lineage male owners and demonstration by the women users and their sympathisers in the tribal capital. It was convincingly felt that the proposed land lease would deprive the owners and users of their already scarce land for farm work especially for cassava from which the staple foods - starch and garri - are obtained. This social event illustrates once again the point that land ownership and use in Okpe tribe constitute the inalienable right of lineages and individuals to live off the produce of their ancestral land.

Against this background of land tenure, four important economic activities are considered. These are farming, palm produce, rubber tapping and trade. Farming is mainly for subsistence. The other three economic spheres are the main sources of local cash earning; their processes of production are described briefly so as to understand the common responses to the rural economy.

Farming

An Okpe household consists of a man and his wife or wives, their unmarried children and any other unmarried siblings or relatives of the man and the wife/wives staying with them. Although women do much

of the farming, they do not inherit land. They work on the lineage land of their husbands or on their own patrilineal land if they live with their patrikinsmen or if land is in short supply in their marital homes. In all these circumstances, the rights of the women are quite legitimate and respected and, also, their children may stretch their matrifilial relationships to obtain land in the same way when in need.

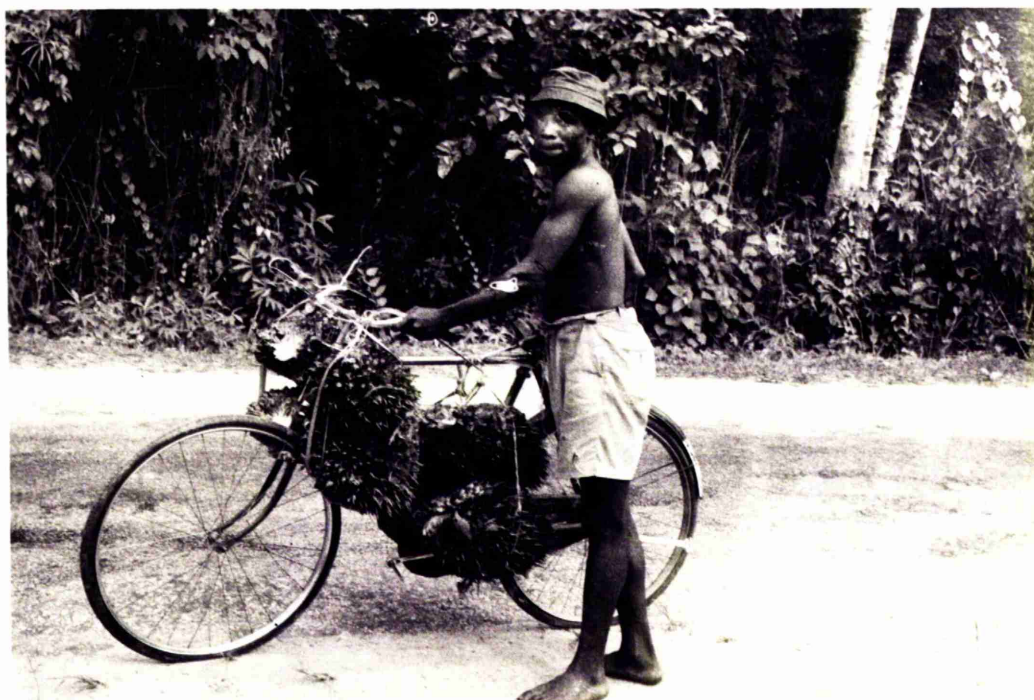
In the 1920s, the acreage farmed by one Okpe household totalled about 100⁴⁶ but today informants say that every household continues the practice of shifting cultivation on about 5 to 7 plots totalling between 1 and 3 acres and involving fallow periods of between 4 and 5 years. There are two main farming periods, that is, January to April and June to August. The main crops grown are cassava, maize, ground-nuts, yams, beans and pepper and the main harvests occur from August to September and from November to December. Whenever sales are possible, income is negligible. For example, the annual income from farm crop sales by an Umiawha housewife of a palm nut collector in Okpe tribe has been calculated as follows: Cassava £7; Maize £3; Okro £2; Sugar Cane £2; Yams £10; all totalling £24.⁴⁷ This was in 1929 and this amount would be less today though compensated by additional income from other economic activities.

46. Fellows, L.E.H. 1928 ante. p.48. But Kerr, 1929, Ukpe Sobo Assessment Report in File C.S.O.26/3,21943 (National Archives), p.77 - gives the land cultivation area to be between 20 and 30 acres for a household of 5 people.

47. Kerr, R.B. 1929. Ukpe Sobo Assessment Report C.S.O.26/3,21943. (National Archives, Ibadan), p.77.



A typical palm-nut collector using a yoke. 1967.



A palm-nut collector using a bicycle to carry his load. 1967.

Palm Produce

An important modification of the land tenure system and of the farm land rights is the tenure of oil palm groves which belong to the head of the founding family of the ward or town and extends to the boundary of another group's palm trees. Within this area any person who clears virgin forest and thus owns the land for farming does not own the palm trees. Conversely, the possession of palm rights over land implies no farming rights. As in neighbouring Agbo tribe, palm trees are owned by wards or towns while farm lands are owned by patri-lineages. All the members of the ward or town can cut and collect palm nut bunches indiscriminately on the palm groves. Nevertheless, palm nut collectors tend to be associated with only certain parts of the palm bush.

Okpe contact with European traders in Warri and Sapele ports and with the Itsekiri middlemen who offered attractive prices for palm oil and kernel resulted in a profitable trade that encouraged the palm oil industry and put a greater economic value on palm trees. This new demand is in addition to the original indigenous demand for palm trees for their leaves from which building mats and brooms are made, for their nuts which are processed to provide oil for food and for the kernels which are fried to provide native pomade. Owners of a ward or town collect palm nuts and bunches free whereas strangers do so only on the payment of a preliminary fee of at least 12 shillings and an annual fee of £1.⁴⁸

48. These fees vary from place to place within the tribe.

It takes about 21 days to produce palm oil. The first stage consists of climbing and cutting by the men and of the collection of the bunches and the scattered nuts by the women for three days. They rest on the fourth day, which is usually the native Sunday. The group repeat this process for two more periods of three days each⁴⁹ and then stop to allow the nuts to ferment for about three days. The bunches are sliced on the following day to release the nuts which are packed into a wooden oil trough of about 12 to 15 feet long, 3 to 4 feet wide, and 4 to 5 feet high with a sloping bottom. Two days are spent in treading the oil out of the pericarp and in arranging the nuts in such a way as to allow the oil to flow down the slope to the end of the trough. After a day or two, hot water is poured on the nuts and stirred very vigorously to float the inferior raw oil. This is gathered off and boiled for about an hour before being extracted into kerosene tins or calabashes. The nuts are then thrown out of the trough and are shared by the invited women participants. The nuts are carried home at some stage to dry for a total of about nine days after which they are cracked by the women and their children to remove the kernels. These are their main share from this economic activity. The man gives some quantity of oil to each of the women - all his wives are also participants - as well as to his own mother and parents-in-law. But the main quantity is kept in calabashes or in kerosene tins until sold

49. Some people collect palm nuts for three to six days only and in this way reduce the total number of days spent accordingly.

to traders or middlemen in the local markets or carried to Warri or Sapele for sale. In 1928-1929, about 200 bunches of oil palm fruits yielded about 10 kerosene tins of oil which were sold at about 7 shillings each. At that time, a hard working man produced a puncheon of about 40 kerosene tins of oil valued at about £12 in four collecting periods which took about three months to accomplish. Today, 1967-68, the oil yields are smaller and palm oil is sold in grades I to III and for 12, 10 and 8 shillings per kerosene tin respectively. Palm kernel is ungraded and sold for 3 pence per 1 lb. whereas a bag of it sells for £2.5.0.

Palm bushes are closed for two or three months a year by the common agreement of the ward or town rulers. This closure allows the nuts to ripen or provides free time to celebrate an important festival. The palm oil and nut industry satisfies both the oil needs of the household and helps to provide some extra cash to supplement whatever income is realised from other economic activities. Palm produce provides the funds for the needs to which the collector and his family are today exposed. The industry affords the materials - oil and kernels - for maintaining the wider social relationships involving gifts within the locality in which the lineage head or local politician lives and from which about half a dozen unpaid male assistants as well as women participants are recruited. It also provides the oil used by the male collector to strengthen in-law relationships and thereby smoothen the matrifilial claims of his children when in need. But palm produce is

no longer sufficient for kinship and neighbourhood expectations and relationships which are met largely today through other means. Fewer palm trees now grow in the bush as a result of lack of care for or destruction of the old trees through the palm wine tapping industry. Also, during the process of farm clearing and burning, dispersed young palm shoots are destroyed without any formal replacement. Other factors accounting for the decline of the industry arise from the hard labour and small yields and also from competition from other economic spheres such as rubber tapping and trade.

Rubber Industry

Rubber is owned in personal plantations where the owner or the hirer taps the trees and collects the latex every day between 5 a.m. and 2 p.m. On return home, the tapper mixes the latex with acidic liquid to solidify it in a prepared half of a kerosene tin from which it is removed between 4 and 6 p.m. A special machine is used to press water out and to mark the rubber sheets before sending them to the oven to dry for a few days. When taken out they are either sold immediately or accumulated to the end of the month. The prices depend on the grades of the sheets as judged from their neatness, uniform drying and spots. The sheets are graded from I to III and sold at $8\frac{3}{4}$, 8, and 7 pence per 1 lb. respectively. Rubber tappers who, today, include women, obtain between 1 and 5 sheets of rubber daily and fewer in the rainy season. An average rubber sheet weighs about 1 lb. and this means that the total income from rubber industry is low though some

tappers add a small income through the production and sale - at a lower price, about 3 pence per 1 lb. - of 'knobs', a lower grade undried and roughly congealed rubber.

Hirers are graded into two main groups: those buying or paying for the use of the rubber plantation trees for one or more years and those who share their proceeds every day or every month with plantation owners. The former sometimes take their households out of the town or tribe temporarily to hire rubber plantations in some foreign town or tribe.

There are several middlemen for the sale of rubber and prices fluctuate greatly, mainly in response to the world market prices and to the production of synthetic rubber.

Shop Keeping and Trade

One other economic arena which does not depend on land use per se and from which supplementary income is obtained is petty trade in the markets and in the several small shops owned by the natives. These contain petty household needs - tinned foods, cigarettes, minerals and beer. The capital for the shops is derived from the other economic earnings discussed or from local loans or through voluntary monetary contributions⁵⁰ involving about ten people with a total contribution of about £20 to £30. This total contribution is received in monthly turns by its members. Few of the shops appear to have been equipped with more than £50. Except when someone, such as a wife or mother,

50. This is mainly Esusu organisation involving varying numbers of people and monetary contributions.

can be spared from other economic activities to open a shop, it remains closed until about 11 a.m. to 1 p.m. when rubber tappers return home and when the first session of farm work is over. Sales, sometimes allowed on small but unwritten credits, go on through the remaining part of the day and under dim lamps until about 10 p.m. But here, again, income and gains are slight.

Trade is not confined to the shops, town or tribal markets; fixed market days induce people to move round between towns both within the tribe and between various tribes. Trade, therefore, affords an opportunity for extra income through buying and selling in the most profitable markets. It also affords the opportunity for social communication and relationships within or outside the tribe.

Conclusion

The various economic activities make up a large part of the daily routine of the Okpe people.⁵¹ A man often combines several of these activities but the aggregate income is small. The market day and the political meetings in a town offer a person the main welcome relief from his monotonous life.

The responses to these strenuous and little remunerating economic activities are fairly clear: disillusionment and consequent emigration or daily migration by many Okpes. The main centres of attraction for migrants are the urban areas of Sapele, Warri and Benin City where the young school leavers find refuge for their white-collar-job oriented

51. This routine applies generally to all Urhobo tribes.

education. As urban immigrants, they start very often as unemployed staying with relatives or with friends until they secure some kind of job. Particularly when outside the Midwestern State, these new urban recruits receive great help from their kinsmen and from members of the Okpe Union.⁵² Piloted by the already established Okpe urban immigrants, the new recruits are filtered into the anonymity of the urban areas where they sample some of the pleasures and the latest fashion and urban manners. The material acquisitions which form another part of the gains from emigration and work in an urban area are displayed during the next visit to rural Okpe where they act as forces of attraction for new emigration or daily migration to the urban towns.

Apart from this class of emigrants and migrants, there are several Okpe notables who have their economic interests in the two urban areas of Sapele and Warri. As will be shown later, both groups of Okpes are important for this study although some emphasis will be placed on the category of notables who have been conferred with the Chieftaincy title and who migrate between the urban areas and their rural towns for reasons connected not only with their economic pursuits and traditional activities, but also with the new state politics in the tribe.

It should be noted that no evidence existed during the fieldwork to show any kind of formal and socially approved economic process geared towards the maintenance of positions in the religious, kinship and political subsystems.⁵³ The absence of this economic phenomenon appears

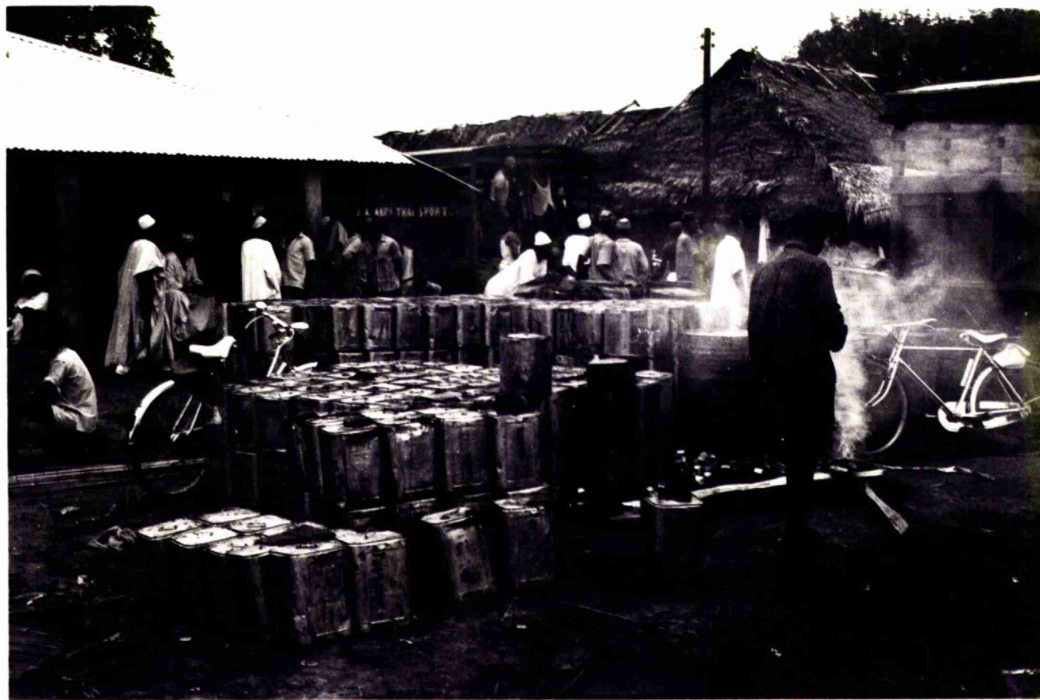
52. More about this Union later in this thesis.

53. It is not quite clear from the present study whether this economic support in the form of tributes etc. occurred at any time in Okpe tribal history.

to have no significant effect on Okpe tribal unity. It could be asserted that Okpe tribal unity and identity derive largely from its political subsystem. The remaining part of the thesis will now deal with aspects of Okpe tribal political behaviour under the Midwestern State of Nigeria.



A trader using a bicycle to carry his tins of palm oil to a market in Warri. March, 1968.



Tins of palm oil assembled for sale in a market in Warri. March, 1968.

CHAPTER TWO

THE POLITICAL STRUCTURE OF OKPE TRIBE

It is mentioned in Chapter One that Okpe tribe consists of 150 towns and villages as shown in Table III. Each town in Okpe tribe uses its villages, wards, patriclan and lineage groups as its own units of internal government.

At the tribal level, town territorial units may themselves be regarded as socio-political arenas within which power obtained through other qualifications is partly exercised. In the traditional government of Okpe tribe, power and authority derive from two sources: either from the Orodje through the conferment of Chieftaincy titles and other political offices or, on a lower scale, from the town political leaders who obtain their positions principally by age. It should be noted, however, that Okpe people resent the concentration of tribal or town power and government in one person. This resentment results in the proliferation of political posts and government duties throughout the tribe.

TABLE III

DISTRIBUTION OF POPULATION IN OKPE TRIBE (1963 Census)

	Total Number	30-500	501-1000	1001-2000	2001 and over
Towns and Villages	150	99	33	12	6

Power and authority in Okpe tribe derive from the following:

- A. Age Organisation;
- B. Personal Efficiency;
- C. The Chieftaincy Institution:
 - i. The Orodje)
 - ii. The Otota) The Udogun Okpe
 - iii. The Okakuro)
- D. Political Kinship.

It should be made clear that the following discussion of the four areas mentioned above rests on the fact that in many respects, they have changed too slowly to be untraditional. By traditional Okpe, I refer to pre-1890 Okpe social system and the survivals of this system today. The four areas will, therefore, be discussed as historical continuities in the social system of Okpe tribe as seen in the light of current differential effects of social change.

A. AGE ORGANISATION

Among the Urhobos, males and females are organised separately into named age sets which pass through various age grades, Otu. The age grades form the main basis for the tribal social organisation. The age organisation provides a tribal framework within which every individual, no matter his or her age, finds a place which changes as he or she gets older in life. Although the Urhobos show some diversity in the delimitation of the population into age groups and also in the age range of members of the age set, men are generally organised into three grades: the boys' grade, the young men's grade and the men's grade.

And the women are generally graded into three as follows: the girls' grade, the women's grade and the old women's grade.

In Okpe as well as in other Urhobo tribes, the most effective social and territorial unit for age organisation is the street. Different tribes give different names to each of the age grades although their members perform similar duties. In Okpe tribe, the age organisation shows the following features and divisions:

(a) Age Grades for Women

Although female age grades are less important politically than those of men, entry to the grades is more obviously marked. There are four women age grades as follows in Okpe tribe:

1. Ibiegboto

This includes all girls below ten years. There is really no functional difference between members of this grade and those of its male counterpart except in a case where one of them is betrothed. By this fact, she normally receives some special treatment and respect. Generally, younger members of this grade run errands for their parents while the older ones help to care for and play with their younger relatives whenever their mothers are busy doing farm or domestic work.

2. Egboto

This age grade comprises all girls between ten and fourteen years. Size and physiological development of the breasts differentiate them from members of the preceding age grade. Members of this grade help

their parents in all female duties in the home as a training during which the girls are given responsible duties involving cooking and other aspects of housecraft, farming and the care of their younger siblings. All their duties are normally confined to the compound and farm and are geared towards their future responsibilities as house wives. A girl's parents sometimes arranges for her clitoridectomy ceremonies to be performed while in this grade. If and when she is married such a girl enters the next grade at a comparatively young age.

3. Ekpokpaase or Otu r'Ewheya

This grade includes all women of between fourteen and forty years who have performed their clitoridectomy ceremonies as a means of initiation. But clitoridectomy ceremonies are not, in all cases, completed before marriage. In this case, marriage alone is the visible sign of entry into this age grade which has its own irregular meetings and often impromptu spokesman whenever its members have their common problems. Nevertheless, they require the support of the next grade in order to make their influence more strongly felt in street, ward or town affairs.

4. Ekwokweya

This age grade includes all women above forty years. They are either Emetogbe or those who have passed the child-bearing age. The former category are women who are either widows living in their own patriclan house-land or have returned to their patriclans in old age and often when childless. This age grade and the previous one are

entrusted with all the rituals surrounding childbirth, still births, deaths by disease or by suicide or, in olden days, the births and deaths of twins. They also propitiate to offset the effects of witchcraft and evil spirits when these affect the ward or town. They take responsibility for cults that concern the fertility of women and of crops and ensure that women taboos are kept. They also organise sectional protests against the destruction of crops by cows, pigs and sheep kept in the town. The most recent of these organised women's protests occurred in 1964 when, as mentioned in Chapter One, they successfully opposed the plan of the Orodje-in-Council to allow the Midwestern Nigerian Ministry of Agriculture and Natural Resources to use a large piece of Okpe land for a farm settlement and experimental station. The women seek diviners' advice from time to time and, through their spokesman, acquaint the ward or town council with the lapse of any purification and the need for the fulfilment of the required ceremonials. The Emetogbe normally intercede in serious disputes involving the men of the wards and their wives.

Integration of the Women Age Grades

Women age grades are less integrated, at both the town and tribal levels, than is the case with the male age grades. The reason for this lies in the exogamic rules of marriage because distances encountered by outmarrying daughters together with the unwillingness of men to spare their wives from necessary economic activities, render town or tribal female activities irregular and uncertain. But whenever they succeed

in meeting, they recognise ad hoc organisers and appoint a temporary spokesman to present their complaints or observations to the town council or to the eldest man and the various ward heads. In such cases, efforts are made to satisfy the women to make them return to their economic and household duties.

Every town recognises its eldest female patrilineal descendant in whose house matters concerning the women as a whole, particularly those concerning their responsibility in town or ward rituals and religion are fully discussed or decided before being taken to the town councillors. Her council is, however, less effective and more irregular in comparison with that of her male counterpart.

The normal behaviour of a wife in her marital home is more submissive while that in her patrilineal home is more dominating. Thus if she marries within her ward or town, conflicts often arise in respect of her behaviour, actual and expected. This feature affects the flow of authority when women meet at the ward or town level and adds to the problems of accepted and effective female leadership. Also, women's activities can hardly be organised beyond the town level; in fact, informants remember no recent occasions of women's movements and demonstrations on a tribal level.¹ Therefore, we should examine the men's age grades for any political authority exercisable through the age grade organisation.

1. It should be remembered that the 1964 protest referred to above was initiated and executed by only those women and their sympathisers whose use of the piece of land concerned was affected.

(b) Age Grades for Men in Okpe Tribe

There are five male age grades in Okpe tribe as follows:

1. Ibiemoherhe

This age grade includes all males up to the age of twelve years. Though with no immediate significance, they are of great potential consequence in the tribe. Members of this age grade help their parents in domestic work, play with their female counterpart and care for the younger ones amongst themselves in the group. They also go on short errands involving short distances and light responsibilities. At convenient times, individual families arrange for the circumcision of those of their boys between the ages of six and eight years, that is, if this was not done when the child was about seven days old. However, entry into the next age grade does not depend on a boy's circumcision; he remains in the first grade until he is about twelve years old.

2. Ibiemeswo

This grade includes boys of between twelve and twenty years who generally clean and sweep the street and the ward's or town's main street. They also clear bush paths, take active part in farm and community works and do all light works in the street or ward. They run errands of greater responsibility and for longer distances and participate in palm produce and other economic activities in the town. Again, no special ceremonies are performed as rites de passage to the next grade.

3. Otu r'Orere

This age grade includes men of between twenty and thirty years who, before 1890, were regarded as young warriors; they always fought in the front ranks during battles. Also, most carriers of the load of early European visitors to Okpe tribe were drawn from this age grade. Today, as in the past, they do most of the heavy work in the ward including clearing of the bush paths and the building of shrine houses. This age grade is sometimes spoken of as an undifferentiated junior arm of the next age grade.

4. Otu r'Ivwrawha

This age grade consists of men of between thirty and sixty years. They form the largest age grade particularly in those Okpe towns and other Urhobo tribes where the ages of its members range from twenty to sixty years, that is, to include the preceding age grade.

Members of this age grade constitute the main working group. They also supervise the works of the younger age grades. Prior to pacification by the British Government, members of this age grade were the important town warriors who were required at the tribal level to defend the state and were summoned whenever the younger warriors were incapable of successfully waging a war. They also encouraged and prevented the younger warriors from decamping. Today, members of the grade take part in road and bridge constructions and repair shrine and public buildings as part of local communal work. They predominate in the oil palm industry especially in their younger ages within the grade

and carry out orders from the town or tribal council and court. The older members of this grade, that is, those between forty-five and sixty years, are sometimes called Otu r'Ikpimi but whether differentiated by name or not, they are next to the eldest age grade. They are normally excused from hard work, acting as advisers to the younger age grades. Although they are below the age required of the staff of the town government, the most elderly members of this grade gradually become members of the town council. Thus, in practice, they qualify for the next age grade at different times.

5. Otu r'Ekpako

Members of this grade are the town elders and normally include men of over 60 years. No other qualification than age is required to attain the elders' status and once qualified, they constitute the head grade of the age organisation and attend the ward and town councils and courts for purposes connected with the government of the social unit.

Integration of the Male Age Grades

Based on age alone, a man is placed informally in an age set or group and he is moved up the age grades mainly as a result of normal maturation and of others' deaths or emigration. Also by the same age criterion or else by a demonstration of strength or of leadership qualities while passing from one age grade to another, a man may qualify to exercise one or the other type of political power and authority as discussed later in this chapter.

Members of every age set know themselves well. They also know

their relative ages and their capabilities. Each age set is thus not made up of undifferentiated units. Leadership in age grades is based largely on personal capability. An age grade leader (called olotu or onotu)² is appointed in one of two, often informal, ways. Either his informal assumption of leadership roles becomes accepted by his mates, or he is appointed by the elder members of the higher age grade. The qualities required for this position consist of organisational ability, commanding dignity and persuasive speeches. The leader usually belongs to the upper age limit of the grade and he must be a person of tested reliability and accustomed to receiving and executing orders with efficiency and dispatch. Each age group thus has some organisation for carrying out its duties.

For major and important functions, similar age sets in the villages merge with their counterpart in the parent towns. It is usual for members of a higher age grade to address those of a lower grade as children. This is regarded as a reminder of the built-in authority system and of the ideally unquestionable subordination of the younger age group to the older ones. Taken as a whole, the age organisation among the Okpes places community interests above those of the patrician or lineage group.

A two-way communication between the eldest and youngest age grades passes through their group leaders; for instance, during the execution

2. A leader is called Olori and hence an age grade leader is called an Olotu or Onotu (plural ilotu), i.e. Olori r'Otu.

of the administrative decisions of the elders. The leader of an age group invariably advances through the different grades as a leader and could become an age grade leader at the tribal level. In the towns, there is the system in which the various ward age grade leaders meet to select one of themselves as the town age grade leader vis-a-vis similar town age grade leaders at the tribal level.

Age grade Leaders at the Tribal level

There is a successive subjection of the age grade leaders involving the street, ward, town and the tribal social units. The most important leaders in the age grade organisation are those of the grade next to that of the elders. Their position in the various towns is one of very great authority. It is, therefore, eagerly sought by all who want to share in town or tribal politics. The age grade leaders selected from the towns to attend the tribal council or court are regarded as junior tribal executives. In this sense, each is called an Odiegware, meaning that he is often expected to be in the tribal council or court meeting in the capacity of a mere attendant rather than as a traditional chief. Such leaders pay appointment fees to the tribal council and the tradition is that each of them is given a white eagle feather to wear as insignia of office. After such appointments, they return to rest in their houses for a few days but they hold no expensive feasts or dances at the end of their period of seclusion.

One of the age grade leaders attending the tribal council or court is selected by the tribal councillors either wholly on their decision

or after the recommendation of the age grade leaders themselves, and appointed as the tribal age grade leader (Olotu Okpe). He leads all other age grade leaders at the tribal level and speaks on their behalf in the tribal council or court. Prior to British Government control of the area, this tribal age grade leader provided warriors through other age grade leaders to defend Okpe state.³ He also ensured that the war shrines were worshipped for the protection and the success of Okpe tribe in any battle. While functioning in this capacity, the tribal age grade leader and his assistants from the various towns wielded a lot of military and political power at the tribal and town councils. On the tribal level and to a lesser degree, the town level, the age grade leaders have their spokesmen and their council where they deliberate on their affairs and those of the other members of the age grades whom they represent. On becoming an elder, the Olotu-Okpe or, indeed, any of his assistant age grade leaders at the tribal level, often reluctantly relinquishes his position as a tribal age grade leader.

The absence of tribal wars has, today, considerably reduced the importance of the age grade leaders although the Olotu-Okpe is still formally recognised at the Adene of Okpe after paying a recognition fee of about £40 which is shared amongst the King, his tribal chiefs and the main towns of Okpe tribe. A part of this amount is also paid into Okpe State Fund.

3. The age grade leaders were usually assisted by the tribal Igbu association. An Ogbu is a person who has killed an enemy from another tribe or has killed a tiger which is also considered an enemy. The killer brought the head home if the victim was a human being. Each case was treated as a sign of bravery and a source of pride. The leader of the Igbu gave a white feather to the killer which he wore for identity. But no one wore more than nine feathers. Many members of the Igbu association are still alive today but new members are rare.

It should be remembered that every age grade leader is part of the social organisation and government of a town and, in this respect, becomes subject to the town council and to its eldest man, the Okarorho.

The Okarorho

The older the age grade, the more important it is and the more responsibility it carries in ward and town government. As will be shown later, political and judicial decisions are taken in public in the town hall where anybody may watch and in this way receive informal training in government and in indigenous 'Political Science'. Thus every elder is supposed to be very knowledgeable about town and tribal traditions. He is also regarded as having reached the age of communication with his predecessors and the spirit world especially at any time he takes his siesta.⁴

This is particularly the position of the eldest member of the ward or town,⁵ who is believed to be the principal link between the dead and the living in the town unit. His experience includes all that can be gained from the day-to-day affairs in the town and from the various activities and events occasioned by membership of the different age grades. He is also the chief trustee of the town and tribal history and tradition.

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4. And, therefore, it is regarded inadvisable to disturb or wake him up during his siesta.
 5. Normally, the eldest man of the ward is called the Okpako while that of the town or tribe is called the Okarorho but sometimes the term Okpako is used for the eldest man in all the social units.

The status of the eldest man is, in normal circumstances, never contested and any person usurping the office is believed to be punished by immediate death sent by the town ancestors who are believed to constitute the supernatural fountain of justice. Although entitlement to his post is strictly by age, and although no fee may be paid on assumption of the office, the eldest man is expected to feast his town councillors and townsmen as lavishly as conditioned by his purse. This occasion is also normally one in which he takes possession of the town shrines in a ritual ceremony. He is usually poor but it is rare to find any one rejecting the position owing to inability to finance the accompanying ritual ceremony and recognition festival. For, more often than not, his children and siblings provide the money required.

Only a patrilineal descendant of the founding ancestor of a social unit can be regarded as its eldest man. When he dies, succession is not immediate. Some period is allowed to elapse as a form of respect for the dead and during which his senior son acts while the successor prepares for the assumption of the office and the custody of the town shrines. While in office, the eldest man becomes both the political and the administrative head of the town assisted by other office holders discussed below.

B. PERSONAL EFFICIENCY AND GOVERNMENT POSITIONS

1. The Otota

This is primarily the title of a spokesman who also acts as an administrator and politician. Henceforth, he is referred to in this

thesis simply as spokesman. Any age group or category of people may require a spokesman to present their view point. In all cases, a spokesman is chosen on the basis of his eloquence, wisdom, debating skill and respect for his colleagues and elders. All the wards in a town have their spokesmen and out of these, one spokesman is chosen for the town in a way similar to that of the age grade leader. Both the spokesman and the age grade leader are the sole or the chief representatives of towns in any tribal meetings. On such occasions, the spokesman is responsible for presenting and explaining the town's opinion or decisions and for drawing attention to any matter that requires discussion. He also reports back to their town council. The most important spokesman in Okpe is the tribal one as will be shown later.

2. The Arijo

In pre-1890 Okpe political system, this officer was an orderly to a tribal councillor. Any person below the age of the elders qualified for the appointment if he successfully cut the neck of an ox with one stroke of a cutlass or if he performed a feat of similar rating considered to be a show of strength and an acceptable qualification for the position of a protector.⁶

The orderly was always in attendance at the tribal meetings to provide escort and reliable protection. A tribal orderly was selected from all those attending tribal councils, not so much because of a

6. It was regarded a bad omen if a renowned arijo failed to cut the neck of a sacrificial animal with one stroke only.

further demonstration of strength as for excellent records and attachment to a renowned tribal councillor.

Although many people still hold this office and are recognised as Okpe tribal stewards today, it is gradually disappearing and becoming rather more of an ad hoc appointment. This is principally because the protective duties of the orderly are taken up by more modern forces such as the Police.

3. The Oyiko

The Oyiko is a man of mature age and experience chosen by the elders to perform the duties of a messenger or bailiff. He is sometimes required to summon individuals or groups to councils and to carry out judicial orders of the town or tribal council. Such orders include the sale of offenders' goods, destruction of a thief's property and the collection of imposed fines. He is assisted in some of these duties by the age grade leaders. The ward, town and tribe have each such a messenger performing functions which have remained essentially unchanged.

4. The Awhowho

This office is that of an adult town crier. He normally carries a bell or a gong which he rings or strikes with iron to draw attention. In the absence of these instruments, the town crier shouts the town or ward name to call attention before making any authorised announcement such as of new laws made by the town council or passed down to it from the tribal council through the eldest man of the town. These functions have continued virtually unchanged in Okpe tribe.

5. Iko r'Ikpokpo

This group of office holders consisted of the senior members of the ivwrawha age grade and functioned as the town or tribal executioners of those sentenced to death prior to 1890 in Okpe tribe. The leader of the group bore the responsibility of directing his colleagues on all duties ordered by the town or tribal council. The group also punished thieves, inflicted severe corporal punishment on offenders and sold debtors as well as fine-defaulters into slavery. They gave part of the proceeds to the party wronged. These otherwise authorised and legal powers were said to be abused and were regarded incompatible with modern government. Hence the activities of the group were discontinued and the members disbanded by the British Government.

6. Idugbu

This group replaced that of the banned tribal executioners. Though recruited from the street or ward units, its members assume police duties all over the town. The members are adults and they function as night guards. They arrest thieves and suspected offenders, investigate offences and maintain peace throughout the night. They beat their drums or keep lamps hung in conspicuous places every night in most towns to assemble members and to remind people of the existing curfew hours, usually between 10 or 11 p.m. and 5 or 6 a.m. During this period no one may be found in the streets. They send reports of their activities to the eldest man and his town councillors. As traditional detectives, they assist the Nigeria Police in arresting

offenders in contemporary Okpe tribe.

The brief discussion above shows that the position and the power of members of the town and tribal councils are, in nearly every case, dependent on their position and age in the ladder provided by the age grade organisation. It has been shown that the final authority overseeing these age grades at the town level are the elders headed by the eldest patrikinsman. Within this general framework provided by the age grade system, an Okpe person achieves a more prominent political position irrespective of his age or status attained along the ordinary life-line of the age grades. Such higher political statuses are more important at the tribal than at the town level and they all derive from the Chieftaincy institution which I now discuss.

C. OKPE CHIEFTAINCY INSTITUTION

This institution is very highly regarded by the Okpes. It provides the most important political symbol in Okpe and in other Urhobo tribes. As a working definition, a chief in Okpe tribe is a man who has achieved a tribally-approved position of political pre-eminence through wealth. A person made a chief is entitled to ^{many} ~~may~~ privileges and is expected to observe taboos most of which are not normally compatible with the duties of the different age grades. The Chief is, therefore, normally excused from some of these duties and thus gets partially cut off from his age grade per se. A Chieftaincy title bestows on its holder both political status and prestige higher than those of his age mates or of elders who are not chiefs.⁷ The title

7. During quarrels or serious arguments, an untitled man is often called derisively an Izughuru.

gives him more recognition and the opportunity of participation in Okpe tribal council.

In Okpe tribe, the Chieftaincy institution involves the following three titles in ascending order of importance and dignity: the Okakuro, the Otota and the Orodje. Henceforth in this thesis, these titles will be referred to simply as chiefs, tribal spokesman and the king respectively. This hierarchy of the main political titles is common to most Urhobo tribes but it should be emphasised that they are tribal titles only and, although there is an inter-tribal parity of respect for chiefs, they carry no authority outside their tribes. In this respect, therefore, they can be regarded as vital means of organising the political activities of the Urhobos into twenty tribal entities. Okpe chieftaincy titles are discussed below in an ascending order of political importance.

(i) Okpe Tribal Chiefs (Okakuro, plural Ekakuro)

An Okpe chief is a senior member of Okpe tribal council called Udogun. The actual origin of the title is obscure. But it would appear to be indigenous to Okpe tribe in the sense that it is a carry-over practice from the type of political organisation that existed in Benin while the Okpe people lived there. Fellows suggests⁸ that the title was derived from the Benin title of 'Okaku' meaning a noble, which was bestowed by the King (Oba) of Benin on an applicant's presenting him with the requisite number of slaves and money. In return, the

8. Fellows, L.E.H. 1928. Report on Ukpe Sobo Clans. C.S.O.26/3,21943 pp.14-15. National Archives, Ibadan.

King of Benin gave him a brass sword. Though the title is said to have existed before the first well known king of Okpe, it is also said that it was only after the king's deposal that an Okpe chief, as will be shown later, approached the king of Benin and received the title of Okakuro. The purpose of this act was to obtain the approval and the support of the king of Benin, as it was then the published practice of some Urhobo tribes, to rule the disintegrating Okpe tribe and to confer the title on others who applied to him subsequently. This action had no known precedent and it seemed to have been done because no other satisfactory method existed for creating these nobles which the late king had made his own preserve.⁹

In place of this chieftaincy title, some Urhobo tribes including Ughelli have the equivalent title of Ohovwore. The neighbouring Agbo tribe has both the Okakuro and the Ohovwore titles, the latter title being taken either as a full stage title on its own or, more often for status seekers, as a stepping stage to the former title. All these chiefs sit with their kings in their various tribal councils.¹⁰ Probably as a result of high costs and personal capabilities as well as of Okpe strong patriliney and the division of labour according to sex, there is, at present, no female chief in Okpe tribe. This is unlike the position in Ughelli and in neighbouring Agbo tribes.

9. Also see Kerr, R.B. 1929. Ukpe Sobo Assessment Report. In file C.S.O.26/3,21943, pp.13-14. National Archives, Ibadan. The Okakuro title is often said of most of the other tribes e.g. Idjerhe and Agharho as originating from Benin. Those who sought the protection of the Oba of Benin bought the title and subsequently conferred it on other applicants.
10. In Agbo tribe, the Ohovwore and the Okakuro titles are taken progressively from the patriclan through the street, ward and town units, to the tribal level.

The procedure involved in obtaining the chieftaincy title is long and extremely expensive. But it is considered necessary to explain the process as summarised below¹¹ because it does show the involvement of all the social units constituting the tribe, and spotlights some of the difficulties and expenses which are overcome in order to attain a tribal title which enables the incumbent to obtain prestige and to participate in the manipulation of the dominant political symbols of Okpe tribe. It should be re-emphasised that the whole process as it is today is a blend of what the Okpes consider to be traditional and whatever is considered to be necessary in the light of modern development.

1. The interested candidate informs his lineage group and later his ward and town social units normally during religious worship at the unit's ancestral shrine, of his intention to be a chief. He also informs the elders of his paternal major descent group or, if he chooses - and this is not typical - his matrilineal group, through which he wishes to be known as a chief of Okpe tribe.¹² The symbolic religious

11. This section is based largely on information obtained from interviews with several Ekakuro of Okpe including: Chief J.E. Biokoro, the present Otota of Okpe who was interviewed along with the Okpe State Secretary, Mr. J.E. Egbo, on 25/11/67; Chief T.O. Dafinone interviewed on 18/11/67 and Chief C.O. Agbosa interviewed on 7/8/67. Also interviewed on this point on 22/11/67, was Mr. Sam. Efefaboraye Edoge. Information obtained from other tribes particularly from Agbo and Ughelli tribes corroborates this general pattern of installation of both the Okakuro and the Ohovwore.

12. The importance of this point will become clearer later in this chapter.

activities which form an important part of each of the meetings serve as a group information for the dead from whom the candidate believes that he obtains ancestral blessings for his ambition. Also, from the living, he obtains the collective approval of the group although the candidate's intention is not necessarily so much to seek their consent as merely to alert them of his intention.

2. The candidate then applies to the king, that is, at the tribal level, to signify his wish to become a chief. Such an application is written today and is all that is required at this stage although the king is approached in the customary way with kola nuts, gin and some money.

3. The king thereafter summons all existing tribal chiefs to acquaint them of all outstanding applications. This is a crucial stage because the chiefs are expected to scrutinize thoroughly the applicant's identity and character. If the king and the chiefs are not satisfied that the applicant is an Okpe tribesman - paternally and/or maternally - and that he is not a slave, and if he is not certified to be of exemplary character such that he is unlikely to drag the status of chiefs into disputes, his application is rejected at this stage. The possession of sufficient money to pay for the initiation fees and for expenses incurred in the ceremonies is, therefore, not sufficient qualification for the position of an Okpe chief.

4. If his application is approved, the candidate is referred to the tribal spokesman who briefs him about the necessary materials to obtain

for the ceremonies, the entrance fees, and the expected behaviour of a chief together with the process of conferment.

5. At his own convenience, the applicant pays the normal entrance or initiation fees which now total £85 (until recently £80) either to the tribal spokesman or to the king. If paid to the former, he has to send the money to the king who arranges for the amount to be shared.¹³

The sharing pattern is a vivid way of demonstrating the accepted involvement and commitment of all Okpe tribe who are directly concerned with the new structural position and functions of the title holder.

6. The king thereafter consults the chiefs at hand regarding the convenient date proposed by the candidate for the conferment of the title. On the basis of this, the king, in consultation with the chiefs, fixes a convenient date which is subsequently communicated to the applicant and to all the chiefs of Okpe. Information about this conferment passes to other Okpe people either formally or informally.

7. On the fixed date, Okpe tribesmen assemble as in Diagram III at the Adene¹⁴ or inside the tribal shrine hall. On the instruction of the king, the tribal spokesman announces the purpose of the gathering, the name and biography including the parentage of the candidate and

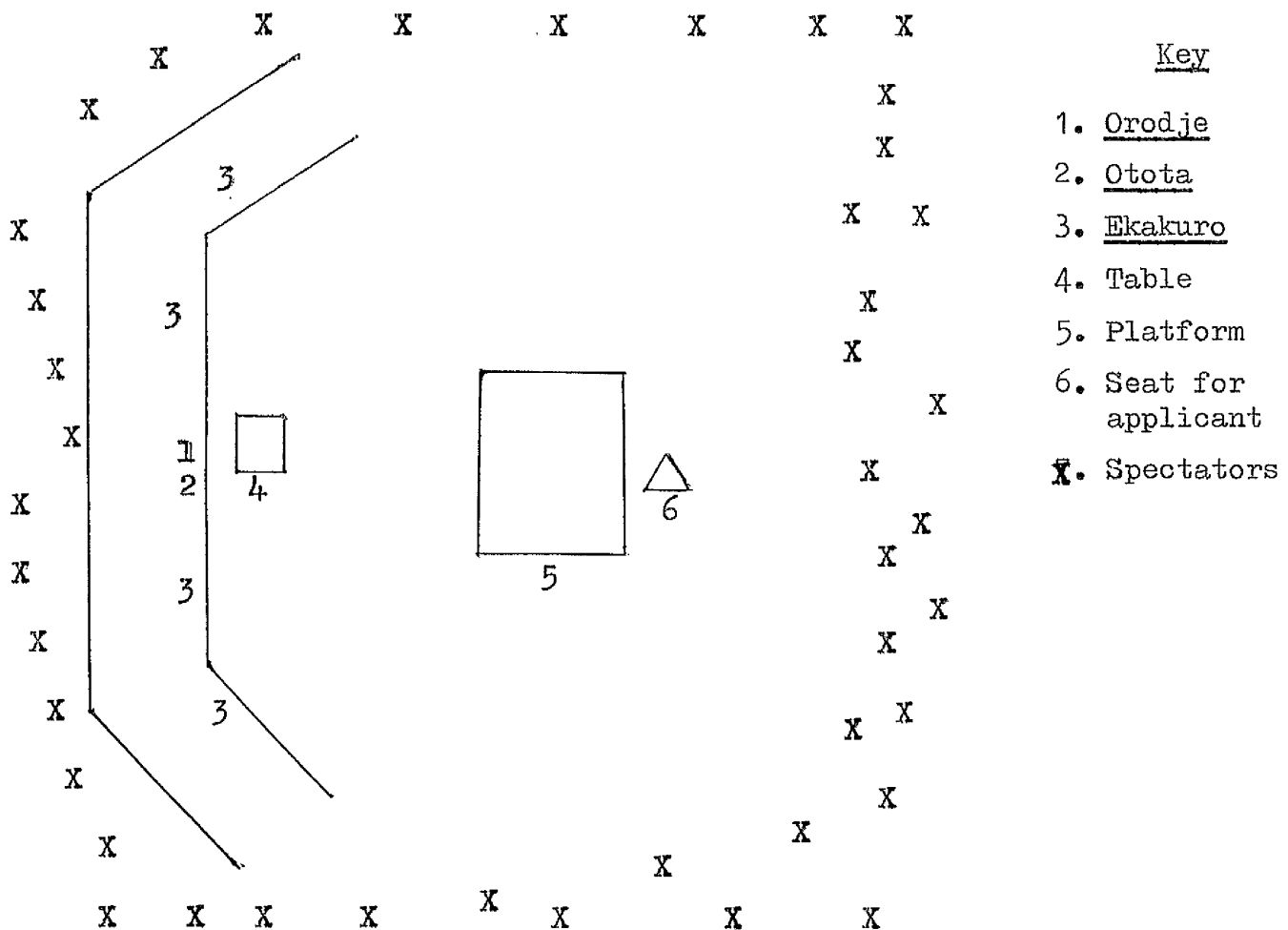
13. The initiation fee of £80 was normally shared as follows: Orodje - £25; Udogun Okpe - £15; Okpe State Fund - £15; Okpe main town units - £10; Banquet - £10; and the candidate's District - £5.

14. The Adene literally means four ways or parts. Its significance for the tribe is that it is the original central meeting spot for the territories occupied by and named after the ancestors of the four descent groups of Okpe tribe.

also confirms that the appropriate fees have been paid.

8. The tribal spokesman thereafter calls on the applicant,¹⁵ who walks before the cheering crowd to a prepared seat near the stage as in Diagram III. The actual ceremony then starts.

DIAGRAM III: A TYPICAL SCENE FOR AN OKAKURO CHIEFTAINCY
INSTALLATION



15. In pre-1890 Okpe, as in present Ughelli tribe, the applicant took a title name which was not already being used by an elder Okakuro/Ohovwore. The name was different from his original names and it was the one by which he was more often called throughout the ceremony and during future meetings of the chieftaincy title holders.

9. The king requests the candidate to reaffirm publicly that he still desires to be a chief. The candidate kneels or prostrates himself on the platform after the confirmation while the king enumerates all the taboos and admonitions, as will be shown shortly. He then rubs native white chalk on the applicant's right hand starting from the big thumb as a form of tribal consecration and blessing for the applicant. During this event, the king prays for the tribal ancestral assistance for the candidate's good health, longevity and peaceful participation in the government of the tribe.

10. The king thereafter fixes a white eagle feather on the applicant's white cap on the last of nine counts with gentle touches on his forehead amidst a large approving ovation.

11. On the king's instruction, the tribal spokesman calls an official (i.e. the Ogbivie) who normally comes from Orhue, the senior descent group of Okpe, to tie two sets of red beads on the candidate. The first set of bigger and more costly beads are tied round both wrists while the second one-foot-diameter set of three rolls of cylindrical beads are worn over the head and around the neck.¹⁶ Together with the feather, these beads constitute a major part of the insignia or status symbol of an Okpe chief. He is himself responsible for providing all the materials although he never wears them to the occasion. Instead,

16. In Agbo and Ughelli tribes, another special coral bead called Urhu is tied round the neck. In Ughelli also, a special thread provided by the Ovie's senior wife at the applicant's expense is worn over his head by the Iyasere. There are other peculiarities in the two tribes particularly among the Ughelli tribe.

all the emblems of the new status are bestowed on him officially and publicly by the king and other officials as an illustrated public announcement of Okpe collective involvement in the installation and in the recognition of the new political office holder.

12. The king, dressed for the occasion in scarlet red robes as a symbol of nobility, is followed by the tribal spokesman and both move forward to the platform where the king and the now fully-fledged chief engage in a handshake ritual by which the latter is raised to the platform. The new chief also shakes hands with the tribal spokesman who thereafter directs the former to the other chiefs for the hand-shaking ritual.

13. Then follow the Ema dance and songs¹⁷ restricted to Okpe chiefs who are, for this occasion, normally dressed in their immaculate white wrapper, white long sleeve shirts and white caps.

14. After the seventh song, the chiefs, led by the tribal spokesman, escort their new member to religious worship at the tribal earth and ancestor/predecessors' cults. During this occasion, offerings of gin and kola and sacrifice with a goat are made to the tribal ancestor and predecessors not only as approved religious symbolic behaviour as described in Chapter One but also as a means of obtaining the collective

17. One of these songs is the popular one: Orere yo Uwa or Orere yo Udo. This song has the connotation that the applicant has been given authority in the tribe which he should now help to rule with care. Traditions trace the origin of this song to a period when a legendary Udo, a very powerful ruler, drove an Oba of Benin (said to be Eweka I) from Udo's town to Benin City and while Eweka's entourage left with their sympathisers including those frightened by Udo's rule, they sang this song to indicate that they were leaving Udo's town for him to rule.

recognition and support of all supernatural or dead Okpe rulers for the tribal new political elite.

15. This phase of the ceremony now ends and the new title holder is escorted by a large entourage of jubilant kinsmen, friends and neighbours singing and dancing from the Adene through the main streets of the capital to the house of the new chief. A chief staying outside the capital is similarly escorted to his town or village by his entourage who normally suspend songs and dances as they enter footpaths or main roads leading off the capital and resume their activities on passing any village or town on their route. These group activities serve mainly as a loud showy way of announcing the newly acquired political status along the route and beyond it. The entourage and all others assembled by songs and the sound of music are lavishly entertained in the chief's residence amidst further dances and rejoicing.

16. The new chief retires at the end of the day and remains indoors with his senior wife for seven days. During this period, he performs more rituals, receives visitors and exchanges gifts. Prior to 1890 in Okpe, a pit was dug outside the new chief's house into which remains of food and bones were thrown. The size, especially the depth of this pit varied depending mainly on good relationship with, and effective lobby of the digger. But whatever the size, it was expected to be filled with remains of food at the end of seven days as a visible sign of wealth and magnanimity in feeding dependants and visitors. Filling the pit reaffirmed the new chief's ability to cater for a people and

showed that he was neither niggardly nor greedy. The position of the content of the pit was usually reported to the king at the end of the seven days. And although no offence was committed through failure to fill the pit, the chief was said to lose prestige and incur abuses and bad gossip in private places. Also during this same period in pre-1890 Okpe, the elderly chiefs performed ritual ceremonies connected with an approved authority for the use of an ornamented staff of office for which the new chief paid.

17. This second or seclusion phase of the title-taking process does not end merely with the expiration of the seven days¹⁸ because the new chief, like his counterpart in Ughelli tribe, is expected to entertain all Okpe chiefs with food and drinks etc. in his house any time he is financially prepared but soon after the seven days seclusion period. Before eating the food cooked, the new chief carries an Ujegbe, an ornamented fan-like carving, on his head while the eldest chief present splits bits of yam and meat on it and on the new chief's staff of office. This act is accompanied by prayer to the tribal ancestors and to God for the prosperity of the new chief and his family. The end of the festivities is marked by a dance with which the new chief is brought forth and hailed as an Okpe chief along the main streets of the ward and town. In Ughelli tribe, any new chief who fails to complete this second stage called Uyovwiegwo and by which he 'enters' the group of chieftaincy title holders, is not regarded as a full chief and is not normally

18. Or 14 days. See Kerr, R.B. 1929 (as before) p.15. But it should be noted that demand for time affects the number of days spent in seclusion today.

allowed to attend their council.¹⁹

This is the last public show and testimony of the new status. The whole ritual constitutes another public symbolic act of tribal political elite unity and of their collective commitment to the welfare of both the new and old chiefs and of Okpe tribe as a whole.

On completing the chieftaincy title-taking process, a person is not addressed by his own names except by another chief or by his very intimate friends in private places. He is normally addressed as Olorogu as soon as he successfully completes the title-taking process. Prior to 1890, the new chief prepared a ceremonial meal with big fishes and a goat which he, his kinsmen, friends and the local (town or village) chiefs used in worship before the new staff of office. The skulls of the goat and the fishes used were expected to be preserved throughout the chief's life. The kinsmen of a dead chief were usually penalised through a fine if these skulls together with the feather presented to him at his installation were not produced at the request of the living chiefs at the time of burial.

Lastly, the new chief spends the next day or two thanking participants and, thereafter, he goes about his normal duties though careful that he now has to assume new habits to avoid breaking any of the taboos of the new status as admonished during the installation ceremony.

19. Interview with Chief Jabin Orovwighose Ahwinahwi at Ughelli on 25/12/67. He is both an Ohovwore and the current Secretary of the Council of Ehovwore of Ughelli tribe.

Admonitions to an Okpe chief²⁰

The chief is advised as follows during his installation ceremony; that:

1. He is to maintain exemplary character always; he should respect himself and the status of chief.
 2. He should not strike anybody.
 3. He should not commit adultery.
 4. He should not enter a pit to prepare mud for house-building.
 5. He should not look into a well; thus he cannot draw water from the well.
 6. Whenever it rains while he is outside his house, he should neither run nor cover himself with a plantain leaf nor enter a farm hut. Instead, he is expected to walk to his house majestically and in dignity under the rain.
 7. He should not sit on common or on low benches.
 8. He is not expected to kneel before his elders but he must respect them just as he should respect his parents.
 9. He is not expected to climb a palm tree and he should not enter into a wooden trough to help in the production of palm nut oil.
 10. If a tree falls across his route he should not go under it but should either take a diversion or have the tree removed.
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20. These admonitions and privileges (on the next page) are common to all Urhobo tribes which confer the Okakuro and the Ohovwore chieftaincy titles. The Ovie of Uvwie tribe, Eruohwo II, has recently included some of these admonitions in a three-page pamphlet entitled 'Code of Conduct of Traditional Chiefs, Uvwie Olan, Western Urhobo Division'.

11. He should not steal.
12. He should not be subversive to Okpe tribe nor involve himself in intrigues and backbiting. He must always be a loyal citizen both to Okpe tribe and to the king.
13. He should not carry fire or a calabash of water to the farm nor should he carry any load by yoke.
14. A chief's dress should be dignified always. He should neither wear bush attire nor draw his clothes above his knees when there is water or rain on his route.

It should be noted that although these admonitions are given only at installation ceremonies, chiefs are reminded of them each time a new chief is installed. They also remind themselves informally each time they meet and have time and disposition to gossip.

Privileges of an Okpe chief²¹

A chief is entitled to respect from all untitled Okpe people all of whom are already made aware of his position in the tribe through the public ceremonies and entertainments. He is a privileged man in the tribe irrespective of his actual and title-age positions and therefore:

1. Nobody may hit him or his wife.
2. No man may commit adultery with his wife and also her seduction is regarded as a tribal matter. Prior to 1890, no man was expected to enter a room where a chief's wife sat alone.

21. An Okpe chief visiting another tribe gets equivalent respect and enjoys similar privileges; the reverse is true of other tribal chiefs who visit Okpe tribe.

3. A chief is not to be entertained without adding money, as a form of respect, to the plate of kola and drinks.
4. He is not to be insulted.
5. A chief is given a special share in all public divisions of money before the untitled men divide what remains.
6. As opposed to untitled persons, a chief is not expected to kneel while raising his right hand in salutation to the king. Also, although a chief says Umogu like the untitled person while saluting the king, he is the only person to whom the king replies saying Kaada.²²
7. As will be shown later, the chiefs are entitled to sit in special places when the tribe meets.
8. A chief may not get up from his seat for anyone except the king.
9. Finally, the death and burial of a chief involve the whole tribe: the incident is reported to the king and to the eldest of the chiefs and the corpse is not buried until representatives of Okpe chiefs arrive and ensure that their colleague died of no foul means or by any causes arising from the hard labour items which he was advised to avoid during his installation. The chiefs probe the circumstances of the death of any of themselves particularly if foul means are suspected or if a chief dies in the bush or outside the town. Before burial in all cases, the corpse is washed and well dressed ritually as an act of collective farewell

22. Although the exact meaning of this word is not known, it is brought in here because its use signifies the political status of the addressee.

by the chiefs who are also represented in a subsequent funeral ceremony.

It should also be mentioned that prior to 1890 in Okpe, the chiefs were the only people who qualified to be buried with a coffin. All untitled people were buried with mats although relatives who wished to bury their kinsmen with a coffin were allowed and required to pay the chieftaincy title initiation fees to obtain the insignia from the king which were then worn on the corpse as a symbol of posthumous chieftaincy with which the now dignified corpse was buried.²³

The expenses involved in the whole process of obtaining the chieftaincy title is prohibitive relative to whatever period is taken into account in Okpe tribal history. For example, prior to 1890, the total cost paid by a candidate is said to have changed from nine pieces of cloth, a case of gin and 140 cowries which were all sometimes paid in terms of goats and gin, to 100 each of goats, yams, alligator pepper, white chalk, coconuts, kola nuts, cowries and white chickens.²⁴ The number of each of these items is, today, reduced to seven plus a bottle of schnapps and twelve shillings. All these are included in an approximate total of £85, that is, apart from whatever sum of money is incurred by the individual chief through the subsequent merriments and entertainments.²⁵

23. Ughelli tribe also practised this post-mortem title conferment.

24. It is not clear whether these higher costs were a result of better economic conditions or whether the figure, 100, was merely symbolic of something else and was never, in fact, obtained for each of the items.

25. Chief J.O. Ahwinawhi estimates £170 for current expenses involved in taking the Ohoywore chieftaincy title in Ughelli tribe. The total cost of taking the Okpe Okakuro title could be equal to or even be more than this amount.

In neighbouring Agbarho tribe, it was calculated that the chieftaincy title (Ohovwore) cost a total of £23.1.6d in the 1903s²⁶ but today, this total cost is more than four times this amount.²⁷

The above brief discussion shows that only a wealthy person with an acceptable character and lineage group membership can be an Okpe chief. The whole process of installation and rituals with conspicuous consumption took over three months in pre-1890 Okpe.

After the death of a king, no chieftaincy title can be conferred until another king is installed. Although seniority of Okpe chiefs is by title age, 'Okpe tradition and Constitution' adds that this seniority principle "may be modified for reason of fitness as considered fit by the Udogun."²⁸ Any member of any male age grade could obtain the chieftaincy title. Nevertheless, it is exceptional to find a rich man 'buying' the title for his young son to enable him to occupy an important position in town and tribal politics. Also young men do not of their own accord obtain the chieftaincy title, because it creates some social distance between the holder and his age mates, with whom he would normally like to associate, and, conversely, groups the holder with much older men in the tribe. The title also seals many

26. Kerr, R.B. Intelligence Report of Agbadu Clan - File WP.9311, Vol.II, Ministry of Local Government and Chieftaincy Affairs, Benin City. Appendix B.

27. Discussions with Chief (Barrister) M. Akpiroroh on 21/3/68. Chief Akpiroroh has recently taken the Ohovwore chieftaincy title in Agbarho tribe.

28. 'Okpe Tradition and Constitution' signed at Orerokpe, the tribal capital, on 16/3/57, by the king, Esezi II, and two chiefs from each of the Okpe four descent groups.

of the means of economic wealth from the young title holder for, as shown above, the taboos on palm produce and on other strenuous economic activities do reduce the opportunities of economic wealth and would impoverish a young chief who may then find it impossible to maintain his tribal status. It is not unexpected, therefore, that, particularly prior to 1890, chieftaincy status seekers waited until they accumulated enough wealth and wished to retire from active work before obtaining the title. Today, however, the age distribution of chiefs is modified by the available non-taboo-breaking means of income and subsistence particularly in the urban areas of Warri, Sapele and Benin City.

All the emblems of chieftaincy are precious to the holder during his lifetime and to his kin group after his death. On tribal occasions or when a chief accompanies the king on public ceremonies, he is expected to wear his white cap and robes, carry his staff of office and wear his beads on his wrists and the three strings of cylindrical coral beads around his neck. These constitute his visible and warning symbols of 'state' and status above the commonalty. No untitled Okpe person is expected to wear such emblems of chieftaincy status. Such an act constitutes an offence against the tribe. As already pointed out, certain of the chief's insignia are required to be seen before his burial. Also, his staff of office has effective judicial functions in the tribe.²⁹

29. When the Ekakuro place their staffs of office (Ekpo) in any compound, they signify that one of its members has offended a chief or has broken a tribal norm. Such an offender is required, through sacrifice, to appease the 'staffs' which he cannot touch or remove, and also to make immediate reparation to the chiefs. This event has not, however, occurred recently in Okpe tribe.

A chief is a noble in the tribe. The taboos help to maintain his status and lessen the likelihood of accidents while his privileges give him and his patrilineage group a special status and protection in the tribe. Family wealth and good reputation facilitate admission into the chieftaincy title-holding group. But no chieftaincy title is, at least at present, hereditary in Okpe tribe. Also, there is no limitation to the number of chieftaincy title-holders from any lineage, clan, ward, town or the tribe, the title itself being an overt and voluntary means of showing personal or family achieved wealth and status. Theoretically, therefore, any Okpe person who can satisfy the prescribed entrance qualifications can become a chief, a title which provides the opportunity of attaining vertical social and political mobility on a tribal level.

The group of chiefs is not undifferentiated. In addition to title and real age differentiations, a chief achieves higher rank and prestige within the group through his wealth, debating skill, logical and eloquent speeches as well as leadership qualities. Such a chief is appointed the spokesman of the chiefs to present their feelings or viewpoints whenever they meet as a group vis-a-vis other groups within the tribe or between it and other tribes. The chiefs' spokesman represents the title-holders on various occasions during which he is often addressed simply as 'the Okakuro'. But this does not place him in a special category of chiefs. He is merely a primus inter pares and he is different from and hierarchically inferior to the tribal spokesman.

(ii) The Otota of Okpe

The tribal spokesman is called the Unuokpe, meaning literally, the mouthpiece of Okpe tribe. He is the most important spokesman in Okpe. He possesses a separate status next only to that of the king.

Okpe tribe is so status conscious that only a member of the traditional political elite, a chief, can become the tribal spokesman. Prior to 1890, the Okpe tribal spokesman was apparently chosen from amongst the chiefs on the basis of influence and prestige, fearless but sensible and logical debates, together with unrivalled acuteness and eloquence and leadership qualities. This choice was usually obvious from past performances in tribal meetings and there was little or no sustained opposition to it. In Okpe tribe today, as discussed in Chapter Eight, the tribal spokesman is elected by majority vote in rotation amongst the four kin groups and, subsequently, presented in public to an Okpe tribal assembly.³⁰

On that occasion, the eldest person or chief of Orhue ties one set of coral beads on each wrist and puts the other set of four or five strings of beads around the spokesman's neck as his emblems of office. It should be emphasised that the tribal spokesman is a chief himself and, therefore, he is subject to the taboos and enjoys the privileges of that title. But he and all other Okpe chiefs and tribesmen owe allegiance to the king.

30. There is said to be no precedent for the rejection of a tribal spokesman by an Okpe assembly.

(iii) The Orodje of Okpe

Ogiso and Ogie were the two common names used for a king before Eweka became the 1st Oba of Benin.³¹ Both the title, Orodje, and the other commonly used title, Ovie, mean a king, the political head and ruler of a tribe. Both terms appear to have been derived from the word, Ogie, which was used during the period when the Urhobos lived in Benin. The Okpe native name for king, like that for their chief, was probably sought as a result of the need for top posts to which roles could be assigned for a better political organisation and protection of Okpe tribe in an age of frequent inter-tribal wars and threats of wars. The position of the king was also sought as a means of centralising the control of the activities of an earlier Ekakuro government.³² Such a political title and its incumbent have always been regarded as the symbol of the coveted unity of Okpe tribe. According to the 1947 Statement on the Traditional History of the king of Okpe tribe,

"The Okpe peoples then resolved to have a King to rule their domain so as to maintain peace, equity and order in their traditional land and thus came the institution of the appointment of Esezi as the Orodje of Okpe. He was installed by his senior brother, Orhue, but he maintained his suzerainty over all the Okpe peoples in the enclosure of the land which constituted Okpe land."³³

31. Egharevba, J.U. 1960. A Short History of Benin, pp.1 and 7.

32. It is shown in the next Chapter that this was the succession of the forms of Government in Okpe tribe.

33. 'Traditional History of the Orodje of Okpe Clan'. Statement by Okpe Chiefs at Orerokpe on 23/9/47.

Although the circumstances antecedent to this resolution are not indicated in the Statement, the resolution itself shows no connotation of an imposed kingship. It seems possible, therefore, to accept the kingship as an indigenous core of the Okpe chieftaincy institution. Also, it does not seem that any of the known kings of Okpe ever went to Benin to pay homage or tribute to the Oba.³⁴ The Okpes say that since their arrival in their present territory, they have always maintained their political separateness and the integrity of the tribe. Thus Bradbury's statement that the king of Okpe received ceremonial swords from the king of Benin in the autumn of 1953³⁵ is interpreted as meaning a reference to an exchange of gifts and goodwill between the late Okpe king and the present king of Benin who was then on tour to Orerokpe and other tribal capitals in connection with the Benin Delta State Movement.³⁶ This gesture does not therefore appear to be a commemoration of past superordinate-subordinate relationship because no such relationship seems to have existed between the two states. In any case, by 1953, the British Government had stopped for more than 30 years any form of Urhobo tribal subordination, wherever it existed, to Benin.³⁷ Although Benin influence extended over most tribal states in southern Nigeria, as noted in Chapter One, the kingdom of Okpe was,

34. It may also be noted that Okpe tribe is not one of those listed by Dr. Bradbury as having gone to buy the Ovie title from the Oba of Benin or the Obi of Aboh. See Bradbury, R.E. 1957. The Benin Kingdom and the Edo-Speaking Peoples of Southwestern Nigeria, p.146.

35. Bradbury, R.E. 1957. The Benin Kingdom and the Edo-Speaking Peoples of Southwestern Nigeria, p.147.

36. Interview with Chief T.E.A. Salubi, Ovu Inland, on 18/11/67.

37. More about this point later in the thesis.

de facto, an independent tribal state from the beginning of their settlement in their present territory.

A brief comparison between Okpe and some other Urhobo tribes is necessary at this point to throw light on foreign -- mainly Benin-- influence on the political structure of the second major category of Urhobo tribes, that is, those whose rulers unlike the king of Okpe tribe as a typical example of the first major category, were required to be recognised by the king of Benin.

The independence of Okpe king and politics as a whole shows an interesting contrast to the position of those Urhobo tribes such as Ogo, Ughelli and Agbarha, whose kings, until prohibited by the British Government, had to undergo very expensive journeys -- in terms of money, time and slaves -- to Benin where each, at his time, was subjected to rigorous training in Benin custom and government ending with a test of recognition of the skull of his dead father. If he failed to recognise the skull, he was killed but Benin palace officials could usually be bribed for indications regarding the proper skull. On the other hand, his success in identifying his father's skull meant that he was entitled to the insignia of office including the Abere from the king of Benin. These were carried home, amidst rejoicing, as Benin recognition symbols for the king to occupy the throne.

It should be understood, however, that going to Benin for recognition was but a second major and not even the most important stage in the long customary process of succession amongst the tribes mentioned

above. The crucial stage was, as it is today, the installation and recognition of the king by the tribe itself. It took several years - three to six - of accepted reign over his people before the king obtained enough money, slaves etc. for his journey to Benin City to seek extra prestige and the wider recognition attaching to the Oba's known approval.³⁸ The trip to Benin was not taken to secure legality for the king's reign but merely to enhance his reputation and greatness and to consolidate the right of succession for his first son. Therefore, a king's failure to go to Benin resulted neither in the Oba's wrathful behaviour towards him nor in his dethronement. But it challenged and disrupted the normal primogenitural rights to the throne and opened a struggle for succession by the late king's siblings whose entitlement to the throne was based on the mere fact of being the children of their father who was thus the last king to obtain recognition from the king of Benin.³⁹

On the other hand, it could be argued that the Urhobo kings who sought recognition from the king of Benin were in a similar though not identical status of political and structural independence as was the king

38. For more details, see Appendix C entitled 'Succession to the Throne of Ughelli Tribe'.
39. Interview in Ughelli on 14/12/67 with Chief Igbogidi Oharisi, Chief Robert Erorayikoko Oharisi and Chief Tobi Ihwiwhuavwe. Chief Igbogidi Oharisi is the present Iyasere of Ughelli, that is, the eldest male half sibling to the king. He accompanied his late father, Oharisi I, to Benin in 1917, after overcoming the difficulty of obtaining a permit because of the British Government ruling against any more Urhobo kings going to Benin for recognition.

of Benin himself. For, as already described - and also see Appendix C - Ogoe, Ughelli, and Agbarha kings performed part of their succession processes in Benin just as the Oba's son in Benin took part of his dead father's remains to Ife and sought approval for his right to rule from the Oni of Ife before 1897. Dr. Bradbury certifies this to be the case in 16th century Benin when, after sending the late Oba's remains to Ife, the son's succession was approved as symbolised by the staff of office, a brass cross and cap given by the Oni of Ife.⁴⁰ What was perhaps at stake in some Urhobo and the Benin Kingdoms was the spiritual suzerainty of the Oba of Benin and the Oni of Ife respectively. In both cases, the kings seemed to have ruled with the approval rather than on behalf of a sovereign outside the kingdom. Also, because of the form taken by the Oba's son's activities in the palace of the Oni of Ife is not yet fully ascertained, it is not quite clear to what extent this general kingly status-seeking process was regarded as mere training through the mechanism of participant observation in the palaces of both the Oni of Ife and the Oba of Benin.

In other Urhobo tribes such as neighbouring Agbo with its six main towns,⁴¹ the Oba's symbols did not give authority to anyone to

40. Bradbury, R.E. 1957. The Benin Kingdom and the Edo-Speaking Peoples of Southwestern Nigeria, p.22. Also 1964: The Historical Uses of Comparative Ethnography with reference to Benin and the Yoruba. In The Historian in Tropical Africa edited by J. Vansina, R. Mauny and L.V. Thomas, p.151, and 1967: The Kingdom of Benin. In West African Kingdoms in the 19th Century edited by Forde, D. and Kaberry, P.M., pp.1-2.

41. These towns are in the order of seniority: Okpara, Ukwokori, Eku, Orhokpo, Ovu and Igu.

establish a tribal kingship. Thus individuals such as Isaba of Okpara⁴² as well as Oziegbe, Akpodoma and Okposio of Ukwokori⁴³ were each said to have 'bought' the title of a king, (Ovie), from the king of Benin to rule over their towns only.⁴⁴ Partridge also finds that the king's title in Agbo tribe originated not only from the king of Benin himself but also from some of his subordinate chiefs.⁴⁵ It would therefore appear that, although its kings' titles originated from the same Kingdom of Benin, every attempt to establish a well organised kingship in Agbo tribe was made on a small scale and ended in failure. Thus Agbo tribe never had any political structure on a tribal level in which kingship featured before their present king was appointed in the 1950s. The concept of a tribal kingship institution was, until then, very succinctly put in the following form: Okpako r'Agbo Oye Ovie r'Agbo, meaning that

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42. Interview with Chiefs Otite Ijedia and Egbonoje Odidigbe in Okpara Inland on 1/9/67, and with Chief Eferurhobo Naughe in Ovu Inland on 6/9/67. Also see Partridge, D.B. 1965: Report of an Enquiry into the Ovie of Agbon Chieftaincy Dispute, p.14. Chief Isaba's less wealthy male full sibling, Uvwiawha, was said during the interview to have bought the Okakuro title from the Oba of Benin and introduced it to Okpara Inland and other parts of Agbo tribe.
43. Interviews with Chief Ofotie Adjevwe in Ukwokori on 3/10/67 and with Chief Ewhere Ogbe and Mr. Itobore Idibofu in Okpara Inland on 2/10/67. Also see Chadwick, E.R. 1929: Agbor Sobo Assessment Report pp.13-14 in File 248. Ministry of Local Government and Chieftaincy Affairs, Benin City.
44. On their way home from Benin, Chief Isaba was said to have been robbed of his symbols of royalty and killed in or near Igu town while Chief Okposio was murdered at Obadjere near the River Ethiope.
45. Partridge, D.B. 1965. Report of an Enquiry into the Ovie of Agbon Chieftaincy Dispute, p.15.

the eldest man in Agbo is recognised and honoured as the tribal king.⁴⁶

The king of Okpe occupies the highest position in the tribal political structure. He is not a priest-king⁴⁷ and at no time in the tribal social development has the king ever appeared to be a "doubtful personage of whom it is difficult to say whether he is priest or king."⁴⁸ Okpe king's position is clearly differentiated from that of the tribal priesthood. In this connection, it is observed that our choice of the use of chief, king or priest-king for the incumbent of the highest political post in a social system is often arbitrary. As Hocart suggests, any distinction made between these concepts must be based on the whole political system of the people concerned because the structure reflects the meaning which cannot be objectively obtained through "an accident such as the extent of square miles ruled or the size of the civil list."⁴⁹

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46. Also see Partridge, D.B. 1964. Report of an Enquiry into the Ovie of Agbon Chieftaincy Dispute, p.74, and Shute, G.G. Resident's Principles and Assessment Report Revised Proposals, as well as Main, P.V.: Intelligence Report on the Sobo-Aboh Village Group of the Warri and Kwale Division, Warri Province. Both in File C.S.O.26 28903 - National Archives, Ibadan.
47. The Etsu Nupe is said to be in a similar religious position. See Nadel, S.F. 1942. A Black Byzantium, The Kingdom of Nupe in Nigeria, p.141.
48. Hocart, A.M. 1927. Kingship, p.119, London: Oxford University Press. Hocart states on this page that students of ancient and modern customs find that the line separating a king from a priest is very faint and often disappears chiefly among ancient or backward communities.
49. Hocart, A.M. 1936: Kings and Councillors (An Essay in the Comparative Anatomy of Human Society) Paul Barbery, Cairo, p.86.

The long interregnum before which only one king is generally accredited to have ruled Okpe tribe - as discussed later - has resulted in the absence of a definite process of succession to Okpe throne. The effects of modern State Government on succession to Okpe kingship is discussed in Chapter Eight. What now follows is a summary of what remains in the tribe today as the customary process for the installation of an Okpe king, that is, after a suitable candidate has been chosen by the eligible major descent group:

1. The king-elect is secluded in a place within the tribe which is, for the purpose of the king's stay, called Uselu probably as an imitation of Benin in name.⁵⁰ Here, for about six months, he is taught and advised on the behaviour pattern and expectations of the new office as well as on Okpe tribal custom and the installation procedure. His teaching staff consists of elders drawn from all the four major descent groups of Okpe from which, also, age grade leaders are drawn to protect him. Diviners prescribe several propitiatory sacrifices and offerings which are immediately made by both the king-elect and by the tribal priests who attend regularly to offer their blessings. These various activities obviously show collective concern of Okpe tribe in the welfare, safety, and subsequent good government by the king.

2. On a publicly appointed day at the end of the six months, the king-elect is escorted straight from seclusion to an open area cleared and decorated in the Adene locality where a 21-gun salute announces

50. For the late Esezi II, this Uselu was, in fact, Okurulono, a village of less than 2 miles away from Orerokpe on Oviri road. Here Esezi II stayed for about six months in 1944-1945.

his arrival amidst great jubilation. The fact that the king's installation takes place on the grounds of the Adene is a dramatised and symbolic involvement of the total four-sided kinship framework of Okpe tribe.

3. Several activities such as the following are feigned by the king-elect on his arrival; these are punctuated by various religious rites while diviners and priests ensure that nothing goes amiss: the king-elect is given a cutlass with which to clear the bush but this is removed from him as he tries to start. In the same manner, an axe is given to him with which to split wood but, again, this is removed from him as he raises the axe. The whole set of labour pretensions is a public demonstration of the incumbent's new status by which he seems entitled to a decent upkeep by the whole tribe. In other words, every Okpe person is, by this public behaviour, involved in the king's maintenance although this is not in the form of tribute as the Okpe people somewhat paradoxically assert today. Rather the tribal maintenance of the king is taken as a gesture of goodwill and of the fact of a collectively accepted incumbent on the tribal throne.

4. A large entourage of gaily dressed dancers accompany the king to the installation stage decorated with mats and clothes near a special historic tree over 150 feet high and about 120 yards from the tribal shrine hall within the locality of the Adene. Here most important tribal functions including the installations of the two late kings were held.

5. The tribal priests and diviners again perform rituals to bless the area and exorcise evil spirits.
6. The eldest man of Orhue descent group thereafter performs the crowning ceremony of the new king and ties two sets of coral beads on the king's wrists and ankles respectively and the third set consisting of as many strings of cylindrical beads as possible around his neck.
7. After a series of entertainments - dances, songs and drinks - all Okpe chiefs form the core of a large entourage to escort the king to his palace⁵¹ where more entertainment is offered until late in the night.
8. During the next day or two, the king provides kola, gin and goats for worship at the tribal earth cult and later at the tribal ancestor/predecessors' shrines. On these occasions, the tribal priests, again in the presence of all Okpe chiefs, pray for the king's prosperity and peaceful reign over Okpe people.
9. The king stays indoors for some time before appearing again for the next normal public ceremony.

It should be noted that the process summarised above is not a blueprint for the future installations of the king of Okpe. It merely represents what has been pieced together from the fragmentary information obtained on the traditional features of a changing installation process in which, as in the case of the late king, Christian church

51. That is, the king's house. Okpe people have no tribal palace though this has been under active consideration since 1947.

dignitaries as well as the Midwestern State Government, play their parts.

The king is reminded of the admonitions and the privileges of a chief, as already listed, and of the fact that his ownership of Okpe tribal land is nominal and that he cannot seize anybody's land or use it by force. While the chiefs do reside anywhere in the tribe and outside it, both the tribal spokesman and the king stay in the tribal capital. From here, the king leads the government of Okpe tribe for the prosperity and benefit of all Okpe people and not for the good of a section of it. He is also told to champion the cause of Okpe tribe and to defend it as a unit, if the need arises, against other tribes or peoples. This appears to be one reason why a candidate with both parents or at least with his patrilineage group from Okpe tribe, is preferred to be the king.

The Udogun Okpe

This consists of the king, the tribal spokesman and all the chiefs of Okpe. It is the highest tribal political institution. Its roles which are discussed in various parts of this thesis are those of the tribal council and tribal court.

D. KINSHIP AND POLITICAL POSITIONS IN OKPE TRIBE

It is shown in Chapter One that Okpe had four sons - Orhue, Orhoro, Ewreke and Ezezi - who are the mythical ancestors of the overall four descent groups of Okpe tribe. Every Okpe person belongs to one or more of these groups by virtue of agnatic relations and, or matrifiliation.

Therefore, in Okpe tribe, the citizenship of a candidate for a chieftaincy title is decided by his patrilineage or his maternal patrilineage group membership. But this membership merely entitles a candidate to attain any of the three top political positions - those of the chiefs, tribal spokesman and the king. No patrilineage or patriclan group, ward or town, constitutes a political unit in the form of a 'constituency' specified for any chieftaincy title as are the cases of the Ashanti Chiefship and of most Yoruba subordinate chieftaincies.⁵² Details of a candidate's citizenship or parentage, therefore, merely certify that he is not a descendant of a slave and shows which of the four descent groups the candidate uses as his politico-kinship platform for the tribal chieftaincy title by which he qualifies to participate in the government of the whole tribe rather than to serve as a representative of a part of it.

A candidate's choice of any of the four major descent groups through which he takes the title involves no problems if his patrikin group and his matrilineal lineage group belong to only one of the four major descent groups. But where the kin groups of a candidate belong to two or more of the four major descent groups of Okpe, it is by no means compulsory, though expected, that the candidate will choose to obtain the title through the major descent group of his patrilineage.

52. See Busia, K.A. 1951. The Position of the Chief in the Modern Political System of Ashanti, p.21. Also see Lloyd, P.C. 1964. Traditional Rulers. In James S. Coleman and Carl G. Rosberg Jnr. (eds.) Political Parties and National Integration in Tropical Africa, p.385.

Much depends on what advantage he hopes to get by obtaining the chieftaincy title through any of two or more of the four major descent groups particularly if he grew up with his matrilineal patrikin group. What appears to make such a choice irrevocable is the check that a chief who changes sides as his fortunes change in each of the four major descent groups is regarded unsteady and untrustworthy. A candidate who obtains the chieftaincy title through the side of his matrilineal patrikinmen makes a delicate and crucial choice and has to be aware that if he later offered to be considered for the rotatory post of king or tribal spokesman, he is most likely to fail an election contest with a candidate whose own patrilineage comes from the same eligible major descent group. This feature is the result of the marked agnatic bias in Okpe kinship, a feature which tends to write off completely the largely theoretical opportunity for any Okpe man to obtain the chieftaincy title through his maternal patrikin group and also for any interested chief to become the tribal spokesman or king of Okpe.

With reference to succession to the posts of tribal spokesman and king in modern Okpe, as discussed in Chapter Eight, a chief can vote or be voted for only in his own birth-ascribed or chosen major descent group. That is, in this respect, he is politically active within only one of the four descent groups of Okpe tribe. Also, a close study of the traditional voting behaviour of Okpe chiefs elucidates the principle that the tribal spokesman and the king do not come from only one of the four major descent groups. This principle, now

incorporated in the Chieftaincy Declaration discussed in Chapter Eight, is an important check built into the Okpe political system to avoid the two top political positions in the tribe being made available to and manipulated by only one of the four major descent groups. Such would amount to a delicate monopoly of tribal power. It should also be noted that on the tribal level and in respect of the title of the king alone, the tribal council restrains the voting excesses of any of the four descent groups by rejecting or by the possibility of rejecting any candidate whose patrilineage is non-Okpe. In this way, the traditional succession-by-election process provides a check to the apparently vulnerable political system of Okpe tribe and re-emphasises the importance of its political patriliney.

Deposition of a chief or tribal spokesman is not common. Indeed, no recent cases are known and no procedural pattern is, therefore, available. In theory alone, it is asserted by the Okpes that a chief can be de-titled by mere public announcement by the king to an Okpe Assembly after consulting and securing the approval of the tribal council. This happens when a chief becomes incorrigible in breaking the taboos attaching to the chieftaincy title or if he is sufficiently identified with disloyalty to the tribe. Similarly, a tribal spokesman who consistently fails to satisfy the tribe's aspirations and expectations could, under Okpe tradition, be replaced.

Today, however, such a removal from office of the tribal spokesman has to be approved by the Midwestern State Government. This approval

will not normally be forthcoming unless the Government is satisfied that the post of tribal spokesman held under traditional conditions conflicts with what the tribe has embodied in its own Declaration. Wherever detitlement is possible in the case of the tribal spokesman or chief, the beads and other paraphernalia of office are not taken from him because they are his personal property. But he no longer attends the tribal council and does not wear his symbols of the title on public occasions. However, the shame and disgrace attaching to such a possible public announcement and the fear of losing an already hardworn high political office and status in the tribe act as conditional norms⁵³ which induce or compel conformity to expected behaviour on the part of Okpe political title holders.

The lack of practised custom for replacing any Okpe title-holder showed itself clearly in the case of the first well-known king of Okpe who had to be dethroned by violence as Chapter Three shows.

In this Chapter, Okpe tribe is shown in its structural framework, the main political positions and offices being those shown in Table IV. The ~~below~~ Table presents the framework for further analysis in the following Chapters, of Okpe tribal government and politics. It also provides the background for understanding Okpe relations with neighbouring tribes first as a sovereign political kingdom and later as an integral part of the Midwestern State of Nigeria.

53. For some discussion of the concept of Conditional Norms see Beattie, J.H.M. 1959. Checks on the Abuse of Political Power in Some African States. In Sociologus, 9, 2, p.103.

TABLE IV

THE HIERARCHY OF THE MAIN POLITICAL TITLES AND OFFICES
IN OKPE TRIBE

<u>TITLE OR OFFICE</u>	<u>AREA OF JURISDICTION</u>	<u>NEAREST EQUIVALENT IN ENGLISH</u>
<u>Orodje</u>	Tribe	King, ruler
<u>Otota</u>	"	Spokesman and Administrator/ Politician
<u>Okakuro</u>	"	Chief, tribal councillor
<u>Olotu</u>	"	Junior Executive, age grade leader
<u>Arijo</u>		Steward
<u>Oyiko</u>		Messenger
<u>Okavorho</u>	Town	Eldest male patrikinsman
<u>Otota</u>	"	Spokesman and Administrator/ Politician
<u>Okpako</u>	"	Elder from ward or patriclan
<u>Olotu</u>	"	Age grade leader
<u>Oyiko</u>	"	Messenger
<u>Awhowho</u>	"	Crier or Announcer

CHAPTER THREETHE GOVERNMENT OF OKPE TRIBE AS A KINGDOM BEFORE 1890

Chapter Two shows that Okpe four kinship groups provide four separate politico-kinship areas through which the chiefs of Okpe must emerge as tribal government personnel. These four areas are not four constituencies because all the title-holders serve and govern the tribe as one political unit. Titles are sought as a result of personal desire for prestige and for political participation in tribal affairs. They are not sought as a result of any competition of interests amongst the four descent groups. It should also be pointed out that at no time is the whole tribe, viewed through the four-fold kinship framework, involved in competition for either any of the top three political positions or the control of the tribal government. While there may be temporary differences of opinion until a consensus is reached in tribal meetings, there are no political divisions such that can be labelled political parties in Okpe traditional government.

Chapter Two also shows that at the town level, political positions are achieved only by qualifications of age and by a person's leadership capabilities within the age grades. This fact tends to remove most elements of personal or group competition for political power in the town government. The towns are internally autonomous in their government while remaining under the overall political influence of the tribal

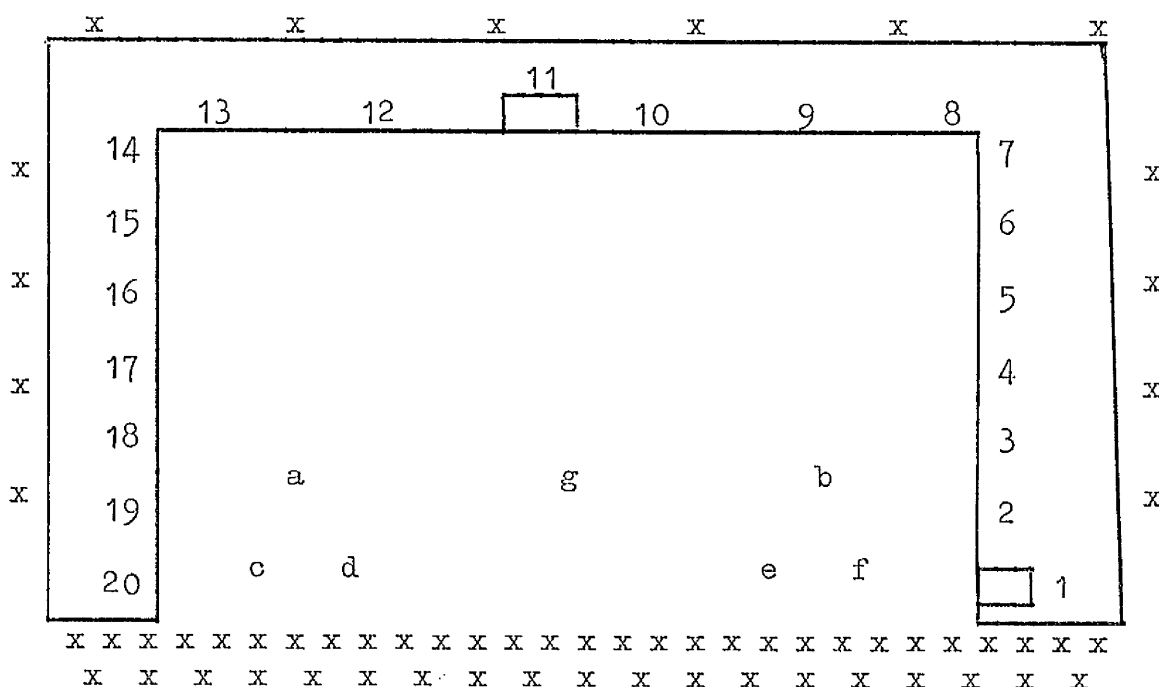
council. The town thus acts as a unit for its own internal government and development and not as a unit in competition with or in contraposition to other units for political power at the tribal level. It will be shown in this chapter that Okpe traditional government officials play more of the judicial and executive roles than they operate the political and the administrative processes.

GOVERNMENT IN OKPE TOWNS

It is suggested that the Okpe patriclan group which could perhaps at its early developmental stages be called the Town State of Orerokpe, later expanded its territory and consolidated its political organisation by collective agreement to provide for a kingship. There is no information, at present, about the number of towns and villages in Okpe Kingdom by the 17th century when the first fairly well-known king Esezi I, is said to have ruled all Okpe tribe. Nevertheless, the number of these towns was obviously small for defensive reasons as a result of the prevalence of tribal border attacks and threats of war. The processes of government in these towns appear, however, to have only slightly changed over time. This fact poses the problem of whether we should discuss the government of Okpe towns in the past or present. The view taken in this section of the study is that because of the observed continuities both in the principles of the composition and in the processes of town government, these are discussed below in the present tense. But the past tense will be used wherever appropriate, that is, where specific discontinuities are noticed in the

eldest man is too old to leave his house, his senior son deputises for him. The commonest feature, in practice, shows that the town elders meet in the hall of the eldest man every market day or native Sunday. The capacity of such meetings is judicial, that is, that of a town court. This gives the eldest man the opportunity to attend town court sessions. But if he is even too old or weak to attend in his hall or if he has just died and a successor is yet to assume his roles, his senior son becomes his deputy. The usual plan and the seating arrangement for a town council or court is shown in Diagram IV. The elders normally always sit according to their real age starting with the eldest man on the right hand side. The town's spokesman, whatever his relative age, sits in the centre; in some towns the eldest man sits by the spokesman as an alternative formation.

DIAGRAM IV: PLAN OF A TOWN COURT OR COUNCIL IN OKPE TRIBE



Key

- | | | | |
|---------------|---------------------|-------------------------|---------------------|
| 1....Okarorho | 11.... <u>Otota</u> | b.... <u>Town Olotu</u> | g..Raised mud altar |
| 2-20 Elders | a.....Messenger | c-f.Other age grade | for shrines |
| | | leaders | x..Spectators |

The above discussion shows that the town councillors and court judges are recruited from the elders' age grade. But members of this age grade are comparatively few as a result of deaths by ageing etc. Other town official attendants in court or council include the town's younger age grade leaders, the messenger and the announcer all of whom are recruited from the lower age grade. Sometimes the younger age grade leaders and announcer are present in their official capacities only when necessitated by the nature of a court trial or council deliberations and as requested by the elders. The other attendants are constant. The unchanging membership composition shows the traditional town government as essentially gerontocratic. The town elders are regarded as the trustees of the town's tradition and have all been initiated into the old men's 'cult'. A sense of responsibility and a sane outlook on general affairs are expected and appreciated in an elder. If he lacks these virtues, he does not lose membership of the town council or court although while his contributions and arguments are ignored during meetings, those of a proven and reliable elder are taken into full and serious account. For most elders, the first few attendances at the town court or council meetings constitute a period of apprenticeship.

The fact that their membership recruitment into the town court and council depends on age attained normally after shedding youthful excesses in order to belong to the pattern of the elders' behaviour cult, tends to perpetuate the traditional characteristics of the town

governmental processes.

It has been mentioned above that legislative, administrative, executive and judicial roles may all be exercised by the same personnel conducting a single court trial on the same day. In this way, a town meeting that started as a court goes through legislative duties and ends up as a council delegating executive functions to its members and to the age grade leaders. Sometimes, these analytically different roles do not shade into one another but are performed separately and on different occasions.

As a result of constant breaches of the existing laws of the town the adult age grades often put up suggestions to the elders for legislation on specific aspects of behaviour. It should be remembered that the age grades speak through their leaders from the various wards and their overall town leader presents their views before the town council or court. As described in Chapter Two, the town announcer publicises the laws subsequently made or strengthened. The elders themselves initiate laws but their actions and decisions in this respect follow precedents and show consistency with the traditions of the town. Such laws normally concern the performances of community works, the opening and prohibiting of palm collection and also laws forbidding farming on particular market days or fishing in waters or ponds belonging to the community. The town council keeps an eye on the activities of the various age grades and also carries out the judicial and legislative orders of the tribal council. In all cases, the senior age

grade leaders execute these orders on the instruction of the elders in council.

In Okpe, as in other Urhobo tribes, the mode of commencing a suit shows whether it is a civil or criminal offence. All offences against the community are generally regarded as crimes and it is the duty of everyone to assist in reporting offenders to any elder on the spot or to the town's eldest man and the town police officers and detectives. If a grave offence, for example, murder, violent robbery or theft is being committed, any person on the spot is expected to raise an alarm and shout for assistance to apprehend the offender and arraign him or her before the town elders. Sometimes, the town detectives are required by the elders to undertake a forcible production of a strong and disobedient criminal.

Court trials do arise from the routine performance of the age grade duties but where such trials are too serious for the age grade courts, they are taken to the town court which decides it as quickly as possible in order to establish confidence, re-emphasise the need for public works and also to restore necessary equilibrium to the community. Thieves and other offenders arrested by the town detectives are brought before the elders for their individual information in their homes regarding the name of the offender and the nature and circumstances of the offence. For example, if the offender is a thief, the information includes the kinds of material stolen and from whom as well as the circumstances under which they were stolen. The town detectives detain

the offender until he is tried by the town court on the next market day or native Sunday or on any other day on which the town's eldest man summons the town court for that purpose.

Once the date is fixed for the trial, the eldest man sends the town's messenger to inform all the parties involved in the offence to be present. There are no written summons but the identity of the messenger is normally not in doubt after his self-introduction.

The procedure for the trial of criminal cases may be very brief. The leader of the town detectives or sometimes an elder presents the case before the court on behalf of the town as against the individual offender or offenders. All the circumstances of the case are stated to include any evidence and exhibits such as torn clothes, slain goats, stolen yams or broken box of apparel. If the offence concerns stealing, the thief is made to carry the stolen goods on his head as a shaming mechanism and as a consequently deterrent process. Criminals caught on the spot or in action rarely have any defence for their wrongful action and, in this respect, the town court merely deliberate on the appropriate settlement terms which the town detectives enforce. But if the criminal offender claims to be innocent, a much longer trial process similar to that of civil offenders is undertaken.

Typically, the trial of a civil offender takes the following form in a town court.

1. The town's spokesman greets all present, announces the purpose of the meeting, outlines the alleged offence and calls on the complainant

to state the facts of his case. If the spokesman was not already briefed he asks the eldest man about the purpose of the meeting. After the latter's statement on this point, the former asks the complainant to state his case.

2. The complainant gives all the facts of his case and names his witnesses.²

3. The defendant is given the opportunity to cross-examine the complainant.

4. More questions are asked, firstly by the town spokesman and secondly by the ward spokesmen. Other elders cross-examine the complainant before he is asked to sit on the floor or stand by.

5. The defendant is then called from the side of the court and asked whether or not he accepts guilt. If he does, the town court at once considers the terms of settlement. If he fails to accept guilt, he is asked to state his case with all its circumstances.

6. The complainant is thereafter given an opportunity to cross-examine the defendant.

7. The defendant is, in turn, cross-examined by the town spokesman, the ward spokesmen and by the other elders.

8. The witnesses³ of the complainant are called one by one to state

2. A young person may consult his or her elder brother or father to present his or her case in the town court.

3. The presence of witnesses in court is the responsibility of the parties to an offence. Presence of witnesses could be induced by bribes, persuasion, promise of reward or assistance in manual labour or merely by kinship or friendly ties. As an alternative, witnesses are called to make statements and be cross-examined as soon as the complainant or defendant (as the case may be) has himself been cross-examined by the elders.

what they know of the offence and to testify to the truth of the statements made by the complainant. The witnesses are then cross-examined by the town and ward spokesman and by the other elders.

9. The defendant is given an opportunity to question the witnesses of the complainant.

10. The witnesses of the defendant are, at this stage, called to state their views of the offence and they are later questioned by the court.

11. The complainant is thereafter called in to cross-examine the defendant's witnesses.

12. The complainant and the defendant together with their witnesses are asked to withdraw from the court.

13. If the side of guilt is obvious as often results from cases strengthened by circumstantial evidence, the elders deliberate briefly and openly and announce their findings and settlement terms. But if the case is complicated and delicate, the elders go into a brief and private discussion inside or outside the court hall beyond the hearing distance of the watching and anxious crowd.

14. During any of these brief discussions, all opinions about the merits of the case on both sides are heard including lights thrown in by circumstantial evidence, exhibits, past records of the offender and any other testimony given by any of the elders from their personal knowledge of the offence. There are, sometimes, initial divisions of opinion as to the merits of a case on either side but such differences

of opinion never resolve into groupings for the government or its opposition. For, every elder is a member of the government which is wholly committed to the development, peace and prosperity of the whole town and the maintenance of its good name. The majority point of view eventually emerges in court deliberations not from voting but from the general opinion expressed through free but fairly orderly though sometimes loud talk and discussion.

15. After this committee stage, the elders return to the court hall where the spokesman announces the final decision whether or not he himself belonged to the group that opposed or amended the decision in the committee stage. This means that if no unanimous decision is reached, the town spokesman pronounces the decision of the majority even if this is against his personal conviction. This decision is what binds the court and every party to the offence.

Settlements are usually in the form of restitution and compensation to the winner in the trial and the reconciliation of both parties. Any corporal punishment inflicted is not meant as an ultimate penalty but as a means of inducing conformity to normal patterned behaviour.

The age grade leaders and the town traditional police are sometimes required and directed to execute the court decision immediately. Thus a thief may be asked to return the materials stolen or refund their cost in addition to any fine payable to the owner of the materials stolen. If it is a land case, trespasses are prohibited thereafter and this could result in a law. An offence frequently committed or which is

likely to recur often compels the formulation of a general law to guide the future. Such legislation or sometimes modification of old laws are passed to the town announcer who, accompanied by some town traditional police or age[']grade leaders, publicises the new law in the evening or in the early hours of the night when most people rest after the day's work.

The process of government in the town portrays the spokesman not as a dictator or as a mere spokesman but, in practice, as the chief politician and administrator of the whole town. Conversely, the actual functional position of the eldest man is that of nominal headship. But none of the two men can govern the town without the other nor can both of them rule the town without the other elders in council. It should be remembered that although the chiefs who reside in their own towns are respected as members of the tribal plutocracy, they have no locus standi as such in the town government except if they are elders. Also, women are normally excluded from the town council membership and cannot be politically active except indirectly when they bear on the council as a pressure group or as a delegation to present their complaints to the elders' council.

During the trial of offenders, opportunity is given to both parties to demonstrate the truth and the innocence or rightness of their claims. Throughout all trials, anybody, invited or uninvited and involved in the case or not, may attend. Thus a popular case draws male and female sympathisers and spectators from all the wards

in the town and from its villages whose inhabitants attend trials affecting their collective or individual interests. In typical town courts and councils, people stand facing the unwalled entrance to the hall in an unorganized form; some people observe through openings or above the walls on the three other sides of the rectangular court hall.

These spectators re-act with echoes of approval to true statements but hiss, frown or openly voice their dissent to whatever they consider as a fabrication of events or statements. This renders the whole area noisy, a feature which is nevertheless an informal public announcement to those outside the vicinity of the court hall that some trials are being conducted in the town. However, the town spokesman and other government officials attempt always to maintain some order over all attendants for the proceedings to continue. The whole situation is thus far from being a pandemonium and decisions are reached inspite of the frequent noise from supporting and opposing spectators.

Governmental processes in Okpe tribal towns are typical of those of other Urhobo tribes and, in all cases, decisions reached constitute the popular opinion of the elders attending the town court or council as discussed. It is, therefore, a gross misrepresentation of the facts for any superficial observer to conclude that

"The indigenous system of government borders on mob rule at its noisiest and [is] most inefficient."⁴

4. Biddulph, R.G. 1937. Intelligence Report on the Jesse Sub Clan of the Sobo Tribe, pp. land 27, Ministry of Local Govt. and Chieftaincy Affairs, Benin City.

While the spectators' loud thinking and observations help some of the elders to spotlight and to probe certain aspects of the statements made, they in no way decide the verdict to be taken by the court or council. Nevertheless, they constitute effective though intangible indicators of public opinion which helps to ensure that judgement is not miscarried. This means that a person cannot win a court trial by simply ensuring that his supporters are in court to shout in his favour in front of the elders-judges because these court judges themselves differentiate between correct responses to true statements and mere noise made to support a recalcitrant person. On the other hand, this feature of the town courts could be taken as one way by which

"African sentiment attaches special importance to the due observance of the procedure by which all members of the community concerned are able to have some voice in determining issues which are of major interest to it."⁵

A party to an offence may be very wealthy but this normally has no over-riding influence. The decision of the elders in court depends largely on legal precedents, that is, such decisions are based much more often on the laws surviving from the past and which the elders enforce than on the relatively few laws that the elders themselves have added in their own time. In this way, the legal and judicial traditions of the town are again kept functional from time to time and, as an age grade comes of age, its members are plugged in, as it were, to continue

5. Lord Hailey. 1951. Native Administration in the British African Territories, Part IV, H.M.S.O., p.2.

steering the town's ship of government.

One other point should be mentioned in connection with the discussion above. There is an ever-present reverence bordering on fear for the 'living dead' who are believed to be present, a respect augmented not only by the participating judges but also by the onlooking younger members of the town community. This, taken together with the thoroughness with which offenders are tried, gives no support for Hubbard's views,⁶ that the amount litigants placed on the bowl before the trial began determined the winner of the case whatever its rights or wrongs.

It has been shown that disputes and offences arising from wrongful behaviour are settled principally through restitution, compensation and reconciliation. This apparently suggests the elders' traditional preoccupation with maintaining social cohesion, order, and equilibrium in their town community. Apart from this overall satisfaction, elders would appear to gain nothing from their traditional manner of disposing of offences except light monetary rewards from the usual two or three shillings added to a bottle of gin which are presented by the complainant and defendant before the beginning of trials. This amount is normally constant and does not vary with the wealth of the parties involved in an offence. Also, the amount is regarded mainly as a confirmation of an earnest desire to ask the town elders to examine the offence with a view to settlement and reconciliation. It should

6. Hubbard, J.W. 1948. The Sobo of the Niger Delta. Footnote 1 on pp.75-76.

also be noted that before any trial begins, the gin produced is distributed by the town messenger amongst the elders and some of the more elderly spectators as far as the drink can go before the last quantity - glassful or less - is carefully returned to the eldest man. As a repetition of what he did with the first glassful of gin, the eldest man pours the last quantity on the town shrines, the mud altar and on the ground. This ritual serves as an invitation to the town ancestors represented by the shrines for their participation and guidance on the day's trial proceedings and judgement.

Innocent persons in trials have their expenses refunded in part if not in full. On the other hand, the money paid by the losing litigant and fines imposed are shared amongst participating elders, each receiving sometimes as low as three pennies. Some monetary compensation is also made to the age grade leaders or town detectives for their investigations and other services before or during the trial. In the trial of criminal offenders, the town detectives or elders present their side of the case without paying the pre-trial money.

Though respectful to the elders, the younger age grade leaders would hardly be wholly committed to execute decisions taken in private councils or courts by the elders. The Okpe people, however, seem to be aware of the fact that it is, as yet, impossible to run a government in which all the members of the polity continuously play active roles in policy making. Hence, although its meetings are open to all that care to attend, only the town elders actually take overall government

decisions in town meetings. They, that is, those elders who are not sleeping, ask questions and take policy decisions or pass judgement. The masses, though participating by observing and by giving unofficial but audible views, take no part in the policy decisions. Mass participation in town court trials and council meetings per se thus appear to be mainly psychological participation and satisfaction condoned by the town court and council as subterfuge to let off 'heat' and excesses from the junior members of the age grades. The salient point is that within an ideally small community, all the people took part, in one form or the other, in settling their own affairs through free discussion. The town's people themselves remain the final arbiter of these governmental processes which constitute what appears to them to be a popular democratic government.

When it is thus realised that all the age grades have their different leaders whose opinions are always sought by the town council or court on matters peculiar to the age grades or concerning certain aspects of town government such as the execution of administrative decisions, it becomes clear that the town rulers and politicians are in close social contact with the various members of their community. A single court trial or council policy decision therefore has the potentiality of activating inter-related and complementary roles of both the elders and the younger members of the age grade organisation. In this way, the masses participate at one stage or the other in the running of their own town government. In all circumstances, no one

person can assume the position of a dictator. Both the spokesman and the eldest man in their highest positions in the town's government hierarchy are hedged round with norms and obligations to other elders and to the younger age grades and their leaders who play complementary government roles through the age grade organisation.

Although no oath is normally taken before giving evidence, a complainant or defendant sometimes insists that the other party be sworn in before giving evidence. In this case, the party concerned is usually made to swear either by the cutlass or by the town's shrines thus inviting supernatural punishment if he told lies. Prior to 1890, an Okpe person whose statements were doubted was threatened with one of many types of ordeals in order to compel truthful statements. This was done only if the impact of the believed presence of the ancestors needed to be reinforced to ensure a person's veracity. There were six main types of ordeals as shown later in this chapter.

The various age grades, as discussed in Chapter Two, hold their meetings in the compounds of their leaders. This is particularly so with the grade next to that of the elders and with the quasi-political/judicial office-holding group of town traditional police or detectives. In each case, they organise a government within the government of the town. Within the framework of a delegation of executive, judicial and political powers, the younger age grades hold their councils and courts in which they discuss and share their duties and other works specified by the elders or deemed necessary by themselves. They pass

bye-laws to regulate their behaviour and decide small inter and intra age-grade disputes, cases of robbery, adultery, assault and petty theft amongst their members on the pattern of the town court procedure already described.

Anybody not satisfied with the verdict of the age-grade leaders appeals to the ward or town council. This appeal has the effect of a stay of execution until the higher court decides the issue. The age grade court and council also investigate all cases of debt accusations and of petty offences. They punish light offenders on the spot on behalf of the town, impose fines on their members for failure to participate in shared work and community services and report their activities back to the elders' council/court to which they are directly responsible for law and order in the town. The age grades and their leaders therefore play effective roles in ordering the public affairs of their community and thus exercise by no means an unimportant executive and judicial authority in the town.

In addition to these age grade councils and courts, the lineage, patriclan and ward sit as courts and councils. Government at the lineage and patriclan levels, however, consists largely of the administrative process because the exercise of political power is less compatible with sentiments inherent in kinship relationship. Also, at these levels, the acceptance of the town's social order and governing rules is apparently evoked much more by the mystical values placed on the local lineage or patriclan group head than by the sanctions arising

from the use of town forces. Elders themselves ensure that those of their patrilineage or clan do not break town laws, for, it is considered a bad reputation on the part of the elders and of the whole kin group for its younger members to be summoned to answer charges from time to time in the ward or town courts. The quickness, orderliness and the harmony of the lineage and patriclan meetings show some contrast as compared with the meetings of the ward or town in which there are sometimes discordant individuals who clamour for the best they can get for themselves and their families.

The streets meet only occasionally and in no fixed place except if the patriclan hall of one group is accepted as a meeting place by the other patriclans. Matters discussed or settled include the reconciliation of persons from different patriclans and the sharing of street works such as the digging of wells and the clearing of paths leading off to the bush, villages or to other towns.

The ward council or court is a miniature of its counterpart in the town and it deals with problems and laws arising from the administration of the ward by its elders. These include all matters of general importance arising from the ward shrines and religious worship. Any matter connected with other wards or any breach of the laws made by the town, is taken to the town council or court. The processes of ward administration and of settling disputes are similar to those of the town court and council.

The fact that appeals are rare appears to indicate a fairly high

degree of acceptance of the council and court decisions.⁷ The lineage and patriclan elders deal more sympathetically with their members who hardly have any reason to drag family matters to the street meeting or to the ward council or court. Few appeals are carried from these latter two units to the town council and court.

The government of a town itself involves all the age grades, as discussed. The elders undertake legislative and administrative duties while the execution of decisions is delegated to the junior age grades and to the elders on the spot affected. It has also been shown that the age grades themselves run their own government within the total government of the town. It should be noted that appeals lay in higher courts along the line of the age grades and, because there is a progressive subordination of judicial, executive, administrative and legislative authority in the town, the elders receive appeals not only from the courts or councils of the kinship or territorial units under them but also from the age grade courts and councils. It is true that the age grade courts and councils cut across those of kinship and territorial units (both of which may coincide, for example, in a patriclan which also constitutes a street). It is also true that the territorial units, that is, the wards and the town, themselves contain the age grades together with their courts and councils. But while this is so, nevertheless the functional relationship between these mini-governments and the overall government by the town's elders is not

7. Statistics of these decisions and appeals are not written. Nor are they fully remembered.

chaotic. Government in the town is quite patterned and simple to the Okpe tribesman although it may appear complex to an outsider.

It should not be assumed that all disputes and offences are taken to the courts automatically. For, especially with reference to closely related patriclan or lineage groups, many offences which would otherwise be taken to the courts, are settled through mediation. In fact, an attempt is made in nearly all first instances to dispose of offences through arbitration and reconciliation. It is only when this intervention fails that disputes and offences are taken to the patriclan, ward or town court. Between patriclans, wards and between towns, arbitrators often acceptable and successful are those with kinship relationships with both parties to an offence.

In terms of a constitutional government, the town councillors form the central near-independent authority in relation to those living within its territory and, as a unit, they represent their town's people in relation to the total tribal authority. Thus when the town itself fails to satisfy individuals or groups in its judicial and legislative roles, appeals lay with the king-in-Council in the tribal capital. As stated in Chapter Two, this highest tribal council or court is called the Udogun Okpe.

OKPE TRIBAL COUNCIL

This is the highest political, administrative, judicial and executive organ in traditional Okpe tribe. It is the highest place for all tribal appeals for redress and retrials. However, the impact

of government at the tribal level is minimal on the Okpes as compared with the impact of their town government.

Chapter Two shows the political structure of Okpe tribe to be one in which, among other things, any Okpe man with sufficient money and good character may become a chief if approved by the king, the tribal spokesman and the other chiefs sitting not so much as Udogun Okpe but merely as its component units. The chieftaincy title affords a person the opportunity of political participation on the tribal level. Okpe chiefs are not given any responsibility for government over smaller territorial units for, as Chapter Two shows, they come from various parts of the tribe to serve, not only their patriclan districts or their four descent groups but also, and principally, to serve in the central government of the whole tribe. They operate outside the context of their districts but their sphere of jurisdiction terminates at the tribal level. They have no control over other tribes.

Okpe tribe is, thus, an in-group ruled centrally by the tribal council and within which component towns are governed by the town council of elders assisted by the younger age grades and their leaders. From the point of view of Okpe tribal government, the towns constitute administrative, judicial and executive but not political units. It should be mentioned, however, that prior to the advent of British Government and while inter-tribal wars and threats of wars lasted, the age grade leaders and other warriors drawn from the various towns in the tribe supplanted the tribal council to a large extent in administering

the external relations of the whole state.

Chapter Two also shows that candidates for the chieftaincy title normally wait until they are old enough to retire from active labour before taking the title. Because of this practice, most chiefs often qualify to be members of the town court/council. In this way and in each case, both town and tribal government roles normally coincide in one person. Many chiefs, therefore, have deeply seated patriclan and town interests which are sometimes coincidental with the interests arising from the membership of one of the four descent groups. All these a priori interests are quite capable of being used and misused to influence the roles of chiefs in the tribal council.

ANTECEDENT FORMS OF THE PRESENT TRIBAL COUNCIL

1. The Period of Government by the Eldest Patrikinsman

On the foundation of Okpe tribe and so long as they remained in the capital, Orerokpe, each of its four major descent groups is said to have had its own council and court which functioned like, but on a lesser scale than, the town councils and courts already described. The four wards coincided with the four main streets which then constituted Okpe state. The eldest man of each ward headed its government which decided matters and exercised judicial powers affecting the whole ward. The wards were not, however, independent social units, for, they were merely components of the emergent state.

From the manner of its foundation and from the relationship among its first settlers, the eldest patrikinsman was respected and accepted

as the head of government and the junior age grades defended the state and controlled its external relations during the frequent inter-tribal wars. With increase in population and in the fissiparous tendencies among restive social units in the town and villages, the eldest man became more and more incapable of dealing with all the problems which confronted him as the political head of Okpe state. Added to this was the fact that his term of office was usually so short that the tribe remained in constant unrest through frequent changes of the head of state as caused by deaths.

Eventually, the political power slipped from the eldest man's portfolio into those of his more capable and energetic sons, siblings or kindred. With his moral support, the new politicians acted in his name while he satisfied himself with serving the tribal shrines to seek spiritual protection for his people. In this way, the eldest man became the nominal head of the tribe and talked through the tribal spokesman. But neither of them took serious political or administrative decisions without ascertaining that such decisions accorded with public opinion as felt through the other elders and important leaders in the tribe.

2. Okpe tribal Plutocracy

As a result of the fading political grip of the eldest man, the wealthier and more powerful and influential citizens of Okpe tribe sought to have more control of the government of their state. This led to:

"a period of Ekakuro at Ererukupe before the messalliance with Benin and prior to Esezi's assumption of Kingship, which is looked back to as the ideal constitution of the clan, and as the time when the constitution of the Odogun was most exemplary."⁸

This titular tribal council originated at Orerokpe at a yet undefined date and only Okpe chiefs qualified for membership. This membership was open to all who could afford the title and the government incidentally represented all the Okpe four major descent groups; each of these was represented by its eldest chief (by title age). War spoils were divided equally among the four descent groups at this time mainly because the question of precedence based on seniority - by lineage group rather than by individual - was still being bitterly disputed amongst the four kin groups. The tribal council of this period was presided over by the eldest chief called simply as the Okakuro of Okpe. He was, however, no more than a primus inter pares.

OKPE TRIBE AS A KINGDOM

Okpe traditions about the history of their political institutions show that the tribe was at a fairly early stage organised under a kingship and although Esezi I is the first well remembered incumbent, this fact is no denial of the possibility of an earlier kingly regime in Okpe. For, according to the 1947 Okpe tribal statement on the 'Traditional History of the Orodje of Okpe Clan', there was an "Okpe Royal Family and the line of dynasty to which Esezi I belonged."⁹

8. Kerr, R.B. 1929. Ukpe Sobo Assessment Report. C.S.O.26/3,21943, p.16, National Archives, Ibadan.

9. Traditional History of the Orodje of Okpe Clan, dated 23/9/47 in File C.M.149. Ministry of Local Government and Chieftaincy Affairs, Benin City. No evidence exists at present to substantiate any claims about this dynasty.

We can hardly, at present, do more than deal with the reign of Esezi I, that is, as the earliest period which almost every Okpe person remembers confidently and talks about today. This period ended with the painful death of Esezi I in the capital, an event calculated variously to have occurred either 150 years before 1929,¹⁰ that is, in about 1779, or in about 1665.¹¹

OKPE TRIBE SINCE THE 17TH CENTURY: POLITICAL AND ADMINISTRATIVE

Although the number and the names of the component towns of Okpe tribe in the 17th century are not known, it appears that a large number of the people lived in the capital city, Orerokpe.

"The City of Orerokpe, the mother city of the Ukpes, was a place of considerable size. It had four main streets, which can still be traced on the ground, radiating from a central point, the ancient market place in straight lines approximating to the four points of the compass. The streets extended for nearly a mile from the centre which would make the city about two square miles in area. The four streets were named respectively starting from the north, Urue, Usoro, Osezi and Evreke. These four streets mark the division of the Ukpe clan."¹²

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10. Fellows, L.E.H. 1928. Report on Ukpe-Sobo Clans. C.S.O.26/3,21943, p.6. National Archives, Ibadan.
 11. The 17th century, that is, the later date is accepted for this thesis. The difference in years between the two suggested dates is obviously wide but the actual date, important as it may seem, is largely immaterial for an understanding of the political processes exposed under Esezi I.
 12. Fellows, L.E.H. 1928. Report on Ukpe-Sobo Clans. C.S.O.26/3,21943, pp.7-8. National Archives, Ibadan.

These four main streets surviving today merely as deserted sites are regarded by the Okpes as symbolic of the four-sided territorial oneness for the four descent groups of the tribe. While the territorial features of the capital today ^{are} totally different, as shown in Chapter Six, the tribal council remains as Okpe supreme council with collective roles superimposed on the whole tribe.

The essence of the role of the king as merely the head of the tribal council is incorporated in the 1957 'Okpe Tradition and Constitution' where it is stated that:

"The Orodje shall not act or govern automatically but by and with the consent of Okakuro-in-Council-Udogun Okpe on any state issue; the Orodje shall consult with Odogun Okpe as without which, such act shall be deemed not legally binding on the Okpe people and shall be null and void."¹³

Thus neither the king nor the chiefs as a group can, alone, govern the whole state.

Before taking any decisions affecting the tribe, the principle has therefore continued to the present day that the king must consult the chiefs who have themselves achieved nobility as tribal chiefs rather than as the king's own chiefs. Also, the chiefs cannot take decisions affecting the tribe without the approval of the king. These built-in checks or what Beattie calls "categorical norms"¹⁴ have sustained the

13. 'Okpe Tradition and Constitution' of 16/3/57, in File 329: Appointment and Recognition of Chiefs Law, 1954. Ministry of Local Government and Chieftaincy Affairs, Benin City. This document was signed by the king, Ezezi II himself, and by two representatives of each of the four major descent groups of Okpe tribe.
14. Beattie, J.H.M. 1959. Checks on the Abuse of Political Power in some African States. In Sociologus 9, 2, pp.102-3.

ideals of the governmental processes of the tribal council from year to year. It should be mentioned in this connection that the legislative, administrative, judicial and executive roles of the tribal council are highly inter-related. Together, they form one system of government in which the chiefs do more than merely assist the king as the head of the tribe.

As in the case of the town unit, continuities in the process of tribal government are discussed in the present tense and only those aspects that have definitely ended are discussed in the past tense. Also as in the case of the town council/court, the same personnel of the tribal council deal with legislative, administrative and judicial matters. The matters discussed and the decisions reached during the same course of a day's proceedings, determine whether members are acting in their legislative, administrative or judicial capacity.

During tribal council meetings, the king is flanked on both sides by the eldest chiefs representing the four major descent groups of Okpe tribe. Apparently, this is to ensure that though the chiefs work for the benefit of the whole tribe which consists of towns having no direct representatives in the tribal council, all the four descent groups are treated or seem to be fairly treated equally in terms of remuneration, legislations and so on.

Although open to all descendants of Okpe, the tribal council is not as well attended by spectators as are the town councils/courts. This is mainly because the tribal council is more impersonal in its

deliberations and is spatially removed from most Okpe people. Legislation by the council arises from observed breaches of existing laws and from the needs for improving the welfare of Okpe citizens. Legislation also concerns the development of the tribe as well as the defence of its ill-defined borders.

For this study of Okpe tribe, law is taken to be as defined by Elias, that is, as the body of rules recognised as obligatory by members of the community.¹⁵ As amongst most African tribes, these laws are unwritten and are handed down through relatively unchanging tradition. Consequently, only a few laws are added to regulate behaviour that is already patterned. Once added, both the old and the new laws function harmoniously, at least in theory, to perform, according to Elias, the two main functions of law common in all human societies. That is, "the preservation of personal freedom and the protection of private property."¹⁶

No meetings of the tribal council are normally summoned except with the approval of the king and all legislative and administrative matters are of universal tribal interest. For example, matters arising from conflicting legislations on the collection of palm nuts from an unclaimed or disputed but sandwiched piece of land by two or more towns; also legislations about clearing roads or constructing bridges between towns and about building or repairing a common shrine house in the capital. Such laws are given effect in various ways.

15. Elias, T.O. 1956. The Nature of African Customary Law, p.55.

16. Elias, ibid., p.33.

For example, through the tribal messenger or the announcer, who is required to contact the various town units. Also, because a chief is known through one of the major descent groups, he is supposed to inform his kinsmen in a subsequent meeting of the kin group about all tribal council decisions particularly those that immediately affect the kin group itself. Thereafter representatives of the attending towns and villages return home to inform their elders who instruct the town announcer to proclaim the new tribal laws. In another capacity, that is, territorial rather than kinship, because the chiefs come from different towns and villages, they are expected to inform their town elders/council on whose behalf, the town spokesman in a subsequent town meeting instructs the announcer to publicise the new tribal laws in the manner already described. Shame and expenses attach to the breaking of such tribal laws and thus recalcitrants and other would-be law breakers are cautioned by their elders at different levels - lineage, patriclan, ward or town - about the consequences of breaking tribal laws.

No formal penalty is inflicted on elders or on chiefs themselves if they failed to perform these informally delegated government roles. But, as pointed out earlier, they loath to be associated with the disgrace and disappointment attributable to inefficiency and to being the leaders of a community of lawless people. The above pattern of both formal and informal decentralisation of executive and administrative duties ensures that every body in the tribe is made clearly aware of Okpe tribal laws and of the expected behaviour. These aspects of

government appear to have always been operated efficiently by the tribal council as the final authority over an area within which town councils form extremely virile keystones of near-independent local government.

The expected traditional behaviour of an Okpe person is to comply with the norms of the society which are well known and collectively practised. But conformity has never been easily, if at all, achieved by all the members of a community. Nevertheless, the need for it in tribal societies does frequently tend to lay more emphasis on the judicial and the executive rather than on the administrative or political aspect of government. It is suggested that the administrative and the executive functions of the tribal council arise from its judicial roles as a manifestation of its status as the highest political institution in Okpe tribe.

OKPE TRIBE SINCE THE 17TH CENTURY: JUDICIAL AND EXECUTIVE

Politics and law are closely interdependent and judicial matters constitute a major part of the whole of the traditional government of Okpe tribe. This feature is common to the traditional government of other Urhobo tribes.¹⁷ The central feature of Okpe tribal judicial system itself is the supremacy of the tribal council/court.

The judicial process of Okpe tribe is graded in such a way that most offenders are tried first in the local lineage, patriclan, ward and town courts. If required by the tribal council as witness in a case of appeal, the eldest patrikinsman sends a delegation of the town,

17. When asked today, a town or tribal councillor-informant replies that he is going to Agware (Court) of the town or tribe, that is, whether he is going for legislative, political or judicial meetings.

usually consisting of the town spokesman, one or two elders and the town's age grade leader. On behalf of the group and the town, the spokesman informs the tribal council of the result of their investigations. He supplies local knowledge and previous history relevant to the offence and, in any case, he defends the decision already taken by the town court.

Prior to 1890, people charged with severe offences such as murder, arson, robbery and burglary were tried or retried by the tribal court only. Also, Okpe people assert that since the 17th century, their tribal court has always disposed of offences that involve members of two or more towns or of the four descent groups of the tribe; also settled are disputes between towns and inter-communal dereliction of duties such as default in seasonal clearing of roads or in bridge construction. All these as well as appeals from the lower town courts are taken to the tribal court, that is, if they are not successfully arbitrated.

There is no clear limiting line for the type of offences that the town court can settle just as there is nothing with which to measure the severity of offences that require to be transferred or referred to the tribal court. The town court uses its discretion based on the nature and implications of an offence. In practice, only few of these offences are sent to the tribal court.¹⁸ This perhaps accounts

18. It is not possible to work out the percentage of the cases that lay on appeal to the tribal court. But, typically, the town court is said elsewhere to settle 99% of all the offences of its members. See Johnson, S.E. 1931. Assessment Intelligence Report on the Jeremi Clan of the Sobo Sub Tribe, p.55. Ministry of Local Government and Chieftaincy Affairs, Benin City.

largely for the fact that in the 17th century, the tribal court is said to have met at intervals of about a year though it sat for as long as three months together.¹⁹ The tribal court is less tolerant of the noisy procedure and of the spectators' participation typical of the town court. It is the Supreme Court of Justice as well as the highest traditional Court of Appeal for Okpe tribe.

In this highest tribal court, both parties involved in an offence are almost sure to find their patrikinsmen or townsmen amongst the traditional chiefs playing the role of tribal judges. Although the tribal court itself is more impersonal than the town courts, these territorial and kinship relationships do affect the side any chief may take in the pre-decision deliberations. If such a chief is a respected judge, he does, like a good barrister, carry enough support at the end to the advantage of such a relative. In addition to this type of formal or informal recruitment of defenders based on kinship and territorial ties, a party to an offence does sometimes ask the town's younger age grade leader with the approval of the chiefs to defend him in the tribal court.

Judges at the tribal court are strict over people giving false accusation. In fact, such false accusers were, in the 17th century, ordered by the tribal court to be sold into slavery. The court also kept a closer watch in the 17th century over the towns and restricted

19. Kerr, R.B. 1929. Ukpe Sobo Assessment Report, p.52, file C.S.O.26/3, 21943. It is suggested, however, that emergency meetings were held from time to time as a result of inter-tribal wars and of the threat to internal security.

them to their level of jurisdiction in certain judicial spheres. Thus if any town court settled a case of murder, its members were tried and those responsible were often killed. For, although it was conceded that an Okpe man could be killed in wars, no Okpe person, whether or not he or she was an offender, was expected to be killed without the expressed knowledge and permission of the tribal council/court. It was, therefore, a treasonable act for any Okpe town court to order the execution even of a murderer.

Although the nature and types of offences tried today have changed - for example, the tribal court cannot determine cases of murder today - the processes of trials at the tribal court which are similar to those described in the case of a town court, have undergone little or no substantial change. An example of a discontinued process is that if a party to an offence was absent during the notification visit of the tribal messenger in pre-1890 Okpe, the messenger thrust a baton into the ground outside the offender's house as a sign for him to appear in the tribal court. It was considered the responsibility of the offender to later find out who stuck the baton in the ground, his charges and when to defend himself. But, in all cases of absentee parties, their families were held responsible.

Okpe tribe has a well-defined code of justice dealing with every known form of crime and every aspect of civil law although these are not formally separated.²⁰ Under this level of legal sophistication,

20. "...no absolutely satisfactory definition of a crime has yet been put forward by any jurist - so intractably subtle is the distinction between civil and criminal offences even in developed systems" - Elias, T.O. 1956. The Nature of African Customary Law, p.119.

all persons committing different types of offences were tried in pre-1890 Okpe. A few examples of these offences and of the way in which they were settled are necessary at this stage, firstly to show the manner in which they were used to assert the legitimacy of the judicial supremacy of the tribal council; secondly, to show the manner in which the tribal government involves different people and social units in the attempt to consolidate tribal cohesion and thirdly, to show why the tribal government may be more properly called a judico-government because of its preoccupation with judicial matters during its sessional meetings.

Examples of Offences and their Punishment in Pre-1890 Okpe Tribe²¹

1. Murder (Ozighe)

Any murder committed in any town in Okpe tribe was reported immediately to the eldest man of the town or to any chief in the district concerned. The latter then instructed the affected age grade leader and the leader of the local group of executioners to arrest the suspect/offender. He was then put in the custody of the age grade leaders, there being no prison institution. The town court thereafter investigated the case thoroughly and the king was then informed. The tribal council/court was consequently summoned to the capital because cases of murder, like those of serious robbery, burglary or some other violent crimes, were regarded as offences against the whole tribe likely to disrupt its collective existence. All the younger age grade officers

21. Also see Thomas, N.H. 1910. Anthropological Report on the Edo Speaking peoples of Nigeria, Part I, pp.103ff.

were expected to be present at the tribal supreme court, taking the accused with them.

The offence was explained and prosecuted by the tribal spokesman. Very full evidence from all possible sources was taken. Also, as many witnesses as were cited were carefully examined and cross-examined. If found guilty at the end of the trial, the king assented and the head of the tribal age grade leaders was instructed to pronounce sentence of death by symbolically touching the murderer's head with a short stick to which cowries were tied.²² This was the final act of public condemnation. Thereafter the accused was seized by the tribal chief executioner and his group who led him away to be killed with sticks and later buried in the bad bush. These acts of execution were carried out in the presence of both the sorrowing members of the murderer's family who provided the materials for the burial and the compensated and contented members of the dead person's family. This process appeared to satisfy everybody that the right person was, in fact, killed. The accomplished fact of the murderer's death was reported to the king and announced to the tribal council/court soon afterwards.

Sticks had to be used in the execution because the murderer was expected to be killed without spilling blood. Any execution in which blood was spilled rendered the executioner liable to be charged for murder. Members of the family of an escapee murderer were sometimes

22. In Ewu tribe, a piece of cloth was used in place of a stick and the tribal spokesman publicly announced the death sentence which was carried out by hanging. The murderer was given gin by a member of his own family before the murdered man's family members placed a rope round the neck and suspended the murderer from a tree just outside Ewu town. He died eventually of suffocation or of serious dislocation.

sold into slavery or otherwise one of them was killed in place of the actual murderer. In all cases, justice was considered done. But if the murderer showed up later, there could be temporary renewal of bad feelings although the actual murderer was, generally, no longer killed.

Execution was by no means the only penalty for murder and it would seem that, in respect of high political or judicial office holders, punishment for murder varied. According to Fellows, an influential and wealthy chief or age grade leader could, by systematic and heavy bribery, avoid being executed himself. In his place, a slave was produced and killed and justice was regarded accomplished.²³ Sometimes, compensation was considered sufficient justice. In this case, and through mutual consent, the offender handed over a daughter to the dead man's family. The murder of a slave required only an agreed monetary compensation to the owner. Patricide resulted in the murderer being driven from the town while in matricide, the murderer could remain in his father's compound, though with a guilty conscience and as a shame to the town. Association with such a murderer was always suspect and was therefore avoided. The murderer of an infant resulted in a death sentence but if a father was found guilty of killing his child, he paid monetary compensation to the child's mother's family. If a man murdered his wife, the penalty was death

23. Fellows, L.E.H. 1928. Report on Ukpe Sobo Clans, p.22.

sentence but if her death was a result of provocation, his wife's family refunded part of the bride price to the murderer before he was hanged. The murder of twins was not a crime but the mother was regarded unclean. She remained indoors for seven days after the birth and later purified the town by dragging a white fowl along the streets and throwing it into the bad bush. If a twin birth was kept secret, one of the children was killed without regarding this as a crime. Manslaughter was generally not distinguished from murder.

This fairly detailed account of the methods of executing various penalties attaching to different kinds of murder is given here not only to indicate the tribal preserve over its settlement but also to act as a background to the unprecedented manner in which Ezezi I was murdered in the 17th century as shown later in this chapter.

2. Burglary, Robbery, Stealing

Self-help was resorted to if an offender was caught in the act. He was thereafter taken up to the town or tribal court for trial depending on the severity and the delicacy of the offence or on the social and territorial units involved. If found guilty, the offender was required to restitute stolen goods and to pay a fine and compensation to the offended party. But repeated cases of these offences were, prior to 1890 and in all cases, taken to the tribal court. They resulted in either slavery or in severe mutilation of the body. For example, a convict's eyes could be forcibly put out or his hand or ear cut off.

3. Adultery

Whether committed through mutual consent or by rape, this was treated alike but the punishment depended on the status of the offended party. If she was a chief's wife, the offence became a state matter. Otherwise, the patriclans concerned usually settled cases of adultery. But these sometimes went on appeal to the ward or town council and ultimately to the tribal court. Once guilt was established, a fine was paid and compensation made to the wife's husband. Also the adulterer provided the materials for the necessary propitiatory sacrifices to the husband's ancestors and for the purification of the defiled woman. If the husband and his family were strong enough, adultery sometimes resulted in self-help during which the adulterer's house and property were destroyed and burnt particularly if he refused to pay their unilaterally imposed penalty. In all cases, the tribal court made the final court decision not only on the adultery itself but also on any offensive acts by any party that took the law into their hands.

4. Abduction

The punishment for this reflects the social status of the offended party as in the case of adultery. For the ordinary people, the family of the offended party traced the abductor and reported as a final resort to the tribal court for redress, particularly in those instances where the abductor came from another tribe. In this later^t case, the tribal council/court represented Okpe tribe as one unit on behalf of the affected lineage. With reference to intra-tribal abduction reported

to the court, the abductor was fined and ordered to return the woman with compensation to her parents or husband. An abductor of an unmarried woman or girl was ordered to return the woman or girl or to plead guilty to her father and seek marriage, that is, if she was not already betrothed. If betrothed, the abductor paid compensation principally to the intended husband. Sometimes, the (intended) husband and his family, if strong enough, destroyed the abductor's house and property and forced or intimidated his family to help return the woman or girl. If this process failed, the offender was taken to the tribal court.

Other offences

A person found guilty of arson was required to pay fine and compensation to the value of the property destroyed and to help rebuild any house burnt. Any person found guilty of assault occasioning bodily harm or of fighting resulting in wounding was requested to pay fine and compensation together with any charges made by the native doctor who treated the patient. Otherwise he was sold into slavery. Regarding the defamation of character, the offended party entered into an exercise of cross abuses but the tribal court regarded it as a serious offence requiring fine and compensation if one freeborn person called another a slave.

All witchcraft accusations were regarded with such seriousness that, prior to 1890, the tribal court frequently ordered that witches and warlocks be killed without trial. But where there were strong

protestations of innocence, the accused usually and often on his own accord, asked to be subjected to an ordeal, that is, if an earlier diviner's verdict was unaccepted. Also, offenders were sometimes not easily identified. This consequently led to a trial by ordeal of all those divinated to be suspects.²⁴ Ordeals, as discussed below, were also administered on other types of offenders or suspects to certify the truth before or during trials.

Trial by Ordeal

This form of trial was normally the preserve of the tribal court and was resorted to only in very serious offences when it was determined to prove innocence or guilt beyond any reasonable doubt.²⁵ There were six main types of ordeal as follows:

1. The accused was made to rub some medical concoction on his hand before being ordered to pick cowries from the bottom of a pot containing boiling water or oil. The suspect was proved guilty if his hand was blistered.

2. The feather quill of a species of water bird was dipped in a medicine mixture and thrust through the tongue of the accused who was considered successful and innocent only if the feather penetrated easily through the tongue.

24. "Divination as employed in the detection of crime by African societies has no juridical character but is only an extra-legal prelude either to the ordeal or the oath-taking which are both legal" - Elias, T.O. 1956: The Nature of African Customary Law, p.228. It is, however, observed that social tension and bitterness of the offended party are (temporarily) mitigated by the process of divination.

25. It is sometimes argued that the element of chance involved in trial by ordeal is too great to make it juridically desirable or socially just. Whether or not the ordeal was a suitable and an efficient method of proof of crime or innocence is not the concern of this thesis. It is important here only as it was used in Okpe tribal

3. The lobe of the ear of the accused was smeared with medicine and a needle thrust through it; the suspect was adjudged innocent of the offence if the needle passed easily through his ear.
4. The hand of the accused was rubbed with medicine and he was ordered to pick the heated iron head of an axe from a huge fire and to walk about 25 yards with it. If the accused did this without sustaining any blisters, he was considered innocent.
5. The accused, especially if accused of witchcraft, was given sassa-wood mixture to drink and he was regarded innocent if he survived after the drink.
6. The commonest type of ordeal was swearing by one or two shrines considered to be the most powerful and agreed to by the parties to an offence or dispute. This ordeal entailed no physical violence and could be called an ordeal of conscience. Both parties either swore before one shrine, if unanimously accepted, or each swore before the other's specified shrine asking the supernatural power and fountain of justice represented by the shrines to kill any of them who was untruthful in a particular case. Worship preceded the swearing and if one of the parties died or became grievously ill later, he was believed to be guilty and deemed to have received justice.

It is only the last ordeal that survives today in Okpe tribe. It is obvious from the discussion above that litigants in judicial cases preferred to tell the truth rather than be subjected to ordeals

judicial process as a mechanism for finding out what was considered to be the truth before justice was rendered.

and oaths. It was the knowledge and the threat of the use of these heuristic judicial devices that helped reduce instances of perjury in pre-1890 Okpe and other Urhobo tribes. Whenever detected, anyone found misleading the tribal court was flogged severely in addition to a fine if his act resulted in a grave miscarriage of justice. These penalties were in addition to whatever sentence the court passed on the individual for his particular offence. The ordeals were administered by specialists - priests or native doctors²⁶ - and the parties on whom the ordeals were administered paid some amount varying from the equivalent of ten to twenty shillings.

The Tribal Court Verdicts and their Enforcement

The tribal messenger, age grade leader and the leader of the executioners were the main executive officers of pre-1890 Okpe tribal court. These officials made arrests, inflicted punishments, collected fines and seized property of offenders who refused or were unable to pay the fines imposed. As a general preliminary punishment before court proceedings, an offender was severely flogged and pepper rubbed in his eyes by the age grade leaders as a form of deterrent to offences. Apart from the death penalty passed on murderers and which brought the tribal executioners into action, the tribal court always sought compensation from the offender to the wronged person while reconciling all parties and their families involved in an offence. A part of the fines paid was shared by the participating members of the court and

26. E.g. an Obo r'Ite.

another part was sent to the town court or council that sent the case on appeal or which made the preliminary investigations of the offence. A third part was given to the officials in the court.

Throughout Okpe, the tribal officials ensured on behalf of the court that during the interval between the court sentence and the payment of the compensation and fine, the criminal debtor, from whatever part of the tribe, was chained and kept under their own surveillance until his or her family paid the amount in full. Failure to pay this amount within a reasonable time resulted in sale into slavery of the offender. The money realised was used to defray the compensation to the injured party and the shares of fine for the tribal councillors, the town court and the tribal officials. The interval allowed was short because, as stated earlier, there were no organised prisons in the tribe. This meant that slavery was often the ultimate means of disposing of a serious criminal case involving a huge debt.

Families made up of witches or of incorrigible offenders were either sold into slavery or banished from the towns concerned. It was extremely rare to find a chief associating himself with offenders, pleading for hardened criminals or assuming surety for them. Instead, it often happened that a chief from the particular town or district of an offender was entrusted with the proper execution by the age grade leaders concerned of sentences passed by the tribal court.

Okpe tribal government as discussed above has a primary concern for the tribal cohesion. However, the key political actors in the

government of the tribe have not always succeeded in keeping the tribal political organisation intact. I illustrate this point with one case history which is extremely important in the understanding of Okpe political organisation and processes prior to the British rule and since then. This event relates to the regime of Esezi I, the first well-remembered king of Okpe.

THE FALL OF ESEZI I AND THE DISINTEGRATION OF OKPE KINGDOM

The prosperity and the peaceful political development of most kingdoms depend largely on the king's justice and virtue. In Okpe tribe it required a very high order of intelligence and political acuteness for the king; Esezi I,²⁷ to achieve any form of success and to retain the people's consent to rule in a kingdom in which the operation of the various arms of government were so diffused and in which he could lay no full claim even to one-quarter, approximately, of any activated kinship ~~descent~~ group loyalty. Esezi I failed to meet the tribal needs and the political aspirations of Okpe tribe, for, instead of perceiving his kingly task as merely that of the head of the tribal council, he developed to be a despot. He decreed laws and commanded duties as he pleased without consulting the tribal council.

Although leadership role is assigned to the political post of the king, its success in Okpe tribe seemed, from their history, to have been based on public and collective acceptance. Esezi I lacked this quality and failed to have an effective appeal and friendly grip over

27. The actual name of the Orodje is said to be Ehweri who used his 'father's' or descent group ancestor's name, Esezi, as his title name.

the whole Okpe polity. The fall of Ezezi I and the consequent break-up of the kingdom, as shown below, indicates that, in practice, there was no completely harmonious functional unity among the various politically diffused roles during his reign.²⁸

The Tragic Death of Ezezi I

Ezezi I was said to have been "remarkable for the pleasure he took in acts of extreme brutality."²⁹ These wicked acts are well-remembered today in Okpe tribe and they show that Ezezi I was very high-handed and autocratic. For example, he required huge (palm) trees to be felled on several occasions and ordered people to collect under and to attempt to catch and prevent the trees from reaching the ground. In this way, the people were obviously always crushed to death by the heavy weight of the trees. On other occasions, he ordered a great number of citizens to break bars of iron with their hands. Again, they all obviously failed and were ordered to be killed.

Many Okpe people died principally through these two methods until a time when the king again ordered the descendants of Orhoro descent group to break another huge piece of iron. They accomplished this by a ruse, as follows, much to the surprise and defeated intention of the king who showed some pretensions of happiness for their most unexpected success in passing what he then called a test of strength. Members of the Orhoro descent group bribed the 'palace' officials and the personal

28. Merton notes that the assumption of complete functional unity of human society is repeatedly contrary to fact. See Merton, R.K. 1957. Social Theory and Social Structure, p.27.

29. Fellows, L.E.H. 1928. Report on Ukpe-Sobo Clans, p.8.

servants of the king for information regarding the piece of iron scheduled to be broken. When given, they filed it over half-way through and, to avoid detection, they coloured and refilled the cut with sand and sticky liquid in the night. The iron was then carefully replaced. This trick made it possible for the iron to be broken the next day when the king ordered it to be brought for the exercise. These and similar evil commands which were clear violations of the constitutional checks in Okpe political system continued to be issued by Esezi I. On the other hand, the Okpe people had to be obeying them until they became discontented and frightened by the insecurity of their lives. Eventually, they decided to kill the king, apparently because there was no clear traditional mechanism for his deposal.

It was, however, realised that any king whose government developed features of monarchical absolutism or despotism could either be de-throned or asked to abdicate. But the mechanism for vacating the throne either by peaceful deposal or by a process of abdication, if it was ever well-formulated, was never operated in the case of Esezi I. This was partly because the king so ably concentrated the tribal political power in his hands that it was impossible for any of the chiefs to openly organise to replace him. How Esezi I successfully achieved this concentration of the state power unchallenged is not clear. But it would appear that he did not accomplish this by dismissing some or all of his important opponents in the tribal council. For, it should be remembered that Okpe chiefs owe their political status purely to

achievement and desert and not to the favour of their king. Nor could the king detitle any chief without the justified support of the body of chiefs. Through some cleverness, however, the king did suppress all opposition to his wicked acts and became the centre of an information network covering the whole kingdom.

Nevertheless, he was by no means supported by all the members of even his Ezezi descent group and of the royal household. Such non-supporting attendants and near-kinsmen of the king constituted his missing links which the covert opponents organised in a very ingenious way to accomplish his death in the following manner.

The tribal council was summoned³⁰ and a psychological moment occurred in the crises of public resentment against the wickedness of the king. In the middle of the night preceding the day of the tribal council meeting, the core of the king's opponents drawn almost wholly from the remaining three descent groups - Orhue, Orhoro and Ewreke - dug a deep pit in the middle of the floor of the tribal shrine hall³¹ at the Adene and meticulously removed every bit of suspicious sand. The surface was covered with native mats thrown over a framework of sticks and every other sign of betrayal was removed. The whole hall was attractively decorated the next morning as was usual

30. Some informants say that this was a special meeting called by the people themselves who invited the king to attend. If correct, this would be an unusual way of summoning the tribal meeting; but of course, many unusual events were scheduled to happen.

31. Not the present Edio hall as shown in Chapter Six.

and the king's seat was placed on the covered pit. All the chiefs and the age grade leaders attending the tribal council then assembled for the meeting and carefully took their respective places. The more dignified chair of the king was vacant although everyone expected him to attend.

He eventually arrived from his own house in the usual way and with the usual pomp but, on coming to the door, he could not move his right leg forward. This event was believed to be a presentiment that all was not well. So he tried to return but he was flattered and persuaded by echoes of praise and assurance that it was a false premonition because all ill-luck which were feared capable of harming the almighty king had already been warded off. He was convinced and as he stepped across to his prepared chair he fell into the pit. The planners thereafter obtained quantities of boiling oil and water prepared nearby and poured on him. Sand was dug from outside hurriedly to fill the king's unbecoming 'grave'. Consequently, cruel Ezezi I himself died mercilessly and ignominiously cursing his own Okpe people.

This violent death which occurred in the 17th century acted as a signal for the late king's supporters and for the descendants of Ezezi to flee from the capital. Those of his sons and relatives that failed to escape promptly were either killed or driven out of the capital. Thus Ezezi I died because he acted as an individual rather than act within the limits of the roles assembled for him by Okpe constitution. He failed to be the embodiment of the hopes and the symbol of unity and

happiness which formed the basis for introducing the kingship institution. This unprecedented violent dethronement and death of the tribal head together with the consequential murders acted as a catalysis for the political kingdom of Okpe.

The Struggle for Survival and for Leadership Before 1890

There were four leading chiefs in Okpe tribe after the death of Esezi I. These were Idoromi³² of Orhue descent group, Owhere of Orhoro descent group and Eruohwo and Ogoni both of Ewreke descent group. These four chiefs redivided the whole of the known territory of Okpe kingdom leaving no area for the descendants of Esezi. They also shared all war spoils equally thus leaving half of all materials divided with the Ewreke descent group. This divisional ratio, by no means always unanimously accepted, was maintained for a time during the British Government of Okpe tribe. This of course shows that Okpe tribal dispersion from their capital did not sever all forms of communication and social relationships between the various social and territorial units in the state.

Okpe kingdom uneasily remained under Chief Idoromi who became the most important politician after the death of Esezi I. But, though wealthy, he was merely first among a group of notable chiefs. Nevertheless, encouraged apparently by his new position, he endeavoured to maximise his political power in an attempt to ape the political roles of late Esezi I. For example, Idoromi was anxious to confer new

32. Some informants give the name of this man as Ijorogu and not Idoromi which is found in the records.

chieftaincy titles and to assume for himself a higher political status than that of other chiefs. Unfortunately for him, memories of the atrocities and the tragic death of late Esezi I discouraged any self-superimposition on the shattered Okpe political framework.

It has always been the prerogative of a king to confer the chieftaincy title on deserving citizens. But since Esezi I had died and there was no other satisfactory way of continuing the chieftaincy institution, Chief Idoromi proceeded to the king of Benin, who had received wide publicity as the recogniser of the feared and respected power of some Urhobo kings and other chieftaincy title holders. In Benin, Chief Idoromi had to buy his way through bribery - in money, goods and slaves - step by step for several months until he eventually came before the Oba and received the title of Okakuro. Perhaps he could easily have obtained the title of Orodje. But, obviously, he feared undergoing the fate of Esezi I and incurring the anger and the animosity of the other chiefs in Okpe. The process of waiting, learning and participation was similar to those undergone by some Urhobo kings such as that of Ughelli as shown in Appendix C. However, although the Benin title remained the same in name as the original Okpe tribal title, Idoromi's roles were, in fact, similar to those of a king. Supported by Benin recognition, his title made him superior to other chiefs who, though dissatisfied, were afraid to incur the enmity of the powerful king of Benin.

Chief Idoromi later led other candidates to the king of Benin

for the chieftaincy title and thus started a chain of people whose influence became substantial in Okpe tribe. Each Benin-appointed chief had a tangible evidence of his support in the form of a ceremonial sword and a native 'horn'.³³

After the bitterness resulting from Esezi's death and from the subsequent strife had abated with the lapse in years, Idoromi recalled the tribal council to the capital with the support of his clique of foreign recognised chiefs. He invited descendants of Esezi who had escaped and were concentrated in the town of Ughoto to return and form part of the same judicial, legislative and administrative systems with the three other descent groups for the whole of Okpe tribe.

While this effort was being made, the conspicuous brandishing of the ceremonial swords from Benin together with the manipulation of the 'horn' as a transmitter of insolent sounds and speeches acted as oppressive symbols of newly acquired foreign power. This intensified the competition for power in the tribe. The presence of the two main groups of chiefs rallied various sections of the tribe into different pockets of power which obviously tended to create more bloodshed and disunity in Okpe. Subsequently, Idoromi's pride became excessive and he began to appoint new chiefs among the Okpes without reference to the king of Benin.

33. This horn, called Ogba, is ornamentally made from an elephant tusk and sounded on ceremonious occasions to announce the passage, presence or the arrival of a chief. The Ogba is also capable of being manipulated to transmit insult. In other words, the Ogba 'talks' praise, prestige and abuses.

Okpe tribe would thus appear to have come indirectly under the influence of the king of Benin at this time but without any judicial and political supremacy over Okpe kingdom.³⁴ Idoromi continued to rule for some years from the capital which he attempted to rebuild as the leading ruler. But his tribal council was never well attended and not all the social units were represented. When it later became evident that Idoromi was no longer in close touch with the king of Benin, the suppressed jealousy of the other chiefs, particularly of the indigenous Okpe chiefs, was aroused by events pointing to Idoromi's intentions to proclaim himself a king. This resulted in an outburst of civil war between Orhue and Ewvreke descendants³⁵ ending in the burning and in the total destruction of the tribal capital, Orerokpe, and in the flight of Chief Idoromi to Ijebu Ode where he died. Thus, again, the theory and the practice of Okpe constitutional government failed to toe the same line. Also, it became obvious once more that the dislodgement of the leading politicians from the apex of the government of the tribe was an inevitable consequence of tyranny and of the arbitrary use of state power.

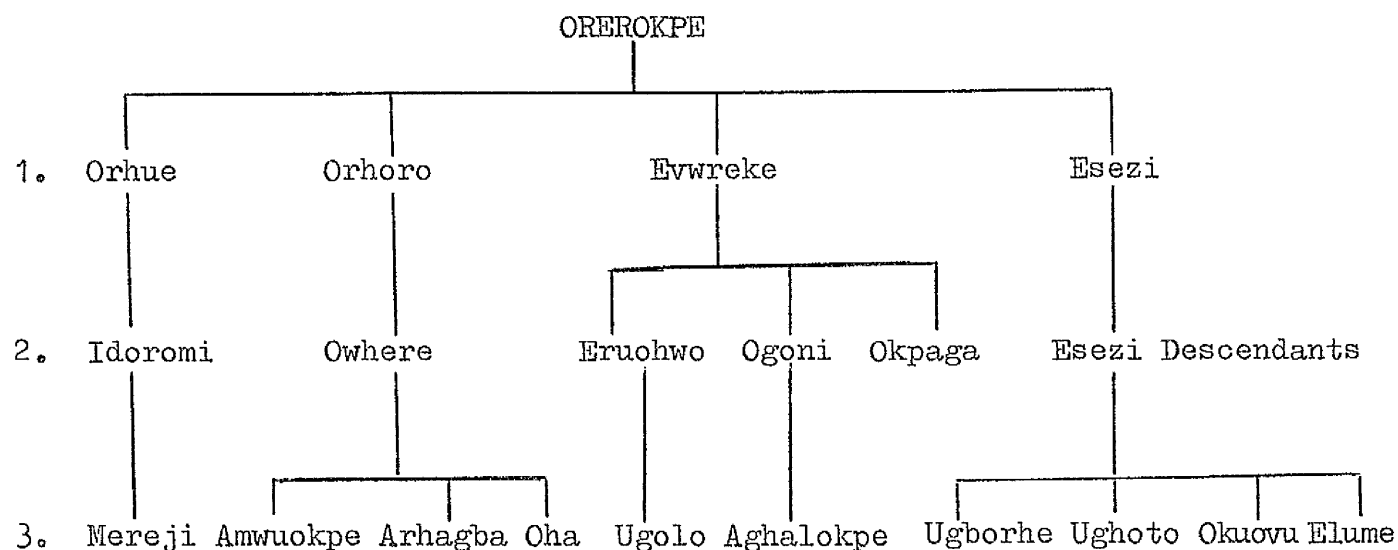
What immediately followed was extremely chaotic. The Okpe national or collective spirit was replaced by great internal discord and strife and, having no common enemies threatening from outside,

34. Also see Fellows, L.E.H. 1928. Report on Ukpe-Sobo Clans, pp.9 and 15, and Kerr, R. B.1929. Ukpe-Sobo Assessment Report, p.31.

35. Kerr, *ibid.*, adds that this war was sponsored by the king of Benin with whom Idoromi quarrelled. Idoromi was said to have been easily defeated because few Okpes supported him.

the tribe developed warring factions and inter-family feuds. These generated fears and attacks and counter-attacks and further resulted in the total desertion of the tribal capital. Close kinsmen in the three remaining descent groups emigrated to found various villages which grew into towns as shown in Diagram V. There was general resentment against one town or any one of the major kin groups exercising leadership over the other groups.

DIAGRAM V: OKPE TRIBE AFTER THE FALL OF ESEZI I (Simplified)



KEY

1. Original sons of Okpe (Ancestors of the four descent groups of Okpe tribe).
2. The most prominent chiefs at the time of dispersion from the tribal capital.
3. The main near-independent towns of Okpe tribe after deserting the capital.

The towns settled after dispersion from the capital were not always exclusive to descendants of one ancestor. For example, as noted in Chapter One, the town of Mereje contained and still contains descendants of Orhue, Evwreke and Esezi while the families of Eruohwo and Owhere of Evwreke and Orhoro descent groups respectively, moved to live together in Ugolo town. Eruohwo family appeared to be the most powerful in the tribe at this time, a position which it used subsequently to pressurise the Owhere family to move out and to found Oha. From here, other parties penetrated further to the banks of the River Ethiope and founded Amwuokpe and Arhagba. They also formed a powerful nucleus of what is now Sapele.

The pattern of dispersion showed that, in general, the most powerful chiefs, their descendants and siblings, dwelt about the ruined capital and it was the less privileged ones that went further into the uncleared forests. This appears to be a repeat process of settlement which preceded the founding of the tribe itself. But none of these towns was politically strong enough to become an independent state.

Each town developed on its own as well as in relation to such other towns or villages as were founded by descendants of the same ancestor. Each town tried its own offenders including murderers and other serious offenders who were formerly taken to the tribal council. Also, each town had its own independent shrines and town court/council which rallied its members together. Such divergent

development indicates the degree to which it was possible to maintain some form of political order. That is, the town councils and courts provided the highest and the most effective means of political control in Okpe tribe. This incoherent growth of the kingdom seems to have occurred before and during the first half of the 19th century. A period of marked local feuds followed both this separateness and the needs for land arising from population increase. In general and in many respects, the town councils and courts which did appear to have been less systematised under the tribal council became more politically important only after the desertion of the capital.

All the chiefs together with their sons some of whom had posed as chiefs by primogenitural succession, died in old age. Thus the already fragmented political structure of Okpe tribe as operated by the king and the chiefs finally crumbled. The tribal political positions remained unfilled for some time because there was neither any king to confer more titles to fill the political vacuum nor was there any willingness or inspiration on the part of any Okpe person to return to the king of Benin to obtain authority for political supremacy over all Okpe tribe. In this connection, it should be noted that those towns that continued to go to the king of Benin for the chieftaincy title did so to regulate the power relations of the towns alone. A notable example is the town of Aghalokpe where the founders', Ogoni's, descendants used his wealth and went to Benin for the chieftaincy title instead of obtaining it locally. This

served as an evidence of the resentment shown by one descent group against domination by other descent groups in Okpe tribe.³⁶

The lingering avenues of social interaction that remained were tapped at a much later date, circa mid-19th century, by another prominent political leader, 'Diemo, a descendant of Eruchwo. He established a political framework for the whole tribe in Ugolo town where all matters of peace and war were settled. He assumed no kingly role of conferring the chieftaincy titles. Instead, he appointed age grade leaders, (ilotu), with whom he attempted to revive the political functions of the previous regime. But his rule did not last long, for, he could not command the respect of all the political leaders of the various towns. For example, Orholo, a descendant of Owhere of Orhoro descent group and the political head of Amwuokpe town refused to recognise the political leadership of 'Diemo. In an ensuing battle, Chief Orholo was killed and Amwuokpe remained resentful without a political leader for some time. Okpe tribe, thereafter, became still more disunited.

In the absence of positions obtained through wealth to sustain the tribal political system, there was a reversion to the government provided through the age grade organisation and functions. But the weakness of this age grade government appeared to have been shown most prominently in the political disunity of Okpe. This was a

36. This practice continued until about 1897 when the British Government stopped it. Those of Ogoni's descendants who went to Benin at different times for the Okakuro title included Imafidon, Igbeni, Olakpolo and Adaba.

contrast to the position typical of Okpe kingdom before the death of Esezi I.

Although there were neither chiefs nor a king to rally the Okpes together, traditions and sentiments associated with the tribal four-fold kinship organisation as well as with the tribal religious symbols - principally the earth and the ancestor/predecessors' cults - remained as vital aspects of a tradition of tribal collective existence. These later generated a feeling for the revival of the 17th century tribal council. Thus, despite the constitutional separation of the town governments, more efforts were made to reunite Okpe as a tribe.

Because the tribal government was again based on the age organisation after the death of 'Diemo, the eldest man in Okpe Onova (Anopha ?), was chosen from Egbo village to rule all Okpe tribe circa 1890.³⁷ His quasi-political title was Okpako Okpe and he moved to Ojede where a house was built for him and which eventually became the temporary capital of Okpe tribe. It was from here that Onova governed Okpe tribe, settled all matters and conducted major trials. He was assisted not by other government heads of the constituent towns but by the age grade leaders as the representatives of the various town units. The old judicial structure and functions including successive appeal cases to the tribal council were restored.

This non-titular tribal council was similar to the original tribal council. much more in name than in personnel and role content.

37. See C.S.O.26/2, File 11857, Vol.VII. Annual Report, Warri Province, 1929, p.43. National Archives, Ibadan.

Like its immediate predecessor, this tribal council was very poorly and irregularly attended. The whole political organisation coincided largely with the age grade organisation which, of course, meant that the president of the council was merely nominal. For, the more vigorous and younger age grade leaders from the various town units became the actual manipulators of political power.

The above discussion shows that the death of Ezezi I did not result in radical changes in the political structure itself but in the changed qualifications for incumbency of tribal government positions. The reversion to the age-grade-based government meant the removal of the chieftaincy titular component of the tribal government. But, although the personnel combination under Onova was an effort to restrain by an age qualification the attempts of one major kinship group to exercise control over any of the others, his tribal government disorganised the original division of labour which the age grade organisation was designed to maintain. This was the case because those who were supposed to be the executive arm of the gerontocratic government of the towns or tribe actually dictated government policies and performed the judicial and the administrative functions of the same government. The tribal council also distorted the authority order inherent in the age grade organisation for, the age grade leaders who were still supposed to be supervised practising students of tribal 'political science' and traditional government did, in fact, become much more powerful and recognised than the elders under whom they

studied. The age grade leaders occupied political positions which did not normally belong to them and they could neither participate fully in town government to the extent they previously did nor govern satisfactorily at the tribal level. These ambivalent roles of the age grade leaders resulted in the loss by the tribal government of its firm hold on the total Okpe polity.

One result of this weak central government was the emergence of a group³⁸ which gave vent to the ill-feeling and the under-current of resentment developed and nurtured under suppression just before the fall of Ezezi I. The organisation of the group was similar to that of the age grades. They had their own spokesman and drummers. Their operations were mostly effective at the town level. With reference to the group, Fellows states that

"Their original object was to see that justice was administered and that retribution came to the wrong doer whatever his rank. If a murder was reported, they proceeded to the spot and despatched the culprit without trial. Their methods were summary and violent and they soon became the terror of the Okpakus and Olotus. So great had their power become that there is little doubt that, but for the advent of the government, they would have completely usurped the position of the Odogun."³⁹

38. This group called Otuada was also found in other Urhobo tribes such as neighbouring Agbo where they claimed to have come from the king of Benin. See Chadwick, E.R. 1929, Agbor Sobo Assessment Report, p.22. Ministry of Local Government and Chieftaincy Affairs, Benin City.

39. Fellows, L.E.H. 1928. Report on Ukpe-Sobo Clans, pp.23-24.

Although the group had no political status in Okpe constitution and social organisation, its members were, nevertheless, citizens of Okpe. The group was regarded as an upstart group of ambitious men. They demonstrated their power through terrorisation of law-abiding citizens who incidentally got impressed and who thereafter sought their assistance in extracting debts and in penalising adulterers and thieves. The fact that they emerged on the political scene spotlighted the hopeless inefficiency of the tribal and town councils as the erstwhile powerful government institutions in Okpe tribe. The emergence of the group at this time also showed that the whole political system could not work with injustice and without a powerful political leader or institution underived from the age-grade organisation. There was no higher political framework operated by wealthy and prestigious incumbents. On the contrary, the tribal government was manned by actors drawn from the same age grades as was the new group who felt, rightly or wrongly, that they had all that was required to qualify to share in, or, indeed, control the government of the towns and of the whole tribe.

It is highly uncertain how much longer the tribal council would have lasted under Onova. In all probability, the new group if it was not, in fact, an organised group of rebels, would have ended up disgruntled and defeated as they were in neighbouring Agbo tribe.⁴⁰

40. Chadwick, E.R. 1929. Agbor Sobo Assessment Report, p.22. In Agbo tribe, the Otuada operated without sanction from the town elders. They terrorised the tribe and their assistance was sought in exacting penalty. But, as they became more powerful, they killed thieves or witchcraft suspects without trial just as they did in Okpe tribe. And when they finally killed an elder, the eldest patrikinsman (Okarorho) organised the support of the community and ordered the abolition of the group.

Whatever its weakness, Onova's tribal council in its form as an age-grade-based tribal government, did divert the political growth of the kingdom from verging on a flittering confederation to that of one weak central tribal government even under the turmoil of the new recalcitrant group.

Throughout, and whether under a monarchy or scattered under different but similar gerontocratic governments, the Okpe tribe was constantly pre-occupied with efforts to maintain its unity under a constitutional and democratic government. When the British Government eventually came uninvited to operate its new political institutions over the whole kingdom and beyond in 1891, it was found that, though Onova was very old, his government appeared to have been satisfactory and that his name was always mentioned with respect.⁴¹

41. Fellows, L.E.H. 1928. Report on Ukpe-Sobo Clans, p.11.

CHAPTER FOUR

THE BRITISH GOVERNMENT IN OKPE KINGDOM

BETWEEN 1890 AND 1930

PRECURSORS OF EFFECTIVE BRITISH GOVERNMENT

Some of the earliest Europeans to reach the West Coast of Africa were the Portuguese who visited Benin in 1485. They traded with the natives by bartering their manilla, tobacco, linen and woollen clothes as well as coral and other beads for ivory, cotton cloths, some hides and skins, elephant tusks, palm oil, pepper and slaves obtained from the locality and from the hinterland. The Portuguese were later

"ousted from the trade by the Dutch, who succumbed to the French. The French, at the time of the Revolutionary Wars, lost their place to the English."¹

It would thus appear that the activities of the first Europeans were totally absorbed in the scramble for the marketable commodities available in the area. The publicity arising from the conflicts between the foreign powers as well as from the huge gains made from the trade, attracted the attention of other nationals such as the Danes who occasionally invaded some parts of the coastal region of the Mid-western State for their share of the items of trade which were produced, in part, in the hinterland, that is, mainly Benin, Itsekiri

1. Dike, K.O. 1957. The Benin Scheme Begins. Corona, The Journal of Her Majesty's Overseas Service, Vol.IX, p.326.

and Urhobo tribal territories.

After their arrival in the Midwestern State and their visit to Benin in 1553, the British traders who appeared to be more powerful and foresighted, sought to regularise and legalise the hitherto haphazard European commercial intervention on the coast and in the hinterland. This British ambition was given impetus by the 1885 Berlin Conference of Colonial Powers which recognised its authority over the Niger territories. British grip over the area was further strengthened by the Anglo-German Agreement of 1885, the 1886 Supplementary Agreement excepting over those territories administered by the Royal Niger Company under its Charter, and also, by the Act of Brussels of 1890.² British power was thus entrenched in this area of the Oil Rivers and Niger Coast Protectorates and commercial interests and gains were made exclusive to British traders through enforced administrative sanctions.

Two major British groups operating in the Midwestern State area before 1900 were those under Major MacDonald who was in direct contact with the Foreign Office as the Commissioner and Consul General in the Oil Rivers Protectorate³ and those under the Royal Niger Company,⁴ which was mainly interested in commerce and did not involve itself in any more measure of direct rule than was absolutely necessary to

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2. F.O. 84/2110 Foreign Office letter of 18/4/1891 to Major MacDonald. Public Records Office, London.
 3. The Oil Rivers is so called because of the fact that it produces the bulk of the palm oil exported from West Africa.
 4. In 1879, various British firms on the West Coast and in the hinterland were amalgamated. In 1887, they were granted a Royal Charter, and became known as the Royal Niger Company Chartered and Limited.

promote its economic gains. Sir George Goldie dominated the Royal Niger Company which put up arguments to the British Government for a Charter that would give them some monopoly of the trade while ensuring British Government supremacy over the Niger areas.

Before this charter was granted by the British Government in 1887 mainly to establish its influence in the area through the Company, and because of its shortage of administrative personnel, the Company, more or less as an independent unit free from the British Government control, had signed several treaties with the indigenous political leaders of the various tribes in the area. The Charter, however, created some British authority over the Company particularly with reference to the administration of the natives. But because its powers remained essentially as they were before the granting of the Charter, those chiefs with whom the Company signed treaties remained legally under it.⁵

The northern part of Nigeria although vaguely known to 14th century Arab geographers who were acquainted with the Negro kingdoms of the Western Sudan, remained largely unknown to Europe until the 19th century. The true course of the River Niger as well as the existence of more Emirates in the interior were made known as from 1800 by the explorations of Mungo Park, Clapperton, Richard Lander, Barth and so on. Attempts to open up trade with the natives followed these explorations; by 1860, trading posts had been established along the

5. Sir George Goldie refused the formal hand-over of these treaties to the Queen.

banks of the Rivers Niger and Benue.⁶

In 1887, the British Government declared her sovereignty over the whole area - from the coast to the north - to the Colonial Powers in order to avoid any doubt about its authority. In that year, Goldie explained its administrative measures to the Foreign Office. These measures showed that the Company could not undertake a comprehensive administration of the natives under them partly because of the lack of administrative personnel and of their unwillingness to spend money on administrative matters. The measures also showed no attempt to modify native laws and customs nor to interfere in local politics except if these proved repugnant and hindered commercial progress. In this way, the Goldie administration of the Royal Niger Company laid the foundations of the system of Indirect Rule which Lord Lugard was later to build on in the Northern Provinces as a system of government for the whole country.⁷

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6. Nigeria. Annual Report on the Social and Economic Progress of the People of Nigeria, 1932, page 2. Lagos: Government Printer, 1933.
7. Some historians do not accept this conclusion. For example, see Ikime, O. 1968. Nigerian History in the Making. Being a Review of Southern Nigeria in Transition by J.C. Anene. In Journal of the Historical Society of Nigeria, Vol.IV, No.2, p.340. Dr. Ikime states that in Chapter VII of the book,

"Professor Anene rightly sees the Native Court system as the beginning of the system of 'indirect rule'. He traces the genesis of this system from Acting Consul Johnston's governing council of 1886 to the formalisation and legalisation of the system under Ralph Moor. Those who are inclined to argue that Sir Frederick Lugard introduced the system of 'indirect rule' into Southern Nigeria would read this section of the book with profit."

On the other hand, in 1891, a Consular Administration was established by the British Government which gave Major MacDonald adequate staff of Deputy Commissioners and Vice Consuls to work in the Oil Rivers Protectorate which was promulgated in 1885 and which later changed its name to the Niger Coast Protectorate. MacDonald was also to work in the adjoining districts including many rivers, creeks and estuaries lying between the Colony of Lagos and the German Protectorate of the Cameroons. His jurisdiction extended to the hinterland territories as demarcated by the Colonial Power Treaties and Agreements mentioned above. MacDonald was expected to carry out a more effective and direct British Government.⁸ He was instructed to acquaint himself with all the existing treaties in the Protectorate, to ensure that they were understood and to amend them when necessary, subject to the Secretary of State sanctions, in order to consolidate the Protectorate and strengthen the foundations on which it rested. MacDonald was also instructed to devote his

"attention to making further treaties in the interior, so as gradually to bring all the territories within (his) district under a uniform system of administration. Treaties should, as soon as they are made, be notified to the Secretary of State in order that, after his approval shall be given, Her Majesty's Protection may be formally extended over the territories affected by them.... As regards the internal affairs of your district,....your object should be, by developing legitimate trade, by

8. Prior to 1891, there was no effective system of British Government of the Protectorate.

promoting civilisation, by inducing the natives to relinquishing inhuman and barbarous customs, and by gradually abolishing slavery, to pave the way for placing the territories over which Her Majesty's protection is and may be extended, directly under British rule. It is not advisable that you should interfere unduly with tribal government; the Chiefs should continue to rule their own subjects and to administer justice to them: but you should keep a constant watch so as to prevent injustice and check abuses, making the chiefs understand that their powers will be forfeited by misgovernment."⁹

In this way, MacDonald and his assistants were given rather wide discretionary powers which they could rely on to insist on the exercise of a Chief's judicial, administrative and political powers as regards whatever the foreign rulers considered to be in the interest of the Chiefs and their people. MacDonald was also expected to take under his

"immediate control the inter-tribal and foreign relations of the native Chiefs."¹⁰

In all his administrative and quasi-political duties on the coast and in the hinterland, MacDonald was expected to keep in touch with the Royal Niger Company and with neighbouring British Colonies.

FOUNDING OF WARRI AND SAPELE

Warri District was founded in 1891¹¹ and from that year to 1896, it was under the charge of a Vice Consul assisted by a staff consisting

9. F.O.84/2110. Foreign Office letter of 18/4/1891 to MacDonald.

10. F.O.83/2110. Public Records Office, London.

11. The Protectorate was divided into seven administrative consular districts namely: Old Calabar, Opobo, Bonny, New Calabar, Brass, Warri and Benin.

of a consular agent and a judicial officer. The officers functioned as district officers, a designation they assumed by 1896 while the Vice Consul was, in fact no less than a political officer who, with his staff, developed friendly relations with the indigenous people - Binis, Ijos, Itsekiris and Urhobos - with whom peaceful and orderly market relations were established. To achieve their aims, roads were opened up between the rivers and the hinterland and the principles and practice of British justice were gradually introduced to replace such aspects of the Urhobo judicial process as ordeals which were considered inhuman and unjust.

One of the most important British officers with reference to the Urhobos in the early 1890s was Captain Henry Lionel Gallwey¹² who, in October, 1891, became the first European to travel comparatively extensively into the Urhobo hinterland through the River Ethiope. His main aims were to impress on the people the political sovereignty of the British Government, to create friendliness amongst the Urhobos as well as between them and the British Government, to improve trade relations, establish law and order, select sites for barracks, impress on the natives the advantages derivable from the cultivation of crops such as coffee and cocoa and to reduce the slackness of trade in the Urhobo territories generally.

12. He was MacDonal'd's Deputy Commissioner and Vice Consul in Her Majesty's Consulate, Benin River. Gallwey was not the first European to visit Sapele. Others including Dr. W.F. Daniel and Mr. John Beecroft did so in 1839 and in April, 1840 respectively. See Salubi, A. 1960. The Origin of Sapele Township. J.Hist.Soc. Nigeria. 1,2, p.118.

Gallwey concluded no treaties with the Urhobo chiefs during this visit mainly for two reasons. Firstly, he regarded the Urhobos as ignorant and was therefore uncertain about their ability to understand and keep Treaty terms; secondly, he was as yet uncertain whether or not all the Urhobos were under one centralised government. He was, however, fairly certain that the belief of the Urhobos in the power of the white man was sufficient to ensure obedience to the British imposed law and order.¹³ Meanwhile, Gallwey told the Urhobos to stop inter-tribal wars amongst themselves and between them and the Itsekiris and other tribes. He also advised them to bring all disputes to him in the Consulate where he would settle them and punish the offenders.

During his tour, Gallwey found that the little settlement founded by the Okpe people after their desertion of Orerokpe and which they called Urhiapele,¹⁴ some 55 miles from the Consulate in the Benin River, was suitable for a Consulate and Constabulary post because of its deep and roomy anchorage, high grounds and access to Urhobo and other markets. The area was also suitable because of its ideal location for factories particularly for the raw materials

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13. F.O. 84/2111, pp.473-448. Report on visit to the Sobo and Abrakar Markets by Captain H.L. Gallwey. The places visited included Sapele and other Okpe towns, Agbo tribal towns of Okpara (28/10/1891), Eku (29/10/1891) and Abrakar town of Oria (30/10/1891). In each case, Gallwey and his party held discussions with the chiefs.
14. This means river or the stream of Apele which is the name of the shrine of the Okpe owners. See Salubi, A. 1960. The Origins of Sapele Township. J.Hist.Soc.Nig. No.1, Vol.2, p.115.

produced by the Urhobos and collected to the coast from their oil markets through the fresh water of River Ethiope.

MacDonald visited Sapele on 14th November, 1891, and approved of the Vice Consulate for Sapele together with a constabulary post to maintain the political and judicial authority of the consular officers. The Okpe tribesmen owning the territory gave and cleared as much land as MacDonald wanted and Sapele was consequently started in 1892-1893, with four Europeans, customs office, a consular court, a treasury, and a prison and police barracks. Most of these items came on transfer from the old headquarters of the Oil Rivers Protectorate in the Benin River. While in the Benin River, the Consulate had jurisdiction over Benin, southwestern part of Itsekiriland and northwestern part of Urhoboland.

NANA OLOMU AND OBA OVONRAMWEN

One of the important coastal chiefs who sought to continue his middleman trade monopoly by preventing European travels into the Urhobo hinterland was Nana. He was born in Jakpa in about 1840¹⁵ and his father, Olomu, died in 1883. Nana replaced his father as governor of the Rivers on July 12, 1884, the year he signed a Treaty of protection with the British Government on behalf of himself and the Itsekiri and Urhobo communities west of the Forcados river. He inherited his father's wealth, including slaves, and fully assumed his father's commercial role which he had actively played since 1876.

15. Lloyd, P.C. 1957. Nana Olomu - Governor of the River. In West Africa, No. 2098 of 29/6/57, p.609.

On 6th May, 1885, Vice Consul D.B. Blair presented Nana with a staff of office symbolising British Government support and the recognition of Nana as the executive power to enforce the decrees of Her Majesty's Government and Consular Court¹⁶ provided he used his authority to achieve good neighbourly and trade relations. Nana whose mother was an Urhobo¹⁷ increased his affinal relationships with the Urhobos particularly of Agbarho, Udu and Abraka tribes, and established a wide commercial network covering most parts of Urhobo tribes especially towns in Okpe tribe and those on the Ethiope and Warri Rivers. Some of the important traders and chiefs of these areas were used as contact points between Nana and his trade boys and agents on the one hand and between the Urhobo hinterland chiefs and traders on the other.

Though influential over some Urhobo tribes, Nana established no government machinery to embrace all Itsekiri tribes and that portion of Urhobo tribes under his commercial control.¹⁸ In 1886, Nana forced prices of commodities up by withholding trade for about nine months with the British merchants on the coast¹⁹ with whom the Urhobos were anxious to trade freely as Gallwey had assured them. Nana's trading boys relied on his support to be high handed with the Urhobos and to hinder trade thereby causing additional considerable friction

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16. F.O. 2/64, p.360. David Boyle Blair's (H.M.Vice Consul) letter to Nana on 6/5/1885.
17. That is, from Ewuro (Effurun) in Uvwie tribe. See Salubi, A. 1958. *The Establishment of British Administration in the Urhobo country (1891-1913)*. J.Hist.Soc.Nigeria No.3, p.190.
18. Anene, J.C. 1966. Southern Nigeria in Transition 1885-1906, p.152. Also see Salubi, A., ibid., p.190.
19. F.O.2/51 Niger Coast (Oil Rivers) Protectorate, 1893.

between Nana and the British Government.

Consequently, and after many unheeded warnings, Nana's staff of office was withdrawn by Consul Annesley in 1890 and was made to understand that he was merely an Itsekiri chief ruling over his own people and should not interfere in the affairs of other tribes.²⁰ Nana later resumed his trade disputes and frightened Urhobo traders away through threats and seizures. For example, he seized as many as 200 slaves from one man for failing to pay for the goods he received. Nana was then re-checked by the Consulate officials. After his protestations of innocence and, although he showed some repentance and willingness, genuine or not, to obey the British laws while pointing out that he was prepared to resign his chieftaincy which had lost its prestige and had become honorary and formal under the British Government,²¹ he was eventually defeated in 1894 because the British Government representative on the spot did not feel that Nana, in practice, ceased hostilities.²²

Another important personality in the area worth mentioning in connection with this work is king Ovonramwen of Benin. His territory was important for minerals, gum copal, gum arabic and palm produce. Nevertheless, trade, commerce and 'civilisation' were paralysed through royal taboo placed to reserve many trade products for the king's benefit. The government was regarded as a terrorising 'fetish

20. F.O. 2/51. Niger Coast (Oil Rivers) Protectorate, 1893.

21. F.O. 2/64, pp.326-327. Nana's letter dated 16/8/1894 to the Acting Consul General.

22. C.O. 444/1. Despatch No. 66. Sobo Country, Ethiopie Waterways and Riverside Markets of 14/4/1899. Also see F.O. 2/64. Communication between Nana and Sir Ralph Moor, pp.331-340.

Theocracy' in which the king, though the head, was over-awed by his lieutenants and the priesthood in an atmosphere of frequent crucifixions, slave sacrifices and other inhuman practices. Force was thought of as a last resort to change the king's government. On 26th March, 1892, King Ovonramwen entered a Treaty²³ with H.L. Gallwey on behalf of their two governments and by which the king agreed that Britain had the exclusive jurisdiction over British subjects and their property. Article IV of the Treaty states that

"All disputes between the King of Benin and other kings and chiefs, or between him and British or foreign traders or between the aforesaid king and neighbouring tribes, which cannot be settled amicably between the two parties, shall be submitted to the British Consular or other officers appointed by Her Britannic Majesty to exercise jurisdiction in the Benin territories for arbitration and decision, or for arrangement."²⁴

The king was required to act on the advice of the British officers in relation to the administration of justice, the development of resources, or in the maintenance of peace, law and order and good government.

The king was assured during Gallwey's subsequent visit to Benin,²⁵ of the protection and friendship of the Queen of England if he kept the terms of the treaty. Although the absence of particular types of guns as well as the scarcity of gun powder indicated that the treaty

23. F.O. 84/2194. This treaty is similar to that²⁵ in Appendix D.

24. F.O. 84/2194.

25. That was on March 30, 1892 - F.O. 83/2194.

and the Brussels Act had some effect, the stipulations of the Treaty were not always kept. Also the events which led to the Benin massacre of British officers on their way to Benin City are already too well known to be repeated here. It is sufficient for this thesis to know that all these events built up the causes for the British 1897 expedition to Benin City where

"Before Oba Ovonramwen and the Chiefs of Benin City who were all assembled at the consular court on the 7th of September, 1897, Sir Ralph Moor made the following public declaration: 'Now this is the whiteman's country. There is only one king in the country and that is the whiteman....Ovonramwen is no longer king of this country; the whiteman is the only man who is king in this country and to him only service is due'."²⁶

Conquered Ovonramwen was thereafter exiled to Calabar where he died in 1914.

The prosperity and eventual fall of Nana and Ovonramwen made a great impression on the neighbouring Urhobo tribes. Both Nana and, particularly, the king of Benin had been regarded impregnable and believed to be hedged round with both sacred and military power. The defeat of these two powerful men was a timely show of British power. It vindicated the new Government's ability to maintain overriding law and order which Gallwey had promised to the Urhobos as a necessary accompaniment for the achievement of peaceful government and prosperous free trade in the protectorate.

26. Igbafe, P. 1967. British Rule in Benin, 1897-1920. Direct or Indirect. J.Hist.Soc.of Nigeria. Vol.III, No.4, p.701.

TREATIES BETWEEN BRITAIN AND URHOBO TRIBES

Prior to 1891, the most important treaty signed by the British Government in the District was that of 1884 by which Nana agreed to give up his powers and to be protected by Her Majesty's Government. After Gallwey's subsequent tours of some Urhobo tribal territories in 1891, several treaties were signed with the chiefs mainly between 1892 and 1895²⁷ by both the Royal Niger Company and the Niger Coast Protectorate. These treaties appeared to be the best legal means available to Her Majesty's Government of establishing the Protectorate and of curtailing and finally withdrawing any influence - commercial or military - exercised by Nana and the Oba of Benin. The treaties also provided the legal basis for British right to settle disputes damaging to trade and for the insistence on peaceful conditions under which commercial communications could be made to link the hinterland producers, untampered, with the coastal European traders. Thus, although Gallwey had doubted during his 1891 tours if the Urhobos could understand or respect and be bound by the terms of a treaty particularly as they recognised no one political head, Her Majesty's Government now changed its mind and decided to sign treaties with Urhobo chiefs.

Apart from Gallwey's treaties, Vice Consul Major Copland-Crawford, based in Warri, signed treaties with other towns in Okpe and other

27. See F.O.2/83; F.O.84/2194; F.O.2/167; F.O.2/168; F.O.2/101. These treaties were not confined to Urhobo tribal chiefs but included those with Emirs and Chiefs at different times in the Northern and Southern Protectorates.

Urhobo tribes especially between May and September, 1895.²⁸ By this time, no study had been made of the indigenous political system. Consequently, treaties were signed not by the surviving age grade government led by the eldest man on behalf of the whole tribe, but by the town councillors because the impression had been that each Urhobo tribe was organised in several independent political town segments.

By these treaties, as shown in Appendix D, the town rulers accepted Her Majesty's "gracious favour" and exclusive protection over themselves and the territories under their authority and jurisdiction. Disputes amongst the town or tribal rulers or between them and other tribes or foreign traders were to be submitted to the consular courts or to the British officers for settlement through "arbitration and decision or for arrangement." These Urhobo rulers were to act on advice from the consulate officials on such matters as "the administration of justice, the development of the resources of the country, the interests of commerce or in other matters in relation to peace, order, and good government, and the general progress of civilisation." Foreigners were free to trade and build houses and factories in the territories. Also, Christian missionaries were free to practise their religion under full protection.

The treaties signed with the Royal Niger Company included clauses which stated that the territorial rulers in return for payment,²⁹ ceded

28. See F.O. 2/101.

29. No figures are at present available for towns in Okpe tribe. But Ughelli received goods worth £55 and Okpare £12. See F.O. 2/168.

their territories to the Company and undertook not to engage in any inter-tribal wars without the consent of the Company which was regarded as the authorised government of the territories concerned.

Whoever signed these treaties and under whatever circumstances, they were regarded as legal cession of the Urhobo tribal territories and sovereignty to the British Government. With or without monetary concessions, the decision to give out their land and to place themselves and their people under the British Consular Government produced some disruption in the traditional judicial and political roles especially with reference to external relations.

In Okpe and other Urhobo tribal towns, the British did not, however, enforce a total break with the past. After every treaty, the Consular officials normally assembled a group of the town councillors to take charge of petty judicial matters within the town and to take major and delicate offences to the Consulate. In this way, small 'councils of chiefs' grew up to continue to administer the towns in the traditional manner and to relate its external development and economic activities to the commercial interest and plans of the British merchants.

The Urhobos appeared to be aware of the implications of all these on their traditional tribal sovereignty and the towns' internal autonomy. Although the recent British show of strength in breaking Nana's and Ovonramwen's respective commercial and political monopolies struck awe into the chiefs and appeared to force some restraint on their activities,

and, while appreciating the removal of Nana's and the Oba's overhanging punitive expeditions, the Urhobos did not always accept the imposed British Consular government without some frictions.³⁰

It has been shown that prior to 1891, European visits to Urhoboland were very occasional and irregular. But in 1891, Gallwey made definite attempts from his base-town, Sapele, to reach the hinterland of the Urhobos. He was less concerned with finding out means of administrative improvement of the area than with making economic exploration. Indeed, he undertook a commercial pilot study. This preceded the signing of the 1892-1895 treaties which themselves formed the legal basis for later tours by British officers. One of such officers was Major Copland-Crawford who, in January, 1896, made the first land journey from Warri through Okpe tribal towns of Adeje and Amwuokpe to Sapele, in order to bring the new government and its development aims to the rural people. The journeys made at this time constituted the first major penetration of Okpe tribal territories³¹ and led to foreign judicial and political intervention in the traditional political organisation and government of Okpe tribe.

During this period, both economic activities and wealth lost some aspects of their traditional importance as the sources on which the chieftaincy institution is based. Wealth increased. But the nature of economic activities - mainly palm produce and trade - was largely determined by individual desire to acquire money for new needs

30. This point becomes more evident as this chapter progresses.

31. And other Urhobo tribal territories.

and commodities introduced by the foreign traders. Economic activities were also determined by the needs of the Consular Government. The newly acquired wealth could not be used to attain a chief's position because there was no king to confer the titles. In any case, the real exercise of power had shifted from the hands of Okpe traditional politicians to those of British officers. This power-shift had legality in the treaties signed. Also, the presence of the constabulary post in Sapele inhibited any attempt to reassert tribal political sovereignty.

Onova's age-grade government of Okpe continued for six years after Gallwey's tour of 1891. But the tribal council was not always in agreement with the British political and economic aims. Conflict between the different political aspirations of Okpe and of the British government could no longer be contained in 1897, just after the Benin expedition.³² Details of this conflict are not available but it would appear to arise from Okpe retention of all or most aspects of their political and judicial processes despite British Government regulations. One major conflict arose when a tribal councillor, Eyaju, was arrested in connection with the murder of a woman and deported to Calabar.³³ This was a local vindication of the already publicised power of the British Government in Okpe tribe. Realising its hopeless and practically roleless existence, Okpe tribal council wound up.

32. Fellows, L.E.H. 1928. Report on Ukpe-Sobo Clans. C.S.O. 26/3, 21943, p.13.

33. This act was not confined to Okpe tribe. For example, in Ughienvwen, one chief that ignored the orders of the British Government was forcibly removed from the local council. See Warri District Quarterly Report for quarter ending 31/12/1896. In Cal.Prof. 8/2, Vol.I. National Archives, Ibadan.

These initial political conflicts were not confined to Okpe tribe. As a result principally of the manner of their political growth, the Urhobos, generally, developed to be non-submissive to any authority outside that of their tribe.³⁴ Therefore, the surrender of their political sovereignty required very strong measures by the British Government. This appears to be one of the main reasons for stationing soldiers in Warri and Sapele to enforce the orders of the Consular government which had been utterly ignored even within the immediate vicinity of the Consulate. To consolidate its position and to achieve its initial economic aim, the British Government found that it needed to establish stronger political and administrative authority to replace the fortuitous rule of both the Consulate and the Royal Niger Company under which the natives had had to remain inspite of the fact that they had been cheated by the British merchants, bombarded by British captains and fined by British consuls.³⁵ It appeared obvious even to the British Consular officials and foreign traders that to avoid tribal uprisings which were imminent despite the many patrols and expeditions - peaceful or punitive - into the interior, the vague and unsystematic rule of the Consular authorities should be replaced by a more permanent form of government. But the form the new government ought to take was not generally agreed. The result was that,

34. Ikime, O. 1965. Itsekiri-Urhobo Relations and the Establishment of British Rule. 1884-1936. Ph.D. Thesis, p.202. University of Ibadan.

35. F.O.84/1882 - Memo. by Vice Consul Johnston on the British Protection of the Oil Rivers.

in February, 1889, the Foreign Office despatched a special mission to study this problem of the best government for the Oil Rivers Protectorate.

In 1895, the Protectorate was divided into three larger units - Eastern (with headquarters in Old Calabar), Western (with headquarters in Warri) and central (with headquarters in Bonny). Each unit was under a District Commissioner assisted by District Officers who were expected to be in closer touch with the people in the hinterland. A travelling District Commissioner was also attached to familiarise the people with the principles and practice of the new government and to win the confidence and co-operation of the tribal political leaders.

The Royal Niger Company protested in 1897 against any commercial or administrative action being taken in the Urhobo territory by the District Commissioner and his staff. Consequently, they reduced their activities to mere supervision of the River Ethiope and other waterways and to the control of the waterside markets. But the situation became so critical in 1898 and in early 1899 that it almost resulted in the entire closure of the market towns owing to lack of administrative control of the Urhobo towns in the hinterland by the officials of the Royal Niger Company. These officials were not, unlike the Protectorate Officials, in a position to deal with such widespread dissensions.³⁶

36. C.O. 444/1. Despatch No. 66 dated 14/4/1899 - Sobo Country, Ethiope Waterways and Riverside markets by Ralph Moor to Her Majesty's Secretary of State for the Colonies.

Feelings both in Nigeria and in London indicated the dire need for a general administration for the whole of Nigeria. This was timely because the West African Frontier Force was available to support the British government administration. This Force was paid for and maintained by the British government. Against this military background, the British government felt that any further exercise of economic, administrative or political power by the Royal Niger Company was unnecessary. Chamberlain's Government consequently revoked its charter. Proclamation No. 1 of 1900 thereafter declared the territories under control of the Niger Coast Protectorate and the Royal Niger Company to the south and including Idah on the River Niger as constituting the Protectorate of Southern Nigeria. This was administered under a High Commissioner empowered to enact laws by Proclamation.³⁷

By this time, a second major penetration³⁸ with a more effective British government of the Urhobo tribal territories began. The tribal council which had met monthly under Onova, had by now disappeared entirely. The highest level of any co-ordinated political action was the town council. In the cases of heterogenous towns such as Mereje which consists of descendants of Esezi, Orhue and Evbreke quarters,³⁹

37. C.O. 588/1 - Southern Nigeria Proclamations; 1900-1906.

38. By 1914, British penetration of Urhobo territories was completed. See Ikime, O. 1965. Itsekiri-Urhobo Relations and the Establishment of British Rule 1884-1936. Ph.D. Thesis. Ibadan, p.242.

39. None of the present three wards of Mereje excludes descendants of any of the three original quarters of Okpe inhabiting the town.

the ward councils and courts were the most active political units.

THE NEW COURTS AND COUNCILS

Chapter Three shows that judicial matters constituted the bulk of governmental activities in the pre-1890 Kingdom of Okpe. It also shows that legislative, administrative and executive duties arose mainly from judicial meetings and decisions. It is, therefore, understandable that with the British Government Native Courts Proclamation, 1900,⁴⁰ the most serious foreign legal impact was brought to bear on the very foundation of the nature and functions of traditional government in Okpe kingdom. This Proclamation replaced the doubted legality of the different Consular government courts by formally establishing two classes of Native Courts as follows:

"(a) Native Courts presided over by a native authority which shall be known as Minor Courts;

(b) Native Courts presided over by a European officer which shall be known as Native Councils."⁴¹

Members of the Minor Court were appointed or removed by the High Commissioner or by his authorised representative. They were "guided by and have regard to any native laws and customs not opposed to natural morality and humanity" without precluding the application of special laws or enactments or modification of the existing laws or customs as considered necessary and sanctioned on behalf of Her Majesty's Government by the High Commissioner. The High Commissioner

40. Proclamation No.9 of 1900 in C.O.588/1. Southern Nigeria Proclamations, 1900-1906. This law was enacted by Sir Ralph Moor as High Commissioner.

41. C.O. 588/1.

also authorised the times and places of court meetings.

The District Commissioner became the ex-officio president of his district's Native Council which included such other persons as appointed by the High Commissioner and which had the authority to invite the co-operation of native assessors, with consultative voice only, to supply information regarding native law or custom. The Native Councils exercised

"a general supervision over all Minor Courts" with
 "the right to inspect and call for the production of the records of any such courts, and to enforce compliance with all rules or orders that may from time to time be prescribed under or by virtue of this proclamation or otherwise by lawful authority."⁴²

The minor courts had jurisdiction in matters in which both parties were natives or in which non-natives indicated their willingness in writing to be tried by the minor court. In all cases, a minor court had limited civil jurisdiction over personal suits involving £25 or less as opposed to £200 for Native Councils, or any other amount fixed by the British Government or involving all personal land or inheritance of goods not exceeding £50 in the case of Minor Courts and £200 in the case of Native Councils.

Punishments for offenders were stipulated. These included imprisonment, with or without labour or flogging, and fines. If the offence was judged from its nature or magnitude to be beyond the jurisdiction of the Native Courts, it was then tried by the Commissioner

42. Clause XIII - Native Courts Proclamation No.9 of 1900.

sitting with the Native Council. But the execution of its sentence had to await instructions from the High Commissioner who also had the power to stop the (further) hearing of any civil or criminal case in the Minor Court and to order its trial in the Native Council.

The 1900 Native Courts Proclamation was kept in constant review and was modified or superseded by subsequent Proclamations.⁴³ In 1906, Native Courts acted under the instructions of the Chief Justice or of other judges of the Supreme Court. Wherever established, these Native Courts had the exclusive jurisdiction over civil and criminal offences and, in this capacity, rendered the traditional courts - town, tribal and age grade courts together with their appeal system - illegal and, at least, openly, non-functional. Appeals from the Minor Courts lay in the Native Council and in the Supreme Court.

The official cessation of traditional judicial roles consequently made the new government very unpopular. But, here again, the British aim did not appear, in practice, to be a break with the past. For, although new judicial institutions were imposed through Proclamations and Ordinances, the personnel for these institutions were drawn from the same sources as for those who operated the pre-British traditional judicial system. That is, the personnel consisted of elders or those from the age grade next to that of the elders. In this way, the

43. For example, by Native Courts Proclamation No. 25 of 1901, effective from 1/1/1902; also Proclamation No.7 of 1906, commencing on 1/5/1906; and the Native Court Ordinance 1914 - see C.O. 588/1, C.O. 588/2 and C.O. 656/1.

British apparently aimed at training the indigenous judicial manpower to adopt new approaches to restricted judicial duties through the new courts. But not all the elders could be members of the new courts. This was contrary to the situation under the traditional judicial system. Also, all who encroached on the rights and duties of the new court members were fined.⁴⁴ Again, this bred discontent particularly from those elders excluded by the new British stipulated court membership and who were, rightly or wrongly, unable to reconcile their exclusion from the new judicial duties with their traditional status as Okpe tribal or town elders.

Under the new court arrangements, Okpe tribe was split into two parts with a boundary at approximately mile seventeen on the Warri-Sapele road.⁴⁵ The southern half was placed under the Native Council of Warri which started operation as a Consular Court in 1892, and the northern half was placed under Sapele Native Court in 1901.⁴⁶ Other native courts were opened in Okpe tribe including that of Oviri in 1907 which, from that year, made Okpe tribesmen cease attending the Warri native court.

By 1923, the Native Courts and warrant chiefs ~~together with~~ ^{including} the Native Court at Sapele which itself controlled a greater area of the

44. This fine was as much as £50.

45. This road was begun by 1896, completed in 1906 and was usable by light vehicles in 1911.

46. This court was a Consular Court in 1893 after its transfer from the Benin River and was upgraded to the status of Native Council in 1903.

tribe, gradually assumed the judicial role⁴⁷ of the tribal council dissolved in 1897 except that appeals from courts in the southern part of Okpe tribe lay to what could be regarded as Itsekiri Appeal Court in Warri.⁴⁸

Obviously, this separation of Okpe tribe into two units as well as the courts and their appeal system neither accorded with traditional governmental system nor with language and topography. The new native courts in which two participating judges came from each town were unlike the traditional town courts because the latter had jurisdiction only over their towns and their attached villages and because the death of the president, the eldest patrikinsman, unlike that of the new court president, caused a change of the meeting place. The tribal traditional courts performed trivial judicial roles including hearings or investigations with a view to reconciliation alone, and the maintenance of rules regarding the opening and closing of palm bushes. While the traditional town courts exercised jurisdiction over more or less socially and territorially compact units and while the tribal court acted as appellate and as original court of jurisdiction, the new courts and councils were territorial only⁴⁹ in their constitution. Also, they did not form a judicial structure superimposed on legal town courts.

47. Together, these three courts tried 1,780 criminal cases in 1928. See Kerr, R.B. 1929. Ukpe Sobo Assessment Report, p.58.

48. Warri Native Council consisted of 16 members in 1896, that is, 15 Itsekiri, and 1 Ijo. See Ikime, O. 1965. Itsekiri-Urhobo Relations and the Establishment of British Rule 1884-1936. Ph.D. Thesis, p.245. University of Ibadan.

49. I.e. the new courts were based on a territorial grouping of towns.

The few British administrators and political officers together with the three native courts in Okpe⁵⁰ could hardly be expected in practice to have a firm hold on the whole tribe and to cope with every aspect of traditional government. Because of this, only serious offences and only those who could withstand long journeys went to the three courts sited for British administrative convenience in the tribe. Attendance of the Warri Native Council was never liked because of distance and because of its different judicial system, its non-Okpe representation, its language and procedure as well as because of any form of tribal subjugation that ~~was~~ thought to be implied. This of course left a large part of the tribe, particularly the remote towns, still under the influence of the traditional judicial system as controlled by the elders. Traditional judiciary functioned either only sub rosa or as explained away in terms of traditional arbitration or reconciliation acceptable to the parties involved in an offence. Whenever a litigant was unsuccessful and dissatisfied, he made out an excuse to refer his trial or case to the British Native Court.

The nature and content of the traditional judicial roles and laws remained substantially unchanged so long as serious breaches such as the trial of murders and the judico-religious practice of trial by ordeals or slavery were carefully avoided. The continuity of the traditional judicial system was also the result of the fact

50. Another court at Asagba was added in 1926. See the Nigeria Gazette of June 17, 1926, Notice No. 79. Before that year, Asagba, like Amwuokpe, sent representatives to Sapele Native Court.

that the British-sponsored courts which were a means of modifying the African laws and legal procedure to accord with what the British regarded as just, were, by far, too few to have an overall and abrogating effect. The British Native Courts did not involve the organisational framework of the age grades. Therefore, the whole or a major part of the whole society were not involved in the British Government judicial structure. Those Okpes participating in the new government were, as a result, comparatively isolated from their towns and their age grades in functional terms. In addition, the British Government ensured that in order to achieve the best administrative and commercial gains in Okpe and other tribal territories, its best policy was to maintain some degree of aloofness in order to avoid the social disorganisation of the various societies in the Protectorate. The British probably felt that the imposition of totally foreign laws and system of justice could have such a disorganising effect. Seen from all these aspects, the new courts were both qualitatively and quantitatively different from the traditional courts.

The new laws and courts were means by which the British Government planned to achieve a more effective political and administrative control of the territories. But these found their roots slowly. On the other hand, a high degree of judicial and administrative unity existed between the various social units in Okpe tribal towns. These surviving aspects of tribal organisation and government were unofficially recognised and were later used by the British Government officials and

agents.⁵¹

On May 1, 1906, under the Lagos-Southern Nigeria amalgamation scheme, Warri became the headquarters of the central Province.⁵² The whole of the Colony and Protectorate of Southern Nigeria was amalgamated with the Protectorate of Northern Nigeria on January 1, 1914, and became known as the Southern and Northern Provinces. In 1914, Lugard became the first Governor General of Nigeria and his principles of Indirect Rule were extended to the Southern Provinces with its resisted corollary of taxation. Warri Province thereafter became one of the provinces of the Western Group of Provinces. Each of these provinces was placed under a Resident who, by the Native Court Ordinance of 1914,⁵³ was empowered to establish more courts wherever he found them necessary. The 1916 Native Authority Ordinance empowered the Governors through the Residents to appoint or create Native Authorities which, by 16th May, 1916, were fully completed as the political institutions through which to carry out the Lugardian Indirect Rule in the Southern Provinces.

WARRANT CHIEFS

It has been shown that Onova's non-titular tribal council which ruled Okpe tribe until 1897 functioned with the age grade leaders as its most powerful members. These leaders subsequently retired to their

51. For example, in tax collection after 1928.

52. The Protectorate of Southern Nigeria was divided into three provinces namely, Western, Central and Eastern, each under a Provincial Commissioner responsible directly to the Governor.

53. Effective from October 1, 1914.

towns or villages where they focussed their political activities under their elders. In this way, they revitalised the traditional system of town-court government. With the establishment of Native Courts in Sapele, Oviri and Warri, representatives were sought from the various towns in Okpe as was also the position in other tribes such as Agbarho, Agbo and Ughelli. In each case, the District Officer recruited these representatives only after holding town meetings in which the people themselves suggested their representatives.⁵⁴

The age grade leaders - those who did or did not attend Onova's tribal council - were the most important politicians and administrators by 1900. Many of them became the obvious choice particularly where some energy was required to travel long distances to the few courts which the elders who, hitherto, stayed in their houses to preside over town courts, were unwilling or too old to attend. In this way, people like Asagba⁵⁵ of Amwuokpe and, later 'Jemigheye, son of 'Kogoro an elder of Asagba town, got nominated by their town councils.⁵⁶ After satisfying himself that there was no opposition, the District Officer entered the names of the nominees in prepared Warrants by which the

54. This is in contrast to the position reported in a part of Eastern Nigeria where "the white man" for instance, "just looked at Anyigo Agwu and called him out to be a chief" because he "looked a strong and courageous man who could give effective leadership" - See Afigbo, A.E. 1964. The Warrant Chief System in Eastern Nigeria. 1900-1929. Ph.D. Thesis Ibadan, p.76.

55. I.e. son of Ojegba who attended Onova's tribal council as an Olotu. On the death of Asagba, court membership was conferred on his son, Amojaine who, because of Onova's death, never received the politicised age-grade leadership position of Olotu. This is an example of a kind of family 'monopoly' of the court chiefship.

56. At first, people declined or were reluctant to be made Warrant Chiefs principally because of fear and unfamiliarity with the British intention and government.

Native Courts were legally established. Henceforth, such nominees were called Warrant Chiefs.

This was the beginning of the legal and widespread use of the concept of Chief, (Ishifi), which, in the Native Courts system, was regarded as the British Government equivalent of Okpe tribal Okakuro or Olotu or of an Okpako of the town court. But in Okpe and in other Urhobo tribes, the new title of chief never made the same impact and appeal as the traditional titles did mainly because they had no social position or functions in the traditional political system of the Urhobos. If both the foreign and the traditional titles coincided in one person, the roles of this same person acting in his capacity as Warrant Chief differed from those expected of him in Okpe traditional government. Both the Native Court System and the Warrant Chief System were aspects of the same picture. That is, the Warrant Chiefs became the personnel through whom the new native court institutions were operated.

It has been shown that the process of government in Okpe and other Urhobo tribes is diffused in such a way that it involves the whole tribe. In this sense, it will not be strictly correct to say that Warrant Chiefs were not the traditional rulers of their respective towns. In most, if not in all cases, Warrant Chiefs of the British government courts were the age grade leaders of the traditional government. The political status of these traditional personnel became enhanced when they took up Warrant Chiefship under the British Government.

Indeed, while under Onova, the age grade leaders became legislators and administrators as well as representatives of their towns at the tribal level. But, after 1897, they reverted to their executive position in the town except if they were already elders. Under the traditional delegate-subordinate position in the Onova government there arose little or no conflict in their performance of duties. But in the similar capacity with reference to the new courts, the roles these delegate-subordinates played 'at home and abroad' were not without conflict because, on obtaining their power through warrants from the British Administrators, the new chiefs felt that their position was immensely strengthened at the expense of that of the elders who have, under all normal conditions, always led the government of the towns.

Thus, although they normally held positions under the elders in the towns from which they were nominated, the warrant chiefs functioned like spokesmen and representatives of the British government to which they were loyal and which sought to administer a generalised pattern of laws and theories of British colonial government through the native courts. This was inspite of the traditional local peculiarities of government processes in various towns or tribes from which the warrant chiefs were recruited. Ideally, the functions of the warrant chiefs ought to be a compromise and harmonious fusion of those of the British and traditional governments became the age grade leaders who had tribal council or town government training

and experience became the personnel of the new native courts. What, in fact, happened was that the age grade leaders who had hitherto been brought up for about forty to sixty years in their traditional government through participation in the age grade activities, were given higher political and judicial status by the British Government. They were then made to participate in a government over many town units, performing hybrid roles as directed by a foreign, though more powerful authority, against a background of what was regarded traditional or of what was considered suitable for the indigenous people.

In practice, a dual system of unsatisfactory government, apparently unexpected, tended to result from the situation. This was because warrant chiefs acted independently with reference to giving effect to the new government administration in the towns; this created an element of dual authority. The apparently external superiority of the warrant chiefs and the misuse of their positions, contrary to the warnings of the District Officer, made the elders oppose the principle of young men governing their fathers and the practice of their being ruled from outside by 'small boys'.

This open conflict contributed largely to the recognition that the warrant chiefs, though nominated by the towns in which government they participated but to which they were not accountable as warrant chiefs, were not, traditionally, the actual town court judges or councillors. Nevertheless, when the warrant chiefs advanced to the elders age grade, they dropped their warrants. But they still answered

the title of 'Chiefs', although they became non-functional in that capacity.

On the other hand, they took up their traditional roles as ipso facto town rulers and were succeeded as warrant chiefs by their sons or their nominees approved in a town council.⁵⁷ Whether re-integration into their Okpe culture and judicial system did make the elders shed their acquired principles and practice of the foreign government is a moot point. But the warrant chief 'experiment' could not be sustained for a long time for, fortunately or unfortunately, the reorganisation of the 1930s ushered in a new recruitment system based on new requirements.

Contrary to the ideals of the British Administrators, vacancies created by retirement or death or by the withdrawal of warrants of any refractory chiefs, were highly contested through bribes in Okpe and in other tribes. This probably owed to the fact that while in office and in addition to their sitting allowances,⁵⁸ the warrant chiefs

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57. After 1914, Itsekiri influence - through Chief Dogho - was brought to bear on the appointment of warrant chiefs among the Urhobos although this did not involve any form of allegiance to the Itsekiri people. See also Ikime, O. 1965. Itsekiri-Urhobo Relations and the Establishment of British Rule. Ph.D. Thesis, Ibadan, pp.256-280.
58. I.e. five shillings a day for sitting in court (1926). This was considered too low. For instance, Chiefs Ayomano and Abeke, both Okpes attending the Sapele Native Court, complained that they were 17 in the court and because a Chief sat for one week of three or four days in a month, he earned from 15 to 20 shillings. They argued characteristically of other chiefs that this amount was too small to meet the incidental expenses of attending courts, much less to upkeep their chiefly status which, before British Government of the area, was maintained through many sources of revenue now declared illegal - See C.S.O. 26/2 file 11329/S.5. National Archives, Ibadan.

themselves did take and offer bribes and sometimes held illegal 'courts' in their houses in the name of traditional reconciliation. In this way, they diverted the attention of the town's people to their now more powerful selves and, thereby, turned the new warrant chief position to a parasitic and commercial one. On the other hand, warrant chiefs were already known to have high prestige supported by the British Government, a quality which itself attracted competition. While some people sought the chiefs' favour or nomination for government posts through gifts and unpaid labour and services, others complained about the chiefs' bad conduct, oppression, corruption and interference with justice.

The very few available British administrative personnel could neither go round supervising every warrant chief or town, nor did the British officers understand the language which they heard as translated by poor and often corrupt interpreters. In most cases, the District Officer dealt with court cases for most of the time and visited the courts instead of the people in their rural towns or villages. Nevertheless, intransigent chiefs against whom petitions were proven were convicted and, or replaced.

The idea of native court institutions and warrant chiefs as constituting the legal Native Authority grasped by 1904 was apparently sound in so far as the whole new judicial framework remained and functioned ideally as the government keystone centred round the District Officer. Occasionally the District Officer visited his territorial

units which inevitably tended more and more to be controlled by the warrant chiefs. The court halls and the warrant chiefs, particularly on meeting days, symbolised the existence and the presence of the new British power and judicial system in their localities throughout the tribe.

In 1914 when the policy of Indirect Rule was adopted and when it became more effective as from 1916, the government assumed that these native courts were composed of native chiefs recognised by their communities. Therefore, in 1924, it declared them Native Authorities. Consequently, the District Officer continued to make more legal use of the courts and regarded their members as his local agents and feelers as well as information officers. But the warrant chief and native court systems failed. Principally, this failure resulted from the fact that both the traditional political system and the indigenous governmental role distribution were not understood. The native courts and the warrant chief system did not represent the essence of town government; they were too artificial. They became corrupt and lacked the genuine support of the mass of the people. Ignorance of the town courts and councils as well as of the age-grade type of traditional government made the British District Officer hold the warrant chiefs responsible for the execution of government orders by the town councillors and to regard the warrant chief as the chief and ruler of his town whereas he was only the delegate of the recognised head.⁵⁹

59. See also file C.S.O. 26/2 file 11857, Vol.VII; Annual Report, Warri Province, 1929, p.12.

BRITISH POLITICAL AGENTS

In addition to the European Consulate and Protectorate personnel, agents were appointed to assist as middlemen, traders, interpreters, messengers and as pilots into the hinterland of Urhobo tribes.⁶⁰ The vast area controlled by the Protectorate after the revocation of the charter of the Royal Niger Company added to the necessity for recruiting these political assistants and servants. Recruitment was on the basis of familiarity with the area concerned and was not intended as an appointment to a position carrying a political status of overlordship or rulership over the Urhobos. Although the agents were more conversant with European demands and trade habits and subsequently (after 1914) influenced the selection of indigenous chiefs, the British administrative policy and courts were not operated differentially and progressively from the coast. They were as new to the political agents as they were to the Urhobos. Also, these new institutions aimed originally at working through native institutions as operated by the indigenous people and not at developing a handful of 'native foreigners' to rule over other tribes.

It is shown in Chapter One that Christianity did not reach the hinterland of the Urhobo tribes earlier than 1910 and this means that unlike many other places, British government and administrative

60. The time of this recruitment is suggested as 1896. See Ikime, O. 1965. Itsekiri-Urhobo Relations and the Establishment of British Rule 1884 - 1936. Ph.D. Thesis, Ibadan, p.209.

activities were not preceded by missionary work.⁶¹ Though missionaries prepared no grounds for the British administration and could in no obvious way be regarded as political agents among the Urhobos,

"...religious instruction is tolerated and accepted because it is compulsory and is a means of the acquiring of English, the language of trade, the law courts, and government administration."⁶²

TAXATION

When introduced to Warri Province in 1927, taxation which was more easily acceptable in the Northern Emirates where there were regular systems of tributes, acted like a thermometer for gauging the efficiency of the British government and its acceptance by the Okpes. Some propaganda work was done among the Urhobos until 1928 apparently because it was realised that the Urhobos were not used to compulsory contributions to their chiefs or kings and because it was necessary to allow some interval for the preparation of nominal rolls of eligible tax payers. As soon as the Native Revenue (Amendment) Ordinance was passed in April, 1927, for the setting up of Native Treasuries and for

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61. For example, Uganda which was declared a Protectorate in 1894 after the arrival of the first missionaries in 1877. See Mair, L.P. 1934. An African People in the 20th Century, p.9. Also see Ayandele, E.A. 1965. The Political Significance of Missionary Activity in 19th Century West African History in J.Univ. of Ibadan Historical Soc. Vol.II, No.1, p. 16 ff.
62. Proceedings of the C.M.S. 1914-1915, p.45 - quoted in Ikime, O. 1965. Itsekiri-Urhobo Relations and the Establishment of British Rule 1884-1936. Ph.D. Thesis, Ibadan, p.236.

the legal imposition of taxation with the main aim of providing the money for local development, an anti-taxation movement⁶³ was started. This movement took British government officials in the province un-awares by August. It was accompanied by a boycott of trade and of native courts and by an arrest of warrant chiefs considered to be supporters of the British government and of its taxation.

Suspicion and resentment spread throughout Okpe and other Urhobo tribes especially as a result of the false propoganda that the British government intended to enslave the Urhobos, seize their lands, introduce the plantation system into the oil palm industry, make their oil valueless and to have their oil palm trees cut down and replaced.

The overall leadership of the anti-tax movement came from outside Urhobo tribes. The agitation was started by the young Itsekiri Party led by Mr. Eda Otuedo, an Itsekiri letter writer who opposed Chief Dogho and his group who supported the British government and the new taxation system. Otuedo's Urhobo main assistant leader was Mr. Oshue of Obodo who, after summoning an all-Urhobo meeting to Ot'Udu several times, led Urhobo tribal representatives to a meeting with the Itsekiris at Igbudu in July, 1927. Here it was decided that trade with Europeans should be abolished, that no more production of oil should be made and that no native courts should be attended. Each tribe was expected to determine how best to execute the laws and to impose the fixed penalties.

63. For details, see Hunt, W.E. 1928. Political Events. In Annual Report, Warri Province 1927. pp.5-13. C.S.O.26/2 file 11857, Vol.V.

The anti-taxation leader in Okpe tribe was Igbele, a descendant of Chief Idoromi of Orhue quarter⁶⁴ who, at the end of September, led the Okpe tribe to rise en masse with the other tribes in the province and through whom instructions passed from the Urhobo temporary headquarters at Ot'Udu to the Okpe people. For the Okpes, as for other tribes, substitute native courts, regarded as illegal by the British administrators, were set up.⁶⁵

The Okpe tribe re-established their headquarters at Ojede and attempted to use the opportunity created by the tax confusion to revert to their traditional government. This was not completely successful because three of the oldest elders refused to attend tribal meetings at Ojede from where Igbele, a junior elder, ruled Okpe tribe.⁶⁶ His edicts were regarded by the British officers as open declaration of war.

The Okpe taxation opposers had their own way until 30th September, 1927, when, after attacking and nearly overpowering the British Government Police at Sapele where descendants of all the four kinship units of Okpe by now settled, the anti-taxation crowd was fired on by the reinforced British Government Police killing one person and wounding several others. Despite this action, the agitators

64. Other leaders in Urhobo tribes included Erimagborie of Effurun, Eferebrudu of Agbarho and Erhue of Ukwuokori in Agbo tribe.
65. The composition of these courts among the Urhobos is not known. But the courts would appear to have been manned by daring agitators.
66. Fellows, L.E.H. 1928. Report on Ukpe-Sobo clans, C.S.O.26/3 file 21943, pp. 13 and 14.

continued a boycott of the native courts. While "Oshue is reigning and the White government is no more", and while he was sometimes addressed as "your majesty", his sub-leaders in Okpe and other Urhobo tribes, gained popularity. Meanwhile, as more British Government Police were being assembled in the Province, the Resident persuaded the tax agitators to stop their illegal actions.

After the meeting of the agitators at Asagba in Okpe tribe on October 24, 1927, it was obvious to the British administrators that the tax agitation would continue. The British Government Police consequently patrolled the tribes,⁶⁷ and Oshue's arrest on 9th November marked the beginning of the end of the breakdown of the anti-taxation movement. Before that year ended, the whole movement had been disbanded. Trade re-opened and the British government native courts functioned a gain.

The anti-taxation movement and disturbances as well as the shortcomings of the native courts and the inefficiency of the British government as a whole served to encourage the tenacious attitude of the Okpes towards their indigenous political and economic systems which were later made the subject of intensive enquiries.⁶⁸

INTELLIGENCE REPORTS

Although British Administrative Officers learnt from their errors

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67. The British operations against taxation agitators in Okpe tribe were led by Mr. R.B. Kerr, the Assistant District Officer, Sapele and by the Assistant Commissioner of Police, Mr. Ward who arrested the ring leaders. These were later imprisoned for between three months and three years.
68. These enquiries were carried out at different times but generally all over Nigeria.

and made casual investigations on the spot, no systematic and detailed studies of the indigenous social systems of the various tribes were made until between 1928 and 1930.⁶⁹ These studies were made in the form of Intelligence and/or Assessment reports to be used for the future reorganisation of the province on the basis of tribe for which Native Authorities were to be recognised. Town courts and councils, regarded as the true Native Authorities, were also to be recognised executive units of the tribal Native Authority. The aim of the whole scheme was

"to promote clan unity by means of the central clan courts and councils; and at the same time make the fullest possible use of existing native machinery by Executive and judicial recognition of the true Native Authorities, the Village Councils...It was not as though we were starting with a clean slate, but with one that had been written on by Government for over 30 years."⁷⁰

Intelligence Reports particularly after 1930 formed distinct parts of, and background to Assessment Reports which were primarily aimed at assessing the taxable wealth of the communities studied. The investigator's success in this task depended on the support and co-operation of tribal and town rulers. The use of Intelligence Reports meant substituting for a priori conclusions, an objective knowledge of the political systems of Urhobo tribes as gained from the District

69. The Reports on Okpe tribe by Fellows and Kerr quoted in this thesis were a result of this general administrative exercise by the British Government.
70. Hunt, W.E. Minutes of 3/11/30 on the Reorganisation Scheme: Warri Province - attached to Report on Ukpe-Sobo clans by Fellows. C.S.O. 26/3, 21943. National Archives, Ibadan.

Officer's personal contact with the people's aspirations and their needs in their native surroundings rather than from the impersonal atmosphere of the District Office or the native court.⁷¹

CONCLUSION

This chapter shows that although major British penetration of Okpe and other Urhobo tribal territories began in 1891, and although the British government through treaties, whether or not it mattered if they were properly understood by both parties, established its legal ownership of Urhoboland between 1892 and 1895, the last relatively 'unadulterated' indigenous government of Okpe tribe under Onova did not formally end until 1897. Henceforward, several peaceful or punitive patrols or expeditions were sent to open up, pacify and integrate, if only territorially, many otherwise isolated or unfriendly towns and tribes to pave the way for a new administration and commercial success. In this respect, Clause VI of the Public Lands Acquisition Proclamation of 1903⁷² made it more legally possible for the British administrators to settle where they pleased because the

71. Intelligence and Assessment Reports are government documents of considerable importance in matters concerning the indigenous ritual, political and economic activities as well as land and Chieftaincy matters in all the tribes. They were written at a time when politics was not as divisive as it is today and when traditional political and economic positions were not as highly contested as they are today. Also they were written at a time when little or no fabrication was made about the political life of the tribes. Most of these reports are highly accurate and acceptable to the tribes most of whom cite relevant paragraphs in the Reports in support of their arguments anywhere.

72. In C.O. 588/1 - Proclamation No. 5 of 1903.

Head Chief of any community where land was required for public purposes was expected to sell it and to convey the same for an estate in fee simple notwithstanding any contradictory principles of the indigenous land tenure.

Sometimes, the British Administrative Officer inadvertently erred by allowing his foreign political agent to sign land leases on behalf of the owners of the land as Chief Dogho did on behalf of the Okpe owners of Sapele land.⁷³ Other Proclamations such as Slave Dealing Proclamation of 1901 which illegalised slavery, and the Roads and Creeks Proclamation of 1903 which made towns or villages to maintain the roads passing through them,⁷⁴ largely achieved the purposes for which they were enacted. Therefore, they helped in the peaceful internal development of the whole province.

In this way, the British started a process by which the diverse indigenous judicial, political, administrative and executive systems were subsumed under one and similar, if not identical, governmental system. In addition to the formal and informal judicial education of the elders and the age grade leaders, schools were established.⁷⁵

73. This error by which Chief Dogho, an Itsekiri leader, signed a land lease for 99 years involving 510 acres of Okpe land in Sapele on 3/12/1908, subsequently resulted in a court case between the Itsekiris who claimed the land from the Okpe tribe. The Okpe tribe won the case. See Suit No.W/37/1941 of 1941 and 1942 in the High Court, Warri; also see Appeal Case WAC.1848 of 30/4/43 heard in the West African Court of Appeal, Lagos.

74. C.O. 591/1 - Proclamation No.5 of 1901 and C.O. 588/1 - Proclamation No. 15 of 1903.

75. There were 7 small schools in Okpe tribe by 1928 with a total of 200 pupils. Most of the education was given at Sapele and Warri where there were larger schools built and run by the Government, the R.C.M., the C.M.S. and African Missions. See Kerr, R.B. 1929. Ukpe Sobo Assessment Report, C.S.O. 26/3, 21943, p.90.

But these tended to make the average Okpe boy believe that he had been trained to attain higher goals in life, to disdain tribal tradition and occupation and to hope to emigrate to the then urbanising areas.

It would therefore appear that from the earliest time of European contact with the Urhobo tribes, the four factors of social change have been trade, Government, Christianisation and education, in that order.⁷⁶

The British government of the Urhobo and other tribes in Warri Province before 1930, was largely through the Native Courts. Towards the end of that time, it was found that an urgent and thorough study of the social organisation was important in order to grasp the essence of indigenous government and to correct the past blunders and failures of the British approach to the government of the area. In the ensuing reorganisation on tribal basis which became feasible as from August, 1930, and completed in the province in 1934, warrant chiefs or ex-warrant chiefs were to fit into their traditional political positions. In this case, the roles they played would be intelligible both to their townsmen or tribesmen and to the British Administrator.

By 1928, many Okpe people started to return under the British guaranteed peace, to their capital.⁷⁷ where only three compounds⁷⁸

76. Welch makes the same observation. See Welch, J.W. Education in Nigeria. Thesis submitted for the degree of Master of Education, Dunelm. p.49.

77. Interview with many Okpe informants particularly on 18/11/67 with Chief T.O. Dafinone who was interpreter to R.B. Kerr in 1928 and with Mr. Sam. Efefaboraye Edoge of Orhue quarter on 21/11/67. Mr. Edoge was one of Mr. Kerr's three orderlies as well as being court messengers. In these capacities, they made arrests, served summons and arranged for carriers for the load of the District Officer.

78. These belonged to Chief Akalusi, Chief Idiavwore and Chief Ejokperiniovo. The three compounds were said to be in Esezi ward. There was no house at the Adene.

stood alone for many years. Clearing and rebuilding were started in earnest in 1928-29 and the way thus became clear for promoting tribal re-unity. In December, 1930, the first tribal council/courts of Okpe, Ewu and Mein (Western Ijo), were approved⁷⁹ to make the fullest use of the town councils and courts which had all fallen into disuse - as far as the British government alone was concerned - with the introduction of the British government sponsored Native Courts. Returning to the capital meant that the Okpe people had heeded the persuasive advice of Messrs. Fellows and Kerr. These two British Administrative Officers were in charge of the area and had toured it with the aid of interpreters from 1927 to 1929.

The British government-sponsored tribal council and court started functioning in 1931 on the likeness of the traditional pre-1897 council. It was operated initially by thirteen chiefs⁸⁰ who were appointed, as a result of the tours of Messrs. Fellows and Kerr, from all the main towns founded by the dispersed Okpe tribesmen. These chiefs and those added later, represented all the ten Town (then called Village Group) Courts in the tribe,

All those who returned to Orerokpe settled anywhere and not in their original patriclan houselands. But during tribal or town

79. Rutherford, J.W.C. Warri Province Annual Reports 1930 and 1932. C.S.O.26/2 file 11857, Vols. VIII and X.

80. These were Chiefs Egbele, Itemisa, Eche, Akalusi, Esobiebi, Edjeba, Okpedia, Echelusi, Egbeifo, Omare, Kogoro, Ayomano and Aga. Other chiefs added were Akpooto, Umujakporue, Amoife, Igbefu, Iyoboko, Oserue and Ogoro.

meetings, they sat together according to their original four descent groups. Also, as far as Orerokpe was concerned, the three messengers of the Native Authority acted as the kernel of the town traditional police while the eldest man, assisted by the court chiefs who, incidentally, were also elders,⁸¹ ruled the town.

This traditional gerontocratic government formed the nucleus for the revival, this time without fear of interfamily feuds, of Onova's traditional tribal council which was disbanded during the very early years of the British contact. Thus, while the British sought through the medium of its sponsored tribal court and council to revive the tribal council and to make it perform the new roles of the legal Native Authority on customary lines, an indigenous tribal council was initiated without hindrance in Orerokpe. This showed that the new British-sponsored tribal court and council assembly at Orerokpe did not coincide with the ancient ideals of the tribal council.⁸² Therefore, they did not carry all the tribe with its expectations of government along with it.

The reorganisation programme appears to have encouraged this new indigenous initiative and brought it to the open. Since the early 1920s, Chief Akalusi, head of the scattered descendants of Esezi claimed that he had the right to serve the tribal ancestor/predecessors'

81. For example, Egbele was about 80 years when my informant, Mr. Edoge, was himself 30 years at that time.

82. The British government called their sponsored council by the same traditional name, Udogun.

cult for the whole tribe in the capital. He also promoted the wish of Esezi descent group for a re-unity of Okpe tribe under British government peace, the reason being the prospects of reviving Esezi's familial political pre-eminence of the 17th century. But the other elders opposed the idea of a tribal reassembly much more if it meant appointing a successor to Esezi I.

It is noteworthy that sentiments of tribal unity and the principles and practice of traditional tribal government still survived even after a long neglect by the British government and in the face of the power possessory and countering attitude of the warrant chiefs. Perhaps it would be right to say that the more the faults made by the British government, the more the Okpes were reminded, under peace, of their traditional tribal political system and government. But Okpe re-unity on the model of the 17th century tribal council was to wait until 1945 when the tribe had another king as shown in Chapter Five.

CHAPTER FIVE

OKPE TRIBE AND THE BRITISH GOVERNMENT
BETWEEN 1940 AND 1950

SOME EFFECTS OF THE REORGANISATION¹

Chapter Four shows the loss by Okpe and other Urhobo tribes of their traditional political sovereignty in both internal and external relations when the British Government assumed power and control over the Colony and Protectorate of Nigeria.² From 1892 onwards, Okpe tribal status was that of dependence on power external to it. In respect of this foreign power, no tribe in Nigeria could, in practice, be regarded political because none of them controlled or shared in the new power or policy decisions. Instead, many tribal administrative systems were, together, strung to the Colonial Office in London. This marked the end of political isolationism and of the beginning of political development under conditions in which

"The danger of recreating a 'Warrant Chief' atmosphere has still to be guarded against in what...is a most democratic form of society."³

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1. Re-organisation was virtually completed in Warri Province by the end of 1933 and this prepared the end of the old system with its arbitrary administrative boundaries and its warrant chiefs.
 2. This fact should be kept in mind whenever the word, king, is used in this thesis for the Orodje of Okpe with reference to any period after 1892.
 3. Communication No.16033/161 of 2/7/43 from H.F. Marshall, Acting Secretary, Western Provinces, to the Resident, Warri Province.

On March 31, 1938, the old Jekri-Sobo Native Administration which had used a common Treasury though under separate Councils and Courts for the Itsekiris and the Urhobos since 1932 ceased to function. On the other hand, on April 1, 1938, the Itsekiri sub-tribal Native Administration and the Western Urhobo Native Administration each with its own treasury came into being. The setting up of the two separate treasuries and the creation of the two Native Administrations stirred up tribal in-group feelings on both sides. The Treasury, established at Orerokpe,⁴ and a Financial Council for which young educated men were recruited in order to overcome what was considered retrograde tendencies of some of the older generations,⁵ were formed for all the six tribes placed under the Western Urhobo Native Administration.⁶ Each of the six tribes comprising the Western Urhobo Native Administration had a Council which was the Native Authority for its own area.

Two chiefs were selected from this council to attend the Council or Court at Orerokpe⁷ with representatives of the Urhobo Progress Union.⁸ Such meetings were attended for up to a month at one time during which participants took responsibilities for both the administration and the finance of the Council under the overseeing power of

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4. The Treasury was opened at Orerokpe in April, 1939.
 5. Bowen, R.L. Warri Province Annual Report, 1937, p.7 in file C.S.O. 26/2, 11857.
 6. The tribes are Okpe, Agbo, Uvwie, Oghara, Idjerhe and Udu.
 7. This was not an official Central Executive Council. The six tribes were independent each with its own tribal Court of Appeal but their representatives met regularly to discuss financial and other matters.
 8. More about the Urhobo Progress Union in Chapter Seven.

British Administrative Officers. In this way, various tribal rulers kept in touch with one another particularly whenever they met at Orerokpe. Because most of these tribal representatives were chiefs or their sons, a new premium was placed on the traditional chieftaincy as an administrative rather than as a political institution.

The Okpe tribe was the most progressive and best administered through its Native Authority, the Okpe tribal council. This was probably because it had the best traditions of a politically centralised tribal government and the will to keep and make it work. Owing to this quality the Okpe tribal council secured the real respect of its people and set a good example for the remaining tribes in the whole of the Western Urhobo Council area.⁹

Chapter Four shows that by 1928, descendants of those who fled in the 17th and 18th centuries from Okpe capital started to return to it. They did this because it was still the most hallowed traditional place as opposed to the two temporary capitals, Ugolo and Ojede, from where attempts had been made to re-unite Okpe tribe. The four kinship units of Okpe remained distinct and town and ward sentiments survived the political disruption of the tribe before the British rule.

The real importance of the data found during the 1928-1929 British Government investigations into the political system of Okpe tribe was that they enabled the tribal council to be established in the traditional tribal headquarters. Also, they made it possible for tribal meetings

9. Bowen, R.L. Warri Province Annual Reports, 1938, p.6 and 1941, p.3 in C.S.O. 26/2 file 11857 Vols. XV and XVII.

to be attended by traditional delegates along lines in harmony with tribal sentiments. The desire to return to Oorerokpe was naturally a result of the British Government peace and of its recognition of the tribal capital after the reorganisation.

The importance which the Colonial Government was prepared to attach to chiefs and to traditional rulers in whose hands the administration of the tribe would henceforth be placed, led to a keen desire¹⁰ on the part of young and old Okpes to have positions in the tribal government which the age grade leaders had dominated since Onova's regime. But economic prosperity was hampered by the adverse trade conditions from 1930 to 1934. This affected the export price of palm produce¹¹ on which the Urhobo tribes depended largely for their living and for money to 'buy' status.

After a subsequent improvement in the economy, attention was focussed on the hub of the chieftaincy institution. Since the reorganisation of Warri Province

"the clan head has become a person of very great importance where, formerly, he was a nonentity under the rule of the Warrant Chiefs."¹²

The British Government started the process of adapting rather than destroying the native political institutions. These were made the complementary arm of the Colonial Government.

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10. In most other tribes e.g. Agbo, Ughelli, Arhavwarien and Uvwie, this recognition led to a rush for the traditional titles such as Ohovwore.
 11. 1930-1934 prices are not available for comparison with the 1928-29 and 1968 figures given in Chapter One.
 12. Communication No. W318/1931/414 by R.L. Bowen to the Senior District Officer, Ughelli dated 23/1/40 in file S.N.A. 709 Vol.2. Eastern Urhobo District Council, Ughelli.

But the age grade leaders who were assembled in the capital from various parts of Okpe tribe in 1928 were getting very old and, although the new wealthy and young power-seeking men were anxious to replace them, there was no customary way to accomplish this. This was because no king was available to confer the chieftaincy title on deserving citizens. Though suspicious of the new aspiring young men the old tribal leaders nevertheless sought their advice and co-operation in the newly constituted British-sponsored government of the tribe. In addition to this apparently friendly governmental relationship between the old age grade leaders and the young ambitious and educated men, the British Government appointed some of the latter into the Okpe tribal council as well as into council committees and offices such as those responsible for finance. By this means, a form of Okpe tribal council government agreeable both to the conservative elders because it embodied the traditional offices and to the younger generation because it afforded them an opportunity of sharing in the control of local affairs, was obtained by the District Officer. The District Officer also assumed the extra task of developing the interest of the younger elements to have full confidence in the revived tribal unity and to utilise the traditional offices.

The Secretariat of the British Government was situated in Lagos where the Governor also lived. But the whole of Nigeria was divided administratively into three groups of provinces, namely Northern, Western and Eastern Provinces, each under a Chief Commissioner with headquarters in Kaduna, Ibadan and Enugu respectively. These were

all responsible to the Governor in Lagos. Each group of provinces contained a number of provinces under Residents who were responsible to the Chief Commissioner. Every province, in turn, had one or more Divisions each under a District Officer with an Assistant District Officer, depending on the size of the Division but made responsible to the Resident. Warri Province, that is, one of the six provinces in the Western Group of Provinces with headquarters in Ibadan, was divided into four Divisions. These included the Jekri-Sobo Division in which the British-sponsored Okpe tribal council functioned as one Native Authority.¹³ This chain of Native Administration linked Okpe tribe with the rest of the province and also with the Governor in Lagos through Ibadan.

In a Colonial Government major general policy statement, Donald Cameron declared that he was

"anxious—almost above all things in Nigeria — to make a success of the policy of administering the people through their own chiefs but my experience here and elsewhere makes me doubt whether it will be possible to achieve this if we pursue the methods of the past. No sufficient attempt has been made in the past, I believe, to teach and train the Chiefs in the very difficult art of administration....I propose, therefore, that for the future, the Resident should exercise in Nigeria the same function as he exercises elsewhere in the British dependencies, that is, function openly as the adviser of the Native Authority and take a directing interest in its day to day affairs. He should sit with the Chief and his Council when it meets

13. See Native Authority Ordinance No. 17 of 1943.

and advise them and direct them in the daily acts of the administration. The Council should meet at regular intervals as may be arranged with the Resident and the Chief should obtain the approval of the Resident before issuing any orders that are not in accord with approved policy, that is, policy approved by the Resident. All orders will continue to be issued in the name of the Chief¹⁴ in order that his authority may in no way be impaired in the eyes of his people."¹⁵

The statement was concluded with the note that the Resident's control would be withdrawn gradually in response to the progress in administration made by the Native Authority.¹⁶ A Native Authority was, more or less, a heuristic device for social and, particularly, political change; it was the main chain of communication between the British Government and the people.¹⁷ It was, therefore, clear that the

"Native Authorities are not independent rulers; they are merely the delegates of the Governor whose representative is the Resident."¹⁸

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15. Donald Cameron Communication of 9/3/33 to the Oba-elect of Benin on the occasion of the Oba's (Akenzua'll's) succession to the throne. C.S.O. 26/1 file O1142. The Oba of Benin Personal Papers.
 16. A Native Authority was either a Council of Chiefs representing their area or a King as the Sole Native Authority. The latter could, in theory alone, issue orders without any obligation to consult his chiefs. In practice, the King as Sole Native Authority always consulted his councillors according to tradition. There were five Sole Native Authorities in the Western Provinces in 1939, namely, the Alake of Abeokuta, the Oba of Benin, the Oni of Ife, the Alafin of Oyo and the Awujale of Ijebu-Ode.
 17. The principles and practice of British Indirect Rule will not be belaboured in this chapter because works by Lucy Mair, Lloyd Fallers, D. Cameron, D.A. Low and R.C. Pratt, Lords Lugard and Hailey, D.E. Apter, M. Perham and others have treated this topic fairly exhaustively.
 18. Cameron, D. 1934. The Principles of Native Administration and their Application. Govt. Printer, Lagos, p.18.
 14. In the case of Okpe tribe, this was the Council, that is, the Native Authority.

Under this overall policy, the political development of Okpe tribe could not occur in isolation. Rather, it took both official and unofficial encouragement from the British Government and some cue from the politics of neighbouring tribes, especially from the Itsekiri. On the other hand, it set example for other neighbours such as the Oghara and Agbo tribes. The following brief discussion on the Itsekiris makes these points clearer.

The British Government did much to foster the Itsekiri claim to pre-eminence through their headmen's activities as intermediaries between the Europeans on the coast or rivers and the other peoples of the province. Sending out Itsekiri headmen to open Native Courts throughout the Urhobo and Ijo areas, undoubtedly gave the Itsekiris a firmer footing in the countries of their neighbours than they could possibly have obtained without the support of the British Government.¹⁹ The internal political development of the Itsekiris was similar to that of the Okpe tribe because it passed through three similar important stages.²⁰ Firstly, there was the period up to the regime of the last king (Olu) who was supported by a patrician 'caste', chiefs (Ojoyes), in the 19th century; secondly, the interregnum period which started with chaos after the death of Akengbuwa in 1848, and which was marked by unsuccessful attempts to form the tribal council at Ode-Itsekiri. This was followed by disintegration into independent village units above which

19. Handing over notes from Captain J.C.F. Pender to D.E.R.M. Lambert on 24/2/34 - Ughelli Dist. 9/1. National Archives, Ibadan.

20. See also Report on the Itsekiri Native Administration and proposals for re-organisation - file Ughel Dist. I:1080. National Archives, Ibadan.

some sort of order was eventually maintained by the influential Nanna family and later by Chief Dogho who had, in practice, been king in all but name. This state of affairs lasted until the 1930 re-organisation in Warri Province. After Chief Dogho's death in 1932, the Itsekiris, now with some measure of unity among the ruling houses in 1935, passed through some pre-succession disputes particularly between Warri notables and those of Benin River, and, eventually, entered the third stage by the installation of a new king of Itsekiri, Ginuwa II, in February, 1936.

This installation resulted in a considerable revival of tribal sentiment. It also led to somewhat extravagant claims by the Itsekiris whose recollections of their British Government-sponsored power made them assert that they recognised no other boundary than that with the Oba of Benin.

This gave rise to real apprehension as to the motives of the Itsekiris and naturally generated bitterness between the Itsekiris and the Urhobos particularly the Okpe tribe whose tribal council maintained its most progressive and leadership position.

The two important events - the re-organisation with its aim of developing and utilising the chieftaincy institution, and the installation of the Olu of Itsekiri - had great spurring influence on the neighbouring Okpe tribe. The repugnance for any local foreign domination and the opportunity offered by British Government peaceful re-unity of the Okpe tribe contributed to the desire of the Okpes to revive their

17th century indigenous tribal government structure by reactivating the kingship. The initiative for this was taken not by the existing tribal leaders who were appointed chiefs in the tribal council by British Government Officers but by the Okpe Union with headquarters in Lagos.

THE OKPE UNION

Chapter One shows that many Okpe citizens leave their rural towns for Warri, Sapele, Benin, Lagos etc. principally for economic and educational reasons. These emigrants formed the Okpe Union which, as claimed by some of the Union members, was registered by the British Government. The Union membership includes Okpe tribesmen of all the four descent groups. From its foundation in 1930,²¹ the Union, wherever situated, aims at fostering goodwill, co-operation and friendly social relationships between members and Okpe tribesmen.²² It has always performed two main duties, namely, to receive and introduce new Okpe immigrants of all the descent units or towns in Okpe tribe into the social and economic complexities of the (urban) area and to maintain keen interest in the politics of the tribe at home. The information received about tribal politics is disseminated to its comparatively young and literate members.

The Union exercises considerable influence and shows great interest in current affairs. By 1940, after studying the trends of the political

21. Anirah, Chief J.A. 1967. The Life History of Esezi II, p.5.

22. The Okpe Union had 60 branches in 1945 and 64 in 1967 in Nigeria, Ghana, the Cameroons and in the United Kingdom.

and the constitutional development of Nigeria together with the circumstances surrounding the installation of the Olu of Itsekiri, the Okpe Union put pressure on the Okpe people and on the traditional tribal council²³ to consider filling the vacancy created by the tragic death of Esezi I. As shown later in this chapter, the Union was the most influential single organ in the tribe in securing the appointment and participation of the king in the government of the tribe by the British-sponsored councils and courts.

THE SUCCESSION OF ESEZI II

Snobbery played its own part in the revival of Okpe kingship. Because their neighbours, the Itsekiris, had installed their king, it was felt that for the Okpe tribe to be without a king was to be in an inferior position of political organisation.²⁴ Important though the revival of Itsekiri kingship was, it merely, however, hastened the efforts of the Okpe tribe in reviving their own kingship. For, it must be remembered that attempts had, indeed, been made by Idoromi and Onova to reintroduce the tribal political structure. In both cases success was temporary partly because they could not embrace all Okpe social and territorial units in which there were internal family feud and inter-ward hostilities, and partly because of the intervention in 1897 of the British Government. However, the latter produced

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23. This differed from the British-sponsored tribal Council or Court though the personnel of both was substantially the same.
24. Most parts of Okpe tribe and of the Itsekiri were placed under one District Officer in the Jekri-Sobo Division.

a political and judicial education under a peaceful atmosphere in which new indigenous efforts made to elect another king were widely supported. This persistent spirit for the revival of the kingship is itself a continuous approval for the legitimacy of the kingship in the tribal political system. Also, it suggests that an interregnum is an important integral part of both the theory of kingship and the political organisation of a people.²⁵

Effective agitation to have another king began in Okpe tribe in 1941 and five candidates²⁶ claimed the post in 1942. This showed that although Okpe tribe was united on the issue of appointing a king, there was no unanimity on the exact person to be appointed. Partly as a result of this and partly because the attempted revival of the kingship caused conflicts within Okpe tribe and strained its relations with neighbouring tribes, the immediate reaction of the British Government was one of refusal to recognise the title.

The re-organisation indicated that indigenous political institutions which had been neglected for years but which, inspite of this neglect, had not entirely ceased to function, showed that, with sympathetic handling and care, they could become quite efficient cogs in the machinery of the British government. But although the British government officials knew from the Intelligence Reports that an ideal tribal council was incomplete without chiefs and the king, they took

²⁵. On this point, see Hocart, A.M. 1936.
²⁵. Hocart, A.M. 1936. Kings and Councillors - An Essay in the Comparative Anatomy of Human Society. Paul Barbery, Cairo, p.134.

²⁶. These were Messrs. J.D. Mebitaghan, J.O. Ideh, J.O. Otomewo, T.A. Oghoghome and Oke.

refuge on the side of caution and apportioned administrative and executive roles to its sponsored non-titular tribal council. The British government officers felt that the system of succession to the throne was not clear mainly as a result of the interregnum. They were also probably disturbed by the fact that "The opening up of this Orodje question led to unpremeditated contest of those in Esezi quarter"²⁷ which the tribe chose in 1942 as the starting point for a rotatory kingship.²⁸

Henceforth, the British government political and administrative activities in Okpe tribe as well as most tribal indigenous activities in respect of its internal indigenous politics were focussed largely on the kingship.

The British government was prepared to consider representations from Okpe tribe provided they were unanimous in selecting one of the five claimants.²⁹ But, for a long time, the indigenous tribal and town councils variously favoured one or the other candidate.

Another feature of the revival of the kingship was the fact that the other five tribal components of the Western Urhobo Native Administration began to suspect that an Okpe king, if elected, would claim

27. Traditional History of the Orodje of Okpe Clan; dated at Orerokpe on 23/9/47.

28. It is difficult to obtain an accurate pattern or principles of succession to the throne because of the long interregnum and partly because informants are at present too politically-minded to give reliable information on this issue. More about the problems of succession in Chapter Eight.

29. Notes dated 23/11/44 by R.L. Bowen, Senior Resident, Warri. In file 1522 - Orodje of Okpe. Divisional Office, Ughelli.

permanent Presidency of the Western Urhobo Executive Council. Both of these factors formed an important basis for the British advice to Okpe people that its consent to the 'experiment' would be withdrawn if the appointment of the king was likely to result in a serious family or tribal dispute. The British government emphasised that it would not recognise any king unless he had been nominated by the appropriate family and accepted by the tribe. The fears of the other five tribes were largely allayed by the British government assurance that an Okpe king would in no way be the senior chief over all the tribes in the Western Urhobo Native Administration area; also that the Presidency of the Council would be rotatory among the six tribes.

By August, 1944, the British government threatened that succession to the throne would have to be abandoned because, for more than two and a half years, neither the tribe nor the Esezi quarter reached any conclusion and also because of the discord that the question had provoked in the tribe.

The most important area of conflict was the rejection of candidates alleged to be matrilaterally related to Esezi I. These allegations were denied. Under these conflict conditions within the tribe as well as within the whole area of the Western Urhobo Native Administration, the British government proposed that no official recognition would be given to any Okpe king even if the tribe subsequently agreed upon any person.³⁰

30. Letter No.18964 of 20/7/44 from Acting Secretary, Western Provinces to Chief Secretary to the Government, Lagos. Also, letter No.18964/69 of 10/8/44 from Acting Secretary, H.F. Marshall, Western Provinces to the President and Members of the Udogun Executive Council, Orerokpe.

But the question of tribal disagreement was rejected by the Okpe Union Secretariat because it felt that the presence of several contestants was in line with a democratic approach to succession to the throne. Three contestants later withdrew.³¹ Messrs. Mebitaghan and Otemewo were, therefore, left to compete for the throne, more or less, through canvassing and lobbying. Eventually, Mr. J.D. Mebitaghan was popularly chosen by Esezi descendants who were concentrated in the four main towns of Ughoto, Gbokodo, Mereje and Jeddo in Okpe. The Okpe Union thereafter stated that

"Mr. John Deveno Mebitan has been unanimously elected and after the regular appointment he was sent to reside in Iselu a sacred and secluded village where every newly elected Orodje has to remain for a short period before the ceremony of installation."³²

The British government was ambivalent about the installation. But, in this uncertain atmosphere, the Okpe tribe installed the new king³³ on January 1, 1945 in the manner described in Chapter Two but without an absolute unanimity of the whole tribe.³⁴

31. These were Messrs. Oghoghome, Ideh and Oke.

32. Ref. OU/7/Vol.II of 2/12/44 from Okpe Union Secretariat to the Hon. the Chief Commissioner, Western Provinces, Ibadan.

33. Esezi II was installed by Chief Eyeregba of Orhue quarter.

34. Petitions against the installation were received from several persons and towns, e.g. from Chief Oke in a letter of 3/3/45 to H.E. Sir A.F. Richards, Governor and Commander-in-Chief of the Colony and Protectorate of Nigeria, Lagos; and from Oviri town on behalf of Mr. Otomewo in a letter of 15/2/45 to the Chief Commissioner, Western Provinces, Ibadan. These letters are contained in File No.1522. Orodje of Okpe Chieftaincy title. X Divisional Office, Ughelli.

THE BRITISH GOVERNMENT AND OKPE TRIBE UNDER ESEZI II

The succession of Esezi II received country-wide publicity in 1944 and in 1945 by both Okpe individuals and Unions as well as by non-Okpes. But the Okpe Union was accused of sponsoring an Okpe emigrant and one of its members, Mr. J.D. Mebitaghan, for the throne. This accusation was borne out after over ten years by Okpe Union's former Secretary, Barrister (now Chief) J.E. Odiete, who stated that

"I was the organizing Secretary of that body of Okpe patriots known as the Okpe Union and whom I had the honour to lead in the struggle for upwards of 8 years for your Highness appointment and recognition as the Orodje of Okpe."³⁵

The Southern Nigeria Defender, published in Warri, advised the Union to reconcile contestants by refunding agreed expenses to Mebitaghan's opponents. The newspaper stated that the fact of a payment to be made to the king and the fact of an appointment of a clerk and a messenger to serve him until the British government shared in his upkeep, showed that the king was more or less for the Union which formed only a small minority of the total population of Okpe tribe. In this respect the paper doubted if the king could still be regarded as one approved by the government for the whole tribe.³⁶

35. Communication Ref. JEO/C55/57 of 15/11/55 by Chief J.E. Odiete to His Highness, Esezi II, Orodje of Okpe, with copies to the Resident, Warri, and the Senior District Officer, Ughelli as well as to Okpe Unions in Nigeria and Ghana. File 1522 - Orodje of Okpe. Divisional Office, Ughelli.
36. See Southern Nigeria Defender (published in Warri) for December 29, 30 and 31, 1944; of January 3, 6, 23 and 31, 1945; and of April 16, 1945. Also see the Daily Service of January 3 and 16, 1945.

An important aspect of the status of Ezezi II was that although the tribe appointed him as their king and traditional ruler, he was but an Orodje in name only. For, unlike the 17th century situation, he now needed a foreign Government approval and recognition of his position. But he could not immediately obtain this from the District Officer. The king could, therefore, not perform any roles under the British regime because he was accorded no recognition. This situation was obviously unsatisfactory for, not only was the traditional sovereignty of a tribally recognised king brought practically into an open question but also the king, though performing submerged traditional role as the tribal head, was overtly and comparatively inferior to those of his tribesmen in the British government reconstituted tribal council.

The Okpe Union which was most anxious to clear this anomaly, sent several protests to the British government³⁷ arguing that its support for the successful candidate was based not only on his descent from Ezezi I and on his education but also on his experience in public affairs and his association with Okpe tribal matters. The Union, therefore, led the struggle for the government recognition of the king.

This meant that for the king to retain this support, he had to develop both personal and institutional attitudes to satisfy the expectations of the younger members of his tribe - the Okpe Union members - as well as conform to whatever traditions survived through the elders and

37. I.e. to His Honour, the Chief Commissioner, Western Provinces, through the Resident, Warri Province.

the age grade organisation.

The District Officer whose concern with his chiefs was mainly in terms of their services in the efficient administration of the tribes, cared less about the position of the king because other Okpes who were appointed from all over the tribe as members of the British-sponsored tribal council were apparently considered powerful enough to hold the tribe together and progressively under the British government.

It should be remembered that when Esezi II was installed, the members of the tribal council were not chiefs and could not, technically and traditionally, be ideal members of a tribal council. Although they were by tradition subject to the king in spite of the pre-succession dissensions and factions, these non-titled British-sponsored tribal councillors were, in all respects under the British Government, more powerful. The king was not made the President over his people in the British-sponsored court or council. He remained, paradoxically, a subject to his own subjects. On the other hand, after overcoming their initial refusal to support the revival of the kingship by which they would be overshadowed in traditional politics, fourteen out of the sixteen councillors demanded the recognition of the king by the British government.³⁸

The British Administrative Officers did not discontinue the ritual and ceremonial functions of the king who had all that was traditionally

38. The two members who did not accord Mebitaghan any recognition were Mr. Oke who was himself a candidate for the throne and Mr. Ojegba whose brother was a defeated candidate.

necessary to confer chieftaincy titles.³⁹ The king's lack of status in the British government made him and his supporters intensify their traditional roles so long as they carefully avoided conflicts with British administrative rules. This was a means of making the revival of the kingship functionally worthwhile.

But the pressure for government recognition continued because it was only by such a recognition that the king could stand on an equal basis with other tribal heads in the province. As the symbol for all-Okpe highest political institution, the king successfully rallied the tribe together as one in-group impressing on the British government that:

"Your petitioners realising that the Orodje sought for shall be their own ruler specially will view the continued refusal of Government recognition of the installed Orodje as a naked example of oppression and or repression of their just and humane native custom and tradition by the British Government in Nigeria. Your petitioners dare say this because the Odogun Council was a machinery created in the Okpe Clan since the interregnum and if Native Administration should mean anything to the Okpe Clan a reversion to the traditional rule ought to proceed without hindrance. We are duty bound to seek recognition for Mebitan as Ezezi II."⁴⁰

39. It is not known how many of these chiefs were installed in 1945 by the new king. An account of Okpe chiefs, as at 1966, is given in Chapter Six.

40. File 1522. Vol.I. Orodje of Okpe Chieftaincy Title. Divisional Office, Ughelli. See letter of 23/9/46 from Odogun Clan Council, Orerokpe, to the Senior Resident, Warri, through the District Officer and through the Urhobo Progress Union, Warri. The letter was written by Chiefs Ayomano, Ominu, Akpoto, Avbioroko, Amajaine, Akpome, Eyeregba, Obakpolo, Okoyaya, Ogholo, Egboro, Uweno and Okodudu.

There was therefore some evidence that although the tribal councillors were placed in a position of foreign-sponsored power over their king these same councillors anxiously sought to take their status under the king. They recognised and respected his traditional position and prestige in a revived traditional government. The traditional political system was, therefore, still regarded inevitable for the continued existence of the tribe as one unit. It was also found to be the necessary means of presenting Okpe united front through one man.

The Okpe Union and the educated youths tactfully and successfully organised public opinion in Okpe and won over most of Mebitaghan's opponents. This success encouraged further attempts aimed at British government recognition of the king at a stage of political development when the various tribes were encouraged to unite and revive their traditional political institutions under the reorganisation programme and under the Native Authority Ordinances. However, the British government was, for a long time, anomalous in its attitude towards Okpe kingship. This anomaly arises from the fact that although the British government prepared the grounds for the revival of the tribal traditional political structure, it did not accord the king any recognition in that same structure which was being used as a mechanism for ruling the tribe.

The political readings made into the non-recognition of the king particularly vis-a-vis the king of Itsekiri, was one important reason for the involvement of the Urhobo Progress Union. Through its

President, Chief Mukoro Mowoe of Evwreni tribe and Member for Warri in the Western House of Assembly, the Urhobo Progress Union put up fresh arguments in Warri and in Ibadan between November, 1946 and March, 1947, for British government reconsideration of its unpopular decision on Okpe king. Thus, again what was supposed to be Okpe tribal internal politics developed beyond the tribe through the Urhobo Progress Union. This Union rallied the Urhobo tribes together as an in-group within which Okpe tribe itself acted as one unit, a unit which was led not only by the sixteen representatives of the four descent groups in the British-sponsored tribal council⁴¹ but also by representatives of the main towns in the tribe.

The Nigerian Press - principally the Southern Nigeria Defender and the Daily Service - refomented public opinion on the political situation in Okpe tribe. Simultaneously, Okpe Unions in Nigeria and in the Gold Coast (now Ghana)⁴² sent several telegrams to confirm Okpe tribal unanimity over the appointment of Esezi II and to ask for British government recognition.

41. The sixteen councillors were from:

- | | | | |
|---------------|---|------------|---|
| Orhue Quarter | - | 2 Chiefs | - Eyeregba and Ogholo |
| Orhoro | " | - 5 Chiefs | - i.e. Ayomano (President), Akpoto, Avbioroko, Amajaine and Jemigheye |
| Evbreke | " | - 6 Chiefs | - i.e. Omare (Vice President), Akpome, Oritseje, Okoyaya, Obakpolo and Eweno. |
| Esezi | " | - 3 Chiefs | - i.e. Oke, Ojegba and Egboro. |

42. These included Okpe Unions in Jos, Zaria, Sokoto, Yola, Port Harcourt, Enugu, Abeokuta, Lagos (Nigeria) and Teffia, Takoradi, Tarkwa (Ghana).

The pressure arising from these sources appear to be the main means by which the Chief Commissioner, Western Provinces, and the Resident of Warri Province were convinced that there was a firm desire on the part of the Okpes to revive their kingship. The Okpes were, therefore, told that they were at liberty to put their wishes through the proper channels.⁴³ The Western Urhobo Executive Council of the six Urhobo tribes with only advisory powers responded by affirming that the incumbent was properly selected and that Okpe kingship has its legitimacy in the tribal history. The king thus received more support from both within and outside Okpe tribe for the demand for British government recognition.

Although the Western Urhobo Executive Council recommended the king for recognition as Okpe tribal head, it was, however, anxious to avoid disturbing the personal and the tribal order involved in the office distribution in the Council. Thus Chief Ayomano who had been the spokesman of all Okpe tribe and President of the British tribal council as well as the President of the Western Urhobo Executive Council since October, 1946, was allowed to continue in office till the expiration of his tenure.⁴⁴ He also presided over the Western

43. See Communication WP.216/152 of 22/8/47 from the Resident, Warri Province to the District Officer, Jekri-Sobo Division, Warri. File 1522, Vol.I: The Orodje of Okpe. Divisional Office, Ughelli.
44. The relationship between the Orodje and Chief Ayomano was good to the extent that he remained in Chief Ayomano's compound in Orerokpe for about four years prior to British government 'recognition' of his position in 1948.

Urhobo Appeal Court whenever it came to the turn of Okpe tribe to produce the President. For the meantime, therefore, the king was to queue behind his own subjects in terms of status recognition by the British government.

In 1948, the Okpe people themselves took further initiative to rectify their king's status relations with his subjects by advising the President of the British-sponsored Okpe tribal council, Chief Ayomano, to vacate his place for the king. Chief Ayomano, though highly placed under the British government, readily accepted the traditional political superiority of the king. In a subsequent letter to the Senior District Officer in 1949, he declared that:

"On the entire wish of the Okpe people craving 'my hands off' the Presidentship of the Okpe Clan so as to have no degradation on the title, Orodje, I, of my accord with due respect to popular public opinion resigned the Presidentship of the Okpe Clan voluntarily for the new Orodje elect and I consequently became the Vice President."⁴⁵

This began the end of the anomaly by which the British government tribal council and court accorded an inappropriate position to the king. This reaction of the tribe apparently showed that they placed more premium in their traditional as opposed to the British governmental system.

45. Communication of 29/7/49 from Chief Ayomano to the Senior District Officer, Ughelli. See File W.U.201: Western Provinces - Chiefs Conference, Matters Concerning. Western Urhobo District Council Office, Orerokpe.

In response to the above Okpe indigenous reaction and to repeated requests and petitions from Okpe people, their British-sponsored Council and from Okpe Unions abroad, the British government declared in June, 1948, that the Okpe tribe was free to regard and treat their king as their tribal leader but that no act on behalf of the British government was necessary or desirable. The British government also stated that nothing would be said or done which might be interpreted as promising the king its support if he ceased to retain the confidence of his people. At any time and only if he was elected or re-elected by the Okpe people, the king became a member of the Western Urhobo Council and his name was, on that account alone, added to the re-checked and revised list of members of the Okpe Native Court.⁴⁶ This British attitude put traditional loyalty to test in respect of the king whose controlled executive and judicial status was clarified in the Resident's statement that

"So far as I am concerned, therefore, his (i.e. the king's) position is precisely the same as that of the Presidents of the other five clan councils and the other members of the Native Authority Council."⁴⁷

This statement re-emphasised British government's earlier ruling that no tribal head within the area would be made inferior in status to the king of Okpe. Also, as far as the British government was concerned,

46. It was the practice in the Jekri-Sobo Division to revise the list of Court members annually.

47. Wilkes, R.W. (Resident, Warri) - letters WP.216/196 of 22/6/48 to Assistant District Officer, Western Urhobo Division, Warri: and WP.216/208 of 24/8/50 to Chief G.B. Ometan (of Okpe tribe) - both letters in file 1522 - Orodje of Okpe. Divisional Office, Ughelli.

the title of Orodje conveyed no special status. The king was, therefore, 'recognised' and referred to by the British government not as Esezi II, the king of Okpe tribe but merely as Mr. J.D. Mebitaghan, one of the ordinary members of the Western Urhobo Council helping the British government in its Indirect Rule.

The king, like his chiefs, had no political status in the British government. But he conferred the chieftaincy titles as his traditional political preserve. The new chiefs formed the nucleus of an ideal traditional tribal council. They were not, however, all members of the British-sponsored Okpe tribal council and court. Although members of the British-sponsored tribal council and court were the only tribal representatives sponsored by the British government and, although, in this respect, they appeared to be powerful in the tribe, this fact had little effect on the traditional tribal political relations. For, these chiefs, powerful as they were made to be, could have no traditional political or judicial status in the tribe except if they received the chieftaincy title from the king whose status was undifferentiated by the British government. The 'British-made chiefs' were anxious to become traditional chiefs particularly as they were aware that their council and court membership depended on their vigour, age and ability to satisfy the British government executive needs. Also, because they realised that any time they left the British government service they could revert fully to their continuous traditional government of the towns and tribe until death.

The British government continued their policy of non-interference in traditional political activities so long as these did not run counter to the British politics and administration in the Western Urhobo Council area. Also the Native Authority of the Western Urhobo Council area and the Subordinate Native Authority Councils such as the Okpe tribal council were not to be hindered if they desired to recognise the traditionally higher status of their tribal heads by paying higher salaries to them, provided the total sum payable in salaries and allowances to councillors did not exceed 20% of the total tax which the chiefs helped to collect. Also in the case of Okpe tribe, the government did not interfere with the division of the £100 rent⁴⁸ paid by government for the Crown Land in Sapele. In other words, the Okpe tribe was allowed the freedom to enhance the position of their king through higher monetary reward⁴⁹ though merely as one of British-sponsored councillors.

OKPE 'CLAN' COUNCIL AS A MEANS OF BRITISH GOVERNMENT

The Okpe tribal council maintained its reputation for being the most progressive and best administered tribe in Warri Province.⁵⁰ The tribal council and court also retained their identity as Okpe tribal Native Authority⁵¹ while sharing the same judiciary and administration

48. The rents paid to Western Urhobo Treasury in 1949-50 amounted to £556.12.11.
49. In 1951, £100 was approved in the Estimates for the Orodje of Okpe although the Okpe Clan Council demanded that £300 be paid. Other tribes in the Council area ensured that the Okpe king was not paid from their combined revenue in the Treasury.
50. In 1943, Agbo tribal council with the largest percentage of young men was the most progressive and temporarily took the lead from Okpe tribe which was distracted by the Sapele Land Dispute and by the appointment of the king. See C.S.O. 26/2 file 11857. Vol.XVII. Warri Province Annual Reports, 1941.
51. Virtually, the same people were the members of the court and council.

with the remaining five tribal groups within the Western Urhobo Native Authority.

No officially recognised Central Executive Council existed for the Authority until August 1947. From this time onwards the hitherto independent Native Authorities of Okpe, Agbo, Uvwie, Idjerhe, Oghara and Udu tribes became subordinate to the Western Urhobo Council.⁵² The taxable population of this federation grew to about 93,000 in an area of about 1,000 square miles with the transfer of Abraka tribe from Aboh Division in 1950. In each Council of the seven subordinate Native Authorities, there was one elected representative for every 100 tax-payers. The tribal head (as President) and the tribal spokesman were made permanent members.⁵³ All the twenty-six representatives elected by the tribal councils from amongst their own members met on a proportional basis⁵⁴ to participate in a government and its committee activities beyond the tribe.⁵⁵ The Presidency of the Court and Council rotated amongst the tribal heads. With the exception of land cases that were taken to the magistrate, all appeals lay to the District

52. There were six Superior Native Authorities with a total of twenty Subordinate Native Authorities under the jurisdiction of the Western Urhobo Native Authority before the federation in 1948.

53. Except in the case of Abraka tribe which elected its own President and Vice President. The transfer of this tribe to this council area was effective on 1/10/50. Orogun tribe was on the same date transferred from Aboh Division to the Urhobo section of the Urhobo-Isoko Federal Native Authority area - See Vosper, R.A. Report on Warri Province 1950, p.14. National Archives, Ibadan.

54. I.e. Okpe = 7; Agbo = 5; Udu = 4; Idjerhe = 3; Oghara = 3; Abraka = 3; Uvwie = 1.

55. For details, see Local Government in the Western Provinces of Nigeria. Govt. Printer, Ibadan, 1951.

Officer for review as a normal means of redress.⁵⁶

Town and tribal court trials with their system of punishment continued under the British rule to be personalised and it was often easy to attach one's failure in a trial to the activities of one or more known judges. Also, the same judges often tried an offence on appeal from the town to the tribal court or from the traditional tribal court to the British-sponsored tribal appeal court. Appeals in this latter category occurred where guilty persons were dissatisfied with traditional court decisions. The new Western Urhobo Appeal Court was itself larger than the British-sponsored tribal courts and was more impersonal. Also, it accepted the odium of enforcing unpopular measures or of passing delicate trial judgements and distributing the responsibility over the entire Division instead of fixing it on particular tribal councils or courts or on individuals.

In the 1940s the separation of the judicial from the legislative, executive and administrative functions which was initiated in 1900, was very pronounced. The same participating Okpes, like other tribal chiefs, who functioned alternatively and rotationally in the court and council learnt more of the democratic processes involved in the British government. Traditional government became more influenced by British government processes. These processes were those of the British-sponsored tribal courts and councils, the Western Urhobo Executive Council and Appeal Court, and the District or Administrative

56. A review of a court case by the Administrative Officer was not automatic. Section 28 of the Native Courts Ordinance of 1933 allowed him to decide whether or not to review an appeal case.

Officer.

The Central Divisional Court for the Western Urhobo Council area had original jurisdiction in disputes between different tribes or when a case was beyond the powers of the lower courts. Paragraph 10 of the operating Native Courts Ordinance, 1933, empowered these courts to administer the native law and custom prevailing in the area of the jurisdiction of the courts provided these were not repugnant to natural justice or morality e.g. mutilation and torture. This was a key permit for any discretionary judicial action that could lead to changes in the tribal judicial process.

It has been stated that membership of the tribal councils within the 1947/48 new Native Authority Federation which ~~were~~ previously confined to the elders age grade was thrown open to every adult male and became elective; seats were allocated in accordance with tax paying population. The Native Authority Council, effective as from 1948, itself consisted of representatives elected by the subordinate councils. Both the Western Urhobo Native Authority and the Subordinate Native Authority Councils had additional "sons of the soil" nominated by themselves from the educated section of the community. Most of them were emigrants to Warri and Sapele urban areas. Through this medium, the rulers and commoners of several tribes operated the British-sponsored councils and courts together. Thus the needs of the literate and more progressive members of the community as well as the necessity for safeguarding the democratic nature of the Urhobos were, again, not over-looked.

This was a considerable advance made in political development towards an elected and a fully representative local government. This progress could hardly have been achieved without the hard and constructive work done by the Urhobo Progress Union whose membership included enlightened and literate Urhobos of various tribes.⁵⁷ The capacity of the educated elements to face realities and to devise compromises between the innate conservatism of the traditional tribal aged rulers and the necessity for an efficient multi-tribal administrative machinery was perhaps the most helpful and encouraging factor to the British Government Administrator.

These beginnings of the practice of the elective principle among the Urhobos made impacts on the traditions of tribal government. With open membership and with more opportunities for actual participation by the younger and educated elements, the tribe became more factionalised in terms of the struggle for power under the British rule through British-sponsored institutions - the councils and the courts. The elders who had neither the youthful vigour nor the education⁵⁸ appeared to be the losers in this new scheme. And, as they could not stand

57. Very similar development was recorded in the Urhobo Native Administration over a total of twenty-two (including the Isoko) tribes with headquarters in Ughelli. But in 1948, the Isokos started a secessionist movement mainly because they felt they were not getting their fair share of development projects in the Urhobo Division.

58. By 1946, only Chief A.E. Omarin was an educated member of the British-sponsored tribal council and court. He was one of the fourteen boys who attended the Intermediate School opened by the British Government in Sapele (i.e. on the Sapele-Benin Road) on 26/2/1904.

competition with their younger generation, they revitalised the traditional town and tribal government where the new qualifications for British-sponsored councils and court membership were unnecessary and where they could give meaning to their status as elders whose traditional role is to govern. This separation of the elders from the new British-sponsored younger councillors also marked the beginning of a wider gap between the traditional and the British governments and, subsequently, between the traditional government and the Parliamentary Government of an independent Nigeria.⁵⁹

Elections to the councils were often disputed on grounds of intrigue, bribery and dishonesty, although at the end of all investigations into complaints, a fair number of educated men were always elected.⁶⁰ One surprise of the introduction of council and court membership qualification by election was the absence of protests against the loss of power and rights from the tribal elders some of whom were still councillors and judges in British-sponsored institutions. They failed to stir up any semblance of popular support because those who would, in fact, be their supporters were the younger generation who were the people to gain more from the new opportunities for power under the British government. This present reform was not merely to benefit the educated people alone. The British government officers

59. The likelihood was that if the elders had been left to perform the roles of government under the British and in the tribe and town, the gap between the two governmental functions would have been narrower. But, of course, this could hardly be possible because the trends of political development in the country as a whole placed more political opportunities in the hands of the younger educated elements and nationalists.

60. C.S.O. 26/2 file 11857. Vol.XVII. Report on the Warri Province, 1948.

made the councils work in such a way that both councillors and non-councillors were taught mutual expectations regarding the needs and the development of the tribe and the council. This stage of political development marked the beginning of a political transition from a largely personal to an institutional British administration by which tribal rulers were sometimes required to perform duties which conflicted with and suppressed traditional government functions.

One major feature of this British institutional government was that in practice, it existed only for two days in each month.⁶¹ During the remaining twenty-eight or twenty-nine days, there was neither machinery whereby any executive decision could be taken nor any official of sufficient standing, experience or ability in the localities to resolve the daily problems of the British government. While the council or court houses stood as the symbols of the presence of British government, the few chiefs and councillors went about their business in the normal way during the long gap between meetings. In this way and like the 1900 Native Courts, the new Native Administration courts and councils failed to have real grip on the people. Again, the elders and their town council and courts together with the new titular tribal government acted as steadying and centralising factors in the social organisation of Okpe tribe.⁶²

The new Native Administration councils and courts differed from

61. This was because meetings were held monthly during which the subordinate tribal councils went to Orerokpe for two days.

62. This situation was, in general, applicable to all Urhobo tribes.

the traditional ones in so far as the former were very business-like in their approach. Most participants were part-time workers from Warri and Sapele who were eager to return to the urban areas for their economic duties. In contrast, the gerontocratic government of the town and, to a lesser extent, the titular tribal government worked full time both as institutions and as individuals and had little or no regard for the length of time spent on day-to-day government. However, the British-sponsored council meetings were not of the type where an elder alternatively slept or nodded his head in assent or dissent. Rather the nominated and elected educated youthful members were the more receptive to the British governmental changes and were, therefore, also the ones on whom reliance was placed. But, the tribe was, for most of the time, effectively governed through the traditional system although the real power and authority supported by the British government were in the hands of the nominated or educated members.

These nominated or educated members were not in full contact with the subordinate councils whose members neither represented the people's views nor kept them aware of what was going on. This was partly because they themselves did not know and understand and partly because, at that time, the subordinate councillors were elected for life and consequently had no incentive to retain contact with the people. Nevertheless, the overall effect of this broadened participation in the British government of the tribes was the change from the complete indifference and the sullen passive resistance of the communities to

an attitude of interest in learning to administer the town and the tribe, collect taxes promptly and to dispense justice in the courts along British government regulated lines and in a manner that commanded a higher degree of approval than hitherto. The younger middle-aged councillors advised and prompted the elders from their sloth of rural town or village life and from the indolence to which they were perforce accustomed under the old Native Court system. All the councillors developed greater keenness in the financial aspect of Native Administration and began to appreciate the problem of relating revenue to expenditure.

Another and probably more serious aspect of the membership of the Western Urhobo Native Administration was in connection with the king whose installation by the Okpe tribe was officially noted rather than recognised in 1948. That year was one of great disunity and jealousy among the tribes of the Western Urhobo Native Administration area.

"The main reason for this disunity was an attempt by the Okpes to turn their newly appointed priest-ruler, the Orodje, into something like a Yoruba Oba and make him de facto head of the administration, despite very clear statements by myself and the District Officer that so far as we are concerned he (i.e. the Orodje) is no more than an ordinary member of Council."⁶³

63. Wilkes, R.L.V. (Resident, Warri Province): Annual Report on Warri Province, 1949, p.13 C.S.O. 26/2. File 11857, Vol.XVIII. National Archives, Ibadan.

Reactions to the revival of Okpe kingship did not end in mere agitations or jealousy in the Western Urhobo Council area. Just as the Okpe tribe was partly stimulated to revive its kingship by the installation of the Olu of Itsekiri so did the installation of the Okpe tribal king largely provoke the revival of the Oghara tribal kingship and the inauguration of Agbo tribal kingship in the 1950s. The installation in 1945 of the king of Okpe should, therefore, be seen not in isolation but as part of a kingship demand wave in Warri (now Delta) Province during the British government.

The British government was sceptical about any form of actual recognition for the new king in accordance with The Appointment and Deposition of Chiefs Ordinance No.14 of 1930 as modified by Ordinance No.20 of 1945.⁶⁴ Under this law, the British government through the Provincial Adviser could approve as successor any person legally and traditionally appointed or could, if no appointment was made under native laws and customs, appoint a successor as he himself deemed fit and proper, to carry out such duties incidental to the chieftaincy. The king of Okpe was not placed in any of the five grades of chiefs - first, second, third, fourth or fifth class - reflecting the importance of Chiefs in the Colony and Protectorate of Nigeria.⁶⁵

64. See Laws of Nigeria, 1948, Vol. I. Cap.12 - Appointment and Deposition of Chiefs (Colony & Protectorate) commenced on 3/7/30.

65. I.e. according to Ordinance No.14 of 1930 as modified by Ordinance No.20 of 1945. Under these Ordinances, a Chief or a head Chief is defined as anyone who has been appointed to the office of Native Authority under the provisions of the Native Authority Ordinance; or one whose office is deemed to be constituted thereunder; or who is a member of a Native Authority constituted or deemed to be constituted under the provisions of that Ordinance; or, where the office of Native Authority so appointed or deemed to be constituted, is a

The British Government Officers erroneously concluded that throughout Warri Province, there was practically no vestige of indigenous state organisation and that the various tribal social structures similar to those of the Ibo and the Ibibio tribes, rested on the family group or the village community.⁶⁶ Therefore, with the exception of the Obi of Aboh who was regarded a chief and a sole Native Authority in the same sense as the Emirs and Obas of the Northern and Western Provinces respectively, the other Native Authorities in Warri Province were virtually composed of tribal or town councils of conspicuously large personnel for their respective areas.⁶⁷

Section 10 of the Native Authority Ordinance, 1943, enabled any person to be removed from the office or membership of a Native Authority

Chief associated with a Council, any Chief or head chief who is a member of that council, and any chief or head chief who is a member of an advisory council.

Only chiefs with no allegiance to any other chief were recognised as 1st or 2nd class chiefs. A 1st class chief was formally recognised and given a letter of appointment on a parchment scroll plus a staff of office surmounted by silver head; a 2nd class chief was given only a staff of office surmounted by a brass head; a 3rd class chief carried a short baton. Both 4th and 5th class chiefs were not given any symbol of office. In all the cases, no formal oath was required - See Lugard, F.D. 1919 - Revision of Instruments to Political Officers on Subjects Chiefly Political and Administrative. pp. 307-308.

66. Lord Hailey. Report on Nigeria - forwarded by letter C.192/61 of 6/2/43 to the District Officer, Jekri-Sobo Division, Warri.
67. Shelton, L.H. Warri Province Report, p.65, in Annual Report on the Southern Provinces of Nigeria for the year 1933. Govt. Printer, Laags, 1934.

There was, in practice, little or no difference between an Obi or Oba and a tribal council for, as a Native Authority, the former was also hedged round by his councillors i.e. he was also an Obi- or Oba-in-council - See Lloyd, P.C. 1958. Local Government in Yoruba towns. An Analysis of the roles of the Obas, Chiefs and the Elected Councillors. D.Phil. thesis, Oxford, p.35.

and

"whether or not any such person is a Chief is merely incidental to the fact that he is a Native Authority or a member of a Native Authority."⁶⁸

On the other hand, Section 4 of the Appointment and Deposition of Chiefs Ordinance, 1930, which itself applied only to those chiefs who were Native Authorities or members of a Native Authority enabled the British government to depose a chief and strip him of both his status in that Native Authority and his traditional authority and rights all of which were taken up by his successor in title.⁶⁹ No clash existed between the two Ordinances but they reduced the position of a king in Western Nigeria to that of a near-hopeless incumbent constrained by his councillors and tribal political system and at the same time overshadowed at the top by British officers and ordinances in a legal atmosphere of co-operation or deposition.

THE CONSOLIDATION OF URHOBO TRIBES

One consequence of the British government activities among the Urhobos was an assertion by each tribe of its identity under a peaceful atmosphere in which the exercise of military and political power by one tribe over another was prohibited. The prevailing peace together with the practical use made of the pre-reorganisation ~~social~~ social research data led to a rediscovery of tribal distinctness as well as of the historical relationships between the tribal units. The

68. Wetherell, H.P. (Acting Chief Secretary to the Governor). Communication to the Secretary, Western Provinces. Ref.MP.17005/397 of 6/1/49. C.S.O. 26/2, 17005, Vol.III. National Archives, Ibadan.

69. Ibid.

separation of Okpe tribe from Itsekiri courts and from the Jekri-Sobo Administrative Division, the regrouping of Abraka and Orogun tribes with other Urhobos, the merging of Oghara and Idjerhe tribes⁷⁰ formerly under the Benin Native Administration and the regrouping of Uwherun and Evwreni tribes with the other Urhobo tribes governed locally from Ughelli, were all aspects of this 'rediscovery' of cultural and historical relationships. Within the Urhobo area itself, twenty tribes were, as stated earlier in this thesis, eventually recognised after their self-determination and after breaking away from their neighbours.⁷¹ In Warri Province and among the Urhobos particularly, the year, 1934, was a period of tribal consciousness during which the Native Authorities consolidated their positions and learnt their duties

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70. Idjerhe tribe expressed their desire to sever their connection with the Benin Native Administration and to come under the Warri Province as early as 1924; this was granted with effect from 15/1/37 - See Biddulph, R.G. 1937. Intelligence Report on the Jesse Subclan of the Sobo tribe. Also see Warri Province Annual Report, 1924. C.S.O. 26/2, file 11857 Vol. II. National Archives, Ibadan.
71. E.g. In 1934, it was approved for Effurunto - a one-town tribe but from which emigrants founded Uvwie tribe - to break away from Ughelli tribe. But the strong demand for the breaking up of Ogelle Local Council into Ogo, Ughelli and Agbarha Local Councils for the three separate tribes, did not start until the 1950s. In the 1930s, the Okparabe and Arhavwarien tribes demanded the recognition of their separateness from Ewu tribe. Similar demand by Agbarha Community - not Agbarha tribe - in Warri Division from the Itsekiri Native Administration to that of the Urhobo Native Administration, though supported by the Agbarha Improvement Union, Warri, was unsuccessful.

and their limitations.

This general tribal cohesiveness was both the cause and the consequence of the many Okpe tribal 'Constitutions' and 'Agreements' made between 1942 and 1957,⁷² to restore the kingship-in-council and to allow the Ezezi descendants to produce a king as the starting point for a rotatory kingship. The Agreements ensure that any king of Okpe has to rule the tribe in Council of the tribal chiefs according to the tribal law and custom. This marked the social and territorial extent to which any power or influence possessed by the king and Okpe chiefs is exercisable. Every Okpe person looks to the king-in-Council as the highest administrative arm of government in the tribe. The tribal council itself shares the same interests as other Urhobo tribes for an Urhobo Union.

The apparently bright chance open to the British government of uniting all the Urhobo tribes under one leader as Native Authority⁷³ and in one entity vis-a-vis the Itsekiris or the Binis was rendered difficult by the consolidating and the centripetal social forces of

72. I.e. 'Constitutions' or 'Agreements' and Statements on the Kingship of 5/10/42; 1/1/45; 30/3/45; 23/9/47; 21/10/56 & 16/3/57. These Agreements were signed by the representatives of the four descent groups as well as, in most cases, those of the main towns in Okpe tribe. The Agreement of 5/10/42 states that it was sanctioned by the Governor of Nigeria through the Chief Commissioner, Western Provinces and the Resident, Warri Province.

73. In 1934, "The Resident considers that the chance of a united Sobo Native Administration is by no means beyond the realm of possibility" - See Correspondence SP.10535/14 of 23/10/34 from the Acting Secretary, Southern Provinces, R.O. Ramage, to the Hon. Chief Secretary to the Government, Lagos.
One loophole as far as a total unity of the Urhobos was concerned, was the fact that neither the Council at Orerokpe nor that at Ughelli, was expected to deal with purely local matters of the tribes.

the Urhobo tribes. These forces were strengthened by the assertion of political separateness inherent in their tribal political systems. This tendency towards tribal separateness could not be upset by either the 1927 anti-taxation movement or the change in 1952 of the name of Olu of Itsekiri to Olu of Warri⁷⁴ with the consequent in-group/out-group relationships between the Urhobos and the Itsekiris.

CONSTITUTIONAL DEVELOPMENT OF NIGERIA, 1950-1960

During this period, extremely rapid and important statutory changes were made in the political status not only of Western Nigeria or of Nigeria as a whole but also of the tribal chiefs throughout the country. This chapter has shown that through the elective principle young and educated men became councillors in Orerokpe and consequently reduced the number of elderly members.

A major step in the political growth of Nigeria was accomplished by the Richards⁷⁵ Constitution which was passed into law in London on August 2, 1946, and became effective in Nigeria as from January 1, 1947. Its main objective was to promote Nigerian unity, satisfy the aspiration of diverse elements and provide opportunities for Nigerians to discuss their own affairs. Also, the concept of Regionalism was introduced for the first time in West Africa. A House of Assembly was provided in each of the Northern, Western and Eastern Regions with the primary

74. See Public Notice No.64 in Nigeria Gazette No.52 of 2/10/52. Also see Delta Province Annual Report, 1952 - C.S.O. 26/2 file 11857/S.1. The change of name did not involve any extension of the Olu's traditional authority over the Urhobo and other tribes in the Province.

75. Sir Arthur Richards, i.e. Lord Milverton, was Governor of Nigeria from 1943 to 1947.

intention of linking the Native Authorities with the Legislative Council in Lagos.⁷⁶ This constitution incorporated the Indirect Rule system through its unofficial members in the House of Assembly who were selected by and from the Native Authorities of the Region.⁷⁷

The Richards Constitution was criticised for being autocratic in origin and also for its false impression of an unofficial majority when these were either chiefs appointed by the Government or their nominees. In June, 1947, seven N.C.N.C. (National Council of Nigeria and the Cameroons) political party delegates left Nigeria to protest against this Constitution in London. Although this delegation was unsuccessful, the Richards Constitution which was meant to be tried for nine years was replaced by the Macpherson Constitution in 1951.

The Macpherson Constitution was made after consultations at various levels of government. Among other things, it retained the Regional set-up and provided the Northern and the Western Regions with a bi-cameral legislature - the House of Chiefs and the House of Assembly.⁷⁸

The Lyttelton Constitution revised and replaced the Macpherson Constitution with effect from October, 1954. While the Members of the House of Representatives in the Central Legislature were elected through their Regional Legislatures in the 1951 Constitution, they

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76. For more details see Esera, K. 1960. Constitutional Development in Nigeria, Chapter IV.
77. Only Northern Nigeria had a House of Chiefs by the Richards Constitution.
78. The Eastern Region had a single Chamber, i.e. the House of Assembly.

were, under the 1954 Constitution, elected directly into the Central House of Representatives. The ministerial system of government with its set-up of Permanent Secretaries and their staff made the office of the Provincial Residents to be a redundant intermediary between the Local Government Adviser in the Divisional Office and the Permanent Secretary at the Regional Government headquarters. Warri Provincial Office was, therefore, closed with effect from 1st June, 1957. Offices of the provincial administration were taken up by the Local Government Adviser, Warri Division, and the Urhobo Divisional Office at Ughelli which started functioning systematically by 1934, dealt straight with the Permanent Secretary at the Regional headquarters.

The Lyttelton Constitution was itself followed by the May to June Constitutional Conference of 1957 in London⁷⁹ after which Western Nigeria attained self-government on August 8, 1957. For the first time, the Regional Executive Council was presided over by a Nigerian, Chief C.D. Akran, who was Minister for Development and as Acting Premier on behalf of Chief Obafemi Awolowo.⁸⁰ While quitting the highest political position under the Colonial rule in the Region, Sir John Rankine, the Governor, stated that

"It remains for me both for myself and on behalf of Her Majesty's Government, to wish you all success in your increased responsibilities."⁸¹

79. The Orodje of Okpe, Ezezi II, attended this Conference as a member of the team from Western Nigeria.

80. I.e. The British Governor of Western Nigeria, Sir John Rankine, ceased to be President of the Regional Executive Council as from 8/8/57, when the Interim Instruments for the New Constitution came into effect.

81. Self-Government in Western Nigeria. Western Nigeria Information Service, Government Printer, Ibadan.

While the Region was developing politically to assume self-government, statutory bodies were named to ensure that from the grass-roots level, the people participated in their own government of the Region. The first major legislation of the Regional Government under the Macpherson Constitution was the Local Government Law of 1952, No. 1 of 1953, by which the Action Group political party controlled Government replaced the Native Authorities with Councils. These were Local Councils, Rural and Urban District Councils and Divisional Councils. In these, traditional members, that is, chiefs, formed one-third of the elected members who were more receptive to administrative change. The elected members were also the more anxious group about the ultimate control of the politics of their localities. Also, because they were nationalists and were in communication with their colleagues in other parts of the country through nationalist movements and political party organisations,⁸² they were hardly liked by the British Administrative Officer who relied largely on the traditional members of the Council as the stabilising factors in the British government of the area. This fact bred one main source of conflict for, as apparent supporters or sustainers of the British government in the country, the traditional members were regarded by the elected members as their principal obstacles to full political power.⁸³

Another important legislation concerning the internal and 'external'

82. More about Political Parties in Chapter Seven.

83. This point is, however, capable of being over-emphasised.

politics of the tribes in Western Nigeria was the Appointment and Recognition of Chiefs Law, 1954, No. 1 of 1955.⁸⁴ This law continued grading chiefs as first, second, third, fourth, and fifth according to their importance. Part II of it had to be applied to any chieftaincy to make its incumbent eligible as a traditional member of a designated Local Government Council. Sections 17 and 18 emphasised that it was legally wrong and penalisable for any person to install or to allow himself to be installed as a Chief before the Government's approval of the appointment of such a candidate as Chief⁸⁵ and also that any person who by any means whatever challenged or impugned the validity of an appointment as Chief as approved by the Governor, or any person who wrongfully held himself out as a Chief or wrongfully wore any of the regalia of a Chief was regarded as performing an offensive act.⁸⁶ There was provision under this law for an aggrieved candidate to appeal to the Governor. By Section 22 of the law, the Governor could suspend or depose a Chief whether appointed before or after the commencement of this law if he was satisfied that such a suspension or deposition accorded with native law and custom or was found necessary for peace, order or good government.

It was in the exercise of Section 3 of the Western Region Local Government Law, 1952, that an Instrument issued to establish the Western

84. Supplement to the Western Regional Gazette, No. 2, Vol.4, effective from 13/1/55; Assented to in Her Majesty's name on 28/12/54.

85. Defaulters were liable to a fine of £500 or 2 years imprisonment.

86. Penalty on conviction was also £500 or 2 years imprisonment.

Urhobo District Council with effect from 16th September, 1955, and in which both the king and the spokesman of Okpe were gazetted as traditional members.⁸⁷ Similar Instrument established the Central Urhobo District Council and the Sapele Urban District Council.⁸⁸ The membership of the Sapele Urban District Council includes the king of Okpe, four chiefs and four spokesmen of Okpe tribe. These local government councils exist today and the nature and the impact of their 'external' politics in Okpe tribe are examined in Chapter Seven.

The main effect of the Local Government Law, 1952, No.1 of 1953, and the Appointment and Recognition of Chiefs Law, 1954, No.1 of 1955, was that Government recognition was given only to those tribal chieftaincies the holders of which were eligible for appointment as traditional members of a local Government Council by virtue of the provisions of the Instrument establishing that Council after the application of the Western Region Local Government Law, 1952, and the Western Region Appointment and Recognition of Chiefs Law, 1954.

The Local Government Law, Cap.68, effective as from 12/4/57, replaced the 1952 law and also provided for the establishment of Divisional, District - Rural or Urban - and local Councils. After due enquiries made to ascertain the wishes of the inhabitants of the

87. See W.R.L.N. 218 of 1955. The tribes under the jurisdiction of this Council are Okpe, Agbo, Udu, Idjerhe, Oghara, Abraka & Uvwie. Also see W.R.L.N.448 of 1958 and W.N.N. 358 of 1962.

88. See W.R.L.N. 219 of 1955 effective from 19/9/55 (amended in 1962). There are 13 tribes under this Council i.e. Arhavwarien, Okparabe, Ewreni, Ewu, Uwheru, Olomu, Effurunto, Orogun, Agbarho, Ogo, Ughelli, Agbarha and Ughienvwen. Also see W.R.L.N. 220 of 1955 - Sapele Urban District Council.

areas concerned, these councils were established to discharge duties and obligations imposed by their Instrument and also to assist in maintaining law and order within their area of authority.

Likewise, the Chiefs Law, Cap.19, which commenced on 20th June, 1957, has replaced the 1954 Appointment and Recognition of Chiefs Law, No.1 of 1955. The new law provides for the appointment and approval of chiefs, matters connected with certain chieftaincy disputes, the suspension and deposition of chiefs and purposes connected therewith. But the Council of Obas and Chiefs Law 1959⁸⁹ requires that before deposing a chief, the Council of Obas and Chiefs should be consulted by the Government.

These three statutes are the main operating laws today on the chieftaincy, as amended in parts from time to time by Ministry circulars in the Midwestern State of Nigeria. Once again and under modern conditions, the most important administrative and political organ -- the chieftaincy institution -- in the tribes is statutorily brought under the Government. The influence of political party controlled government on the chieftaincy and on the tribe, is discussed in Chapter Seven.

CONCLUSION

It would appear that throughout the period of the government of Okpe, as of most other tribes in Nigeria, the British government gave little or no attention to find out how well the indigenous tribal

89. I.e. No. 38 of 1959.

government combined with the British-sponsored Courts and Council administration. Internally, it was more important for the tribe to retain and nurture its traditional political system⁹⁰ by which a sense of tribal unity and identity was maintained under changing internal and external political relations. The British government-sponsored councils and courts brought additional statutes and roles, at first only to the rulers of the tribe. Under an atmosphere created by sometimes incompatible structural and political values developed by members of the tribe, traditional government role expectations were not always achieved.

The principles and practices of the traditional government, as modified, appeared to be more continuous and more satisfying to the tribal elders and the chiefs. On the other hand, attendance at the British-sponsored council and courts by which Okpe tribe was also governed, was regarded, more or less, as a source of new prestige, revenue and material gain. The British-sponsored tribal council and court meetings were widely spaced and temporary for the attending tribal rulers and chiefs. These British government appointees were well aware that their monetary gains and new tribal power and prestige would terminate any time they failed through old age or some other reasons to meet the expectations of the British Administrative Officer. The traditional tribal court/council could neither stop nor divert British government inroads into Okpe tribal politics and political organisation.

90. As detailed in Chapter Three but with some changes in roles as discussed in this chapter.

The statutory and constitutional changes, particularly between 1950 and 1960, represented major points of departure from the principles of Indirect Rule per se towards broad patterns of training preparatory to full independence. One important change in the Western Urhobo District Council area was the divorce of council from court membership. Councillors elected from the seven tribes in this Council area were elected in the ratio of 1:100 tax-payers and the system in 1951 reduced the size of councils subsequent to their election by popular votes because the court members were chosen by the councillors from among themselves in the ratio of 2 to 5.

The British Government Administrators offered very careful compromises to Traditional Members of the Western Urhobo District Council. These traditional members were less enthusiastic about the fairly rapid transfer of a great measure of political power to the Native Authority as an important step towards political independence for the whole country. These traditional members were gratified to be assured through statute that their future participation in the government of their District Council area and of the country as a whole was not at once placed in the hands of the ambitious power-seeking younger generation. This was an important device because it largely avoided discontent in any section of the tribes by involving both the elders and the youths in performing new governmental roles. Also the new councils and central government were operated in such a manner that the tribal titular and town gerontocratic governments

performed their traditional roles so long as they did nothing repugnant or contrary to rules made by the British Government.

In this way, British Indirect Rule allowed, consciously or unconsciously, continuity in traditional government to be maintained without any dislocating changes. These permissive changes of the British Government by which major constitutional and political development were made while the tribes identified themselves through their various traditional patterns of traditional government was considered justified because

"it is the best means for securing the contentment of the people at the price they can afford to pay."⁹¹

One obvious price paid was the total divestment of the tribal council or, for that matter, any Chief-in-Council in Western Nigeria, of the traditional political sovereignty. The British Government approach was that

"Chiefs will be described by their proper native titles and not as kings or princes."⁹²

The aim was to discourage any emulation of European dignitaries.

This, however, ensured the retention of traditional names for chiefs though their roles and expectations were highly modified.

91. Lord Hailey. Report on Indirect Rule in Nigeria forwarded by letter C.192/61 of 6/2/43, to the District Officer, Jekri-Sobo Division, Warri.

92. Lugard, F.S. 1919. Revision of Instructions to Political Officers on Subjects chiefly political and administrative, 1919, p.312.

For the kings or chiefs to retain their names as well as their sovereign position would certainly have made Nigeria a federation of numerous pocket states. This means that one of the greatest contributions that may be conceded to the British Government even by some of the harsh critics of its rule in Nigeria was the successful integration of the old kingdom-states in one modern nation of Nigeria.

The continuity of localised tribal indigenous government was indispensable as distinct from the generalised British Government. The latter attempted to harmonise the structural and functional relationships of the Native Authorities with the foreign machinery of government. In this task, the British Government in Okpe tribe achieved apparently little or no success in its objective to ensure that

"there are not two sets of rulers, British and Native, working either separately or in cooperation, but a single government in which the Native Chiefs have well defined duties and an acknowledged status side by side with the British Officials."⁹³

A re-examination of the British rule in Okpe tribe also poses the question of the distinction between Direct and Indirect Rule. I illustrate this by posing two situations. In the first situation, the king and the tribal council were used as a means or tool for the British government. In the second situation, the king and the tribal council with some measure of political sovereignty were allowed to

93. Cameron, D. 1934. The Principles of Native Administration and their application. Government Printer, Lagos, p.26.

rule the tribe directly or as an ally of the British government. Since the British government did not take the latter form, and having regard to the statutory framework under which Okpe tribe remained as discussed in this and in the previous chapter, it would appear that the British government in Okpe was, in fact, Direct. Throughout Midwestern Nigeria, generally, it would appear that the British government was, in practice, one of Direct Rule. It is perhaps on the grounds that it trained and prepared the natives for eventual self-government and political independence rather than assimilating them that it could be said to be different from the French colonial policy in Africa.⁹⁴

The British Government Administrators realised that Native Administration under the British Rule needed to be dynamic and adaptable to changing circumstances if it was to fulfil its objectives. It was partly for reasons of shortage of administrative personnel and partly to avoid major frictions and failures that British rule had to have a high degree of elasticity by utilising the traditional political institutions whose powers were, however, pruned to make them usable machineries of a foreign government. This process involving restrictions and training made it possible for power and control to be surrendered to Nigerians without definite steps involving

94. It has, however, been pointed out that the French always used chiefs as intermediaries and that nowhere in Africa did the French Colonial Power practice Direct Administration. See Jeane Suret - Canale's article entitled *La Fin De Le Chefferie en Guinée* in J.Afr.History Vol. 7, p.459-31966.

the British government in arguments on each occasion regarding the time involved in each stage of political re-organisation and development. In Nigeria, the British government proposed its

"duty to do everything in our power to develop the native politically on lines suitable to the state of society in which he lives" though "The end to be sought is, in brief, just government according to civilised standards and the moral and material well-being and the social progress of the people."⁹⁵

Whether or not this aim was achieved properly is a moot point. But long before the British government handed over political power to Nigerians in 1960, it was observed that

"If an alien bureaucracy can govern through the agency of indigenous institutions, there appears to be no valid reason why a native central government should not do the same.....So long as we do not insist on the 'elected parliament' conforming too closely to some existing model, I see no reason why the native authorities and the elected parliament should not be complementary parts of one harmonious system, nor why the eventual representative Government should not be representative of and function through acknowledged Native Authority."⁹⁶

Constitutional growth under the British rule ended with Nigerian Independence on October 1, 1960. Henceforth the nature of politics showed, more and more, two apparently contraposed features of the

95. Cameron, D. 1934. The Principles of Native Administration and their Application. Govt. Printer, Lagos, pp. 4 and 8.

96. Bourdillon, Sir B. 1939. Memorandum on the Future Political Development of Nigeria. Govt. Printer, Lagos, p.5.

impersonal political relationships involved in modern bureaucracy and the particularistic and highly personalised political ethos based on tribal kinship and territorial relationships. Whether or not the foundation for this hybrid politics was firmly laid by the British government - direct or indirect - is shown in the remaining part of this thesis.

CHAPTER SIX

OKPE TRIBAL GOVERNMENT 1960-1966

This chapter deals with the period in Nigeria after independence and before the Military Government¹ began on January 15, 1966.

When the British Government handed over the control of Government to Nigerians on October 1, 1960, the country remained a federation of three States and a federal capital.² But the tribes of the Benin and Delta provinces felt sufficiently distinct and financially viable to form a fourth state to be carved from its parent state, Western Nigeria. This desire which started in the 1940s and spearheaded, as from 1953, by a cultural organisation - the Benin-Delta Peoples' Party which was renamed the Midwest State Movement in 1956³ - was tested in a referendum conducted in the two provinces on July 13, 1963. In this referendum, over 89%⁴ of the total population of 2.5 million in the two provinces voted in favour of having the new state. Consequently, Midwestern Nigeria was created on August 9, 1963. Although the seat of the new parliamentary Government of the constituent Benin and Delta provinces was moved from Ibadan to Benin City,

1. Some aspects of the Military Government in Midwestern Nigeria are discussed in Appendix 'G'.
2. I.e. Northern, Western and Eastern Nigeria and the federal territory of Lagos.
3. The Benin-Delta Peoples' Party was led by His Highness, the Oba of Benin while the Midwest State Movement was led by Chief Denis Osadebay who later became the first premier of the Midwestern State.
4. According to the Nigerian Constitution, only 60% affirmative vote is required, among other conditions, to create a new region.

the nature of politics and of government remained substantially the same between 1960 and 1966.

Like other tribes, Okpe possesses its separate tribal government under both the State and Federal governments of Nigeria. Although the tribe is part of the public for which activities of the State and Federal governments have relevance, it promotes its own cultural welfare under a separate existence. Both sorts of government, the specific or localised for the tribe, and the generalised and wider government of the State or Federation, have such great and simultaneous influence on the same tribesmen that, sometimes, discrepant values become difficult to resolve.

This chapter attempts to isolate for analysis whatever now remains of the tribal or localised government of Okpe. The variables arising from 'external' factors as important determinants of the nature of political activities as well as of the political organisation of the tribe are considered in the next chapter.

In Chapters Four and Five, it is shown that British political and administrative activities were instrumental in breaking sovereign aspects of kingdom or tribal state structures and integrating the tribal groups in a united Nigeria. This task involved both continuity and change in political relations and institutions. In Nigeria today, Okpe tribal government is given some impetus by the fact that while controlling their tribal internal government, the Okpes share in the government and politics of the Midwestern State and of the Federal Republic of Nigeria.

The new State government personnel have more direct contact than did the British Government Officers with the indigenous people. They also appear to have a more lenient approach to breaches of the new State or Federal government laws or to other inconsistencies whenever the principles and practice of tribal government clash with those of the new State government.

Although not all the political statuses and offices were preserved through the British rule to the present period,⁵ there are vital institutional carryovers through the British period. These institutions include the Udogun Okpe (as court and council), the town court and council and the governmental units of the smaller kin groups. Today, the hierarchy of political titles has been revived fully. But, although these titles are identical with those shown in Chapter Two, the comparative importance of the various units in the hierarchy as well as of their roles both in the tribal and in the new State or Federal politics have all been modified.

THE GRIP OF OKPE TRIBAL GOVERNMENT

The population of Okpe numbered 24,386 in 1929 and 29,638, spread over 133 towns and villages, in 1952. This population increased to 79,519 living in 150 towns and villages in 1963.⁶ Sapele (Urhiapele), with an urban population of 33,638 in 1952 and 61,007 in 1963, include

5. For example, Iko r'Ikpokpo and their functions have been discontinued.
6. These figures are taken from Ukpe Sobo Assessment Report 1929 by R.B. Kerr and from the Nigerian Census figures of 1952 and of 1963.

a large number of Okpe tribesmen who are under some influence of Okpe tribal government. Although the king presides over the Sapele Urban District Council, the politics and government of this urban area are largely non-tribal in nature and are dealt with in Chapter Seven. In 1952 1,679 people in Okpe tribe and 8,799 in Sapele urban area received education up to Standard Two class or higher, that is, after spending four or five years in a primary school. This group was the most sophisticated in respect of the democratic processes of government of the new state. The total tribal population of the capital, Orerokpe, increased from 1,119 with 124 fairly literate people in 1952 to a total of 2,745 in 1963. Although the literacy and the interim population figures are not available,⁷ it must be assumed that these have increased considerably by 1966. Nevertheless, the total tribal population remains largely illiterate and rural.

Such is the mixed population and territorial area in which the tribal government of Okpe must be considered. Although diversified in respect of educational and economic attainments, and although the increased population has spread over greater territorial area, the social units of tribal government in Okpe have remained substantially the same.

Okpe tribe is, today, divided into twelve units for the purpose of tribal government. These units are Mereje, Amwuokpe, Ughoto, Ugolo, Aghalokpe, Arhagba, Elume, Oha, Ugborhe, Okuovu, Sapele and Orerokpe. They are called districts. Each district coincides with the area of a town and its dependent village or villages.⁸ The government and

7. The gap between censuses being 10 years.

8. In actual fact, Orerokpe, the capital, is more of an all-Okpe public town while Sapele is a cosmopolitan Okpe town.

politics of the districts are by the age grades, as already shown in Chapter Three. But they are subject to the impact of the State or Federal Government, the new Western Urhobo District Council Ward politics and to the influence of the judiciary and customary courts as shown in Chapter Seven.

Tribal government remains titular, as described in Chapter Three but subject to the same 'external' government, politics and judiciary. Today, the king holds his Okpe tribe together and rules it through the following two main processes. These processes are separate though related.

1. The Udogun Okpe

The first process is through the mechanism of his tribal chiefs who are summoned by messengers and circulars from the various districts and from outside the tribal territorial area for meetings in the capital, Orerokpe. There are, at present, 47 chiefs in Okpe tribe. They are all male and their titles were all conferred by Esezi II. Details about these chiefs are found in Appendix 'F', from which Table V is extracted to show the major kinship and residential spread.

TABLE V

THE EKAKURO OF OKPE TRIBE - AS AT MARCH, 1966

THE TRIBAL FOUR KINSHIP UNITS OR QUARTERS					RESIDENCE *					
Orhue	Orhoro	Evwreke	Esezi	Total	A	B	C	D	E	Total
6	30	9	2	47	3	8	33	2	1	47

* A that is, chiefs living in the capital, Orerokpe.

B " " chiefs living in other parts of the tribal territory.

C " " chiefs living in urban areas, Sapele, Warri and Benin City.

D " " ^{chiefs} moving or migrating between the tribal and urban areas.

E " " chiefs living outside Nigeria, i.e. London.

It is obvious from Table V that only three chiefs - including the tribal spokesman - live in the tribal capital. They assist the king to initiate any government emergency action in and on behalf of the tribe. These chiefs form part of the king's caucus-council which is especially invited to deliberate formally or informally, with the king. If need be, matters proceed from such meetings to the tribal council. The decision in this respect depends on the delicacy and the importance of the issue involved.

The spatial distribution of Okpe chiefs requires organised efforts to summon meetings and execute tribal council decisions. Because of this new dimension in the tribal political organisation, only very important tribal matters compel the king to summon the chiefs to the capital. The king does, in his house, usually dispose of



The Otota (centre, front row) and the Ekakuro of Okpe in a procession during the ceremony to mark the official proclamation of the death of the King, Ezezi II, March 27, 1967.



The Otota and the Ekakuro of Okpe in procession round the owa tree on March 27, 1967. The occasion was the official proclamation of the death of Ezezi II.

comparatively trivial day-to-day affairs of the tribe, a task in which he is assisted by the tribal spokesman, and the chiefs at hand.

About 70% of the chiefs live in the urban areas, that is, Sapele, Warri and Benin City. Another 4.2% oscillate between the tribal rural towns and the urban areas in pursuit of their economic interests. This high percentage of absentee chiefs tilts the primacy of interests in favour of personal economic wealth and it breeds a business-like approach to matters concerning the government of the tribe.⁹ This is unlike the governmental pre-occupations of tribal councillors before the advent of the British government. Not even the king and the tribal spokesman take the tribal government as a full-time occupation. In addition to their personal economic activities, both the king and the tribal spokesman participate, in various ways, in the Midwestern State government.

The above situation is in contrast to that of the daily age grade governmental activities in the towns. Government personnel at this local level fully occupy themselves with town government duties. On the other hand, the position of Okpe king and spokesman is quite comparable to that of the migrant chiefs who, though patriotic, leave a small proportion of their time for tribal government.¹⁰ Although only 17% of the chiefs actually reside fully in other parts of the

9. Before the British government period, tribal councillors had to stay within the tribe. State investigations normally followed the absence of chiefs from the tribe particularly if they died outside their houses.

10. This economic attitude among the chiefs also affects other aspects of the chieftaincy. E.g. a chief who is a businessman can hardly leave his (self) employment for three months or so for ritual fattening after his installation as chief.

tribal territory and although not every district, town or village has a chief, decisions by the tribal council are carried, formally or informally, to every part of the tribe through the chiefs. They perform this task either because they live in their various districts or because they share kinship relationships with particular groups in the tribe.

Purely kinship considerations are said by Okpes to have no overt effects on deliberations and decisions in the tribal council. However, kinship remains in a sensitive background to discussions in the tribal council and government. The fact that Ezezi II comes from a descent group which produces only 4.2% of the chiefs offers some check on possible kinship excesses from other descent groups. For example, from Orhoro descent group which produces the overwhelming majority of 63.8% of the total number of Okpe chiefs.¹¹ Perhaps the professed absence of kinship influence on discussions and decisions of the tribal council will be tested in future when Orhoro descent group produces a successor to Ezezi II.

In matters originating from the king or the tribal council and concerning the tribe or a district, it is the chief in the area who convenes a meeting to discuss such matters. But where many chiefs live in the same district or town, the eldest, by title age, convenes any meeting to administer or execute whatever the tribal council or the

11. The number of chiefs from each quarter is unlimited. It is not known how the Okpe total population of 79,519 is spread over the four descent groups of Okpe. Important though this information could be especially regarding the ratio of chiefs to the untitled in the group, the figures would be difficult to obtain because of possible double or obscure counts resulting mainly from Okpe patri-liny cum complementary matrifiliation.

king has decided or directed. Such meetings are attended by the other chiefs irrespective of the major kinship unit from which they come. Local meetings are normally summoned to one of three places: the house of the (eldest) chief or that of the eldest man or to the town shrine hall. The venue of meetings depends on the nature of the matter for discussion or administration. This type of meeting as well as its deliberations usually have consequences for the whole tribe and are quite different from the day-to-day meetings and gerontocratic governmental activities of the individual towns.

It has been shown that although Onova was neither a chief nor a king, he led Okpe tribal government before 1897 because he was the eldest man. Today, the eldest man in Okpe has no government role in the tribe.¹² He is, more and more, found incapable of heading the government of such a mixed and populous tribe spread over several towns and villages.

2. Okpe Mass Meeting

When extremely vital issues concern the whole tribe, the king orders an assembly of the Okpes as a forum for mutual discussions and public participation in the tribal government. This mass meeting is usually preceded by the tribal council (caucus) meeting. It includes all Okpe chiefs, as ex-officio members, and all untitled men as well as other tribal dignitaries such as Regional or Federal politicians

12. In an interview on 22/3/68, Mr. J.E. Egbo, the Okpe State Secretary, stated that a new constitution under preparation for Okpe tribe envisages an office for the eldest man in Okpe who would be brought from his town or village to be maintained with tribal funds in the capital.

or the Western Urhobo District Councillors. These dignitaries are sometimes specially invited by the king and the tribal council.

The units of invitation to a mass meeting are territorial, that is, the districts or towns. Town rulers send representatives who thus constitute a communication channel between the capital or the tribal assembly and the remotest territory in the tribe. This additional mechanism of government and of vindicating the jurisdiction of the king and tribal council over the whole tribal territory and people, appears necessary in the present situation in which the towns are not represented as such in the tribal council. It is also necessary because the ratio of chiefs to the untitled people is as low as 1 to about 1691.9. This ratio is probably inherent in the restrictive nature of the high cost of obtaining chieftaincy titles. These figures may be compared with those of Ughelli tribe where the ratio of chiefs to the untitled is 1 to 842.5 and those of Agbo tribe where the ratio is 1 to 316.7. Both Ughelli and Agbo tribes occupy smaller territories and make little or no use of a tribal mass assembly.¹³

A new political office created as a result of the internal tribal development is that of the Okpe State Secretary.¹⁴ He takes instructions from the king and the tribal council to issue circulars or to summon

13. These figures are based on the 1963 census figures and on the 1966 totals of chiefs. The figures show that Okpe tribe has 47 chiefs to a population of 79,519; Ughelli tribe has 26 chiefs to a population of 21,904 and Agbo tribe has 196 chiefs to a population of 62,064. There would be slight modifications if interim census figures were available to bring the total population to 1966.

14. At present this tribal Secretary is Mr. J.E. Egbo who is also a customary court judge in the tribal capital.

either the tribal council or the Okpe mass meeting to the capital. He is assisted in this task by the tribal messenger.

It should be noted in respect of the two tribal meetings - the council and the mass meeting - that the four descent units of Okpe tribe are automatically but indirectly represented whenever the chiefs or the representatives of the districts meet. Without any preoccupation with the primary problem of representation, the two meetings show that the government of Okpe tribe by the king-in-Council is given effect through the districts and not through the four descent units. These later groups feature as political groups when the tribe deals with problems of succession to the posts of king and tribal spokesman. They also feature if there are documents to be signed on behalf of the whole tribe.

It would appear difficult to use the four kinship units as primary political segments or administrative and executive units of the government of the tribe because of the problems involved in their extremely disproportionate representation in the tribal council. Also, difficulties resulting from the fact that members of descent groups are widely scattered and are sometimes found living together in the same district, town or village militate against the use of the four kin groups as tribal government units.

The king does not govern through the Western Urhobo District Council Wards as such.¹⁵ Subscriptions or assets are shared normally

15. See Chapter Seven.

through the twelve districts.

On the other hand, members of large tribal districts with two Western Urhobo District Council Wards such as Mereje, are assembled by the town spokesman to the town shrine hall where demands or instructions from the tribal council or Okpe mass meeting are considered. It should also be remembered that the Okpe mass meeting is called principally as a means of assessing public opinion, disseminating important news, ratifying new laws or of spreading tribal council activities. The assembly is also a device for integrating the diversified Okpe society consisting of both the rich and poor, the titled and the untitled, and the educated and non-educated.

The real difference between the two bodies is that while the tribal council is the governing body for the whole tribe, the representatives assembled in an Okpe mass meeting are primarily concerned with the welfare government and politics of their respective towns or districts. The Okpe mass meeting is, however, not unimportant from the central tribal government point of view. This is because, apart from reacting to and checking the tribal council, the assembly is sometimes called upon to settle or decide issues which the tribal councillors either failed to settle fully and satisfactorily or regard as areas in which deliberations and decisions by a larger section of the Okpe tribe are found necessary.

THE TRIBAL CAPITAL

Chapter Three shows that the Okpes deserted their capital from the 17th to the 19th centuries. But since about 1928, the Okpes

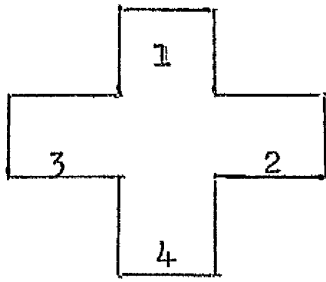
started to return to it. This re-settlement process continues today. There is no tribal palace or palace organisation in the capital to involve the whole tribe in the kingship as the hub of the tribal politics and political organisation,¹⁶ but the earth and ancestor/predecessors' cults still constitute religious symbols of tribal unity in the capital.

Two special tribal buildings of cement blocks and corrugated iron sheets in the capital now replace the ruins of the 17th century mud and thatched buildings. They act as architectural symbols of oneness for the whole tribe. Firstly, there is the four-sided Adene building, as in Diagram VI. This represents, in a vivid way, both the separate-ness and the unity of the four kinship segments of Okpe tribe. The building is used very occasionally for representative meetings of the whole tribe. During such meetings, members of each of the four descent units enter the building through their appropriate entrance and also sit in their named arm of the building vis-a-vis other kinship groups.

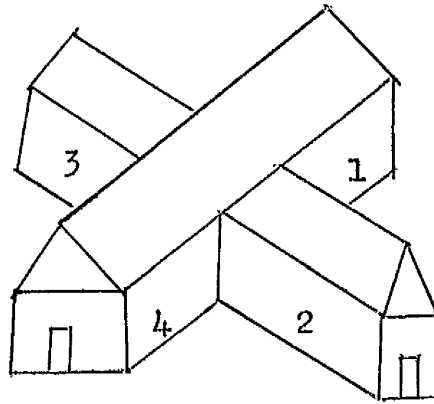
The tribal shrine hall (Ogwedio), as in Diagram VII, is the second important tribal socio-physical construction in the capital.

16. The king lives in his personal modern house - a storeyed building - with no traces of tradition behind it. In contrast as well as in comparison with this, the king of Ughelli lives in a modern bungalow which is tucked in behind a traditional red-mud and pre-1900 palace. The king receives important and foreign visitors in the new block building but performs his traditional duties, attends council or court or receives his other daily visitors and complainant-tribesmen in the traditional mud-wall-with-mud-seats palace.

DIAGRAM VI: THE ADENE BUILDING



Plan

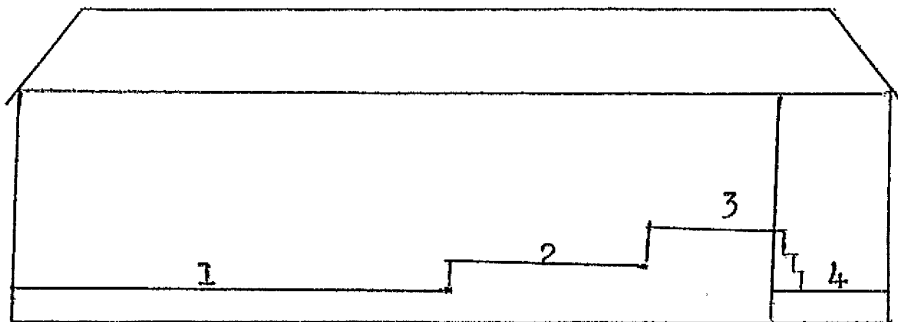


Side View

Key:

- 1 = Orhue descent group arm of the building.
 2 = Orhoro " " " " " "
 3 = Ewreke " " " " " "
 4 = Ezezi " " " " " "

DIAGRAM VII: THE OGWEDIO - A CROSS SECTION



Key:

Platform 1 is for elders and any other untitled attendants/spectators.

" 2 " " chiefs.

" 3 " " the king and senior chiefs including, normally, at least one from each of the four major kin groups.

Apartment 4 is for the tribal Edio shrines.

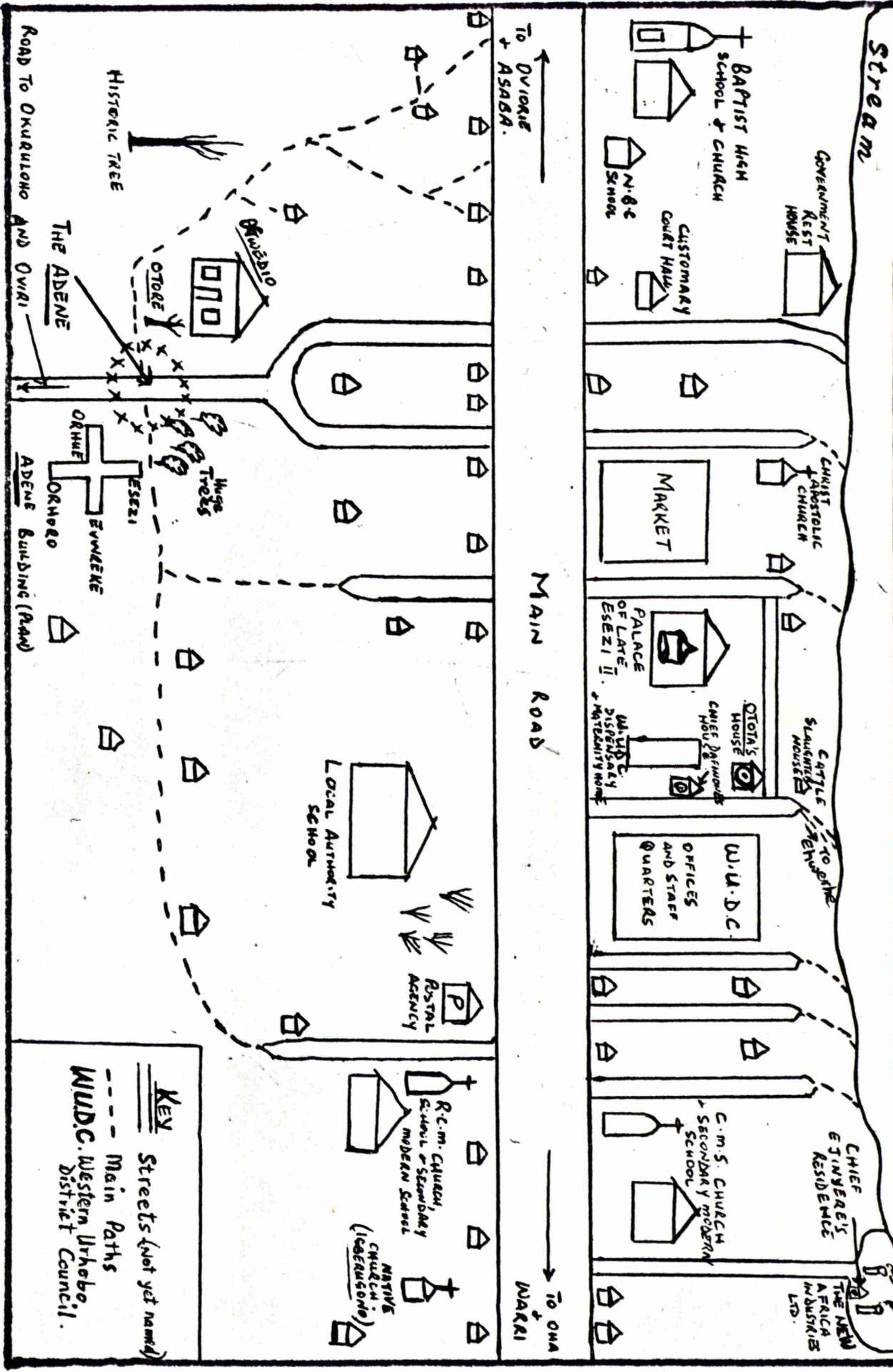
The key to Diagram VII indicates the consciousness of political status implied in the architectural design of the hall. It is clear that both buildings are, by far, more than mere physical structures or spatial accommodation.¹⁷ Both rally the whole tribe together and make the capital a more socially significant tribal centre.

The two buildings stand in the centre of the 17th century capital, that is, at the Adene. Here also, the earth cult and other historically significant huge trees form a small uncleared forest. Today, the Adene ground is not in a central position in the capital. It remains at a corner owing to the physical development of the capital for about one mile along the main road between Warri and Asaba. A sketch map of the capital shows that it is still largely unbuilt. Streets are yet in the formative stage after about 38 years of resettlement. Unoccupied land in the capital is allocated by an indigenous all-Okpe town planning committee which operates only in the capital.

The pattern of development of the capital perhaps provides one example of the tribal insistence on maintaining its vital social symbols and hallowed grounds inspite of distracting modern physical development. The settlement pattern involves both lone houses along the tarred road and, on the average, six single houses or emergent compounds on a rough unnamed path-street. These streets are between one and four poles long starting from the main road.

17. A gardener is employed by the tribe to clean the Adene and Edio buildings and their immediate environment.

A SKETCH MAP OF OKPE TRIBAL CAPITAL (OKEROKPE), November, 1967.



KEY

—— Streets (not yet named)

- - - Main Paths

W.U.D.C. Western Urhobo District Council.

The pattern of settlement indicates decisions by individuals or minor lineages to return to dwell in any area in the capital. Settlers do not undertake the unrewarding exercise of 'discovering' patriclan land which has either been long forgotten¹⁸ or has formed an integral part of Okpe collective land now allocated by the tribal town planning committee.

Unlike the settlement pattern in most Urhobo tribal capitals and rural towns, settlement and houseland distances in the tribal capital, in 1966, are not indications of kinship relationships. Descendants of Okpe four kin groups now obtain allocated plots and live anywhere in the capital. Also, unlike other towns of the tribe, the settlement pattern is not an index of closer kinship relations which sometimes become significant in political alignments and loyalty in modern Okpe.

The town planning committee operating in the capital gives out houseland, usually 50 by 100 yards at a small fee, to individual Okpes. Non-Okpes are made to pay annual rents for any allotted land. Fees collected are handed annually to the king as the head of both the tribe and town. The committee cannot give out land to any company or firms without the knowledge and approval of the king and the tribal spokesman. When in difficulty the committee consults the king.

The king is met nearly every market day - four-day period - by

18. A great majority of the streets and town areas are unnamed and are merely described by the places to which they lead or by the important residents in them.

the elders recommended by representatives of the four descent groups living in the capital to discuss the development of the capital and settle its government problems in the manner described in Chapter Three. In this way, the king and the tribal spokesman get involved and run the governments of both the tribe and ~~of~~ the all-Okpe capital.

The age grade activities detailed in Chapters Two and Three are undermined today principally by minor lineage in-group development, self-identity and individualised economic pursuits and assertions. They are also undermined by the Midwestern State Government local agencies such as the Public Works or Health Departments which perform or compel individuals or families to accomplish duties previously performed through the age grade organisation. The age grade leaders still help in the government of the towns and the tribe today. But it would appear that the most important functional group are the town's traditional police as described in Chapters Two and Three. They are indispensable in every town in the tribe today because the Nigeria Government Police are, as yet, too few to be stationed to maintain law and order in every town.¹⁹ The traditional police cooperate with their counterpart in other towns or villages and with the Nigeria Police in performing their duties.²⁰ The traditional police cater for the property of their towns people and protect the rights and the liberty of their fellow citizens. Their hours of duty --

19. This is not to say that the ultimate aim of the Nigeria Police is to open a station in every town, however remote.

20. People are required by the traditional police to carry hurricane lamps between 10 or 11 p.m. and 5 or 6 a.m. in most of the towns.

11 p.m. to 6 a.m. -- as well as their names are kept in the Western Urhobo District Council Office and lodged with the Nigeria Police in Warri, or Sapele.²¹

The town traditional police, appointed and slightly rewarded by the individual towns, can be regarded as the local or localised representatives of the Nigeria Police to whom they bring all grievous offenders and thieves after informing the town rulers. This means that although the town rulers know of the thefts and serious offences in the towns, they do not now complete their traditional judicial process of rendering justice as required by the traditional government. Instead, what starts as a process of government typical of tribal traditions ends up as an item in the process of justice rendered by the Nigeria Police and the judiciary. Both of these new state government bodies keep statistics of only those offences brought to them.

SOME ASPECTS OF THE MODERN ECONOMIC SITUATION IN OKPE TRIBE

The most important area of economic activity within the tribe, as far as its territory is concerned, is provided by the African Timber and Plywood Company (A.T. & P). This company is a member of the United Africa Company (U.A.C.) group though with an independent management, in Sapele. The company which started operation in Sapele in 1935 after its movement from Koko, is not meant for the Okpe tribe alone. In fact, although the company employs about 2,000 people in addition to several hundreds working in the forests, the Okpes adopted

21. Not all the towns, however, forward such lists to the offices mentioned, for information.

"a type of gentleman-farmer-landowner attitude by which the rightful owner of land is reluctant to work as labourer for an entrepreneur to whom he lets his land."²²

Although the Okpes did not take the opportunities offered for manual labour in the firm, they later became clerks in the same factory. The population of Sapele urban area grew as a consequence of the presence of the new factory. But in 1952, the Urhobos in Sapele were fewer than the Ibo immigrants with whom as well as with all other immigrant workers,²³ the Urhobos shared the wealth accruing from employment in the company. Both the Okpe king and the tribal chiefs, though highly respected, have no obvious influence on the company. Okpe chiefs and traders compete with other Urhobo and non-Urhobo tribesmen in commercial enterprise with the A.T. & P. Commodities for trade with the company include timber and the company's products.

Other Okpe chiefs in Warri, Sapele and Benin trade in general

22. Wober, J.M. 1966. Psychological Factors in the Adjustment to Industrial life among Employees of a firm in Southern Nigeria. p.14. (This is a study of the African Timber and Plywood Company's factory, Sapele).

23. By the 1952 census, the population of Sapele which was 33,638, consisted of

Ibos	11,974	Ibibio	333
Urhobo	7,657	Nupe	78
Itsekiri	4,825	Tiv	37
Edo	3,335	Fulani	20
Yoruba	2,428	Other Nigerian	
Isoko	831	tribes	646
Ijaw	685	Non-Nigerians	174
Hausa	615		

Ref. Bulletin No.9. Delta Province. Population Census Western Region of Nigeria, 1952, p.28.

goods or work as petrol station owners or as Midwestern Nigeria Government registered contractors. Such occupations are, in most cases, in addition to the chiefs' position as prominent landlords.

No evidence exists to show any ill-treatment of the king or disregard for his rule and pronouncement as a result of wealth acquired by any Okpe. Indeed, both the rich and the poor chiefs and non-titled Okpes give at least moral support to the king. Also wealthy Okpes increase their prestige in the tribe by donating generously on tribal occasions of need for money. They also sometimes offer monetary or material gifts to the king. The wealthy chiefs constitute an influential pressure group capable of swaying the opinion of the king and the tribal council.²⁴

The Communal Land Rights (Vesting in Trustees) Law, 1958, established the Okpe Communal Land Trust. This became effective as from 11th June, 1959²⁵ with the king of Okpe as Chairman and the tribal spokesman and other Okpe chiefs as Trustees.²⁶ The Trust has jurisdiction over that area covered by the Sapele Urban District Council only and includes the freehold land and the 500 acres of the Sapele township. The members of the Trust were changed with effect

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24. For obvious reasons, it is as yet difficult to obtain reliable figures of relative personal wealth and also to measure the degree of its influence in the tribal council. However, objectivity in discussions in the tribal council, once matters concerning the descent groups as such are not at stake, helps to minimise this rich-man influence.
25. I.e. No.45 of 1958 cited as Sapele Urban District (Okpe Communal Lands) Trust Instrument, 1959. W.R.L.N. 219 of 1959.
26. I.e. eleven members, all Okpe - the Orodje, the Otota and Chiefs J.E. Odiete, Ohi Ayomano, Igberaja Abeke, Rabor Abeke, D.O. Oghene, E.A. Eyefia, J.A. Ayomano, G.A. Kekeke and D.G. Ogbimi.

from August 3, 1964, by the N.C.N.C. political party-controlled Mid-western Nigeria Government after an Enquiry which was set up in July, 1962, by the Western Nigeria Government had found evidence of corruption and mismanagement.²⁷

The General Reorganisation Edict of 1966²⁸ replaced these new members with a Secretary and an Estate Officer as permanent members to run the Trust which continues to undertake issuing, withdrawing or accepting leases surrendered. As a check on the original Trustee activities, an Okpe Lands Representative Committee was established in 1959²⁹ to ensure that the duties of the Trust were properly performed and also that the revenue accruing to the Trust were well applied. Before the Trust came into effect in 1959, Sapele Urban District Council land was controlled by the Western Nigeria Government which inherited the titles and rights of the British Government in Nigeria.

The king of Okpe was, as from 1959, paid from the Trust funds even during the period his name was removed as a Trustee after the Enquiry of 1962. Also maintained from the Trust funds are the tribal spokesman and the staff of the king's household.³⁰ These payments

27. For details see Report of the Commission of Enquiry into the Sapele Urban District (Okpe Communal Lands) Trust by Hon. Mr. Justice S.P. Thomas (Chairman) and S.O. Ogunyemi (member) - Western Nigeria Official Document No.1 of 1963.
28. I.e. No.1 of 1966 (by the Military Government); M.N.L.N. 26 of 1966. Supplement to Midwestern Nigeria Extraordinary Gazette No.13, Vol.3 of 26/2/66.
29. Ref. W.R.L.N. 219 of 11/6/59. Supplement to Western Regional Gazette of 11/6/59.
30. Between 1959 and 1962 i.e. prior to the Enquiry, the king was paid £41.13.4 as Chairman, and the tribal spokesman, like other Trustees, received £25 monthly. Between 1962 and 1966 (March), the king was paid £30 and the Otota £20. Since March 1966, the Otota has continued to receive £30.

are in addition to any amount that the tribal council may, from time to time, demand as proper in upkeeping the dignity of the tribal political offices and institutions.³¹

These payments would appear legal and possible because of a provision in the Instrument allowing part of the revenue which is realised largely from rents paid by individuals and by different companies including the A.T. & P, to be used to advance education or to promote the culture and maintain the traditions of Okpe tribe. Part of this revenue could also be used in defraying the expenses of the Trust including those incurred through legal proceedings. Any monies not immediately required could be vested in authorised securities.³² An important accomplished result of the establishment of the Trust is the entrenchment of the ownership of Sapele land in the hands of the Okpes in accordance with the Appeal Court decision quoted in Chapter Four, and in a manner that avoided a situation in which urban developments and attitudes could dispense with considerations regarding tradition and Okpe land ownership and entitlements.

CONCLUSION

With the exception of the addition of the posts of Okpe State Secretary who records and keeps documents belonging to the tribe, and of Okpe Regents, discussed in Chapter Seven, the traditional political positions and structure remain unchanged. But the roles of chiefs

31. For example in 1956-57, the tribal council is said by Okpe informants to have obtained money (i.e. £1,200) to purchase a car for the king.

32. Information on most parts of this section is based mainly on records of the Trust and on interviews on 5/2/68 with the Estate Officer, Mr. T.U. Kerewi and with the Secretary, Mr. S.B.E. Keyomah.

are now more multiplex. Today, the tribal council and the Okpe mass meetings are made the occasions of considerable rites and pomp marked by status symbols - cars, beads, flowing title robes and clothes. Although this traditional atmosphere and political framework are sustained, functions which are political or economic in nature in the tribe are currently being performed by Okpe as well as by non-Okpe tribesmen occupying positions outside the traditional social system. The chiefs still strive to maintain their prestige and they still rule the tribe with the king. But they now do so in a new complex involving a competitive world around them, inside and outside the tribe. Their traditional governmental functions are now highly limited by factors external to the tribe as shown in Chapter Seven. This means that, in terms of political behaviour and organisation, one cannot consider the tribal social system as if duties, services and obligations pertinent to the existence and the daily life of the Okpes are exclusive to the tribal structural positions.

Like any untitled citizens, Okpe king and tribal councillors are eligible to share, in one phase or the other, in the democratic processes of the Midwestern State 'external' government of the tribe. Despite this participation, most tribal governmental functions are today performed with very great caution because the law courts supported by the more powerful Midwestern State 'external' government are always available for any aggrieved Okpe person to seek redress. Also the tribal council advises itself against jeopardising its position through

any attempt allowed by tradition to conduct certain trials and execute decisions concerning criminal or civil offences which are now within the jurisdiction of the new customary courts set up by the Government of Midwestern Nigeria.³³ In addition to tacitly allowing the traditional courts to exist on their own and simultaneously with the new state customary courts, the traditional nature of the process of judgement is, however, partially sustained in the new customary courts. This is because their judges are knowledgeable members of Okpe tribe. These judges naturally tend to respect their own tradition and judicial procedure as much as it is compatible with the new court requirements. They also tend to maintain a tolerant attitude towards ignorant or unavoidable breaches of the new state laws through the repeat conduct of the traditional judicial process.³⁴

The fact that 70% of Okpe chiefs live in the urban areas result in not only a majority of the tribal ~~council~~ ^{councillors} being absentee or migrant rulers in their Okpe tribe but also it creates the desire to seek increased economic or commercial status at the expense of their traditional governmental functions.

Chiefs are known in the urban areas more for what they have achieved in terms of wealth or professional expertise than for what they are as Okpe chiefs. Sometimes the reduced public attention on the traditional position of a chief living in the urban area is largely offset by the use of the epithet, chief. But this hardly ameliorates

33. See Chapter Seven.

34. See the section on Customary Courts in Chapter Seven.

the position because many other types of people, particularly wealthy people and customary court judges who are nevertheless untitled traditionally, are popularly called 'chiefs' today except in purely government dealings. To the urban public concerned with a chief's interpersonal relationships and economic position, the concept of chief conveys no automatic respect and traditional norms and expectations. This, of course, reminds us that an urban centre is a melting pot for the many tribal traditions of its dwellers.

Only the tribal capital and Amwuokpe show features of an urbanising centre. The capital contains the Western Urhobo District Council offices, a college and the new but currently insignificant company - The New Africa Industries Ltd. On the other hand, Amwuokpe is nearer Sapele and has new industries and hotels consequent on its position as a road junction. Few towns in Okpe tribe show signs of this development.

In Okpe tribe, therefore, the only chiefs exposed to urban effects are those living in the already urbanised areas of Sapele, Warri and Benin City. Here, the chiefs are anonymous except if distinguished through wealth or are recognised in a particular social area of activity. Because the chiefs normally wear plain native - Urhobo or Yoruba - or English clothes in such urban areas whether businesslike or not, and because most chiefs, if not all, wear no beads or staff or some other symbol of office during their daily commercial duties, they cannot always expect to enjoy fully their traditional privileges

mentioned in Chapter Two. But when they visit the tribe or live in their rural areas in which everyone knows them, the same chiefs enjoy their traditional privileges. The chiefs' urban occupations add to the social distance between them and other members of their age grades in the tribe. These occupations are such that would not involve the chiefs in breaking any of their taboos.³⁵

It is suggested from the discussion above that for a majority of the chiefs in urban centres, it is high economic wealth or professional efficiency and prestige rather than a chieftaincy title that determines high status, respect and privileges. Under such a changing social environment, the tribal politicians and rulers of Okpe, like other non-titled tribesmen, pursue their personal economic interests while actively participating, at different levels, in the government of the Midwestern State of Nigeria. While doing these, the chiefs also participate in the act of holding together and governing Okpe tribe inspite of dissipating 'external' forces.

The multifarious but simultaneous participation in facets of both the traditional political system and the imported parliamentary government of the Midwestern State of Nigeria is an important, if not the most important, aspect of the political life of Urhobo and non-Urhobo tribes today. This certainly has profound effects on tribal loyalty and political organisation as shown in Chapter Seven.

35. For example, very few occasions exist even for the untitled person in the urban area to knead mud in a pit, run from the rain into a hut, or climb a palm tree.

CHAPTER SEVEN

'EXTERNAL' GOVERNMENT AND OKPE TRIBE BETWEEN 1960 AND 1966

This chapter attempts to show further that while indigenous tribal government tends to develop an in-group feeling and tribal identity, Midwestern Nigeria Government and politics regard Okpe tribe as an inextricable part of the new state. I discuss this central point by considering some important current variables as follows.

THE CHIEFTAINCY TITLE

The title of chief as used in this thesis excludes all customary court judges and all 'big' or wealthy people except if they possess the titles of Orodje, Otota or Okakuro of Okpe.

The 1957 Chiefs Law, Cap.19, which currently operates in the Midwestern State, classifies chiefs of the state into two categories: minor chiefs and recognised chiefs. The latter occupy recognised chieftaincies but both groups of chiefs are associated with native communities. For a chieftaincy to be recognised, Part 11 of the Law has to be applied to it. If requested by the Minister, this involves the chieftaincy committee¹ of a competent local government council in producing a written declaration of the customary law regulating succession to the chieftaincy which is recognised. Also, recognition by the new state government subjects any offender to great penalty if

1. More about this in Chapter Eight.

he unlawfully installs others or allows himself to be installed as chief. The Chiefs Law was enacted principally to regularise and codify the method of appointment and approval of appointment of chiefs and to minimise irregular deposition of chiefs. The law also ensures that an impartial enquiry is set to investigate serious chieftaincy disputes and provides an unquestionable basis for a decision by the government of the new state.²

While this law theoretically reduces the chances of any political party government appointing chiefs irregularly, Part 11 of it has, in actual practice, always been an important weapon in the hands of the political party controlling the Midwestern State Government.³ This section of the law provides the Minister or the Governor-in-Council with an opportunity of setting up enquiries into any chieftaincy, of appointing any person or persons to conduct the enquiry and of stating when and where the Minister considers it desirable to hold such an enquiry for the purposes of this Law. This opportunity is often used to compel acceptance and support from recognised chiefs for any political party controlling the government of the state.⁴ These chiefs themselves are fully aware of the theory and practice of this fact as it has affected or could affect themselves or other chiefs in the new state. The chiefs know that they could be suspended or

2. This Law appears partly to be an outcome of the misuse and the criticisms of the chieftaincy institution in Western Nigeria. For example see Awolowo, O. 1947. Path to Nigerian Freedom, pp.65-73.
3. The use made of this part of the law is shown later in this chapter and in Chapter Eight.
4. A few chiefs, if at all, ever attempt to stand by their principle of absolute neutrality in party politics as shown later in this chapter.

deposed as a result of any personal disagreement with prominent party politicians. Such politicians can nearly always find some reasons to substantiate the chief's 'disloyalty'. It would then be argued that such an action accords with customary law or is necessary for the attainment of peace, public order or public safety.⁵

It was against this background that the Recognised Chieftaincy Order⁶ applied Part 11 of the Law to fifteen chieftaincies and designated the Western Urhobo District Council, Orerokpe, as their competent local government council.⁷ This recognition has three main implications. Firstly each of the recognised chiefs could be a member of the Midwestern State's House of Chiefs. Secondly, only holders of chieftaincies approved by the Chiefs Law can become Traditional Members of the Western Urhobo District Council. In this council Okpe tribe has three traditional chiefs, that is, the king, the spokesman and the Okakuro of Okpe.⁸ Thirdly, the fact of recognition by government enhances the position of the chiefs and makes their influence felt to a greater degree in their local areas.

THE LOCAL GOVERNMENT LAW AND THE LOCAL GOVERNMENT COUNCIL

The Western Urhobo District Council is one of the 32 Divisional and District Councils established in the Midwestern State under

5. This was the case of the Olu of Warri from 1963 to 1966.
6. Ref. W.R.L.N. No.22 of 1959 effective from 8/1/58. Also see W.N.L.N. No.65 of 1962.
7. These chiefs are the Orodje, the Otota and the Okakuro of Okpe; the Ovie and Iyasere of Oghara; the Ovie and Otota of Agbon; the Clan Otota and the Onotu Uku of Abraka; the Ovie and Otota of Udu; the Ovie and the Ohovwore of Uvwie and the Ovie and the Iyasere of Idjerhe.
8. These are respectively Ezezi II, Chief J.E. Biokoro and Chief J.E. Odiete. See W.N.L.N. No.1141/57, 357/62 and 448/58.

Parts II and III of the Local Government Law, Cap.68. The Council, like others, was established by an Instrument amendable and revocable by the Governor-in-Council under specified conditions.⁹ The Western Urhobo District Council started operation with effect from 16th September, 1955¹⁰ over seven tribes - Okpe, Agbo, Udu, Idjerhe, Oghara, Abraka and Uvwie. Before 1962, it had a total membership of 61 including the fifteen traditional members. By the law, traditional members do not retire with the 46 elected councillors. They continue in office except as directed by the Governor-in-Council or except if they cease to hold the recognised chieftaincy titles by virtue of which they were appointed. Their membership of the Council could also be discontinued by their resignation or by a dissolution of the Council.

For the purpose of the new State Local Government Council, Okpe tribe is divided into twelve District Council Wards.¹¹ With the king of Okpe elected as Chairman,¹² the Council, among other duties, maintains roads and streets and bridges within its area. It constructs roads or streets or drains or prescribes building lines, and maintains health and sanitary inspectors for its whole area. Also, the Council provides schools and dispensaries and continues to maintain these in Orerokpe,

9. This power was delegated to the Minister of Local Government by W.R.L.N. 343 of 1958. See also W.R.L.N. 12 of 1960.

10. See W.R.L.N. 218 of 1955.

11. These 12 Wards are Mereje, Adeje, Gbosien, Oha, Orerokpe, Ughoto, Amwokpe, Aghalokpe, Ewriyen, Gbimidaka, Elume, and Asagba. Agbo tribe has 10 Wards, Oghara 6, Udu 6, Idjerhe 5, Abraka 4, Uvwie 3. The Central Urhobo District Council was similarly established with effect from 19/9/55 and centred in Ughelli for the remaining 13 Urhobo tribes. The Council has 66 members including, later, 15 traditional members. See W.R.L.N. 219 of 1955 and W.R.L.N. 142 of 1962.

12. The Chairman is elected annually by secret ballot from amongst both the elected and the traditional members of the Council and is eligible for re-election.

and in various towns in Agbo, Oghara and other tribes.

The urban area of Okpe, that is, Sapele, was constituted into the Sapele Urban District Council on 10th September, 1955 and its 33 members include the king of Okpe as the President on a salary of £865 p.a. It also includes eight traditional members¹³ and twenty-four elected councillors from the twenty-four wards. The Chairman of the Council is elected annually from ~~the~~ thirty-two members. Although the king of Okpe is President of the S.U.D.C. and although, territorially, Sapele urban area belongs to Okpe tribe, its social system is largely non-Okpe.

A Council Ward is different from the Okpe tribal district because the former is merely a population area of registered electors. However, the same tribal districts as shown in Chapter Six, form, largely, the Western Urhobo District Council Wards. The king continues to rule through the tribal districts which organisation preceded that of the Western Urhobo District Council. All matters concerning the Western Urhobo District Council are taken, not to the king but to the Council offices in Orerokpe, sometimes through the Ward councillor.

Only natives of the Council area over 21 years or non-natives over 21 who have resided in a Council area continuously for two years preceding the date of election and have paid their taxes or rates, may vote or be voted for in any election in the Council area.¹⁴ Such are the people elected from the seven tribes to sit in the Council at

13. These are the 1st, 2nd, 3rd and 4th Okakuro of Sapele Okpes and the 1st, 2nd, 3rd and 4th Otota of Sapele Okpes.

14. Disqualifications include people serving death sentence, people with unserved sentence of three months or over, people of unsound mind, election offenders, Council employee and public (Government) Officer.

Orerokpe where legislation is made on matters concerning markets, roads, and transport, public order, building and marriage and on natural resources and livestock.

The elected councillors could be chiefs. They could also be untitled adults. Both categories of councillors owe cultural allegiance to the king. The kings and other traditional members from the various tribes assembled in the Council at Orerokpe give stability to the Council and its government. They do this mainly because their traditional authority is still largely respected by their people. The respect by the subjects of one king is transferred or diffused to other chiefs and kings.

In one sense the District Council is a political training ground and its inclusion of traditional membership facilitates easy transition from a traditional to a more modern form of government. The Council affords political grassroots participation beyond the tribal level but in an environment and on a scale that are not totally unfamiliar.

Under the form of tribal self-interest focussed on the king and his tribal chiefs as described in Chapter Six, it would have been unsatisfactory to transfer power and rights of government to an entirely elected body of councillors who are subjects of the kings without the necessary authority and the moderating influence of the kings and chiefs themselves within the area of the Western Urhobo District Council. Such a body would of course be hardly expected to succeed without any

means devised to secure the co-operation of the chiefs or rulers of the seven tribes. It has, therefore, been found necessary for the kings, their chiefs and their elected untitled councillor-subjects from the seven tribes to sit in the same Council.

These Western Urhobo District councillors include the king, the spokesman and one chief on behalf of the whole of Okpe tribe while the twelve elected councillors represent sections of the same tribe.¹⁵

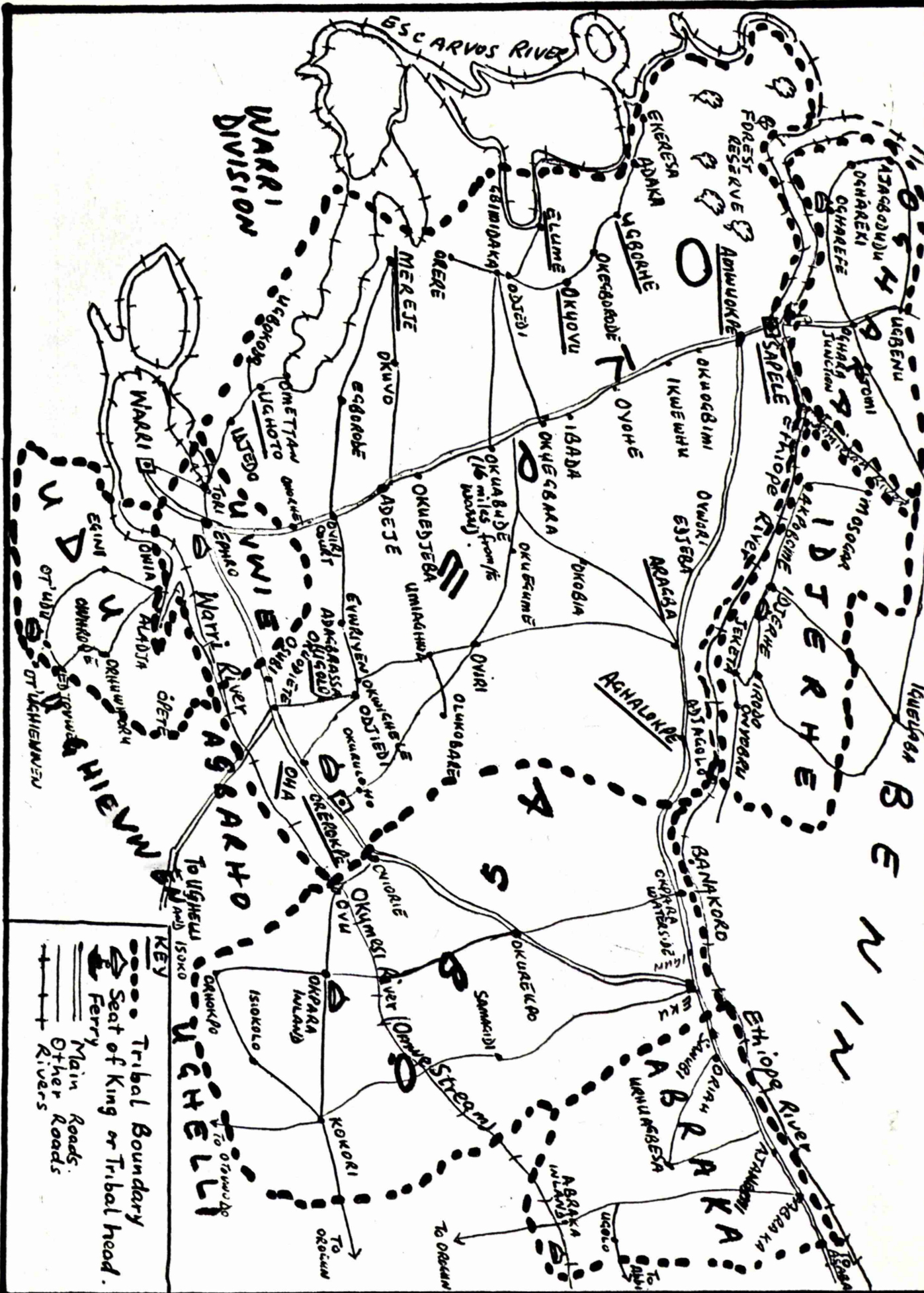
The Western Urhobo District Council (W.U.D.C.) is a compromise device struck between popularly elected representatives and representatives derived from the traditional tribal political system. Both sets of people learn government procedure from each other. In this sense, the W.U.D.C. constitutes a melting pot for both the traditional and modern governmental processes while providing the principal means by which the various tribes and council wards are connected to the new state politics and government in Benin City.

Two main political parties - the National Council of Nigeria and the Cameroons (N.C.N.C.)¹⁶ and the Action Group (A.G.) - have had the greatest political impact in the W.U.D.C. area. The W.U.D.C. was mainly Action Group, the political party which also controlled the Regional Government in Ibadan before 1963. The presence of an opposition party in the District Council indicated the presence of two main

15. In contrast to the W.U.D.C., the Instrument establishing the C.U.D.C. in 1955 contained no traditional members but after protests and resolutions, e.g. that of 14/12/61 by the Association of Natural Rulers of the C.U.D.C. area, to the Minister for Chieftaincy Affairs, Ibadan, and in the face of the opposition of the predominantly N.C.N.C. councillors, the A.G. Government of the Western Region issued W.N.L.N. Nos.18 and 142 of 1962 to amend the original Instrument in order to include fifteen traditional members and four nominated female members. By this means, the Council majority support for the A.G. was ensured.

16. N.C.N.C. now means National Council of Nigerian Citizens.

A SKETCH MAP OF WESTERN URHORO. (1968)



KEY

- Tribal Boundary
- ⚡ Seat of King or Tribal head.
- Ferry
- Main Roads.
- Other Roads
- Rivers

(MARCH 1968)

political divisions in the Council itself and in every tribe. These factions were controlled essentially from Ibadan and, later, from Benin City, as the government and political party headquarters.

Each councillor tours his Ward when he can and as necessitated by political issues. During such tours he informs the people about the activities of the government of the new state and of the W.U.D.C. Though Council Wards and the Okpe tribal districts generally coincide, all W.U.D.C. meetings are called by the Ward councillor and not by the chief or the eldest patrikinsman of the tribal administrative district. Thus within one tribal district or W.U.D.C. Ward, attention of Okpe tribesmen is shared between the requirements and activities of the councillor and the W.U.D.C. on one hand and the needs and activities of the tribal and town governments on the other hand. The councillor's task is often made lighter and he also achieves a greater degree of success as the W.U.D.C. politician in the area if he co-operates with the traditional government leader in the locality; for example, a chief or an elder. Such a traditional leader summons the tribal district as a Council Ward to a meeting which the W.U.D. councillor himself addresses in a school or town hall but not in the town's shrine hall.¹⁷ During such Council Ward meetings, the chiefs or elders have no part to play except as members of the Ward community.

17. The town hall is not the shrine hall (Ogwedio). The former is usually a comparatively magnificent modern building for assemblies of both the old and the young for grand town occasions. The shrine hall is usually preserved for the meeting of elders as governors of the town. The two rarely coincide in one building.

In such Ward community meetings, the W.U.D.C. politician assesses the feelings of the people. These people see politics mainly in terms of local material gains, and therefore, demand the construction and the maintenance of roads and bridges, postal services, more dispensaries, maternity centres, market stalls etc. That is, the local people expect the W.U.D.C. to perform some of those duties which, before the British Government intervention in Nigeria, would be regarded purely as the duties of the age-grades.

In the W.U.D.C. political arena, the chiefs are tutored in party politics. They learn to hold on to both the old tribal and the new state political systems. As traditional members, they are respected by the elected councillors. But because the latter are more educated and better exposed to modern government processes and because they openly indulge in party politics which gives them more power from outside the limits of the W.U.D.C., they tend to ignore the influence and the steadying experience of the traditional chiefs as members of the Council. Although the king and the chiefs control the tribal traditional council, their influence in the W.U.D.C. is negligible. In most cases, they are regarded as ceremonial heads who ensure the symbolic presence of their whole tribes.¹⁸

Most of the traditional members of the W.U.D.C. are either tribal heads or the tribal spokesmen. These are thoroughly involved both in the working of the Council¹⁹ because of their personal membership

18. As Chairman of the W.U.D.C., the Orodje of Okpe does not take decisions without consulting other members.

19. The W.U.D.C. has eight committees i.e. for Council, Staff, Finance, General Purposes Medical and Health, Local Project and Works, Chieftaincy, Local Education, Body of Managers.

and in the activities of the Ward councillors within their own tribes. The king and the chiefs now interpret needs on a basis wider than that of their tribes. The foundation for this attitude was already laid by the British Government before 1960 as discussed in Chapters Four and Five. They are aware of the magnitude of W.U.D.C. expenses. Consequently, they educate their subjects and those tribal chiefs not members of the W.U.D.C. about mutual obligations between the towns and the W.U.D.C. Both the king and his tribal chiefs themselves as well as the town rulers assist the W.U.D.C. particularly in tax collection.

Direct personal income taxation which was the largest area of most Local Authorities in the Western Region was, by the Income Tax Law of 1957, taken over by the Regional Government which, thereafter, permitted the Councils to collect general and education rates. The Local Government (Amendment) Law, 1960, withdrew this concession and the income taxes collected (Income Tax and Development Contribution) are now Government taxes while taxes from self-employed persons carrying not more than £300 annually ~~are~~ assigned by the State Government to the Local Authorities.²⁰

The W.U.D.C. and its Secretary can hardly succeed in discharging their duties without the co-operation of the chiefs and the town elders in the tribe. In fact, they are the surest media of contact with the

20. Orewa, G.O. The Role of Local Administration in the Development of Nigeria. Mimeograph p.12.

people²¹ much less as members of the W.U.D.C. Wards than in their capacity as traditional leaders. The W.U.D.C. appoints the chiefs and town rulers to assist in tax assessment and in tax collection because the latter know, more than any one else, the taxable members of their towns and villages. They can more easily obtain an accurate nominal roll and trace tax defaulters.²¹ In this respect, the traditional tribal rulers are unlike the W.U.D.C. tax clerk who is not usually a native of the town, and, also unlike the W.U.D.C. politician who is younger and who often resides in the urban area, away from his Ward.²²

It is usual for the tax clerk of the W.U.D.C. to make contacts first with the town rulers and not with anybody else in his area of three or more W.U.D.C. Wards. The presence of the tax clerk does not distract attention from the chief or town ruler. Instead, the people see the clerk as the power or the symbol of the W.U.D.C. power behind the tax collection activities of the chiefs and the town rulers. Reaching the town ruler means, for the tax clerk, reaching all taxable persons under him. In circumstances where both the chief or town ruler and the tax clerk have difficulties in their tax collection duties in a particular town, they appeal to the king. In such a situation, the king advises his tribesmen concerned to pay their taxes.

21. Interviews on 29/11/67 with Mr. Timothy A. Otaru, Secretary, W.U.D.C., Orerokpe and on 24/11/67 with three tax clerks of the W.U.D.C. - Messrs. W. Ogba, E. Ichekor and S.A. Esiekpe. These are in addition to my personal experience in following the process of tax collection during the fieldwork. Council appointees - chiefs or town rulers - collect the tax during April-March financial year and pay direct to the tax clerk in charge of the area. Monetary entitlement of .6d per £ of the tax collected is the main incentive for a town ruler to complete his collection as fully as possible. He is not penalised personally if any of his people refuse to pay tax.

22. I.e. except councillors of Wards in Sapele.

In this task, the king uses the traditional process of communication with the towns.

The main alternative to this appeal through the king is to prosecute tax defaulters in the law courts. But in order to respect the king's normal desire for peace in his towns, and particularly when tax defaulters are very many, W.U.D.C. tax clerks prefer to seek the king's help. Thus, the activities of tax clerks and the W.U.D.C. tax procedure make use of the existing traditional political, kinship and territorial links by indirectly drawing attention to traditional loyalty involved in the tribal social organisation. By this process individual Okpes are made to look to their chiefs and to the town or ward ruler and, if in difficulty, to seek help from the king.²³ When in greater difficulty, the Secretary of the W.U.D.C., his senior tax staff and, sometimes, the (Senior) Divisional Officer in charge of the Government Division,²⁴ visit either the king and the caucus of the tribal council or the rulers of the particular towns concerned with tax default or collection. During such visits various arguments are used to persuade the people to pay their taxes. The main argument used is that their taxes constitute the financial means by which the W.U.D.C. can develop their locality. Persuasion is not only by means of the

23. W.U.D.C. tax officers rely more on the town rulers because the king lives far away in the tribal capital where the presence of Council offices and staff activities help to induce tax payment. In the 1940s, most Okpes came to the capital from various parts of the tribe to pay their tax to the king who handed the money to the Local Authority tax clerks. These clerks did not bother to go to the rural towns or villages. Today, tax is collected in small quantities at a time and in a way that involves more tax clerks doing the same type of job though among an increased population.

24. More about this later in this chapter.

speeches made but also by the mere presence of the new state government officers who provide authority behind the king, his chiefs and the town rulers. This power behind the scenes partly accounts today for the respect the people still have for their king, chiefs and town rulers.

The relationship between the chiefs and the W.U.D.C. politician depends mainly on whether or not both of them belong to or sympathise with the same political party, because in practice, no chief is neutral in party politics. It is the elected councillor and other younger politicians that can more freely interact with all kinds of people in various places inside or outside the tribe. If the king, chiefs or town rulers behave as the political wind blows, there is usually no conflict. The most successful elected councillors appear to be those who co-operate with the traditional rulers at the tribal or town levels. If any tribal king and chiefs are maltreated in the Wards by the elected councillors, the former can hardly do anything on the level of the W.U.D.C. because they are always in the minority. Elected councillors can, if united, usually turn down the chiefs' requests or overcome their opposition except if the chiefs can muster support from political authorities higher than that of the W.U.D.C. as will be shown later in this chapter. But the power or authority struggle between the two sets of people sometimes become more complex where the elected councillors themselves tap other sources of political power such as Regional or Federal political party leaders, parliamentarians or ministers,

and thereby succeed in pressurising the chiefs into submission through threats of deposal.

The Financial Instruction of the Regional Government in Benin City provides that all the recognised chiefs of the W.U.D.C., like all other recognised chiefs in the state, be paid by the Council. The total payment depends on the wealth of the Council concerned and on the size of the chief's responsibility. According to Part A of this Midwestern State Government Memorandum,

"The remuneration of Chiefs is provided for in the law in recognition of the part they play in the social and religious life of the community. A salary is paid to a Chief to enable him to perform his public traditional duties and is not intended to re-imburse him for expenditure incurred in the performance of his duties arising out of his membership of a local Government Council or Committee or of a Customary Court."²⁵

These payments which form part of the W.U.D.C. Estimates constitute a stake between the Council and the traditional members.

Thus the Orodje received £63 in 1965/66 out of £70 approved in the W.U.D.C. Estimates while the Otota and the 'Okakuro of Okpe' received £55 each in 1965/66 and in 1966/67 financial years, as approved by the Estimates. Also, in 1961, the Orodje received £865 from the Sapele Urban District Council as well as £354 from the W.U.D.C. and £180 for his car allowance. Throughout the Midwestern State, elected councillors are not paid but are given travelling and sitting allowances.²⁶

25. Financial Memorandum No.G.2.

26. It is not possible, at present, to obtain systematic figures about the annual earnings of the Orodje, the Otota and other tribal chiefs from the W.U.D.C., the S.U.D.C. etc., for fuller information about their economic position and about monetary inducement from outside Okpe

But the Estimates as approved by the new State Government are controlled by the Council which, in practice, is little more than an agency for the political party controlling the State Government.

The effective inroads into the tribe are not made through its W.U.D.C. Wards as such. The Wards become operative only when they are used as platforms for electing W.U.D.C. politicians or where distinct demands are made by the electorate to its elected councillor. The decision of the W.U.D.C. to operate in the various tribes and towns is taken in a meeting where both the tribal head and the spokesman as well as any other recognised chief are present. This composition of W.U.D.C. meeting has the effect of eliciting co-operation from participating tribal rulers for W.U.D.C. projects in the tribe. In addition, the Council communicates direct with the various town or tribal heads about intended visits and projects such as for tax campaigns and the discussion of sanitation or health problems. Also, a town acting in the capacity of a W.U.D.C. Ward, could report vital incidents in its area such as damaged bridges or dispensaries either straight to the W.U.D.C. or through the elected councillor.²⁷ W.U.D.C. staff - tax clerks and dispensers - live with the people. They thus link their localities with the W.U.D.C. headquarters in Orerokpe and where matters concern the whole tribe or a major part of it, or whenever the W.U.D.C. is in difficulty about its decisions regarding tribal traditions, it contacts the king. Decisions reached in such meetings with the king

social system for its tribal chieftaincy titles.

27. It has been stated that the Council facilitates this contact by providing and maintaining roads linking the towns with the Council headquarters in Orerokpe.

are often more significant for the W.U.D.C. than whatever the elected councillor says if the issue concerns the traditions of the people. In this respect, the quality of the king as an indispensable tribal symbol is, as yet, never in doubt.

The W.U.D.C. contacts the town rulers directly when it needs to do so. Communication between the W.U.D.C. and the remotest town in Okpe is ensured by the need for taxes and tax organisation, the need for mutual satisfaction of obligations between the Council and the tribesmen, the presence of Council field staff and by the membership of three traditional members and twelve other Okpes in the W.U.D.C. The councillors themselves have a sense of belonging in the Ward so that they sometimes initiate demands and ensure that Council services and developments get to their areas as adequately as possible.

The effect of the W.U.D.C. and its Wards and of the activities of the elected councillors is that they tend to divide the tribe into pockets of power focussed away from the king. Because they assume that they know more about modern politics and have political contact outside the tribe, the elected councillors sometimes attempt to prey on the ignorance of the electorate who are just learning the principles and practices of the new parliamentary government.

Particularly during periods of elections and political meetings or during visits by their political party leaders from outside the tribe, the Ward features more as a unit of the W.U.D.C. than as the king's tribal government district. Also, the elected councillor appears at

such times to have more power and secures more attention than does the king, at least at the W.U.D.C. ^{ward} level. But if the king has sympathetic ear or support for the same political party, whatever prestige that comes from belonging to such a political party is shared between him and the elected councillor. This balance of power together with the king's co-operation with the new State Government party politicians help generally to save the unity of the tribe in the face of disintegration brought by Council politics.

This is not to overlook the divisive tendency of the opposition party members in the W.U.D.C. The king and his traditional member-chiefs do, if only secretly, support the political party in government of the new state. But the opposition councillors in the W.U.D.C. could create problems for the king and for the tribal political unity because of partisan politics in the tribe and throughout the state. Also, on this level, disunity arises because councillors who are themselves elected on the platform of one political party, tend to satisfy only those sections of their W.U.D.C. Ward, which support them and their political party. Elected councillors do not demand amenities for a wider variety of people including opposition party members in the Ward and tribe.

Political favours and patronage follow party lines. The location of amenities such as dispensaries and the construction of district roads are often indiscriminately determined, the factor mostly considered being political party support. Party politics at the District

Council level also deter the employment of efficient staff who, not being relatives, tribesmen or party supporters, are reluctant to expose themselves to the unsteady attitudes and the unnecessary attacks by other councillors. Such attacks are often prompted because elected councillors themselves desire to secure vacancies for their kinsmen and political party supporters.

On the dissolution of the W.U.D.C. in September 1962, the towns and villages gained prominence as individual social units. Although the effects of political parties remained, these were tied to broader political party issues and practices which were focussed on political party local agents and on Members of the ~~Midwestern~~ State Parliament. The new State Government thus became closer to the tribe through the process of sole administration as discussed later in this chapter.

It has been shown that Okpe chiefs and untitled tribesmen share in the Sapele Urban District Council (S.U.D.C.) government. When the Sapele Town Planning Authority was established in January, 1949, Okpe as a tribe, was represented by three members.²⁸ But the population of Sapele, though an Okpe town, is cosmopolitan. Put together, the Urhobos are, in fact, a minority in a total urban population of 61,007. Government by the S.U.D.C. consequently receives little influence from tribal government processes and personnel.

In the 1952 population of 33,638 in Sapele, the Ibos (both from Eastern and Midwestern Nigeria) had a percentage of 32.6 as compared

28. I.e. Chiefs Rabor Abeke, E.A. Iyefian and J.A. Ayomanor.

with the all-Urhobo total percentage of 22.8.²⁹ Under an Urban District Council government, Okpe tribe, though the owner of Sapele town, merely shares in its urban government. Sapele is largely an N.C.N.C. controlled town. This feature is viewed largely as a consequence of the predominance of the Ibo population; the Ibos being said to be supporters of the N.C.N.C. which is led by an Ibo man. Government and politics in the town are largely conditioned by party politics rather than by any interests or consideration geared towards maintaining the solidarity or prosperity of any particular tribe. The Urhobo minority in Sapele creates problems for maintaining Okpe customs in the S.U.D.C. government inspite of the presence of the traditional members and of those Okpe tribesmen who win Council membership through election on a political party platform. Also, most of the Okpe councillors in the S.U.D.C. are as urbanised - rather than detribalised - as the non-Urhobo immigrants. The result of this tends to show that government and politics in Sapele do not respect tribal traditions to the extent that government and politics in rural Okpe towns or Western Urhobo District Council Wards do.

Council of Natural Rulers: Matters arising from the S.U.D.C. deliberations which threaten the rights of the Okpes as a tribe are, however, resented by all Okpe councillors as an in-group. But in order to make effective demand on behalf of their tribes and of themselves, the Western Urhobo Council of Natural Rulers and Traditional Chiefs³⁰ was

29. The tribal distribution of the 1963 population is not available but it has been shown that, in 1952, the Ibos had the highest population in the town. See Chapter Six.
30. A similar body was formed by the tribal heads and chiefs of the Central Urhobo District Council.

formed to present united and more forceful demands from the Council and from the Government. Such demands include increase in their remunerations with which to maintain their status and to enable them eschew whatever is considered ordinary in terms of dress, transport, food and accommodation. Although it has no statutory status, the Council of Natural Rulers and their chiefs act as a forum for discussions above the tribal level in the whole of the W.U.D.C. area. The Council encourages the pooling of resources - political or material - for common purposes. The District Council finds the Council of Natural Rulers useful as a sounding board for the opinion of tribal rulers and for the opinion of the uncommitted(?) elements in party politics. Their meetings provide the opportunity to the new State Government officials and to party politicians to persuade the rank and file to support the Government in power in the Midwestern State.

On a higher level, a select committee of the kings and chiefs of the Midwestern State is given statutory position and functions in respect of chieftaincy disputes and succession to various kingships in the state as discussed in Chapter Eight.³¹

31. Demands by the kings and the chiefs at the state level brought Urhobo tribal leaders to the Regional Conference of Chiefs. These included Yoruba Obas and Chiefs before August, 1963. Only the Oba of Benin attended the 1st Conference of Yoruba Chiefs in Oyo from 31st March to 1st April, 1937, from the Midwestern State. The oldest Chiefs Conference in Nigeria appears to be that of Northern Nigeria which grew out of the assembly held at the Burba of 1925 on the occasion of the visit of the Prince of Wales.

THE NEW STATE POLITICS AND OKPE TRIBE

1. Political Parties and their Organisation in Okpe Tribe

Okpe tribal political system prior to 1890 and in the form in which it has survived to the present day, shows no persistent and formal divisions into parties. Okpe government problems and dissensions are settled by majority opinion after discussion. Thereafter, the opponents of a policy or decision withdraw their opposition and get absorbed into the majority group. They never form themselves into an organised opposition group. Between 1890 and the 1940s, the British political officers and the Parliament in Britain largely controlled political relations beyond the tribal level. The constitutional changes and the statutes that followed, as described in Chapters Four and Five, partially satisfied and partially encouraged Nigerians to demand greater share in the political control of their country, and also to organise themselves into bodies within which prominent politicians emerged as leaders.

The struggle of the new political leaders has been not only to replace the traditional rulers on a larger scale than the tribe but also to wear the political shoes left by the British Government and assume the political leadership of the whole country. These ambitious aims required new political organisations on a vast scale. The political party was, therefore, introduced and adapted to the Nigerian social environment as a partial answer to fight for and consolidate both political independence and economic development. Also, the party organisation was a means of integrating the various peoples of Nigeria

and focussing their attention on either the Federal centre or the State level.

Thus the tribal traditional one-party or no-party government which had persisted through the British rule to the contemporary period came under the influence of political party organisation for the first time.

The two main political parties formed as a result of these new nationalist movements and aspirations and which have had influence on Okpe and other Urhobo tribes before 1963 were the National Council of Nigeria and the Cameroons (N.C.N.C.) and the Action Group (A.G.)³²

The N.C.N.C. was founded in 1944 from the Democratic Party in Lagos. Amongst its prominent members was Herbert Macaulay from whom, at his death in 1946, Nnamdi Azikiwe (Zik), an American-trained Ibo man, took the party leadership. Ibo tribal organisations including the Pan-Ibo Federal Union were the main supporters of the N.C.N.C. The Pan-Ibo Federal Union was founded in the same year (1944) as a cultural organisation to promote the solidarity and the educational development of the Ibos. In December, 1948, the Pan-Ibo Federal Union changed its name to Ibo State Union after its conference in Aba. Thereafter, it took up an additional aim of organising all the Ibo tribes into a political unit which supported the N.C.N.C. political party whose National President, Nnamdi Azikiwe, was also made the first President

32. For more details, see Ezera, K. 1960. Constitutional Development of Nigeria. pp.91-93, and Lloyd, P.C. 1955. The Development of Political Parties in Western Nigeria. In American Political Science Review, Vol.XLIX. No.3, pp.693-707.

of the Ibo State Union. The leadership of both the N.C.N.C. and the Ibo State Union therefore coincided in one person.

On the other hand, the Egbe Omo Oduduwa (meaning union of descendants of Oduduwa) a Yoruba Cultural Organisation, was founded by Yoruba students in London in 1945 and by prominent Yorubas in Nigeria in 1948. It aimed primarily to encourage the study of the Yoruba language and history and to improve on the education of the Yorubas generally. A prominent foundation member of the Union in London, Chief Obafemi Awolowo, a British-trained lawyer, became its General Secretary in Nigeria. Political activities of the Union received great attention in 1950. These activities resulted in the formal and public announcement in March, 1951, of the formation of the Action Group political party to contest the 1951 Regional elections under the Macpherson Constitution.

Just as the Ibos, from the beginning, regarded the N.C.N.C. as their main political party, so did the Yorubas regard the A.G. as their main political party. There were, however, Ibo Action Groupers as there were Yoruba N.C.N.Cers. By 1963, the Government party in the Western Region was the Nigerian National Democratic Party (N.N.D.P.), also of Yoruba foundation.

The Urhobos were uncommitted, as a group, to any political party. Both the N.C.N.C. and the A.G. therefore canvassed freely for their membership. That is, the political parties influential among the Urhobo tribes from 1944 to 1963, were organisations originating from

other tribes and were dominated by members of those tribes. Support of the Urhobos was found essential in winning the control of the Government both of the Region and of the Federation although the Urhobos themselves did not occupy very prominent positions in such tribally oriented political parties.

After the creation of the Midwestern State in August, 1963, the Urhobos found their trifling political position no longer acceptable. Particularly, it was felt that the existing political party machinery was being used to thwart the progress and prospects of the Urhobos as a whole. The prominent and educated Urhobo erstwhile supporters of the N.C.N.C. and the A.G.³³ shifted loyalty and collaborated with other politicians from different parts of Benin and Delta Provinces to form another political party in December, 1963. This political party was called the Midwest Democratic Front (M.D.F.). Although they were prominent among its leaders, the overall leadership of the new party did not come from amongst the Urhobo tribes.

Like the N.C.N.C. and the A.G., the M.D.F. was organised as a pyramid. But unlike their positions in the N.C.N.C. and in the A.G., the Urhobos were found in the apex and in the inner caucus of the M.D.F. The caucus of the political party consists of a council of party leaders from its various divisions. This party caucus itself has an overall leader in a state who may or may not be the national political

33. This involved both the radical and more mature Urhobo politicians because of the tribal in-group/out-group conflicts and because of the crises of conscience involved.

leader, that is, at the Federal level. Except in the caucus of the M.D.F., political party leadership at the State level does not come from the Urhobos just as no Federal political party leadership comes from the Midwestern State.

The Midwestern State is divided into constituencies for the State Government. Each constituency consists of one or more tribes. On the other hand, each constituency is placed under a political party division, for example, the Urhobo Division. That is, for the N.C.N.C., the A.G. and the M.D.F. in the Midwestern State, the political party headquarters is linked to the divisions which are linked to the constituencies which are, in turn, connected to the tribes, towns and villages. Any of these political parties has this organisational framework to cover the whole state. The Federal party organisation is similar to that of the states. The same political parties are involved except that Urhobo Division has only two constituencies³⁴ in comparison with ten constituencies in respect of the state parliament.

Party politicians at the constituency level meet under their constituency leader for discussions of their problems just as representatives of the various constituencies meet at the divisional level under the divisional leader of the party.

One of the main problems confronting the political party leaders is how to communicate effectively with the electorate, a problem that

34. The two Federal constituencies are Western Urhobo Constituency i.e. Sapele Urban area, Okpe, Agbo, Idjerhe, Oghara, and Uvwie tribes; and Eastern Urhobo Constituency i.e. all the thirteen tribes of the Central Urhobo District Council plus Udu and Abraka tribes taken from the Western Urhobo District Council area.

is solved, in part, through a chain of local political party leaders. Political party agents are recruited and maintained in each constituency. These agents serve variously as communication links, thugs or defenders of top political divisional or constituency leaders particularly during rough political campaigns or tours. That is, in addition to political leaders in the constituency or division, there are youths acting as agents or political escorts in the whole state.

Lubricating this whole system are the political party Principal Organising Secretaries and Field Organising Secretaries. These distribute party leaflets of information or disseminate news or explain party ideology and principles. Party ideologies, however, have little or no relevance in practical terms. Many people would appear to decide to belong to particular political parties because the people whom they like belong to such parties. Or because of the material gains they expect from such particular political parties. This means that the plausibility of a political party ideology which is read and understood by only a few people, has little or no relevance in party politics in the tribe.

Sometimes, the political party operating in an area may be persuaded by the local agent or by events to incorporate some traditional town or tribal political leaders temporarily or circumstantially into a party's organisational framework. Thereby, indigenous political leaders are drawn into party politics as a means of facilitating the dissemination of news and of easing party organisation and programmes.

The party organ, however, provides a better communication framework by which messages and information are carried by relay along the chain from the political party headquarters or from the divisional or constituency leader to the remotest town or village.

Political party meetings are arranged at different levels through the party officers and are attended by the party men and women in the towns and villages. Political leaders and their assistants need not be titled in the town or tribe. Such party leaders consult heads of families who are thereby organised around the local leaders as political party nuclei. The local party leader introduces the local family heads and any politically active youthful leader in any part of the constituency to any visiting Member of Parliament of his party. He also acts as a point of contact with leaders of larger units of the party - the W.U.D.C. Ward, the constituency, the division and the state.

One feature of the leading party politicians among the Urhobos is that, though they live in the urban areas, they come from rural homes which they visit frequently for both family and political discussions.

Political party organisation and activities are in a different sphere of social behaviour and relationships. Thus the political leader does not organise his party through his kinship relationships. Nevertheless kinship affects loyalty to politicians and to a political party. Politicians make personal contact with their electorate through the party organisation. But their visits do not render the position

of their agents redundant. Indeed, a politician's frequent contacts are often with his rural home and with his politically effective kindred. The bridging services of the local party agents are necessary in such a situation in which social distance would otherwise separate the electorate and the remotest areas of the tribe from the leading party politicians whose Western-oriented education and/or acquisition of urban habits tend to remove them farther away from their age-grades and rural tribesmen. The absence of local political agents from the party organisation would involve the leading constituency politician or Member of Parliament in the onerous and less profitable task of frequent visits to every town or village in the constituency and of making personal arrangements for political party meetings which are usually held in the school classrooms or halls.

The leading politicians operate from the urban areas using parts of their houses as political offices which do not exist in the rural area. In such urban places and in the houses of local party agents, sheets or leaflets containing political party symbols and information are often pasted both for publicity and for identity.

The above discussion shows that traditional political institutions and organisation are quite distinct from those of the political party although the latter may involve, temporarily and covertly, some personnel of the former in its own organisation.

2. Party Politics in Okpe Tribe

An immediate task of the A.G. and one of the factors that prompted its emergence in 1951 was to contest the Regional elections held in August and September of that year. The aim of the elections was to choose the Members of the Regional House of Assembly as provided by the Macpherson Constitution. The political party organisation as described covered the whole of the Western Region and both the N.C.N.C. and the A.G. intensified their campaign activities between April and May. Similar party processes were set in action for the 1954 elections to the Federal House of Representatives. This period could, therefore, be regarded as the first time during which the tribes were exposed to effective political party activities. These activities included party propaganda, promises and manifestos, in a struggle by two groups - the N.C.N.C. and the A.G. - for the control of the Regional Government.

It has been stated that the traditional tribal government was, as now, non-party or one-party government, and, as Lloyd points out in his study of the Yorubas,³⁵ the British political and administrative activities produced no political factions in the tribe. This appears to be the situation also among the Okpes because, prior to the emergence of the N.C.N.C., A.G. and the M.D.F., no political group except the political party controlling the British Government through the Resident and his political officers had any effective political influence from outside the tribe. Party activities, therefore, constituted one generator for persisting political factions in the tribes.

35. Lloyd, P.C. 1958. Local Government in Yoruba towns, An Analysis of the roles of the Obas, Chiefs and the Elected Councillors. D.Phil., Thesis, Oxford. p.364.

In Okpe, as in other tribes in the Midwestern State, this divisive factor appears to arise from the need for support through votes by which the local party leader is propelled to a higher political arena where he interacts with other leaders of similar political status. From here, party gains are expected for party supporters in the tribe. This means that, apart from achieved economic wealth through trade, business, and the professions, politics provides the ladder for improving one's status both in the tribe and in the Midwest State. These prospects for higher social and economic positions condition the aspirations of a large number of modern politicians and determine allegiance to a political party. This materialistic concept of politics appears to be a common feature in the politics of developing countries.³⁶

The power sustaining this factional politics as stated above derives ultimately from outside the tribe. The prospects of sharing in, as well as the degree to which anyone can exercise such power increases as one's political party status increases and as one gets more social access to the party headquarters and caucus.

Political party organisation tends to develop pockets of loyalty focussed on the political party leadership in the tribe. This feature detracts, again, from the overall traditional leadership of the king in modern Okpe. This change of focus arises mainly from the fact that new political activities piloted by new leaders who are themselves under

36. For example, see Wallerstein, I. 1965. Elites in French-Speaking West Africa, The Social Basis of Ideas. In J.Mod.Afr.Studies, Vol.3, No.1, pp.16-17.

the traditional hold of the king provide the main form of political communication through a universe of political discourse from which or through which material or social prosperity may be gained.

The political party organisation and the lines through which patronage flows, pose one political party group against another, sometimes to the extent of gruesome and violent opposition. The nearest important party politician to the 'ordinary man' in the tribe are the W.U.D. councillors. They are regarded by the political party stalwarts and by the divisional and constituency politicians as indispensable contact points and means of communication with the masses. Also the constituency and the new state party leaders regard any election to the W.U.D.C. as an index of their party's popularity in the area.

Between 1951 and 1963, Okpe tribe was divided into two main political camps - those of the N.C.N.C. and those of the A.G. Although the N.N.D.P. replaced the A.G. as a government party in Ibadan towards the end of that period, the Urhobo Action Groupers did not change alliance to the N.N.D.P. Instead, the M.D.F. was formed as already shown. This change to the M.D.F. political party alliance was preceded by the formation in Warri by July, 1963, of the Urhobo United Front with representatives from both Eastern and Western Urhobo tribes. These people visited nearly every important rural town in Urhobo to persuade all Urhobos about M.D.F. attractions. They recounted alleged tribal discriminations against the Urhobos as practised by some of the leaders of the N.C.N.C. political party to which a majority of the Urhobos belonged.

The M.D.F. was an upstart political party allied to the Northern Peoples Congress (N.P.C.) in the Federal centre.³⁷ But the M.D.F. disappeared, in practice from the political scene in April, 1965. Thus from 1963 to 1965, there were, again, two main political parties in Okpe and other Urhobo tribes.

The A.G. political party controlled the Western Regional Government in Ibadan as from 1952 to 1962, the N.N.D.P. did so in 1963 while the N.C.N.C. came into power in the Midwestern State between 1964 and 1966. The contraposition of Regional government party and its opposition groups in the tribe has the effect of widening the gap between different groups of people.

Party politics in the Midwestern State is largely materialistic. For instance, because the A.G. held the power and distributed the 'national cake' between 1951 and 1962, it was common for an entrant to party politics to declare to his people as follows: I know you are all N.C.N.C. I want to enter into politics but I will not go to the N.C.N.C. I will be an Action Grouper so that I can do many things for you because the Action Group is a practical party which rewards all its supporters.

It is said by some Okpes, also, that if the A.G. political party had been in control of the Midwestern State Government in 1964, it would

37. The N.P.C., a political party of Northern Nigeria origin, formed the majority in the Federal Legislature in Lagos in the 1960s. The M.D.F.-N.P.C. Alliance pact was signed in Lagos in December, 1963. In the Federal by-election of October 12, 1963, the M.D.F.-N.P.C. candidate, Chief J.E. Ukuoku won the seat for Urhobo West Constituency. The N.P.C. itself was formed in 1951. See Dudley, B.J. Federalism and the Balance of Political Power in Nigeria. In Journal of Commonwealth Political Studies. Vol.IV, No.1, March, 1966, p.21.

have been unlikely to replace the king and chiefs with other Okpes as members of the Okpe Communal Land Trust which was appointed in 1959, inspite of whatever the 1962 Thomas Commission of Enquiry found. This party politics of reward leads to political intrigues. It also creates situations involving party regulations as well as obligations based on kinship and territorial relationships.

The modern party politician can hardly avoid spending money to secure his political position and to retain loyalty of his electorate. The higher the amount presented, the greater the expectation of support. But the mere offer or spending of money as gifts to solicit support or as a means of recruiting and maintaining assistants, does not in all cases retain political support. This materialistic regard for politics together with the fact that a majority of the tribesmen are rural, render party ideologies and principles to be of little or no use. The electorate do not understand these political party ideologies. Party politics is regarded mainly in practical terms - visible party symbols, colourful and massive campaigns, gifts in competing values by the political party groups and their leaders, and visible economic and educational development.

Underneath the party competition for power, lies loyalty to the traditional political system. The political party leaders and agents are well aware of the importance of the surviving traditional political system. Thus the N.C.N.C., the A.G. and the M.D.F. political parties have always tended to link themselves with and to control the tribal political leaders. This was particularly the case during the A.G.

government of the state. For example, although the A.G. won the 1951 Regional election to control the Regional government, the N.C.N.C. won all the Urhobo seats in that Regional election. It also won the overall majority from Western Region in the 1954 elections to the Federal House of Representatives. But, in order to entrench itself in the Region and to convince the people that it retained political control of the Region, the A.G. won the allegiance of some of the popular candidates in the W.U.D.C. area. It also increased the traditional membership of the Council in order to ensure that they had the support of the majority for the A.G. government programmes.

This also happened in other local Government Councils in the Region. Perhaps this was made necessary by the need to secure large mass loyalties and support for the successful performance of the task of state building and stabilisation inherited from the British Government. In this drive for political support, the A.G. appears to have had greater problems from the Central Urhobo District Council (C.U.D.C.) which was controlled by the N.C.N.C. majority under an A.G. Regional government. The N.C.N.C. councillors in that Council opposed the inclusion of traditional members in the Council because they were sure that the tribal heads and spokesmen appointed would support the A.G. The C.U.D.C. was the only Council at that time without traditional members. Through Western Nigeria Legal Notice, No.142 of 1962, the A.G. amended the Instrument establishing the C.U.D.C. to read 66 members including fifteen traditional members and four nominated female members. This process ensured the A.G. majority and also involved central persons

operating the traditional political system in the A.G. government of the Region.

These political party activities show that the Council Instruments and the provisions of the Local Government Law can always be manipulated to ensure regular support of any Council for the State Government. By this means, political parties had additional device of penetrating and largely controlling the tribes, towns or villages, however remote.

Reaching all parts of the tribe - through political party agents and through traditional politicians - is a significant stratagem for uniting and integrating the tribe politically with other Urhobo tribes and with the rest of the Midwest State either as government political party supporters or as members of the opposition. In this way, political parties project group interests from the tribe into the state political arena. Thus political alignment and divisions in the tribe are connected to groups of the same political interest outside the tribe.

Although the traditional chiefs are not regarded as political party leaders, it is significant that the political party leaders respect them. This tactical marriage between the party political system and the tribal political system brings the king and Okpe chiefs closer to the W.U.D. councillor and other political party agents. The political party seeks always to obtain the confidence and the support of the tribal rulers. Tribal traditional politicians are called upon by the ruling

Government political party, when there is need, to activate certain areas of the traditional political processes as a means to smoothen or to facilitate the success of the Midwestern Nigeria State Government programmes.

Differences caused by political party cleavages often cut deep into social relationships in the tribe. For example, the M.D.F., formed in 1963, fought the elections into the Midwestern House of Assembly in February, 1964. It won nine seats to be in opposition to the N.C.N.C. which won 53 seats to form the first representative Government for the state.³⁸ The Urhobos had four of the nine M.D.F. seats in the House of Assembly. These included Chief P.A. Gbinigie, an Okpe chief, who represented Okpe Rural as Urhobo West IV constituency. The other Okpe parliamentarian, Barrister J.A. Ororho, was elected as the N.C.N.C. member for Urhobo West III, that is, Sapele, where the majority of the people were Ibos who, more or less, voted en bloc for the N.C.N.C. Thus the people of Okpe and those living within Okpe tribal territory were either in the M.D.F. or in the N.C.N.C. party with the two Okpes as their respective leaders.

Economic gains and projects for development such as roads and pipe-borne water often go as directed by the political party controlling the government of the state. For the Okpes and other Urhobo tribes, this presented an awkward situation. Between 1951 and 1963 when the A.G. and, later the N.N.D.P., controlled the government of Western Nigeria,

38. The A.G. political party won one seat, i.e. from Akoko Edo.

the Urhobos were largely N.C.N.C. despite the fact that the Regional Government, through the manipulation of Council traditional membership, ensured that the W.U.D.C. and the C.U.D.C. were controlled by the A.G. When a majority of the Urhobos decided to leave the N.C.N.C. and to support the new M.D.F. political party in 1963, the Urhobos again lost whatever they could hope to gain from party politics between 1964 and 1965. During this time, the N.C.N.C. controlled the Midwestern State Government.³⁹ These factors helped to increase the rift between the two political party supporters in the tribe.

The test of the depth of political party feeling occurred in 1965 when eight of the nine members of the M.D.F.⁴⁰ 'crossed carpet' on April 9, 1965, changing their party membership and loyalty in favour of the N.C.N.C. Although this was welcomed and hailed with delight at least superficially in the State Parliament, most N.C.N.C. followers in the rural areas were very resentful about readmitting former political foes to the N.C.N.C. camp. In other words, antagonistic feelings, including destructive acts of lynching and arson, had in some cases, apparently gone too far into the social setting for friendly relations to be considered retrievable. Ex-M.D.F. members, therefore, remained N.C.N.C. only in name because beneath the whole apparently one-party state political facade in the tribe, the old political party contraposition

39. Like in 1951, the N.C.N.C. won the 1956 Regional elections in Urhobo constituencies. I.e. Urhobo West was won by Mr. M.J.O. Edewo with 30,629 votes against Chief J.E. Odieta A.G. with 10,698 votes. Urhobo East was won by J.E. Otobo, N.C.N.C. with 12,747 votes while the A.G. candidate, M.A. Marioghae got 5,279 votes. Urhobo Central was won by P.K. Tabiowo, N.C.N.C. with 25,336 votes against A.G. candidate, J.U. Akpodiete with 7,081 votes.

40. I.e. except Chief O. Enahoro, M.D.F. member for Ishan Central East.

remained.

It should also be noted that personal decisions and changes in the political arm of government make it impossible to get all Okpe chiefs to belong to only one political party. This accounts partly for the situation in which some of the chiefs, including those recognised by the new State Government, sympathise with the political party controlling the government of the state while other chiefs prefer neutrality or show support for the opposition party.

Perhaps the divisive aspect of party politics has been more socially disruptive in neighbouring Agbo tribe where it required the strenuous efforts of the Okpara Youths Congress, Lagos Branch, on the 11th and 12th of April, 1965, to settle the disorganising disputes between the king and his subjects, and between the two political factions in the town. The disputes arose from preceding elections, and alleged political party prosecutions and arrests of political opponents.

These instances show that the king can hardly succeed in settling disputes arising from party politics amongst his chiefs and tribesmen. Such disputes often occasion the use of violent and disrespectful words unsuitable to a king who could, in addition, be openly accused of taking sides or of belonging to one or the other political party. Because the king often desires to avoid such chaotic and divisive tendencies amongst his people, and so long as he can carefully avoid being accused of involvement in party politics, he prospers as the 'father' of all his tribesmen who are party politicians. In such a situation, he could

initiate settlement of political disputes through neutral or influential chiefs and elders in the tribe.

One means by which the new State Government cuts an in-road into the tribal political system, is through the formal recognition or the creation of chieftaincy titles in Okpe tribe. Examples of this exercise are the titles of the Okakuro of Okpe which was approved by Western Nigeria Legal Notice No.448 of 1958 and, also, the Ogoni of Okpe and the Okpo of Okpe chieftaincies both of which were made by Government at Ibadan on 28th December, 1962 through W.N.L.N. No.3 of 1963.⁴¹ I call these three titles political party patronage titles because, though they are externally legal and recognised by the new State Government, they are non-traditional in terms of Okpe political system. The three titles thus have no positions in the tribal political structure. Also, no roles have, so far, been found for them.

This political party intervention in traditional political titles and their hierarchy, is not confined to Okpe tribe. One of two important cases is the Otota r'Ode of Ughelli which was created by the N.C.N.C. government to exist simultaneously with the traditional title of the Otota of Ughelli held by a non-N.C.N.Cer⁴² and gazetted as such in 1962⁴³ under the A.G.-controlled Government of Western Nigeria. The second

41. These were all created titles under the A.G. government of Western Nigeria. The competent council for the three titles is the W.U.D.C. Its traditional members were thereby increased.
42. The holder of this title at present (1967-68) is Chief D.G. Uloho, a wealthy businessman who incidentally also has close kinship relationship with the royal family of Ughelli.
43. I.e. W.N.L.N. No. 355/62.

case, more important because it concerns the king rather than one of his tribal chiefs, is the Omo r'Ovie of Agbon tribe. Again, this title has no basis in Agbo tribal hierarchy of titles or in its political system as a whole. It was the result of the concerted attempt of the N.C.N.C. political party stalwarts to reward their supporter who had lost an election on their party platform. The party leaders determined and rewarded him by an appointment as a Member of the House of Chiefs in place of the traditional tribal head, the king of Agbo against whom refuted accusations of the M.D.F. political party support were made.⁴⁴

The new State Government seems to work with the principle that it must always have its way. The N.C.N.C. of course succeeded in the practice of this fairly established principle and the title of Omo r'Ovie was gazetted as a title for Agbo tribe. While the incumbent⁴⁵ of this untraditional post attended the new State's House of Chiefs and while he became more powerful as a result of political party support in the regional headquarters, Benin City, the tribally installed and recognised king became less well-known as the person on whom the tribal political organisation was centred. Thus the king was merely poised over a fragmented tribal political framework and he ruled over people with

44. It was felt that the king used or misused his traditional position of influence to help the M.D.F./N.P.C. candidate, Chief J.E. Ukueku, to be elected to the Federal House of Representatives in 1963 and also for Chief T.E.A. Salubi to be elected on the platform of the M.D.F. to the Regional House of Assembly in 1964.
45. I.e. 'Chief' Josiah Odje - See Gazette Notice, M.L.N.12 of 1964 with effect from 12/3/64. The Minister responsible for Chieftaincy Affairs is empowered by Section 3 of the Chiefs Law, Cap.19, and also by virtue of paragraph 6 of the Second Schedule to the Constitution of Midwestern Nigeria, to apply Part II of the Chiefs Law in order to make a Chieftaincy recognised by Government.

divided and diverted attention. In monetary terms, the king was fairly compensated by the political party, the M.D.F. on whose behalf, rightly or wrongly, he was punished. Through the Federal Member of Parliament (M.P.), the M.D.F. subsequently obtained a Federal Government appointment for the king as member of the Coal Corporation.

These features of the tribal political organisation and disorganisation arising from political party incursions into the traditional tribal setting appear possible through the provisions of Part II and Part IIIA of the Regional Chiefs Law, Cap.19, by which the Regional Minister for chieftaincy matters can create or recognise chiefs and designate Local Government Councils under which they should legally exist.⁴⁶

It has been stated that there are two levels of constituency delimitations involving the twenty Urhobo tribes. The two Federal constituencies place five of the seven Urhobo tribes that is, excluding Abraka and Udu, in the Western Urhobo District Council under one constituency, that is, the Western Urhobo Constituency. The remaining fifteen tribes are grouped in the Eastern Urhobo Constituency. On the other hand, for the Midwestern Nigeria House of Assembly of 65 seats, the Urhobo tribes have ten constituencies which represent ten pockets of power. Each pocket being split mainly into two in respect of the political parties operating in the area. These different sections of the constituency are connected to other similar sections in the various tribes through the political party organisation and

46. See Laws of Nigeria or the Local Government Manual, Western Nigeria Government Printer, Ibadan.

processes.⁴⁷ It has been shown that before the M.D.F. 'carpet crossing' of 1965, and while the Sapele Urban population with Ibo majority voted for the N.C.N.C., the rural Okpe population in the Western Urhobo West IV (Okpe) constituency voted an M.D.F. candidate into power. This, of course, meant that although represented by the M.D.F. M.P., the N.C.N.C. minority in the tribe were more powerful and important in terms of the tribal or personal material progress as directed by the N.C.N.C.-controlled Government of the State. The king and his tribal council realise this chain of power and do not hesitate to tap it through the local representative whenever the total tribal welfare depends on the 'external' power.

3. The Parliamentary Candidate Soliciting Votes

It has been shown that the N.C.N.C., the A.G. and the M.D.F. formed the platforms for the 1951 and subsequent elections in Western and Midwestern Nigeria. The vote-seeking activities of the party candidates during the elections have profound, if only temporary, effects on the control of the tribe by the traditional political leaders.

Candidates for elections in the tribe are either Okpe chiefs, wealthy businessmen or professionals such as lawyers. These live in the urban areas and, as shown in Chapter Six, they visit rural Okpe in response to their needs for economic welfare or for participation in tribal politics and government.

47. These ten Urhobo constituencies are Urhobo West I (Agbo); II (Oghara & Idjerhe); III (Sapele); IV (Okpe) and V (Uvwie & Agbarho); Urhobo Central - I (Udu); II (Ughienvwen & Effurunto); III (Abraka, Orogun & Agbarha); IV (Olomu, Okparabe, Arhavwarien & Ewu) and V (Evwreni, Uwherun, Ughelli & Ogo).

Candidates interested in an election apply to the political party Divisional Secretariat and also to the Constituency Secretary. The latter, together with the Constituency Chairman know the most popular candidate in the area and wield greater influence in a candidate's choice. The choice of the candidate is preceded by sometimes very expensive lobbying, at the divisional level.

In normal circumstances social distance, though a good mechanism for maintaining status order, stands in the way of communication between the class of people interested in constituency candidacy and the masses in the rural areas. But the gap, bridged by intermediary political elite and leaders, is reduced further during elections by the indispensable personal contact and appearance of not only the candidate seeking the votes but also of all those of high rank in his party who are scheduled by the political party caucus to assist in campaigning for the party candidate in the particular constituency. Some of these assistants to the political party candidate are non-Okpes who, together with the tribal candidate, form a category of people who come into some contact with a section of the people in the pursuit of their normal occupations or professions.

The result is that even if they are not well-known personally to the voters, the prestige and fame which they command, are well manipulated by the intermediary political elite to bring the merits of their candidates to the average rural Okpe. This precedes the arrival of the party entourage in the locality. The work of the candidate is thus

made easier by this 'underground' campaign by his field workers. But the candidate's personality with whatever he can do openly in the form of gifts, good behaviour and the clever involvement of the traditional political leaders, contribute largely to his success in an election.

For the purpose of seeking votes, the candidate stretches his efforts to cover all the important towns and villages in the tribe. Parliamentary candidates of the two political parties, particularly if they are chiefs do inform the king about any tour they propose of the tribe. Their first visit in this respect is usually to the king. Each candidate attempts to convince the king and his tribal councillors that his party is best for Okpe development. But whether or not the king and his caucus sympathise with a candidate's party is, largely, immaterial. For, inspite of any opposition from tribal chiefs or the king, a parliamentary party candidate continues to canvas for votes in the tribe. This feature results from the increasing realisation on the part of candidates that neither the king nor any of his tribal chiefs has an overall control over votes in the tribe.

The candidate and his assistants consult and attempt to convince family heads through personal contacts both night and day. Small family meetings are also summoned to promulgate the party's as well as the candidate's personal good qualities at this lowest level. In addition, a candidate summons town meetings where entertainment with drinks, kola etc. precede serious discussions and lectures. At a suitable stage on this occasion, the candidate is formally presented by either the

local party leader or by the Divisional or State party leader or by some other important stalwart in the party. Thereafter, the candidate is given an opportunity to display his merit and wits through a persuasive speech. His merits are interpreted in the form of personal family name and popularity, monetary and material gifts presented or promised at such meetings; also promised assistance in securing government employment, contracts or scholarships and, particularly, ~~of~~ a candidate's known respect for the king, the chiefs and the town rulers and elders. Also important are the known and published individual and political party contributions to the development of the locality. Concrete and visible developments such as good roads, supply of well or pump water and existing scholarships for the citizens are regarded as excellent party advertisement by themselves.

The candidate, however, returns to the electorate frequently, to discuss vital points raised during previous meetings particularly as they concern ways and means of securing more votes. Candidates normally spend at least £20 for entertainment and as monetary gifts during any town meeting. The political party gives some financial assistance or loan in addition to campaign teams and vehicles supplied to help candidates for the duration or part of the duration of the political campaign. But these rarely go any length to relieve the financial expenses of the candidate who rarely escapes being in debt after an election. Nevertheless, whatever the amount spent on political campaigns is no measure of success in the elections because voters can

accept a candidate's money and entertainment without voting for him.

This discussion shows that the electorate vote for a candidate not only because of party ideology and promises made in manifestoes - a few people that understand these take them into consideration - but also because of personal qualities and/or a party's previous achievement. Presenting a candidate who is not liked by the electorate may create the opportunity for a less popular political party with a more acceptable candidate to win the constituency election. If a political party, for overriding reasons, insists on a comparatively unpopular candidate, the party sometimes wins the election but at a higher cost involving lobby, bribery, gifts etc. Particularly in this case, efforts are concentrated on not only those sitting on the fence but also on powerful vote catching opponents in the constituency. This is perhaps one reason why the political party controlling the government can almost always retain power in the new state. Such a party uses part of the resources of the new state to provide roads, water and so on, if only immediately prior to and during the election period. Also, it has better opportunity of organising tours and propaganda as means of material proof of its benevolence and efficiency. This feature also explains why political parties vie for the control of the W.U.D.C. because the latter controls a variety of services in the local areas.

Because voters need to be convinced of these as seen in their locality, and, although political leaders and candidates come from

Sapele and Warri urban areas, the way rural Okpes vote is not dictated by the relatively sophisticated political opinion or by the material development in these urban areas. This feature appears to have been very noticeable in Okpe tribe during the 1964 Regional elections where the M.D.F. candidate, Chief P.A. Gbinigie, won the elections inspite of the resources and the activities of the N.C.N.C. opponents and, also, where the N.C.N.C. won the seat in Sapele Urban area a majority of whose inhabitants are more or less irrevocably committed to the N.C.N.C.

Each parliamentary candidate adopts both general and particular election tactics. But, in order to attain effective campaign, it is often necessary to divide the constituency into zones corresponding largely to the area of a town. The population of the town zone is also divided into men, women and youths. In all cases, the candidate has to know personally the important family heads, the town spokesman, the town's eldest patrikinsman and ward rulers. The candidate also meets the leaders of both the women and the youths of the voting age of 21 years or over. A candidate modifies his campaign strategy from time to time depending on local circumstances and loyalties. For example, in some towns, he gains more votes and loyalty if he succeeds in persuading local traditional leaders and respected citizens to address rallies in his favour. In other towns a candidate finds it more profitable to address the rallies himself or allow his local political party representative to do so provided such a local party

representative commands the necessary appeal to his community. Political party agents are engaged in all the zones and all kinds of attractions are offered by the candidate during public or private town or family meetings to 'buy' the opponent's supporters while retaining his own until the election day.

The discussion above shows that the town and family units and meetings are more significant for vote-seeking parliamentary candidates who need not consult the king and his tribal chiefs except if any of them is required to preside over rallies held in his locality. Neither the king as Okpe tribal head, nor the tribal council as the highest political institution, can control Okpes today regarding how they should ally with or vote for any political party. The king, the tribal spokesman and other chiefs recognised by the new State Government are very careful about their political pronouncements. These are made to be as non-committal as possible in respect of themselves and of the tribe.

The king and other chiefs recognised by the new State Government behave to parliamentary candidates in such a way as to appear to be supporters of their different parties. This category of traditional politicians behave with such caution because of possible 'retaliatory politics' by any of the parties that eventually controls the government of the new state. This awareness of the ugly repercussions of party politics is kept despite the consolidated positions of this category of chiefs in the tribal political structure. Where the king or any of

his chiefs is pressured to declare open support and to persuade his followers to do the same, the followers could think otherwise and vote as they like. But no one may come out publicly to challenge the king or the chief.

The town rulers and family heads have their own personal convictions about the right political party or candidate to vote for. In the case of anyone belonging to the opposite political party, efforts are made to activate various social relationships until such 'wanted' persons are reached and possibly 'bought' over. Lines of social relationships utilised to catch difficult voters or opponents include marital, territorial, friendship or occupational relationships not only of the candidate himself but also of his political agents and dedicated supporters. In other words, a candidate and his primary supporters manipulate action sets based on these relationships for the purpose of securing the confidence and support of important opponents and also of tapping various voting resources in all the towns and villages within the tribe.

One can hardly speak of large vote banks in contemporary Okpe. But wherever this voting behaviour survives, it arises from mass loyalty of the majority in a town or family to a particular political party or to a particular candidate. Where the latter is the case, mass votes are determined by traditional loyalty of lineage members of either a candidate or any of his supporters to their own head/eldest man. Mass votes rarely derive from support by a whole street, ward

or town except if political party loyalty overrides.

Figures for Okpe tribe are difficult to obtain on this issue. But a Midwestern State M.P.⁴⁸ from another Urhobo tribe, Uwheru, calculated the size of some of his vote banks to show that, in the 1964 Regional elections, a man with his four wives and twelve sons each with three or four wives and adult members of their households gave the candidate 62 clear votes. He also stated that he obtained 73 votes through his father who has seven wives with several adult children and grandchildren and their relatives.

Another M.P., in the House of Representatives,⁴⁹ feels that no leader or family head can record a 100% mass votes today in the constituencies. He estimates that the lowest percentage that do vote as they like in any social unit is 20. Mass votes feature to a lesser degree than votes which are decided on individual basis. Mass votes would appear to increase with the remoteness of the social unit concerned from urbanising influences. They are often, but not always, secured when the success of a particular candidate is inextricably tied to the material prosperity of the head and, or other important and influential members of the family. Also, they appear to be a result of relative illiteracy, lack of party political education or sophistication and a lower degree of development of individual minds.

48. He is the M.P. for Urhobo Central V Constituency, Barrister B.B.E. Idigbe.

49. I.e. Chief Mitaire Unurhoro for Western Urhobo Constituency.

In this sense, and although unable to control the Okpes in terms of modern politics, the king often has a firm grip over his own family circle alone where strenuous efforts to maintain the dignity of the royal lineage override political party loyalties. This results from the realisation that any family which becomes royal through the rotatory kingship loses in traditional status whenever the king fails to command the expected influence or prestige, within and outside the tribe. Indeed, the fear or threat of victimisation of the king if unwisely hinted by any of the political parties during campaigns for votes, could be manipulated by his kinsmen or traditionalists to rally strongly loyal Okpes together, particularly those from the current royal major kin group.

Issues at elections are usually framed in terms of better material development. Perhaps, this is true also of even the developed countries. People withdraw their loyalty to a party because, for several years, they gained nothing from it.

It has been shown that before and during elections politicians woo the king in the expectation that he would influence the votes of his subjects. Also, the chiefs play little or no part in winning mass votes except in their individual capacity as influential heads of families or as town rulers. Although a chief who is a political party candidate may have more sympathy from his titled colleagues and from the king for being a tribal councillor he cannot win an election or political support simply for holding a traditional title. Nevertheless,

his possession of the twin assets - political party power and a traditional chieftaincy power - can be tactfully handled to attract support from the traditionally-minded as well as from the enlightened political party-minded sections of the constituency. The degree to which each of these features influenced the success of Chief Gbinigie in the 1964 elections in Okpe tribe is not quite clear from this study.

Political party solicitations for votes is done through the party machinery and organisation in the constituency. Although the traditional means such as appeals through the authority of the town rulers, elders and family heads are resorted to by parliamentary candidates, actual vote catching and political support depend on other qualities and connections as shown earlier. Both titled and untitled candidates do utilise chiefs if they are popular and powerful individuals rather than as chiefs. Nevertheless, all Okpe chiefs and the king are delicate persons for the candidate because the electorate do resent a candidate who, at least openly, disrespects the traditional political elite. A candidate could lose votes by such attitudes. The respect and homage which a parliamentary candidate shows to the traditional political leaders and the town elders are often regarded as measurements for whatever treatment the candidate is likely to render as the elected Regional or Federal M.P. to people of lower status in the tribe. It is, indeed, relatively poor tactics for a candidate and his supporters to omit the traditional chiefs in their political campaigns because the latter have influence over a comparatively wider circle of in-law

and other social relationships. Nevertheless, a candidate can obtain the support of the king and the chiefs and still fail to win an election.

The effect of vote seeking in the tribe is the temporary diversion of attention from the king and the tribal council. The incessant activities of political party candidates and their agents do remind people that the new state power and authority derive from elsewhere outside the tribe.

Political parties do not consult the king or the tribal council before choosing their candidates. Also at election times, the tribe is divided and organised on party lines in which neither the king nor any other tribal chief as such has influence. They can neither impose nor influence the choice of political party candidates. Nor can they dictate their success in any parliamentary election.

Political parties together with their organisation as activated by the parliamentary candidate and his supporters are essential in replacing political apathy with anxiety to cast votes. This is particularly the case in the more remote towns and villages.

Several factors influence the voting behaviour as discussed above: poverty, lack of political education and the feeling in the constituency that politics is a money-making business. All these contribute to make party politics a corrupt and 'dirty' game. Notions of compensation pervade the vote-seeking campaigns. But it is after an election into the Regional or Federal Parliament on any political party platform that this may be more properly examined.

4. Midwestern Nigerian State Parliament and the Tribe

Precedents for the House of Chiefs were laid in Western Nigeria through the meeting of Yoruba chiefs in 1937. During this meeting, the chiefs spoke through the screen. There were subsequent such meetings and conferences of chiefs up to 1956.⁵⁰

Chapter Five shows that Western Nigeria has had a bicameral legislature since 1951.⁵¹ An important aim and effect of this has been to secure and sustain the interest of the traditional rulers in the Regional Government and to enable the chiefs to participate in the state process of law making by which their various tribesmen are governed. Only chiefs recognised by the State Chiefs Law - whether they have traditional structural status or whether they are Government-made - are eligible to be members of the House of Chiefs. Votes to choose chiefs are not cast for vacant stools or for disputed entitlements. Also, only holders and not titles are voted for.

In 1956, the electoral college chose the king of Okpe with 60 votes and the king of Ozoro (an Isoko tribe) with 37 votes⁵² to represent the Urhobo Division in the Regional House of Chiefs.

The only king appointed in Okpe during the period of British rule was living outside the Midwestern State⁵³ when he returned home to

50. For more details, See Lloyd, P.C. 1958. Local Government in Yoruba Towns: An analysis of the roles of the Obas, Chiefs and the Elected Councillors. D.Phil. Oxford, pp.117-118.

51. In 1951, Warri Province was represented in the Western House of Chiefs by Chiefs J.A. Akiri (Isoko), and D.O. Dafe (Abraka tribe), and in the Western House of Assembly by Messrs. P.K. Tabiowo, Yamu Numa, G.B. Ometan, G.O. Oweh, J.G. Ako and J.E. Otobo.

52. The king of Oghara with 31 votes was the only Ovie rejected.

53. I.e. in Oshogbo in Western Nigeria. It should also be noted that

contest election to the throne. In 1956, as also in 1960, when the king was made a member of the House of Chiefs,⁵⁴ there was no question of a breach of tribal tradition of restricting his movements to Okpe nor of the Okpes panicking about his tours outside the tribe. Indeed, appointments as members of the House of Chiefs have always been sought and appreciated since the 1950s. Such appointments have become an aspect of political manipulation by the ruling political party. They are used as prizes for support particularly after the enactment of the Western House of Chiefs (Selection of Chiefs) Regulations, 1956, and as amended in 1960 and 1962 and also after the enactment of the House of Chiefs Law, 1962, effective as from July 25, 1963 as No. 18 of 1963.⁵⁵ Under these laws any chief currently recognised as such by the Government qualifies to be selected to fill any vacancy allotted to the Division provided he is not President of a Customary Court.⁵⁶ Also, any chief with an undisputed authority over or associated with a community could, as determined by the Governor-in-Council, be appointed

Esezi II was the second well-known Orodje of Okpe, as compared with Akenzua II who is the 38th Oba of Benin. Also with Alafin of Oyo who is the 42nd in succession; the Awujale of Ijebu Ode, the 51st in succession and the Osemawe of Ondo who is the 41st in succession - See Egharevba, J.U. 1960. A Short History of Benin. Appendix I and Lloyd, P.C. 1958. Local Government in Yoruba Towns. An Analysis of the Roles of the Obas, Chiefs and the Elected Councillors. D.Phil. Thesis. Oxford, p.3.

54. The membership of the Western House of Chiefs, 1960, totalled 51 and included Orefe II, the Ovie of Oghara tribe.
55. See Supplement to Western Nigeria Gazette Extraordinary No.12, Vol.11 of 20/2/62; W.N.L.N. No.74 of 1962 effective from 15/3/62. Also see Supplement to Western Nigeria Gazette Extraordinary No.52, Vol.12 of 25/7/63.
56. More about the Customary Courts later in this chapter.

and gazetted as a member of the House of Chiefs. Only such gazetted chiefs could, by 1963, participate in the selection of Members of the Regional House of Chiefs from the four Urhobo constituencies.⁵⁷

The Constitution of Midwestern Nigeria Act, 1964, provides for a House of Chiefs which now consists of 61 members with ten from Urhobo Division. Thus, a chief is chosen from every constituency. In this case, the king of Okpe has no traditional rival in the Urhobo West IV constituency. Nevertheless, he, like others, has to support the political party in power. For, as the case of the king of neighbouring Agbo tribe with an M.D.F. elected party M.P. shows, the king, though the tribal head and a recognised chief, could be replaced by anyone chosen by the Government of the new State. This shows that the king, as the symbol of his tribe, is not an automatic member of the House of Chiefs.

This point was confirmed in the case of Agbo tribe in February, 1968, when, under cross-examination during the Begho Assets Tribunal,

"Chief Odje told the tribunal that although his Chieftaincy title was inferior to that of the Ovie of Agbon, he became a member of the state's upper house."⁵⁸

This appointment was made possible because the N.C.N.C. political party, like its predecessor party controlling the government of the state, maintained that:

"For the purpose of the House of Chiefs there are many chiefs in Agbon. ~~Clan~~"⁵⁹

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57. I.e. Central Urhobo East, Central Urhobo West, Isoko South, and Urhobo West I.
58. Daily Times (Nigerian), February 28, 1968 p.6. The Tribunal was appointed by the Midwestern Nigeria Military Government through Edict No.6 of 1967 and entitled Public Officers (Tribunal of Inquiry) Edict, 1967, and it commenced on 7/3/67.
59. Statement by Chief O. Oweh, Minister of Economic Development, Mid-western State. See House of Chiefs Debates of 15/4/64.

The idea of an electoral college for the House of Chiefs has therefore had little or no attraction since 1964. Where a constituency extends over two or more tribes,⁶⁰ the Government political party chooses the chief it likes. But where all the chiefs show loyalty to the ruling political party, that party sometimes expects or demands donations to the party funds from the kings who, in addition, undertake expensive canvassing to determine who should be selected as member of the House of Chiefs. Thus, in practice, it is no longer a question of the kings and chiefs in the constituency concerned getting together to choose one of themselves as a member of the State's House of Chiefs as was the case before 1963.

Membership of the House of Chiefs improves the king's status and the prestige of the whole tribe. Before 1964, the king of Okpe had been President of the S.U.D.C., Chairman of the W.U.D.C., Chairman of both the Loan Board for Western Urhobo and of the Board of Governors of the Baptist High School Orerokpe. He also had been member of the House of Chiefs in Ibadan in addition to being the organising head of the Okpes. As a member of the new State Government, people look to the king for additional news regarding the aims and the development projects of the State Government. They show no worries that their king performs duties outside the tribe. During his absence, the tribal spokesman and other chiefs and town elders attend to what remains of the tribal government.

60. E.g. Urhobo Central IV constituency with four tribes - Olomu, Okparabe, Arhavwarien and Ewu.

The king and a majority of his subjects see his appointment to the House of Chiefs principally in terms of prestige, salary, allowances and car.⁶¹ This view is typical of most people in the Midwestern State. But rather paradoxically, party politicians and members of the House of Assembly who seek membership of the House of Chiefs for their supporters, feel that the House of Chiefs is itself an unnecessary and wasteful drain on the state's financial resources. Appointments to the House of Chiefs are regarded as an exercise in commerce and prize winning for assistance assumed to have been rendered at elections.⁶²

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61. Many Chiefs in the House are apparently unable to realise and perform their duties as members of the Upper House. Perhaps they can hardly be expected to prevent the passage of a bill for, in any case, the Government must have its own way, particularly because of its political party control of the Upper House membership.
62. In some constituencies in the Midwestern State, e.g. in Western Ijo, where no suitable indigenous party-supporting leader is allegedly available, the N.C.N.C. created 'Immigrant Chiefs' to represent the people in the House of Chiefs. E.g. Mr. R.M. Onyeagba, an Ibo man and trader, resident in Burutu for over 20 years was made a Member of the Midwestern House of Chiefs inspite of protests by Ijo youths in Burutu. In his political explanation of the general position of the Special Members in the Midwestern State Parliament, Chief Osadebay, the Premier of the N.C.N.C.-controlled Government stated that a "Majority of the Special Chiefs being referred to are natives of the Region but where they are of Eastern origin, their choice was entirely the responsibility of the local leaders, not of the Government. Such chiefs have stayed so long in the Constituencies which have selected them and have contributed so much to the economic development of those areas that they have merited the preferment" - See Midwestern Nigeria House of Assembly Debates of 13/8/64.

Though remaining behind the scenes, this appointment exercise exposes the tribal traditional rulers to the indignities of political party activities. In practice, it makes them less able as the symbol of all their people some of whom, that is, those in the opposition, are, more or less, enemies of the Government.

Nevertheless the king as a member of the House of Chiefs seeks the interest of all his people particularly in all parliamentary discussions regarding the Okpes and their land. On the other hand through the House of Chiefs, the Midwestern State Government integrates as much as is consistent with a workable government, some aspects of the traditional political system involving the king and some of his tribal chiefs.

Together with the device of having a chief and a partly politician from each of the ten constituencies among the Urhobos, the new State Government decision to have at least one cabinet minister from each of the ^{ten} administrative ~~ten~~ divisions shown in Chapter One, ensures that no section of the Urhobos, as indeed, of the Midwestern State, may complain that their people do not participate in taking vital and binding decisions⁶³ on the people of the Midwestern State.

The indigenous tribal political processes, like those involved in the imported British Westminster model, embody the democratic principles of government by debate and discussions. But while a king is reticent in speeches in the House of Chiefs for fear of staining his personality and royal dignity through criticism from party politicians

63. Barrister J.A. Ororho, an Okpe, is Minister of Trade and Industry and Chief G.O. Oweh, an Okpe Okakuro and maternally Okpe, is Minister of Economic Development.

and from the general public, a member of the elected House of Assembly is much less cautious about his political utterances inside or outside the parliament. Perhaps the current position of the king as Member of the House of Chiefs was made in Ibadan in July, 1955, when Chief Ogedengbe from Afenmai Division in Midwestern Nigeria declared in the House of Chiefs as follows:

"I feel that my proper position in the scheme of things as an Oba responsible for the welfare of my subjects, both the N.C.N.C. and the A.G. members alike, is to steer clear of party politics but to support as a duty any Government of the day for as long as the Government fulfils its obligations to my people."⁶⁴

The fear of the threat of or of actual political party intervention in tribal status relations and political affairs is real and has always pervaded the activities of the tribal heads from the first session of the House of Chiefs in Ibadan in January, 1952⁶⁵ to 1966 despite the assertion that:

"In the field of Chieftaincy matters my Government is committed to a policy which ensures respect for the status and dignity of our traditional rulers and their participation in the working of the machinery of Government in the Region."⁶⁶

64. Western Nigeria House of Chiefs Debates of 14/7/55.

65. I.e. on 7/1/52 and 9th and 19th January, 1952.

66. Governor's (Chief S.J. Mariere's) Address during the Joint Sitting of the Midwestern Nigeria House of Chiefs and of Assembly on 25/3/64.

5. Tribal Chiefs and Party Politicians in Mid-Western Nigeria

The above assertion of the involvement in the new State Government of the central actors in the traditional political system brings the tribe and its organisation closer to modern political intrigues and machinations. Attitudes of nationalist or new state politicians and of the Government political party towards the key figures in tribal politics are not always clear. In most cases, they are contradictory but provided the Government has its way. For example, the statement quoted above about protestations of respect for tribal chiefs and for their inclusion in the new State Government could just mean the opposite. That is, it could be said that the Government disrespects tribal chiefs because they are made to do what the Government wants. Tribal chiefs have never, in fact, participated in the State Government to the extent of rejecting any Government Bill. The position of all tribal chiefs including the king of Okpe, in the Midwestern State Government was clarified in 1964 by the following statement:

"As I have said before, there is no opposition. The selection of Chiefs was done in each area by the N.C.N.C. or Council area....We all know 'B.2.', the Iyasere; the Minister of Local Government and Chieftaincy Affairs. He is in charge of the branch of the law that brought us here. We should not play with fire. You all know he is fire...If any Chief here thinks that he was Action Group or he was M.D.F. and because of the last election he played a little part and he is lucky to be brought here and can talk what he likes, he should know he is playing with fire..."

Therefore, please do not disclose your identity that you were N.C.N.C., Action Group or M.D.F. Hide your tail. If you do not hide your tail, the Minister of Local Government and Chieftaincy Affairs will roll it up and cut it off."⁶⁷

The nature of party politics in the Midwestern State and, indeed, in the whole of Nigeria, is itself an important warning against the unpleasant consequences for Okpe tribe, the king, and the Okpe M.P., if they, like anyone else, voted for the wrong political party. For example, when the M.D.F. leading party politicians dissolved their party and merged with the N.C.N.C. on April 9, 1965, the Premier of the Midwestern State, Chief D.C. Osadebay, in a speech that is typical of the politics and the 'political culture' of contemporary Nigeria and indeed of most new states, declared:

"What has not been done in this country, or in other parts of Africa, in the name of party politics? People have gone to jail for what they did not do. People have been hanged for murders they did not do. People have been murdered for doing nothing other than belonging to a different political party. You, Mr. Speaker, Sir, and all of us who were in the old House of Assembly in Ibadan, knew what the people in this area, the people in Benin, the people in Ishan, Asaba, Urhobo, Afenmai, Warri, Ijaw, Akoko Edo, Aboh, Isoko have suffered in the name of party politics. Our roads were neglected because we did not belong to the right party. We had no scholarships because we did not

67. Speech by the Onogie of Ewohimi and Minister of State. See Mid-western Nigeria House of Chiefs Debates of 16/4/64.

belong to the right party....I may not want to victimise an M.D.F. man; the Ministers here and other people in this House may not; but can you speak of the little man in the village who wants to victimise because his party is in power? We cannot speak for him. And every day, we hear of inflated tax assessments, customary courts lording it here and there."⁶⁸

This typical speech shows that although the opposition may have its say in the Midwestern State, the political party controlling the State Government always succeeds in doing what it wants to do.

Modern political party leadership in Okpe tends to integrate the rural and the urban areas. While living in the urban areas of Sapele and Warri, political party leaders visit their rural homes in Okpe and regard themselves wholly as part of it. In this way, they give the rural areas a sense of rural sufficiency and contentment in producing their own political leaders by whom they are linked to the employment, scholarship and development prospects as seen in the state headquarters in Benin. The position of the M.P., that is, whether he is a Minister in the State's Government and, if so, what portfolio he holds or whether he is in the caucus of the party or in a pressure group, has a lot to do with the material gain that are expected or achieved in his tribe or constituency. For the king himself, his greatest problem today remains his relationship with the ~~political~~ party politician and with the new State Government.⁶⁹ The king's problem is made easier if he remained

68. Osadebay, D.C. Midwestern Nigeria House of Assembly Debates of 9th April, 1965.

69. Also see Lloyd, P.C. 1958. Local Government in Yoruba Towns: An Analysis of the roles of the Obas, Chiefs and the Elected Councillors. D.Phil. Oxford, p.373. Lloyd states that "By far the greatest problem facing the Oba is, however, his relation to the new government in power."

neutral during the elections that brought the Government party into power or if he supported the Government political party before and after it came to power. That is, whether or not the nationalist party politician is an Okpe chief, he is loyal and shows respect to the king only if the king supports and works for the progress of the new State Government party in his tribe; and also, only if the king does not declare his support for the opposition party before or after the elections.

The king and those of his tribal chiefs who support him are usually in trouble if they dare to oppose the State Government party. This is a delicate political position for the king and other traditional rulers because as political parties change in the Government of the State, the current Government party does sometimes accuse and penalise the king and some of his tribal chiefs for allegedly supporting the preceding political party controlling the Government. Such was the position of the king of the neighbouring Agbo tribe, already cited, although the king explained the position quite fully and tersely that:

"All I did in the past was to lend support to the Action Group Government of the day. This I did to safeguard my position and it was construed by well known detractors to mean supporting a particular party...It will interest you to note that I am now all out to support the present government of the N.C.N.C. in the Midwest Region."⁷⁰

70. Letter of 7/3/64 to Okpara Youths Congress, Lagos from H.H. Chief Chamberlain O. Orovwuje, Okpara I, Ovie of Agbo tribe. The Ovie was a member of the House of Chiefs, Ibadan, before the creation of the Midwestern State in 1963. But he was denied membership of the Midwestern House of Chiefs. His case is a publicised instance of the 'politics of revenge' in the Midwestern State.

It is well known that this is the advertised atmosphere under which most kings and chiefs rule their tribes in the new state. The king and other tribal politicians are punished as scapegoats either because the constituency voted for the opposition candidate into the new State Parliament or because the king and his tribesmen supported a predecessor Government party. On the other hand, a king, his tribal chiefs and other untitled people may be accused of lukewarmness or of ambivalence towards the new State Government party if they remained neutral in party politics. Yet neither of these tribal government personnel can be over-enthusiastic about participation in a particular party-controlled Government of the new State because of the fear of victimisation by a successor political party. What seems to save the situation, to some degree, is the fact that, in practice, any political party controlling the new State Government consolidates its position by various means, dishonourable or not. Therefore, support or encouragement for the constituency representative in the new State Government as well as very delicate neutrality skewed in favour of the Government party appear to be the principal means today by which the king and other tribal chiefs and rulers can avert what can be very disastrous to their tribal traditional authority and to their political organisation from 'external' sources.

The Okpes have minimised this problem to a large extent through the surviving traditional loyalty of the chiefs and their pre-occupation with the tribal unity and progress. The fact that Okpe tribesmen,

whether or not they are traditional chiefs, inadvertently share themselves out between the two political parties in the new state results in a situation where the tribe as a whole both gains and loses from the current party materialistic politics. Whatever side of the tribe is represented in the new State Government party, the advantages of belonging, though made unavailable to individual opposition party supporters, are utilised to upkeep the tribal political system and its collective prestige. The proviso for this is that the king either remains as seen to be neutral or supports the right political party.

Because Okpe chiefs themselves belong to political parties of their choice, the tribal council is, largely, politically neutralised. Like the Urhobo Progress Union,⁷¹ the tribal council, as regards its composition, is a melting pot for party politics. This political make-up of the tribal council is vital for the continuity of the traditional politics and the tribal government because it makes it possible for it to be insulated from the shattering tendencies of party politics. Meetings of tribal councillors, for example, on issues connected with Okpe land or its relationship with other tribes, often lead to suspension of political party differences in order to achieve whatever is considered good for the tribe as a whole. On such occasions, those chiefs who have sympathy for the opposition political party normally shelve their party pride, beliefs and requirements in order that, if need be, the tribal council has no hindrance in supporting

71. More about the Urhobo Progress Union later in this chapter.

or appearing to support the current party Government. This position changed slightly when, as stated earlier, the M.D.F. party merged with the N.C.N.C. to form an integrated one-party Government for the State, although, in effect, the M.D.F. party supporters formed an unassimilated mini-party within the N.C.N.C.

So long as the new state politicians resolve their party differences, if only temporarily, and operate the traditional government through the tribal council the king, the chiefs and other non-titled Okpe party politicians, remain united for the good of the tribe. But this should, in no way, be construed to mean a political equilibrium between the tribal council and the Midwestern State Government and its politics. In most cases, the Government party politician in the constituency is instrumental in ensuring good relationship between the tribal politicians and the State Government.

The above discussion suggests that as the British Government expected the Okpe tribal councillors and chiefs to support and to ensure its success in the tribe so does the new State Government expect Okpe tribal councillors to promote its interest in the tribe. The choice for tribal chiefs of either co-operation or deposition, initiated by the British Government, therefore, still survives in the new state. It is, consequently, not quite clear as yet, what the traditional rulers - the king and his tribal chiefs - are supposed to do. That is, whether they should remain purely as traditional rulers and hold their tribes together in traditional terms or actively participate in the new state

politics. This dubious attitude towards the political position of the king and his tribal chiefs in contemporary politics in the new state appears to be a carry-over from the political system of the parent state, Western Nigeria. This undefined political position of tribal chiefs is illustrated by the following statement that the Action Group Government in Western Region

"have not however been equally happy in the matter of permitting chiefs to follow a policy of neutrality in politics, still less to differ from the Government. We were often told that it was desirable that a Chief should not concern himself with politics, yet it is difficult to see how taking sides in politics can be avoided. Local politics in every small chiefdom, as in Benin, turned on support of the chief or opposition to him and over this basic pattern was imposed a network of jealousies between clans and chiefdoms; allegiance to national parties has followed the divisions imposed by these local politics....in the House of Chiefs whose total membership is 52, there is now only one member who is not a supporter of the Action Group - the example of one great Chief, the Alafin of Oyo, who was deposed in 1956 could not be forgotten by any chief in the Region."⁷²

Nor can any chief or tribal ruler in the Midwestern State easily forget the deposition and the exile of the Olu of Warri, Erejuwa II, to Ogbesse in Benin Province in August, 1963, until the Military Government recalled him to his throne in December, 1966.⁷³ This shows the state's party

72. Report of the Minorities Commission - A Daily Times (Nigerian) Special Reprint (under permission) in August, 1958. Nigerian Printing and Publishing Co. Ltd., Lagos.

73. On the return of H.H. Chief Ebesimi Emiko, Erejuwa II, to his throne, Chief Moju Igbene who had been politically sponsored to the throne under the title of Ikengbuwa II, was ordered by the Military Government of the State under Lt.Col. David Ejoor, to vacate the throne. This

politician as possessing the opportunities of either seeking means to dethrone a king or, if he chooses, to reduce the monetary income of the king and other eligible chiefs through pressures on the party-controlled W.U.D.C. or by denying them membership of state boards or of the House of Chiefs. From the point of view of economic resources it could therefore be argued that

"As most Urhobo kings depend almost entirely on these sources of income, an M.P. controlling them can virtually control the king."⁷⁴

All the state political parties aim at centralising political party power in the Government headquarters in Benin and do not tolerate irremovable local potentates or traditional political institutions particularly if these are considered 'irresponsible' by the party in power in Benin.

The king does not normally summon the tribal council to consider the political campaigns or activities of any party in Okpe except in as much as such activities precipitate tribal disorganisation. In such cases, and because the tribe and its leaders are directly powerless, the king, representing the tribal political order, does summon the new Government party politician to his palace where they discuss a common front by which to restore good relationship between the tribe or a majority of the tribesmen and the politicians of the modern state.

followed the Obaseki Commission of Enquiry appointed by the Military Government into the Olu of Warri Chieftaincy title. See the Nigerian Morning Post of 22/12/66, p.16.

74. Umukoro, Chief G.E.E. March, 1968. Personal communication. Chief Umukoro is an Ohovwore of Agbo tribe and he is Senior Education Officer, Federal Government College, Warri.

All kinds of available relationships are utilised in mediations whenever the king or his tribal chiefs are in conflict with the new state party politicians. But the king himself has great access to the Government party men through his membership of the House of Chiefs. When in trouble or in need, the king knows the important and appropriate politicians to meet on behalf of himself and his tribe.

The elected M.P. normally respects the king and other traditional rulers throughout his parliamentary life. He is very conscious of interpretations given or capable of being given to his behaviour in the tribe because these largely determine the prospects of his future re-election. He stands a better chance if he behaves in such a way as to show that he respects elders, the chiefs, the king and also to show that in the new State Parliament he does nothing to underrate or to lower the prestige of Okpe in favour of other tribes.

The fact that Okpe constituency elected a candidate who is a loyal chief with both urban experience and feeling of rural Okpe belonging provides an opportunity of whittling down the political excesses of the political party's youthful followers who, as a result of urban influence, appear to be less interested in the status quo of the tribal political system. This feature of Okpe constituency representation in the State Government presents both personal and institutional assets in keeping the tribe as one unit. That is, by securing the personal loyalty of the chief in addition to the facility provided for calling him as a member of the tribal council where the

king and other chiefs brief him on the material needs of the tribe from the State Government and on the need for the cohesiveness of the tribe inspite of the distracting effect of party politics.

An M.P. who is also an Okpe chief can, therefore, hardly use any means to attain whatever political ends he desires. He is held by the needs of behaving as a tribal chief who is dedicated to the welfare of the whole tribe and also by the overwhelming guidance of the tribal council which ensures that the elected parliamentarian does not use or misuse his party powers to drag Okpe tribe into disrepute. The M.P. cannot disregard these expectations and prosper in his electorate or succeed in winning the next election.

This regulatory tendency of the tribal council together with the built-in assets in the form of expected behaviour of the elected chief constitute the main restraint on him. Nevertheless the M.P. depends neither on the king nor on the tribal council for cabinet or other party appointments. Though it induces some sentiment, the chieftaincy title is not a prerequisite for political party candidature, activities or success. Indeed, in terms of the commitment of chiefs to the unity and to the common welfare of all Okpe kinship and territorial units, a chief's participation in party politics by which the tribe tends to be divided and disorganised, provides some contradiction to his role in the traditional political system.

Whether or not the king is a member of the House of Chiefs, the elected M.P. in the State Government party is the most important person

whom his party consults whenever there are problems which the Government political party wishes to settle about a chieftaincy particularly in serious disputes or agitations in the tribe involving the king, his tribal chiefs or the tribal council. In any of these cases, the M.P. is the foremost person to provide acceptable answers relating to the 'true' facts and the majority opinion in the tribe. The prosperity of the king and other chiefs recognised by Government is interpreted by the constituency to be the result of the successful labour of the elected Government M.P. in his political party inner circle.

People expect the elected M.P. to recognise everybody by face and to greet and give them gifts and drinks. The M.P. is also expected to lift members of the electorate in his car and to see to their personal problems which are very often in terms of government contracts, employments, scholarships for themselves, their children and their relatives. Also, the house of the M.P. in the urban area of Sapele, Warri or in Benin City is no less than a tribal home for the electorate. Political party supporters of all grades and statuses in the tribe feel entitled to visit the M.P. at any time and without previous notice to stay with him, sometimes bearing messages from aged and important traditional rulers in the tribe. The M.P. never usually refuses to accommodate any of his visitors except if this can be very cleverly done without creating ill-feelings that could be harmful to his fame in the tribe and to his future election. The M.P. is always or has to be prepared to run small expenses involved in hiring accommodation

or paying hospital bills, court fines, or in standing as surety for his political supporters who visit him or get involved in legal trouble. This means that the M.P. from the tribe has to be relatively wealthy and influential⁷⁵ in order to have enough funds for his political activities and for the retention of his supporters.⁷⁶

Although the M.P. reports pertinent parliamentary discussions affecting the Okpes back to the king personally or through other visiting chiefs, the position and authority of the king are undermined by the fact that because of the M.P.'s easier access to the caucus of the political party controlling the Government as well as to other important persons in various arms of the Government, the elected M.P. diverts attention to himself as the surer and quicker source of satisfying or achieving one's needs. But the king is regarded with respect and although also a member of the State Parliament, his subjects are further removed from him socially and are loath to seek Government or Board or Corporation employment or scholarships through him. Realising at the same time his capacity and incapability in this sphere of activities as he does for his own personal or tribal requests, the king refers his subjects to the elected M.P. as the proper and more knowledgeable person. The king ~~knows~~ or assumes that the M.P. is in a position to involve himself in the sometimes 'dirty' game of party politics by which material gains may be sought or created for political party supporters in the constituency.

75. All the leading party politicians in Okpe tribe are either businessmen or professionals.

76. In other constituencies as already stated, the political party candidate often incurs heavy debt after the elections. For the unscrupulous ones, this is the cause of bribery and of corruption in the attempt to refund loans received and to live to the expected high standard.

The effects of this aspect of the state's party politics is, again, the diversion of attention from the king and the tribal council to the elected party politicians as the effective leader of Okpe constituency in the new State Government in Benin. An opposition political party M.P. in the tribe cannot satisfy the above needs of the people and therefore attracts little or no attention in terms of competitive leadership in the tribe.

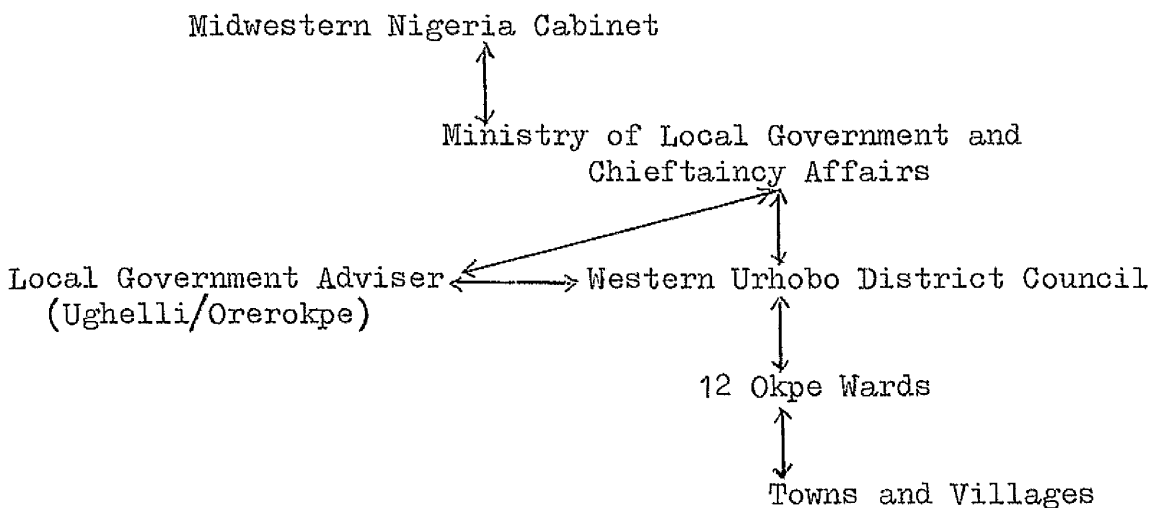
Party political leadership is of course temporary and the need for its periodical renewal often makes Okpe tribesmen, particularly the elders, to rely more on the continuous traditional leadership of the king and his tribal chiefs by whom the tribe is given some form of anchor in the somewhat fleeting political party life in the state.

OTHER INROADS INTO THE TRIBE BY THE MIDWESTERN STATE GOVERNMENT

1. Midwestern State Government Field Organisation

In addition to purely political party activities, which tend to disorganise the tribe, the actions of the Government's administrative arm as well as of the judiciary also have important repercussions on the tribe. The Midwestern State Government administrative arm controls the tribe in two main ways. The first is through the W.U.D.C. featuring as a representative system of local government. As already shown, Okpe representatives in this grass roots parliament are three tribal chiefs and twelve elected councillors all of whom co-operate with other town rulers for the progress of the tribe particularly if all belong to the same political party. Diagram VIII shows the nature of the communication between the Government and the remotest area of Okpe tribe.

DIAGRAM VIII: MIDWESTERN NIGERIA GOVERNMENT CHAIN
OF CONTACT WITH THE RURAL AREAS



Most political matters and communication as well as vital policy decisions affecting the tribe, go through the politician and the Minister to the State's cabinet while the local government adviser, as the representative of the Permanent Secretary and agent of Government administration in the locality, exercises control and supervision on the W.U.D.C. But because of the Instrument establishing the W.U.D.C., the Council also deals straight with the Ministry in Benin City which does intervene in discrepancies arising from the acceptance or non-acceptance of the advice or instructions of the local government adviser. In addition to his responsibility over the Council, the local government adviser conducts marriages and affidavits on behalf of the Government and writes Intelligence Reports on the political situation in his Division and on cases of crimes such as murder. This involves the local government adviser in direct communication with the tribal king

and the chiefs. The latter supply the unbiased knowledge of the tradition of the people without consulting the politicians.

The second method of controlling the tribes is by dissolving the Council and appointing a sole administrator for its whole area. This is the usual result of proven inefficiency or corruption of district councillors or of a reorganisation programme by the political party-controlled Government. The W.U.D.C. was dissolved with effect from 24th September, 1962⁷⁷ and the local government adviser, Ughelli was appointed its sole administrator. In 1964, the Midwestern Nigeria Government appointed Committees of Management for the W.U.D.C., the S.U.D.C. and the C.U.D.C. (which were also dissolved along with the W.U.D.C. in 1962).⁷⁸ But these Committees were again dissolved in 1966 through the District and Divisional Councils (Dissolution) Edict, 1966⁷⁹ and the local government adviser Ughelli, was appointed as the sole administrator for the area of authority of the Councils. The effect of declaring an area to be under sole administration is that, through its agent, that is, the local government adviser, the Government thereby possesses a firmer, more direct and ideally non-party political control over the area of jurisdiction of the Council. In this capacity, the local government adviser combines the work of a local government adviser as such with that of an elected Council.

77. Also dissolved on the same day and placed under the sole administrator were Sapele District Council, Central Urhobo District Council and the District Councils for Ukwanni, Ndosimoli and Isoko.

78. See M.N.L.N. Nos. 30, 49 and 50 of 1964.

79. See Midwestern Nigeria Gazette No.8, Vol.3 of 1/2/66 i.e. under the Military Government.

This means that, assisted by the W.U.D.C. staff whom he also controls, the local government adviser rules the king, and other Okpe chiefs and people directly. This direct control of the people involves him in regular contact through personal visits or letters with Okpe tribal councillors. He also comes in direct contact with town rulers even without telling the king at the tribal level. Ruling the tribe through a Council without councillors and without the notion of Ward divisiveness tends to make the position of traditional rulers, both at the tribal and town levels, more prominent. They give generally more genuine advice and render unbiased assistance to the new Government administrators in as much as they are no longer subjected to the local manoeuvres of the elected councillor and his political party.

More than any other state ministry, the Ministry of Local Government and Chieftaincy Affairs is in contact with the traditional leaders and their political institutions. This was particularly so after the separation of the old Urhobo Division into Eastern Urhobo Division sited at Ughelli and the Western Urhobo Division with its headquarters in Orerokpe.⁸⁰ The traditional tribal or town rulers are still useful to the local government adviser because they provide the main and reliable units in the chain of Government effective communication with the masses of the people without the biased intervention of party politicians and their agents at least at the local level.

80. In respect of the whole state, the old Government field organisation of ten divisions was replaced by fourteen divisions in April 1967. See Table I and also Daily Times (Nigerian) of 15/7/67, p.13.

As a sole administrator the local government adviser assumes all the functions of the W.U.D.C. except that of its Chieftaincy Committee. Traditional rulers make direct demand to him for roads and bridges, wells, dispensaries or maternity homes. The local government adviser takes these requests up with the appropriate Government ministry or department.⁸¹ Also with the removal of W.U.D.C. Ward attention on a councillor, the traditional political organisation suffers little or no local strain except in terms of the overriding subjugation of the tribe to external control by the Regional Government.

Any dissolution of the W.U.D.C. reduces its councillors to the position of political party agents. The control of political factions consequently comes more directly from Benin, that is, without the W.U.D.C. politics as a stop gap. The removal of party grass-roots politics from the Council does not therefore mean the total absence of the divisive influence of party politics from Okpe tribe and territory. Instead, the political party-controlled Government continues to act as an important check to the activities of tribal councillors. The latter are aware that reports of their excesses and maladministration are brought to the notice of the party politicians in Benin through party agents in addition to former elected W.U.D. councillors. Also, because the Government, through the local government adviser, is regarded as the main source of material needs of the people, the tendency has been to make the position of the traditional rulers comparatively

81. E.g. Ministries of Health, Works and of Education in Benin City together with their provincial offices, where they exist, in Warri and Sapele.

weak. But this is countered, to a large extent, by the need for maintaining the two-way communication between the new State Government on one hand and the king, his tribal chiefs and town rulers on the other. The Government cannot, as yet, assume the traditional role of these leaders.

2. The Impact of the Customary Courts⁸²

Another important sphere through which the Midwestern State Government controls the tribe and utilises its political leaders is the integration of the tribal court system with the State's judiciary. Chapter Four shows that in 1900, the British Government made a significant external impact on the traditional judicial system by establishing native courts. These existed side by side with the tribal councils and courts. The old law by which the customary courts came under the jurisdiction of the Ministry of Justice before the creation of the Midwestern State in 1963, was amended by the Midwestern State Government which created a new Ministry of Customary Courts.⁸³

The customary courts are ungraded today.⁸⁴ There are five such courts in Okpe tribe.⁸⁴ But there is no one court that can be called the tribal customary court which is superimposed upon the five courts in the form of an Udogun Okpe where the king presides. On the contrary, each customary court consists of a president and two other members. Each member must be literate in English language and must have a

82. In 1958, the A.G. formally replaced the concept of native court with that of the customary court.

83. Customary courts were formally graded into A.B.C.D. For more details see Odje, M. 1965. Law of Succession in Southern Nigeria with Special reference to the Midwest Region. Ph.D. Thesis, London.

84. I.e. in Sapele, Amwuokpe, Adeje, Elume and Orerokpe. There are 12 customary courts in the W.U.D.C. area i.e. 5 in Okpe, 2 in Agbo and one each in Abraka, Udu, Uvwie, Idjerhe and Oghara.

Primary ~~Six~~ certificate or reach an equivalent educational standard. This academic qualification is stipulated by the Government to ensure the proper recording of court proceedings. The intention is to codify these proceedings after some years to form the basis for the state's customary law. Every customary court judge must also be exemplary in character and must be a knowledgeable native of the area of the jurisdiction of the customary court. As far as these customary courts are concerned,

"Every member of the Community who is qualified is entitled to be considered for appointment. His previous knowledge of the custom and tradition of his land need not be profound....Although the king by tradition is the repository of customary law, he need not perform his role of deciding cases according to customary law through these courts. If he accepts to become a president of one of them, his personal knowledge is almost irrelevant in absence of proof by evidence by some one else before him....Although they (i.e. the King and his tribal chiefs) are completely absent, the courts remain customary. A king or Councillor who is knowledgeable in customary law may be invited by litigants to give evidence (expert evidence) before a Customary Court. After that he falls out."⁸⁵

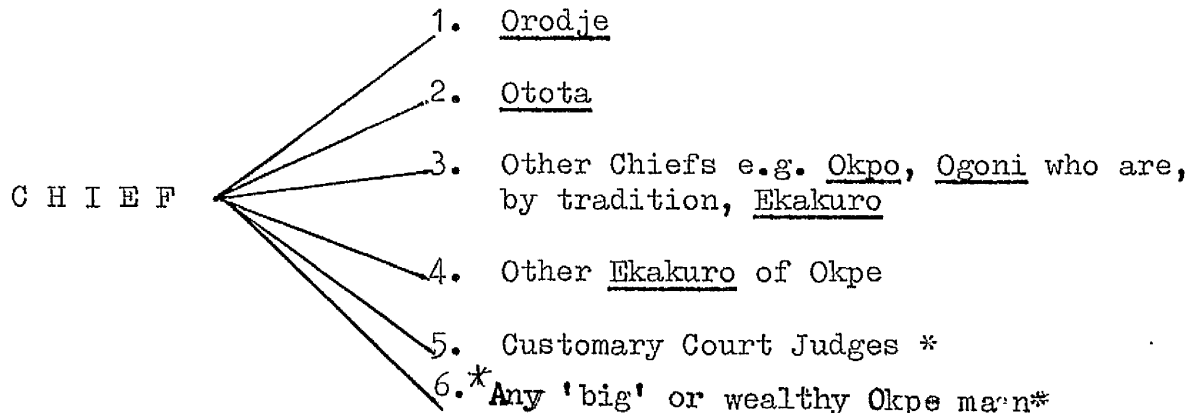
This means that any Okpe person possessing the necessary qualifications is capable of being appointed a customary court member whether or not he is an Okpe chief. No preference is given to the king or to any of his subordinate rulers simply because of their position in the

85. Akpovi, Chief J.O. Personal communication of 23/2/68. Chief Akpovi is Chief Magistrate, Warri and an Ohovwore of Agbarho tribe.

traditional political or judicial system. If the king as the political head should be president of any of the five courts, he will be regarded before the constitution of the customary courts as possessing a status equal to that of any of his tribesmen who are presidents of the other four courts.

Some of the judges of the customary courts call themselves 'chiefs' in the tribe as a carry-over from the British Government native courts system. In Diagram IX only numbers 1 to 4 come within the meaning of the concept of chief used in this thesis.

DIAGRAM IX: CURRENT USE OF THE CONCEPT OF CHIEF IN
OKPE TRIBE



* i.e. not recognised as chief within the framework of this thesis.

In those tribes where the king is also appointed a customary court judge,⁸⁶ he sits with both titled and untitled subjects in his locality to try the offences that arise from the customary law and

86. E.g. The Ivie of Uvwie & Oghara in the W.U.D.C. area are presidents of the customary courts in their tribes.

tradition of the tribe. In all cases and, whatever their composition, the judges must

"adhere ^{strictly} to all the provisions of the law establishing the Court."⁸⁷

The customary court judges try offences arising from their area and against a background of their knowledge of the local tradition. But they try only specified offences within a framework of summons, civil and criminal procedure, evidence, sentences and appeals as directed by the Midwestern State Judiciary. In this light, the customary court is an important State Government incursion into the affairs of the tribe whose tribal government, as already shown, functions largely in terms of its judiciary. A customary court hears and determines suits that raise issues concerning title to land or to the custody of children under customary marriage. It deals with matters relating to inheritance upon intestacy and administers intestate estates under customary law. It also settles issues concerning matrimonial causes and matters between persons married under customary law or arising from or connected with a union contracted under customary law. Unless on appeal from a customary court, magistrates in their original jurisdiction are precluded from hearing or determining these matters.⁸⁸

In actual practice, the majority of the work done by customary court judges involves matrimonial matters - divorce, refund of bride

87. His Highness, Eruohwo II, Ovie of Uvwie, June 1967. A Public Address on the occasion of the anniversary of his installation as Ovie of Uvwie tribe. He is the president of the customary court in Effurun.

88. Personal communication of 23/2/68 from Chief J.O. Akpovi, Chief Magistrate, Warri.

price and the wardship of the children.

A Chief Magistrate supervises all the customary courts within his area of jurisdiction and the Chief Justice of the State has the authority to make rules to regulate the practice and procedure of the customary courts.

Section 58 of the 1966 Edict on the customary courts makes it an offence for any person to exercise or attempt to exercise judicial powers within the area of jurisdiction of the Government-authorized customary courts.⁸⁹ The section also makes it clear that a person, though not a customary court member who arbitrates in any civil matter in which the parties involved agreed to submit to his decision is not regarded as performing an offensive act. This clause would appear to be the main, if not the only, legal excuse for any tribal or town ruler or for any person for that matter to adjudicate in civil cases. It makes it possible for the tribal council to sit as court or for the town courts to perform their judicial duties. This is pertinent for their functional relevance today particularly as the tribal or town government functions mainly in its judicial role.

The anomaly, in as much as it is an anomaly, is that although the town or tribal court or the king in his quasi-official capacity,

89. Penalty for this offence is an imprisonment for 12 months and, or a fine of £100.

For details about the new Customary Courts See M.N.L.N. No.64 of 1966 - Customary Courts Edict, 1966 in Midwestern Nigeria Gazette (Extraordinary) No.52, Vol.3 of 23/9/66; also M.N.L.N. No.37 of 1967 - The Customary Court Rules, 1966 in Midwestern Nigeria Gazette (Extraordinary) No.17 Vol.4 of 4/4/67.

can provide arbitration between parties who agree to accept any decision reached, an imposition of a sanction or fine is considered unlawful by the new state law. That is, so long as these traditional courts are regarded as remaining within the limits of the law, the customary presentation of gin, kola, and some money before an offence is tried, as well as the payment of whatever sum of money is considered as adequate compensation or restitution to the wronged party, are not to be regarded as fine. Otherwise such activities constitute an offence and render the traditional judicial process illegal. The tribal, town or personal courts cannot impose a fine as such because they cannot enforce it and because they cannot detain any offender.

The fact that compensation is voluntarily paid whether or not it is termed fine, shows some willingness on the part of the Okpes, to abide by the decisions of the traditional judicial system. This obedience to traditional judicial norms cannot be regarded as a case of general ignorance or of lack of alternatives. Because, when not satisfied any person is free to take his case to the new state customary court in his or her locality. This is one reason why the traditional courts - from the tribal to the town and ward levels - refrain from trying offences that ought to be tried in the customary court. This is a great limitation on the judicial and political power of the traditional rulers.

The position is even more delicate both in law and in personal regards where a traditional ruler such as the tribal spokesman or a

chief⁹⁰ fails to reconcile disputants who subsequently take their disputes to the customary court where the same tribal actor is president or judge. This may result in an 'Exparte Motion' against the original arbitrator to prevent him from interfering with the course of justice because of his personal involvement in the case at an earlier stage.⁹¹ A troublesome appellant could also create problems for the traditional courts or for any arbitrator, by describing the customary requirement of gin, kola or money paid before and after trials as a fine imposed on him. This would make the traditional arbitration or reconciliation process an offence before the new state law. Thus what began as mere conformity to traditional judicial processes could now end up in prosecution by the new State Government Police and the Law Courts.

Whenever they misbehave or become inefficient in their duties, the customary court judges are queried neither by Okpe king nor by the tribal council but by either the new state's Chief Justice in Benin City or by the local Chief Magistrate having jurisdiction over the customary court concerned. This means that to the extent that the customary courts are either efficient or inefficient, attention is again shifted from the traditional judicial system. The focus of

90. At present, the Otota of Okpe who is also the acting tribal head pending the choice of successor to Ezezi II, is the President of the customary court in Orerokpe.

91. A customary court could summon an original arbitrator to the court to state how he settled a case and why he failed. The Otota of Okpe, Chief J.E. Biokoro, states that he has no difficulty in settling cases traditionally in the tribal council or in his personal capacity and as the President of the customary court in Orerokpe. He decides to refer certain cases, as a result of their very nature to the customary court. Interview on 27/11/67.

attention thus shifts to either the Government-sponsored customary court as the institutions in which actual state power of adjudication lies in the tribe, or the Magistrate or Chief Justice from whom redress may be had.

The fact that the king and his tribal chiefs and town rulers could be summoned to the Government customary court or to the magistrate court by an aggrieved person is an additional limitation on traditional tribal judicial authority. This is however largely theoretical. In order to avoid disrespect to the tribal leaders and to the traditional judicial institutions, acceptable arbitrators, that is, leading citizens or chiefs who have connections with the aggrieved party often succeed in persuading him to seek redress outside the new state courts. That is, any aggrieved or possible appellant is normally under pressure from various sources in the tribe to reconcile with the tribal rulers or tribal council or town court decisions and to conform to traditional expectations. Such rifts may never therefore come to the open. But conformity in this respect may be difficult to attain if the dispute involves party politics.

The total of five customary courts in the whole tribe and the long distances between the towns under the jurisdiction of each court tend to make the courts have less effective hold over the whole tribe. The natives turn to their local townsmen or town or ward courts for the immediate attention which they feel their complaints demand. They prefer to do this rather than travel long distances to the customary

or magistrate courts which involve, in addition, greater expenses and bureaucratic delays.⁹³

Because the customary court judges are themselves Okpes who normally wish to avert trouble and commotion in their areas of jurisdiction and so long as party politics are kept out, they ignore breaches of the new state customary court regulations whenever these occur through ignorance or through inevitable traditional prerequisites and processes of the tribal or town courts. When customary courts are suspended, as for example in 1957/58, 1962, 1963/64 and between February and September, 1966,⁹⁴ the Okpes resort almost fully to the town courts and to the tribal council. Except in very serious offences, they rarely seek redress in the magistrate's courts in the first instance.

The customary courts are important to the State Judiciary because they decide the bulk of the petty cases and speedily. They unearth and record tribal customary law. The customary courts are also significant because of the employment which the new State Government gives through them to some of the tribal chiefs and elders and also for the time and inconveniences saved by avoiding long distances to the magistrate's court each time an Okpe person seeks settlement of disputes.

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93. In an interview at Ughelli on 26/12/67, Chief J.U. Otobo, who has been a customary court judge since 1950, i.e. from the British rule through the Native Authority system, estimated for the Isoko and Urhobo customary courts that for any one case brought to these customary courts, there were 100 cases settled through the town courts, especially whenever customary courts are suspended.
94. See M.N.L.N. No.23 of 1966 - Customary Court (Suspension of Warrants) Edict, 1966, No.4 of 1966. Supplement to Midwestern Nigeria Extraordinary Gazette, No.9, Vol.3 of 16/2/66.

through means other than those offered by the traditional judicial system. Though situated locally in the tribe, the power and authority of the customary courts derive from outside the tribe and because of this,

"Any type of laws made now by the Ovie, and because of the present civilization, is very ineffective, until such laws are backed by the Government."⁹⁵

This main feature of the State's customary courts tends to render the tribal traditional political leaders and their highest political institution impotent. The integration of tribal traditional legal systems and courts with the State Judiciary in Benin brings Okpe, like other tribes in the State, closer to the Government headquarters rather than allow it to continue to maintain the traditional judiciary as a separatist entity under Okpe tribal government.

THE URHOBO PROGRESS UNION

The last factor affecting the politics and the political organization of Okpe tribe in modern times is the Urhobo Progress Union (U.P.U.). The breakdown by the British Government of tribal political isolation, as already discussed, highly increased political and social communication among Urhobo tribes. Induced by the growing need to resolve animosities between tribes and to pool available resources - material or human - for a common front in the competitive atmosphere presented by the Itsekiris and other tribes around them, a group of Urhobos met in Okpara Water-Side in 1925/26 to discuss the question of how best to

95. Personal communication from His Highness, Eruohwo II, Ovie of Uvwie tribe and President of the Customary Court in Uvwie.

resist tribal discrimination allegedly made against the Urhobos particularly in Forcados.⁹⁶ This first meeting bred a defensive rather than an offensive in-group feeling among leaders in Urhobo tribes including Urhobo immigrants in the urbanised areas of Sapele and Warri. Subsequent complaints and contacts resulted in a more representative meeting of the Urhobos on the question of an Urhobo Union on October 30, 1931, and, later, in the formal and official inauguration of the Urhobo Brotherly Society on 3rd November, 1931.⁹⁷

It will be recalled that at this time, Okpe and a majority of other Urhobo tribes, though possessing their internal political organisation, had no kings.⁹⁸ The tribes had, hitherto, regarded themselves as small political units. These units only recently lost their sovereignty as Chapter Four shows.

The fact that each of them was powerless against the allegedly antagonising attitude of the neighbouring peoples, particularly the Itsekiris who were at that time striving to revive their kingship, encouraged the new idea of unity with their fellow Urhobos. By 1934, branches were already formed in various parts of Urhobo and by Urhobo emigrants in various parts of the country including Sapele, Kaduna and

96. Some informants say that the 1925/26 meeting on the theme of Urhobo unity was preceded by a 1924 meeting in Forcados. But this argument would appear faulty for two main reasons. Firstly, a meeting of the Urhobos would in all probability be held in an Urhobo town where many old and young Urhobos could confidently attend. Secondly, the fact that the attendants were mainly civil servants including two Itsekiri clerks makes the 1924 Forcados meeting an unlikely one summoned to deliberate on Urhobo unity and progress.

97. The first President and the first Honorary Secretary were Mr. Omorhwove Okoro and Mr. Thomas Erukeme respectively. See Salubi, T.E.A. 1962. National Day Message of 3/11/62 entitled Revolutions of our time.

98. The only Urhobo kings by this time were those of Ogo, Ughelli, and Agbarha. Many other tribes, like Okpe, had their kingships without kings



Executive members of the Urhobo Progress Union interceding in a land dispute in Idjerhe tribe, with the king on the dais. November 20, 1967.



Some elderly members of the Urhobo Progress Union wearing their U.P.U. blazers during the public Enquiry into the Ovie of Udu chieftaincy dispute at Ot' Udu on June 22, 1967. These blazers were very popular in the 1930s/1940s.

Lagos. There were also incipient pockets of Urhobo tribal unions in these urban areas. The formation of the Urhobo Brotherly Society was considered necessary not only to combat the tribal excesses likely from Itsekiri people and their revived kingship but also to resolve the frequent and often unnecessary litigations between persons, towns or tribes, false charges police action and corrupt practices among the Urhobos.⁹⁹

In 1935, the name of the Society was changed to the Urhobo Progress Union.¹⁰⁰ The rules and regulations read and passed in draft on May 18, 1934, were formally authenticated on June 5, 1935 to govern the Union. By this time, Chief Mukoro Mowoe had become President.

With its motto as "Higher Thoughts - Higher Aims", the Union accepted as its members, only persons certified to be of honest and unquestionable character. It spread its branches throughout Urhobo tribes with the objective to foster mutual understanding, love and brotherhood, to improve the education of Urhobo citizens and to promote and preserve the culture and tradition of the Urhobos. It also aimed to cultivate the spirit of an all-Urhobo patriotism and to maintain good reputation for all Urhobo tribes while showing loyalty and obedience to the 'external' Government and their agents. The third, that is the 1956, edition of the U.P.U. Constitution changed its motto to 'Unity is Strength' and this has remained to the present time with the aims

99. These practices were not, however, confined to the Urhobos.

100. I.e. as amended by the Urhobo Literary Committee from the Urhobo Progressive Union which had been suggested by the Lagos Branch. Such changes were notified to the British administrators. Also see Sap. Dist. 1/1 file 91 - Urhobo Progress Union. National Archives, Ibadan.

substantially unchanged.

From its foundation, the U.P.U. has remained a cultural organisation with activities that complement those of the individual tribes. It is not a political superstructure imposed on the various Urhobo tribes. Unlike the Yoruba Omo Oduduwa or the Ibo State Union, no political party has been produced or has been sponsored by the U.P.U. Indeed, the U.P.U. can be described as a melting pot for all the political party beliefs and processes produced by the N.C.N.C., the A.G. and the M.D.F. and by Independent politicians just as it is simply an Urhobo cultural organisation for non-politicians.

The paradox is that because it is non-political,¹⁰¹ the U.P.U. has greater influence over politicians of all the political parties as well as over traditional tribal politicians the kings and their tribal chiefs. It has, therefore, more political influence than any of the individual tribes. It also commands greater respect in those matters in which the tribal leaders fail.

This is not a recent development for, even under the British Government, many tribal leaders, knowing the limitation of their power, appealed for assistance from the U.P.U. as the right Union to fight their cause. For example, the U.P.U. rendered primary and efficient assistance to the Okpe tribe during the Sapele Land Case cited in Chapter Five. Also, it is significant that in forwarding a petition

101. This point was always made clear to the British Government. For example, see U.P.U. letter of 20/11/45 to His Honour, the Senior Resident, Warri Province. Also see Sap. Dist. 1/1. 91 Urhobo Progress Union. National Archives, Ibadan.

dated 23rd September, 1946, by the Udogun Okpe to the Senior Resident Warri in respect of recognition for Okpe king, the Secretary of the U.P.U. declared in 1946 that

"My Union has examined the claim of Okpe people for the installation of their Orodje as a Clan Head of their Council and is satisfied that recognition by Government is a step forward for the advancement of Okpe Clan Administration....What brought my Union into this matter is one living evidence of the Okpe people's popular choice of Mr. Mebitan. The Odogun Council, the Okpe Union and Royal House unanimously appealed for the intervention of my Union in this matter..."¹⁰²

The U.P.U. appeared to have made good impressions on the British political officers in the early years of its formation. Its members were the conscientious workers and were the most enlightened of the period. They were, therefore, strongly represented in the Western Urhobo Native Administration in Orerokpe as well as in the Financial Council which was formed in 1932 to assist in the preparation of the Native Administration estimates. They also worked genuinely to benefit the people and to assist the British administrators whom they satisfied particularly from the point of view of

"the tact with which they handle the somewhat difficult old gentlemen whom fate has made their natural rulers and how they induce them to allow progress to take its course without offending the conservatism of the older generation."¹⁰³

102. See letter No. U.P.U./82/20 of 1/10/46 from the U.P.U. headquarters, Warri, to the District Officer, Jekri-Sobo Division.

103. Bowen, R.L. 1937. Warri Province Annual Reports. C.S.O.26/2 file 11857 Vol.XIV, p.9.

The U.P.U. has created a tradition of its utility as

"a very live force and one which has a steadying influence on, sometime hot headed and always conservative elders, of the various communities."¹⁰⁴

This participation of the U.P.U. in the Native Administration helped to lessen the rivalry between the tribes and also made the Union support and informally train the personnel of the traditional political system to develop new habits and attitudes in response to the social changes of the period. Thus the U.P.U. never regarded the tribal political leaders as unprogressive or senile.

The U.P.U. has continued in the same vein to be important among the Urhobo tribes today. Because of the important social and political links which the members have, the tendency is for them to be influential in the new State Government circles, political parties, and in the individual Urhobo tribes.

Since 1963, the U.P.U. has involved itself actively in reconciling disputants within and between tribes. The two most striking current cases come from outside Okpe tribe although two Okpe chiefs¹⁰⁵ are constant in the U.P.U. delegations. The rulers and Unions of these tribes requested help from the U.P.U. because they found themselves incapable of settling the disputes. The first concerns Oghara tribe. The two main sections of the tribe, namely, Oghareki

104. Bowen, R.L. 1938. Warri Province Annual Reports, C.S.O.26/2 file 11857, Vol.XV. Also see Warri Province Annual Reports for 1940, p.4 and for 1942, p.1, in the same file.

105. I.e. Chiefs S.D. Obar and J.E. Odiete - members of the U.P.U. Executive.

and Ogharefe, where the Iyasere¹⁰⁶ and the king live respectively, disputed the title to and share of the rents accruing from a piece of land leased to a rubber factory in Sapele.¹⁰⁷ The second case concerns Idjerhe tribe and involves two of the three main sections of the tribe, that is Idjerhe town itself, and Mosogar. This case also involves the title to land and the financial benefits accruing from its lease to commercial firms. Details of these two cases are not relevant to this thesis but their occurrence at all is a vivid illustration of the current helplessness of the kings and other tribal rulers in tackling serious economic and political problems arising from various individuals and communities in their tribes.

Whenever such cases arise, the U.P.U. intervenes, sometimes to the extent of withdrawing cases from the Magistrate or the High Court. It does this either on its own initiative or on the invitation of the politically powerless rulers of the tribes. To the extent that this happens in any tribe by providing a focus of appeal apart from 'external' politics, the U.P.U. as a cultural organisation that commands authority with some political significance but without either being a political organisation or giving rise to a political party, makes welcome inroads into the tribal political system. The legitimacy for the U.P.U. *intervention* appears to be based on an all-Urhobo acceptance of their collective cultural symbols as well as of their historical relationship.

106. The structural position of the Iyasere is similar to that of the Otota in other Urhobo tribes.

107. The piece of land, called Ugbenu Okuku, was leased to Mr. Joseph Asaboro for rubber plantation.

The position of the U.P.U. as an 'organ' of appeal or of original action is not, however, quite clear. For, despite the above discussion, it is asserted that the U.P.U. does not detract from the power or status of the tribe or of its political head or institutions. The U.P.U. is not an all-Urhobo Government and does not issue binding rules on the tribes. The U.P.U. is regarded mainly as a reconciliatory body to lubricate the machinery of Urhobo tribal governments and to act as ^{their} ~~the~~ consort and assistant.

In a sense, it could be thus argued that the kings and other tribal rulers use the U.P.U. as the support they can always rely upon in boosting and asserting their own political grip and vigour in the tribe. The U.P.U. is a body voluntarily created as a unifying force on behalf of all the tribes. It cannot supplant these tribes despite the individual political stature of its members. Also, the strong tribally focussed traditional political systems would inhibit such a U.P.U. assumption of tribal government roles. Yet, the political organisation of the tribes are vulnerable and they need the help of the U.P.U. Unlike the divisive nature of the political party, the U.P.U. seeks the unity of the whole tribe under its rulers.

The U.P.U. President General and other personnel including those of the Executive, are themselves subjects of their various tribal rulers whose co-operation they require for U.P.U. cultural ceremonies, conferences etc. In other spheres, such as political relations above the tribe vis-a-vis other non-Urhobo tribes, the U.P.U. supersedes each

of the Urhobo tribes and acts as co-ordinator as well as mobiliser of Urhobo political leaders.

This discussion should not be taken to mean that political matters do not sometimes feature in the U.P.U. deliberations. This can, in fact, hardly be the case because the whole Midwestern State 'Society' is highly politicised. Some members of the U.P.U. are party politicians on non-U.P.U. arenas. The composite political nature of the U.P.U. has itself always tended to salvage it from rifts caused by political parties. The point to note is that as political matters and opportunities come, of necessity, into U.P.U. discussions, they are either utilised for the good of all Urhobo tribes or are put into their proper political party shelves. From here, appropriate Urhobo political party leaders raise them in purely political party arenas. As frequently as this happens, and in so far as any king and his tribal chiefs seek U.P.U. interventions after failure to settle their tribal problems, the traditional focus on the tribal political system is diverted.

CONCLUSION

The factors discussed in this chapter create immense problems for the cohesiveness of Okpe tribe as one in-group. The new State Government and politics consolidate Okpe loss of its political status as a sovereign kingdom. The king and his tribal chiefs are, practically, only ceremonial figures today.

It should, however, be noted that the Okpes have not changed their notion that the Orodje should be called a king. This also applies to

other Urhobo tribes which had the kingship institution before the British rule in Nigeria. The continued translation of the title of Orodje as a king is merely in name. But it is also a reminder of the role of the kingship in Okpe political system prior to 1890. The Okpes today sustain and manipulate their chieftaincy institution for various reasons. Firstly, to provide the means by which the young and the old can continue to express their membership of the tribe through the political elite status and role. Secondly, to have tribal representation and identity both in the Western Urhobo District Council and in the new State House of Chiefs. Thirdly, to provide some social anchor for the whole tribe at a time when the new State Government and politics regard the tribe as an inextricable part of the wider social system. And, fourthly, the chieftaincy institution provides a stable and central mechanism for maintaining and exposing the past glories of the tribe.

Some economic gains are obtained from those chieftaincies recognised by the new State Government. Also honour, prestige and sentiment attach to the chieftaincy institution in contemporary Okpe. The new State Government and party politicians seize the opportunity offered by some of these assets to involve chiefs in various aspects of the government of the state. In turn, the chiefs redefine their roles as leaders of their tribe and as members of a new state. So long as this situation continues, the tendency will be that the chiefs will continue to assert the separateness of their tribal political

system within the total politicised 'society' of the Midwestern State of Nigeria. The fact that the whole of rural Okpe currently constitutes one Midwestern Nigerian Government constituency helps in re-creating this sense of tribal identity.

Okpe most recent exercise in the creation of political institutions and in the manipulation of old symbols to express their unity as well as their identity in the new state occurred in 1966. This exercise was the formation of a regency.

After the death of Esezi II on March 26, 1966, at the age of 64 years,¹⁰⁸ the Okpes appointed five chiefs¹⁰⁹ in April, 1966, as regents.¹¹⁰ The reason for this political decision was that "they cannot leave the State bare". The concept of regency thus came into Okpe traditional political system for the first time.

The composition of the regency shows the involvement of Okpe four descent units in the tribal transitional government and political organisation. The regents constitute the caucus of the tribal council

108. The Orodje, His Highness, Esezi II, O.B.E., was born on May 2, 1902. On his death on 26/3/66, he was survived by 20 children and 24 grandchildren. He was buried on 28/3/66 but the public announcement of his death took place in the tribal capital on 26/3/67. Some Okpes say that the king was born in 1898. See Anirah, J.A. 1967. The Life History of Esezi II. Chief Anirah also states that the late king was survived by 4 wives, 16 children and 14 grandchildren.
109. I.e. as in Nos. 1 to 5 in Appendix 'F'. These are Okpe spokesman and one chief from each of the four descent groups.
110. The meeting of Okpe chiefs that decided on the new posts of regents was held on April 3, 1966. From this date, those selected by the four descent groups (Quarters) started to function as regents. This meeting was attended by all the chiefs of Okpe excluding the one chief in London but including those very old ones who had to be carried to the capital, Orerokpe. Also present were the various town spokesmen and other representatives, as well as representatives of the Okpe Union and of Okpe women.

pending the election of a successor to Ezezi II.

This participation by the four kinship groups is a check against any of them imposing itself or its nominee illegally on a throne for which all the four units are eligible in a written order. Also, the five regents cannot conspire to impose a new king on the Okpes because they act only after consulting the remaining chiefs from their respective descent groups. All Okpe chiefs must be present to elect a new king from the appropriate descent group.

The regents deal with matters that originate from inside and from outside the tribe. These include all matters from the Midwestern State Government and those concerning Okpe relations with other tribes.

The new institution of regency is a vital mechanism for avoiding Okpe tribal disintegration during an interregnum. Through the institution, every Okpe descent group is made to have interest in both the kingship and the tribal council.

This chapter also shows the Okpe tribe as a very complex society with power and authority deriving from numerous sources. In every town in the tribe, the Okpes appear exposed to political or social influences coming from the town rulers, the king, the tribal council, W.U.D.C., Federal or State parliamentarians and political party agents or syndicates who are either in control of or in opposition in the new State Government. When these influences create major controversies or conflicts damaging to the tribal collectivity or to inter-tribal relations, the U.P.U. intervenes by invitation or on its own initiative.

DIAGRAM X: RELATIONSHIPS OF SOCIAL AND POLITICAL
RELEVANCE IN OKPE TRIBE

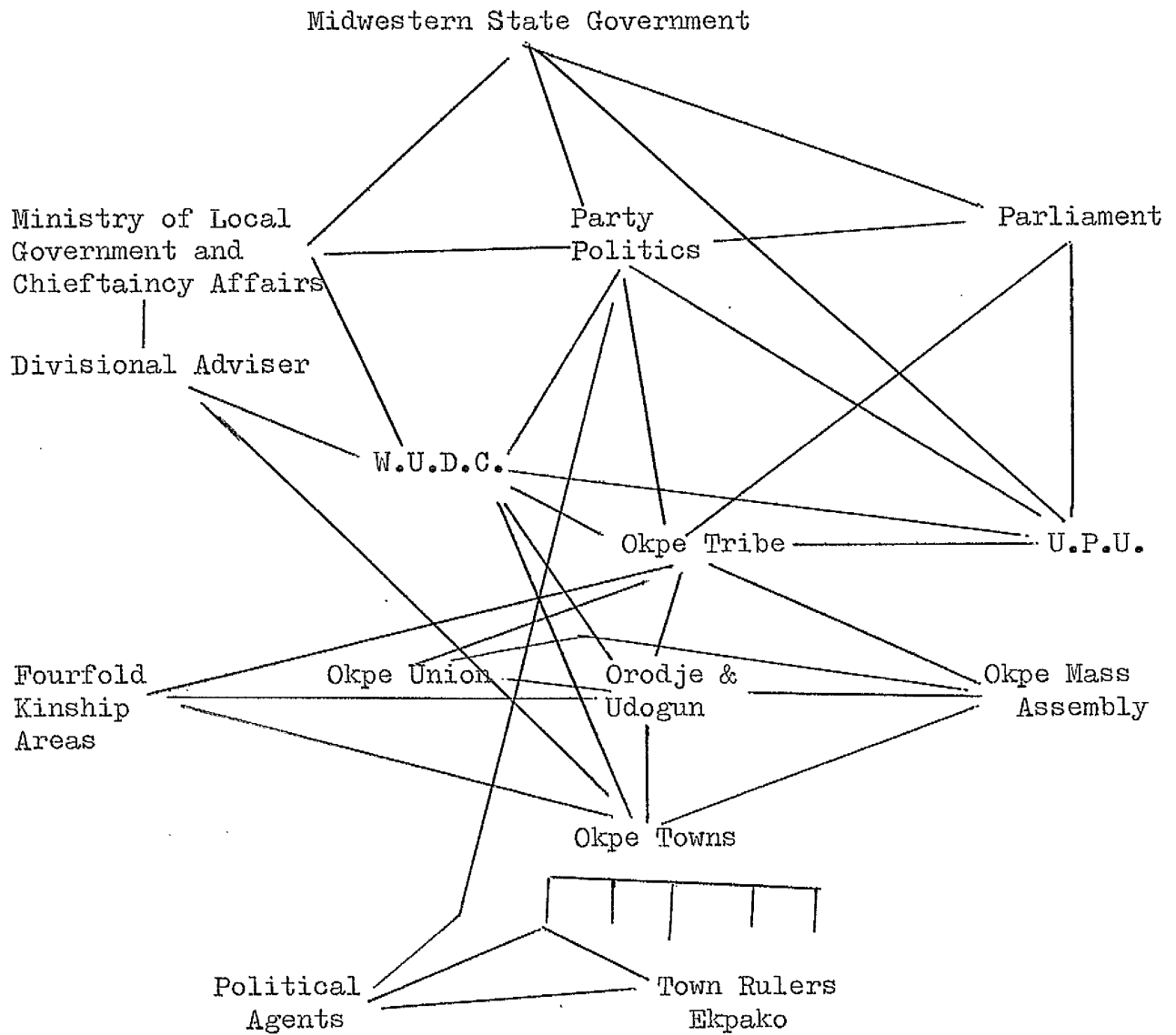


Diagram X attempts to simplify these social relationships and connections between various units or institutions affecting the tribe.

Okpe traditional political system now carries an extra function of absorbing the disorganising effects of party politics and other variables discussed in this chapter. As if this extra load is not enough, the Okpe king and spokesman, the key actors in the traditional political system, now occupy tribal positions which are regulated by Midwestern Nigeria State Government laws and politics. These and other aspects of succession to high political office in Okpe are discussed in Chapter Eight.

CHAPTER EIGHTSUCCESSION TO HIGH OFFICE IN OKPE TRIBEBETWEEN 1960 AND 1968

This chapter concerns the rotatory succession to the two chieftaincy titles of Okpe king and tribal spokesman. Chapter Seven shows the application of the concept of chief to the political party-patronage titles of Ogoni, Okpo, and the Okakuro of Okpe. No process of succession exists for these three titles. The process of acquiring Okpe chieftaincy title is modified today as regards increased monetary pay-off for customs and items which would involve recipients - party politicians, businessmen or professionals - in an 'unnecessary waste' of time.

In contemporary Okpe, all traditional political titles and offices are not hereditary. It is not, however, clear whether this principle can be shown as a mark of discontinuity from the 17th century process of succession.

Both the king and the tribal spokesman are recognised by the new State Government, that is, after the application of Part II of the Chiefs Law, Cap.19, in 1957. Both of them have been members of the W.U.D.C. when not suspended or dissolved. Also, both qualify for the membership of the House of Chiefs. The prestige arising from Government recognition and the monetary gains attaching to the

titles account partly for the desire to contest elections to the two posts.

The near-haphazard and fragmentary memories of succession to high office in Okpe tribe prior to the 20th century, were regularised and established by the new State Government in the 1960s. In this sense, the new State Government tends to strengthen the continuity of the tribal key political positions and organisation. Also, in this sense, party politics seeks merely to upset and unseat certain disliked persons operating at the apex of the tribal political system. The problem of succession to the two State-recognised chieftaincies in Okpe tribe, as mentioned above, therefore necessarily includes a discussion of the involvement of the Midwestern State Government and its agencies.

In Nigeria, so far, no Government has come out to disband tribally recognised chieftaincy institutions. On the contrary, it is continuously asserted typically as follows that

"We cannot throw away Chieftaincy nor can we fail to recognize its traditional influence in this State. But Chiefs should know that they are fathers and custodians of their people and customs. As soon as a chief shows sympathy for one political party and helps to victimize rival parties, then he has made a fatal deviation from the traditions of his elders."¹

1. Mokwenye, U. 1968. See Daily Times (Nigerian) of 14/3/68, p.6. Mr. Mokwenye is the Commissioner for Local Government and Chieftaincy Affairs in Midwestern Nigeria.

The problem of succession in Okpe tribe is perhaps best seen from two distinct but interdependent aspects: firstly, from the point of view of traditional attitudes to tribal political positions and secondly, from the point of view of the mechanisms for re-filling such high positions that are vacant. Both of these views involve traditional as well as modern features. These are already apparent from previous chapters. They are made clearer in the following analysis.

CHIEFTAINCY DISPUTES

The new State Government and the Okpes assume that a dispute exists if no successor is unanimously chosen within a period of approximately twelve months after the completion of all the mourning and burial ceremonies in the case of cessation of tenure of office by death, or after the formal announcement of the resignation of an incumbent.² The history of succession to high office has been very shallow in Okpe for, as shown in Chapter Three, the period after the death of Esezi I marked the struggle for tribal cohesiveness and for personal leadership. This resulted in the attempt to replace the whole tribal political structure and government with a government through the age-grade organisation. The political activities during that period were not an exercise in the search for a successor to Esezi I.

By 1945, when Esezi II was installed, as shown in Chapter Five, party politics had not developed and also, it was possible from that

2. It is not usual for office holders to vacate their posts through the second method. Also, among other Urhobo tribes, a dispute may be assumed to exist if a successor is not chosen within three or six months.



Taking an oath with a cutlass before giving evidence in a Commission of Enquiry into a chieftaincy dispute. June 28, 1967.



One of the barristers present in a chieftaincy dispute argues a point on behalf of his client. June, 1967.

year up to 1957 to draw up certain 'Constitutions' or 'Statements' to guide the succession to the kingship and to regulate the power relations and behaviour of the tribal head. By agreement, this head was chosen from Esezi kinship group as the starting point for a rotatory succession in Okpe tribe.

The Appointment and Deposition of Chiefs Ordinance No.14 of 1930 by which a chief or a head chief was appointed to the office of Native Authority had little or no relevance for Okpe chieftaincy because the post of king was not re-filled until some 15 years later. But even when it was still possible to recognise the king of Okpe after Ordinance No.20 of 1945 which modified the 1930 Ordinance - other arguments were advanced, as discussed in Chapter Five, against his recognition.

Constitutional and statutory developments relevant to chieftaincy disputes in the Western Region of Nigeria occurred in the 1950s when the Macpherson Constitution provided for a House of Chiefs and when other statutes gave rise to the Local Government Law and to the Chiefs Law.³ These laws made it possible for tribal chiefs to become traditional members of Local Government Councils. With the exception of Okpe which had her king in 1945, other tribes within the area of the W.U.D.C. either revived their kingship or developed their political systems to provide for tribal head. By such acts, they could benefit from the new constitutional and statutory developments.

3. See Chapter Seven for details about this law.

Prior to this period, for instance, the eldest man of Agbo tribe was regarded as its king. Also, both Uvwie and Idjerhe tribes had each a king not in the secular sense but in the sense of a tribal chief priest. This fact has given rise to chieftaincy disputes particularly in Uvwie tribe where the chief priest of the tribal cult (Edjuvwie) claims the office of the political head and secular ruler of the tribe.

The British Government regarded chieftaincy disputes as

"matters entirely for the people to settle themselves. The District Officer's part is to act as a friendly middleman and adviser to both sides to facilitate settlement."⁴

But during the political development of the 1950s and in order to arrest the disintegrating influence of chieftaincy disputes, the Government of Western Nigeria provided statutory bodies and processes to prevent the possible political disorganisation of the various tribes.

Today, one of the greatest problems confronting the Government of the Midwestern State concerns these chieftaincy disputes. A majority of these disputes come from the Urhobo Division particularly from the W.U.D.C. area where four - that is, the tribal heads of Agbo, Uvwie, Idjerhe and Udu - out of seven tribal headships were subjected to major Commissions of Inquiry between 1963 and 1967.⁵

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4. Croasdale, C.H. (District Officer, Ughelli); letter U.N.A. 1242/47 of 9/6/48 to the Urhobo Native Authority, Ughelli. Divisional Office, Ughelli.
 5. During the same period, there were ten such major Enquiries among the Urhobos i.e. the four named above plus those concerning the tribal heads of Ewu, Agbarha, Arhavwarien, the Orosuolomu of Olomu, and the Otota and the Oluo of Okparabe. The Inquiry set into the Otota of Udu did not begin sitting at the end of March, 1968. These Enquiries are in addition to such other enquiries that are conducted from time

Among the Okpes and other Urhobos, disputes occur at three levels. That is, town against town, a descent group or 'ruling house' against another, or one candidate versus another candidate. Disputes arise from the traditional history and the status of chieftaincy titles, and from the customary law regulating succession to these titles. Disputes also arise from the rotation and the qualification for appointment, the methods of selection, the composition of the kingmakers and from the actual installation of the chief. Also, chieftaincy disputes in the W.U.D.C. area concern holders of certain titles embodied in the Instrument establishing the W.U.D.C. and either requests by various tribes, for example, Abraka, Udu and Uvwie, to change the titles included in the W.U.D.C. Instrument, or, tribal wrangles as to which chieftaincy titles should be recognised as traditional members of the W.U.D.C.⁶

In addition to examining these matters, Government Enquiries are essential in assessing the dispute by finding out the relative claims of rival contestants and, thereafter, recommending a successor.

Although disputes over succession tend to rally the rival contestants and their factions in support of the kingship institution itself, they are a source of considerable confusion and dissension

to time by administrative officers in the course of their duties or as required by the Ministry of Local Government and Chieftaincy Affairs in Benin City.

6. Partridge, D.B. Personal communication of 17/2/68.

in any tribe. There is also some duplicity involved in the attitude towards the kingship and disputes connected with it. For, although both the interregnum and the succession problems are part of the theory of kingship in the political system, the value of the institution is apparently reduced by unproductive disunity arising from the selection of a successor. Disputes arising from succession inevitably retards progress and creates fresh problems for the political organisation of the tribe. The economic consequences are equally disastrous to individuals or families in the tribe. For example, one of the five contestants, Mr. John Okoloko Ide, for the kingship in 1945 claimed that he spent over £1,000⁷ whereas the case of neighbouring Agbo tribe in 1954,

"is another of the pathetic Urhobo Division Chieftaincy disputes on which much money and temper is being spent. (In this case, it is rumoured that one side's nominee has already disbursed £6,000, including all his trading profits from Calabar and another £2,000 borrowed)."⁸

The position of the chieftaincy is weakened by the fact that disputes are often taken to the new state courts as in the case of Agbo, Idjerhe and Uvwie. Also, in nearly every case, barristers represent contestants and factions in the disputes. The typical position in a tribe where there is a chieftaincy dispute particularly when it concerns the tribal head, is perhaps best shown by a quotation which states that

8. Curwen, (Resident, Delta Province). Minutes of 29/8/54 to Mr. Bromage, (the Assistant District Officer). In File No.1602. Ovie of Agbon. Divisional Office, Ughelli.

"Where there is a Chieftaincy dispute you get pockets emptied - I am not talking only, Sir, of the actual contestants. I am speaking of the people of the area. Pockets are emptied, tempers are lost and progress comes to a standstill. A virtual blight seems to settle over the area. Markets are emptied, buildings are left half completed. It may be thought that that is an exaggerated way of speaking of the sort of thing that happens when you get these protracted Chieftaincy disputes going on It is not merely the question of two claimants. It is a question which involves the prosperity and happiness of hundreds and, perhaps, thousands or even hundreds of thousands of people."⁹

CHIEFTAINCY COMMITTEE

This is one of the main agents used by the W.U.D.C. and by the Government of the Midwestern State, to intervene in chieftaincy disputes and in succession among the Urhobos and other tribes in the state. Like other chieftaincy committees in the state, that of the W.U.D.C. is set up under Section 5 of the Chiefs Law, Cap.19. It consists of the chairman and other traditional chiefs of the W.U.D.C. area. The traditional chiefs constitute the membership of the committee on the assumption that they know their traditions. But in actual practice and although they are comparatively old and intelligent among native communities, each of the chiefs knows the details of his own tribe only. The result is that if the committee find it necessary, they consult and visit particular tribes in order to determine true statements about the various chieftaincy institutions. They determine

9. See Legislative Council Debates for August, 1948, p.47.

the traditions and the customary law regulating chieftaincy titles from tribal meetings representing all shades of opinion of political parties and of titled and untitled men. No one person can apparently dictate or impose his opinion on the chieftaincy committee. By this means, the chieftaincy committee deals with chieftaincy matters including the regulation of the customary law guiding succession in the whole area of the W.U.D.C. They embody the results of their enquiries in written declarations passed to the W.U.D.C. itself and forwarded to the Ministry of Local Government and Chieftaincy Affairs, Benin City. Here they are approved or returned to the chieftaincy committee for amendment before re-submission.

CHIEFTAENCY DECLARATIONS

A chieftaincy declaration is therefore a written statement made after investigations by a chieftaincy committee and approved by its Council and by the Government.¹⁰ A declaration contains the traditions and the customary law regulating succession to a tribal chieftaincy recognised by the State Government. Although Cap.12, Appointment and Deposition of Chiefs (Colony and Protectorate), 1930¹¹ and as amended by Ordinance No.20 of 1945, attempted to regularise the position of chiefs, it prevented neither disputes occurring about succession to the chieftaincy institution nor the long and the expensive litigations over chieftaincy claims common in Western Nigeria. These caused

10. I.e. by the Ministry of Local Government and Chieftaincy Affairs.

11. See Laws of Nigeria, 1948, Vol.I which commenced on 3/7/30 as Ordinance No.14 of 1930 and amended by Ordinance No.20 of 1945.

extraordinary expenses and intense personal strife and privations, insults, lack of peace in the towns and in the homes of the parties concerned, damages to property, friendship and to family relationships. All these occurred in an area over which the successor chosen eventually ruled. These problems arising from succession tend to detract from the king's authority over all his subjects while litigation retards tribal progress and economic development. This is a feature which is not in the best interest of the Local Government Councils in the State.

It was against this background that the Western Region Appointment and Recognition of Chiefs Law, 1954, No. 1 of 1955, was made mainly to prevent or reduce these chieftaincy disputes. This point was clarified during the second reading of the Appointment and Recognition of Chiefs Bill in 1953 when it was stated that

"the object and, in fact, the sole object of the Bill is securely to put an end to chieftaincy disputes."¹²

The 1954 law therefore provides that in respect of any chieftaincy to which succession is rotatory among Ruling Houses in Western Nigeria, the competent Local Government Council may and shall, if required by the Governor, provide, within six months, a written declaration setting out the native law and custom regulating the mode of selection of a successor to a chieftaincy. A declaration is expected to include the number and the identity of Ruling Houses. These are families eligible

12. The Odemo of Ishara (Yorubaland) moving the Second Reading of the Appointment and Recognition of Chiefs Bill. See Western House of Chiefs Debates of 22/12/53, p.2.

by tradition to produce candidates for the chieftaincy. The declaration also states the order of rotation of the Ruling Houses, the method of nomination by Ruling Houses and the number and identity of Kingmakers. Kingmakers are those who are qualified to select the successor.

If no fixed order of rotation exists in the customary law, the competent Local Government Council is required to specify the order of rotation in the declaration. If approved by the Government, such order of rotation becomes observed henceforth. This law has been incorporated in the Chiefs Law, Cap.19, effective in Western Nigeria including the Midwestern State since 20th June, 1957. The present law also requires the identity to be stated of any other authority whose consent is required for an appointment made by the kingmakers and also the traditions and customary law regulating such consent.

This statutory requirement about succession in the state made the chieftaincy committee of the W.U.D.C. produce one declaration, among others, in 1960 and another in 1962 to regulate the succession to the posts of Okpe king and spokesman. These declarations were themselves signed by Esezi II, as chairman of both the chieftaincy committee and the W.U.D.C. Both declarations are similar. As shown in Appendix E, they mark out four Ruling Houses which are named after the four sons of Okpe and the four kinship groups. Succession to the throne rotates, in order, amongst Orhoro, Evbreke, Orhue and Esezi. The Orhoro kinship unit is thus eligible to produce a successor

to late Ezezi II. On the other hand, the order of rotation of Ruling Houses for the title of Okpe spokesman is Orhue (currently ruling), Orhoro, Ezezi and Evbreke (last Ruling House). In both cases, a candidate is eligible only if he is an Okpe chief.

In respect of the king's post, every candidate's patrilineage normally belongs to the eligible Ruling House. But in the absence of a suitable male descendant a chief with matrilineal relationship with the eligible Ruling House may be considered. In any case, the patrilineage of such a maternal kinsman must belong to one or the other of the three remaining kin groups of Okpe tribe. For the title of Okpe spokesman either the father or the mother of the candidate need be native of Okpe.

The order of rotation of the Ruling House is overridden by the requirement that the tribal spokesman cannot be produced by or chosen from the same Ruling House to which the king belongs. If the entitlement to the positions of both king and spokesman coincide in one Ruling House, the next Ruling House, in order, provides the spokesman. The kingmakers for both titles are all the chiefs of Okpe.

Although all Okpe chiefs possess the same status as such at the tribal level, a chief whose patrilineage is non-Okpe attracts less regard and trust just as a chief with his patrilineage in any of the four kinship units tends to have greater force and to assert more rights. It must be remembered also that a chief's tribal political position is determined by that kin group or quarter through which he

elected to become a chief. The chief's political position includes the right to vote and to be voted for as regards succession to the posts of Okpe king and spokesman.

The declarations on the two titles embrace the contents of Okpe 'Constitutions' and 'Statements' drawn up between 1942 and 1957.¹³ The declarations serve to minimise internal rifts in Okpe. They cannot, however, solve all the problems involved in succession. For example, they specify the kin group to be royal at any one time rather than the heir to the throne. But the declarations provide the new State Government with the knowledge of the customary law regulating the traditional appointment of chiefs and attempt to prevent intervention from outside Okpe tribe. For example, the declarations constitute an important check on party politicians against producing whatever custom they want in order to be able to sponsor a particular candidate to a tribal high office. The declarations, as approved, are a statutory means of incorporating the tribal political system and its personnel in the government of the new state. This incorporation occurs at both the grass-roots level and the highest (Parliamentary) level. In this respect, and also as discussed in various parts of this thesis, what is traditional in Okpe social system is, in fact, also modern.

Although the chieftaincy declarations are regarded as vital regulatory mechanisms over succession, only a few (i.e. three)

13. See Chapter Five.

declarations were registered and approved by Government by 1962 in the W.U.D.C. area. This is perhaps a result of the new State Government insistence not only on more thorough investigations before declarations are made but also on the detailed explanation of the declaration to and its ratification by the people concerned.¹⁴ A declaration certified to be correct is submitted for approval to the W.U.D.C. and the new State Government by the chieftaincy committee. This new instruction by Government is the result of allegations that some chieftaincy committees made haphazard declarations under the influence of interested or committed party politicians among the local government councillors. The dissolution of the W.U.D.C. with its chieftaincy and other committees in September, 1962, also delayed the formulation and consideration of declarations.

The declarations are largely a compromise between what is remembered of the traditions of succession to the two titles on one hand and the requirements of both the Local Government Law and the W.U.D.C. on the other hand. They show the tribal desire for a democratic basis for choosing the tribal political leader. The fact that the declarations are now regarded as the customary processes of succession is itself a written assurance for the eligibility of any chief to contest for the post of the king or the tribal spokesman at one time or the other.

14. For example see Local Government Circular No.32 of 1962 issued jointly by the Ministries of Chieftaincy Affairs and of Midwest Affairs, Ibadan.

The declarations eliminate only major contests and rivalry amongst the four kinship units. Within each kin group, competition for the throne or the post of Okpe spokesman involves all the chiefs of the kin group. This struggle for election to tribal high posts tends to divide the descent group concerned into various competing groups supporting rival candidates. Thus whenever the selection of Okpe king or spokesman is undertaken in any of the four kin groups, such an otherwise kinship unit is turned into a political arena for the election of the high officer. While this temporary political exercise tends to lead to a re-assertion of smaller unit kinship symbols the tribal framework for the competition for high office tends to reduce the likelihood of opposition by defeated candidates.

The basis of eligibility for the two high offices puts a greater emphasis on the title of Okakuro. It also elicits support for the kingship even if a particular king or kin group is hated. In respect of the two rotatory titles, Okpe four kinship units constitute one corporate body.

But because many items in the declarations apparently stem more from modern requirements than from Okpe traditions and history, the declarations themselves are perhaps best regarded as reasonable documented guiding principles of rotatory succession whenever disputes occur in future.

A tribe anywhere in the new state can appoint chiefs according to native laws and customs where no declarations have been registered

by Government. But declarations which are registered as in the case of the Okpe titles, are considered to be the customary law regulating the selection of persons as successors to the chieftaincy titles concerned, to the exclusion of any other customary usage or rule.¹⁵ It is in the light of the above discussion that succession to Okpe titles of king and spokesman, or indeed to most titles, including that of the Olu of Warri (Itsekiri) in the Midwestern State, is best described as new statutory succession to high office.

STATUTORY SUCCESSION IN OKPE TRIBE

The principles and the practice of succession to Okpe titles of king and spokesman in the 1960s show the new State Government involvement through its approved declarations and through party politics in the theory of kingship and other chieftaincy institutions.

When an Okpe king dies, he is buried physically after a few days. But it takes much longer, usually a year, before the whole tribe makes a public proclamation of his death.¹⁶ It is only after this public occasion attended by Okpes and non-Okpes, that the struggle for succession to the title may begin. In this way, the actual burial and the later funeral ceremony and traditional proclamation of the king's death combine with the election of a successor under the terms of the declaration to form one sequence of events in Okpe tribal

15. For more details see Section 9 of the Chiefs Law, Cap.19.

16. This was put to practice during the Traditional Proclamation Ceremony of the 'passing away' of His Highness, Ezezi II, OBE, JP, the Orodje of Okpe from 26/3/67 to 28/3/67. Before this occasion, the Orodje was said to be sleeping.

rotatory succession.

The Midwestern Nigerian Government is kept aware of the position of vacancies to titles of recognised chieftaincies in the state. The community or tribe concerned informs its Local Government Council about the death of the holder of the title and about the various stages reached in the process of re-filling the post. For example, the death of Esezi II, on 26th March, 1966, was notified to the W.U.D.C. and later to the Senior Divisional Officer, Ughelli, on 14th April, 1966. The Senior Divisional Officer himself informed the Ministry of Local Government and Chieftaincy Affairs, Benin City, on 19th April, 1966. The Government thereafter regretted the death of the king as a loss not only to the Okpes but to the Midwestern State; a whole of which the late king's tribe is an integral part.

Perhaps the traditions remembered and practised in the case of Esezi II will now constitute the flesh to complement the framework which the statutory declaration provides on the customary law of succession in Okpe tribe. The vacation by death or other cause of the posts of king or spokesman immediately focuses attention on the eligible kin group to produce a successor. The declarations are clear on this issue and on the qualifications of candidates and the principles for choosing a successor. There is, therefore, some limits on the area from which competition may arise.

The rituals, ceremonies and dances that take place during the proclamation of the death of an incumbent are centred on the Adene

spot and round a special historic tree (owa) which is said to have been the seat of some previous royal installations and burial/funeral ceremonies in the tribe.

A preliminary meeting concerned with the election of a successor is summoned by the eldest patrikinsman of the descent group. Qualified and interested Okpes belonging to the kin group apply to him. But if he is also an Okakuro and a contestant, the applications are sent to the patrikinsman next to him in age. The eldest patrikinsman later summons a full meeting of the descendants - that is, the chiefs and the elders - of the kin group during which a candidate is elected by majority vote. This process is by no means simple especially where there is no contestant clearly outstanding above other candidates and where a large descent group, such as Orhoro with 63.8% of Okpe chiefs, is concerned.¹⁷

Selection of the successor starts in the smaller social units - towns or 'families'. For example, Oha, in the current succession process. A town is a unit for the Ruling House election in the sense that its inhabitants constitute one unit of descendants of the founder of the 'House' which is eligible to be royal. At this lowest level of election, complications do arise, for example, where the eldest man

17. See Chapter Six for the distribution of Okpe chiefs amongst the four descent groups. At present Chief Chanai Ogolo is the eldest chief of Orhoro descent group which is now eligible to produce the Orodje of Okpe. Five candidates currently vie for this post. They are Chiefs C.O. Agbosa, D.A. Ejinyere, J.I. Ekama, D.O. Umuze and Mr. K.G. Asagba. Three other candidates - Ojadoma, Abeke and Igbinoba - had earlier withdrawn their candidatures.

of the town or social unit favours one chief while the youths or other political party-men favour another chief. Winners in the various small social units vie with one another for votes in a subsequent major unit election, that is, for the whole kin group constituting the Ruling House.

The whole of this process is different with reference to a kin group having a few chiefs as candidates for succession. In this case, and where there is no rivalry within the eligible Ruling House, it is sufficient for the eldest patrikinsman to convene a representative meeting of all the constituent family units to consider all applications for the post concerned. The choice of the majority of such representatives present and voting, constitutes the election of the king-elect.

Whatever the choice made by the current Ruling House in their meeting is not final for the whole tribe. All Okpe chiefs have to sanction the choice of the Ruling House. In this capacity, they also act as interest groups on behalf of their respective kin groups. Their decision to ratify or reject a candidate chosen by the Ruling House is reached by majority vote at their full meeting. Any candidate who is dissatisfied with the decision of the kingmakers is free to appeal to the Council of Okpe chiefs which, as regards succession to the kingship, is represented by the regents headed by the tribal spokesman. In this capacity, the chiefs meet as a tribal council rather than as kingmakers.

The final decision as to whether to accept or reject the selection made by the Ruling House or to call for a new selection altogether, is, again, determined by majority vote.¹⁸ The candidate chosen after this process is thereafter presented to a publicised Okpe mass meeting for installation amidst rituals and religious worship as described in Chapter Three. The whole pattern of succession shows two main areas of checks: those provided in the declaration as approved by the new State Government and those provided by the overall control of the tribal council on the political or other excesses of any eligible Ruling House.

In the case of Okpe spokesman, the declaration shows that the eldest man of the eligible Ruling House convenes its meeting at the request of the king-in-Council to nominate a candidate or candidates for the title. These are presented later to the kingmakers. When there are several contestants for the post and where the descent group fails to agree on one candidate, the kingmakers take the final decision as in the case of several contestants for the position of king. It should be noted that

"The consent of the Orodje of Okpe is required to the appointment of the Otota but such consent shall not be unreasonably withheld."¹⁹

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18. It does appear from an interview with Mr. J.E. Egbo, the Okpe State Secretary, in Orerokpe on 22/3/68, that Okpe Union are demanding two votes to determine succession to high office in Okpe tribe. Also, it is being contemplated to allow a vote to the eldest man of each of the four kin groups to elect an Orodje. If these attempts are successful, they will bring the total votes to 53, that is, including the present 47 chiefs.
19. See paragraph 6 of the approved Declaration on the Selection of the Otota of Okpe - Appendix E.

The election of the present Okpe spokesman, Chief John Eligbo Biokoro, followed the customary law as contained in the declaration to a large extent. He filled the vacancy that occurred through the death of Chief Avbioroko in 1960 after holding the post from March 12, 1956. Chief Biokoro won the election with 22 votes to the 7 scored by Chief Johnson Ogbotor Abodo, also from Orhue quarter. He was consequently appointed Otota of Okpe on 27th February, 1960, at a time when the current declaration was not yet approved by the Government in accordance with the Chiefs Law.

Rivals for the post of Okpe king or spokesman undercut themselves with various election issues. These include disqualifications arising from the genealogy of contesting candidates, suitable education and personality, stature and blemishes, past court cases and convictions, attitudes to the upkeep of Okpe traditions and general behaviour such as adultery and disrespect for the elders and tribal rulers. These electoral issues show that the qualities required of incumbents to high office in contemporary Okpe are in terms of kinship, literacy, exemplary character and a thorough knowledge and respect for Okpe language and traditions. The form of contest for the two posts consists of scouting round for and publicising disqualifications of rivals while preaching one's own merits or trying to hide one's own disqualifications with the assistance of friends and kinsmen. The form excludes violence and is directed mainly to secure the favour and support of not only the chiefs of one's kin group but also of all

other Okpe chiefs.

It should be remembered that Okpe king and spokesman fill chieftaincies recognised by the new State Government. Therefore, when Okpe tribe makes new elections to fill these vacancies according to the terms of the two declarations, these are notified to the W.U.D.C. and to the Government of the Midwestern State through the local government adviser at Orerokpe or Ughelli. If the Government is satisfied that there are no disputes and that succession was accomplished as regulated by the declarations and if no Government political party considerations are introduced, it recognises the new holders. Such holders are, therefore, eligible for the monetary rewards and the political appointments at the local and state levels as shown in Chapter Seven.

Judged from the declarations, no Okpe man has any ascribed rights to be either the king or the spokesman. Eligibility to contest for the two posts derives from the achieved status of chief. The two political positions cannot therefore be confined to a particular lineage whenever it becomes the turn of any of the four kinship units to produce a successor. The system of succession can, therefore, hardly be expected to produce a line of Okpe royal ancestors. Temporary royal lineages may be produced but these will have high social status only as long as the king lives or memories of his achievements remain. The rotatory principles of succession tends to produce more able political leaders who emerge out of the normal process of competition

by Okpe chiefs.

It has been shown that most areas of social relations are highly politicised in the Midwestern State. This feature extends to succession to the traditional high positions in most of the tribes in the new state. But party politics affect neither the declarations as approved and accepted nor the traditionalised hierarchy of titles. Party politics affects the selection of persons to succeed to vacant titles. Party politics also determine the power relations of the title-holders in the tribe. Where the successor chosen by the tribe does not belong to the Government, that is, the right political party, his recognition is often delayed. The involvement of Okpe Union in the succession of Ezezi II in 1945 is shown in Chapter Five. Although no instances are available from Okpe tribe itself mainly because political party influences came much later, it is illuminating to note that in respect of the throne in neighbouring Agbo tribe, the N.C.N.C. political party men in the Midwestern State said they

"had to wait ages but we were prepared to wait....Now Sir, the wheel of destiny turns slowly but surely and we have arrived. Here at home, the decision over our Oviaship will be made....Never shall any order come from Ibadan that somebody whose parents were never entitled should become the Ovie of his people."²⁰

An enquiry was later set into the kingship of Agbo chieftaincy title during which it was found that party political considerations complicated

20. Midwestern Nigeria House of Chiefs Debates of 15/4/64 - Speech by Chief O. Oweh, Minister of Economic Development.

the issues involved in the succession.²¹ The 1966 Military Government was, perhaps, just on time to implement the recommendations of the Sole Commissioner in favour of the holder of the title. Another important instance of political party involvement in succession is shown in the fact that

"from remarks that were made during this Enquiry, it would appear that Okorefe, the declared Ovie, has or had the support of the Action Group and that Ekpe (that is, the other claimant of entitlement to the title) has the support of the N.C.N.C."²²

Political parties often attempt to ensure that their supporters in the state either get into the tribal thrones or are rewarded with titles created for patronage. In matters of succession to chieftaincy titles, the typical position of the link and the communication between the constituency political party leader in the tribe and the party stalwarts in Government in Benin City, may be clarified by the following statement of an N.C.N.C. Member of Parliament,

"That if really the two contestants were N.C.N.C. supporters, I could have left you to use your discretion; but the reverse being the case I am bound to remind you in this respect that what is sauce for the goose should be sauce for the gander....That it will not only be too disgraceful and a complete eradication of the N.C.N.C. from Ewu Clan through anger

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21. Partridge, D.B. 1965. Report of Enquiry into the Ovie of Agbon Chieftaincy dated 7/4/65. See particularly the section entitled 'Political Considerations' on pages 79 and 80.
22. McCall, J.A.G. 1965. Ovie of Agbarha Chieftaincy Enquiry dated 10/4/65.

but would also hamper my return to this House again if I am not alert to save the situation through you....That I scored the highest votes in Ewu Clan as a result of the Chieftaincy dispute, and of those who had backed Chief 'X' for the N.C.N.C. In view of the above explanations, I trust you will in the usual practice, come to the conclusion to direct your Chieftaincy recognition on Chief 'X' being the popular choice of the people of Ewu and myself who represent the constituency."²³

Limited by Government-approved declarations, party politics in respect of succession to high office in Okpe appears to arise internally from the political party cleavages. These cleavages arise from the individual choice of political party allegiance made by chiefs. Candidates for tribal political titles sometimes appeal to their political party men for their votes and support. But this is, itself, harmful to a successor's efficiency. Identifying him with any political party is capable of making subsequent total tribal allegiance more difficult for the successor.

The above discussion shows that succession as directed by declaration under the Midwestern State Government has brought no revolutionary changes to Okpe attitudes about re-filling their highest political posts. The Okpes had, on their own, established a rotatory system since 1945 when they drew up and signed their 'Constitutions'

23. Letter of 5/4/65 by Hon. A.A. Fole, M.P. to Chief Omo Osagie, Minister of Local Government and Chieftaincy Affairs in the Midwestern State N.C.N.C. Government. The letter was occasioned by the dispute over succession to the Ovie of Ewu chieftaincy title.

or 'Agreements' as already stated. This precedent for the contemporary succession processes is merely formalised and made legally acceptable to the new State Government by means of the declarations. The declarations have, therefore, created no social upheavals.

But this situation is not applicable to all other Urhobo tribes. For example, Ogo, Ughelli and Agbarha tribes which had the tradition of seeking recognition for their royal status from the king of Benin. In this respect, the last kings that met the king of Benin, Eweka II, were Chief Oharisi I of Ughelli and Chief Ojakovo of Agbarha, both in 1917.²⁴ The two kings and their entourage had to undergo a long begging-with-gifts exercise²⁵ to solicit the assistance of Chief Dogho as British political agent who was in the best position to persuade and to convince the District Officer and the Resident in Warri for written permission. Both kings carried these permits to the Resident in Benin City who authorised them to complete their traditional tribal recognition of royalty by the king of Benin. This process occurred between September 1917 and February, 1918, The British political

24. See Correspondence by H.O. Swanston, District Officer and H.M. Douglas, Resident both of Warri Province, in Benin Province Files BP.544/1917, MP. No.543/1917, MP. No.522/1917 and BP.586/1917. Also see WAR PROF.3/10 file 163/1928 in the National Archives, Ibadan. There was no royal recognition journey to Benin during the inter-regnum in that kingdom following the 1897 Expedition and the deportation of Oba Ovonramwen to Calabar until July 24, 1914, when Eweka II was enthroned.

I am grateful to Chief T.E.A. Salubi for drawing my attention to some of the above documents.

25. Interview at Otovwodo Ughelli on 14/12/67 and 17/12/67 with Chief R.E. Oharisi and with Chief Igbogidi Oharisi who himself accompanied his father, Oharisi I, to Chief Dogho in Warri and also to the Oba's palace and other places in Benin in 1917 and 1918.

officers were very careful about this issue in order to avoid complications between the Native Administrations in Benin and Warri Provinces and also to avoid derogating from the authority of the British-appointed paramount Chief, Dogho, who was then used as an overseer over several tribal political leaders in Warri Province.

Chief Okogbe Oharisi II, who succeeded his father, Oharisi I, on 5th December, 1943, did not go to Benin. But he was perfectly entitled to the throne by principles of primogeniture because his father had successfully sought recognition from the king of Benin.²⁶ Unless certified by a declaration as now required statutorily and approved by the Midwestern State Government, an important, though interesting, succession problem may be raised by traditionalists in future in Ughelli and perhaps in Ogo and Agbarha tribes. In these tribes, the customary primogenitural principles of succession could be replaced by possible fraternal succession because no Urhobo king now goes to Benin for the Oba's recognition. This new succession principle constitutes a major discontinuity in the social systems of the tribes concerned. The situation is an obvious contrast to the succession process in Okpe.

The above discussion shows that, today, the Government of the Midwestern State gives the final approval and recognition to successions to all tribal chieftaincies which it recognises. It does this by

26. See Appendix C for more details on this point.



A Sole Commissioner examines the authenticity of a symbol of kingly office produced by one faction in a chieftaincy dispute. June, 1967.



The Ovie of Uvwie, followed by some of his tribal chiefs, arrives to attend a public function in his tribe. June 10, 1967.

letter and press release. Such final and legal recognition, particularly of the tribal king, is given further publicity in the capital during a subsequent grand celebration. The occasion is attended by Okpes and non-Okpes and by the invited new State Government officials and party politicians.

Succession to the two Okpe high offices of king and spokesman shows three main features. Firstly, the titles are hereditary in the sense that a candidate must belong to a particular kin group or Ruling House. Secondly, the titles are achieved in the sense that individual eligibility is based on the acquired title of chief. Thirdly, succession to the titles is statutory in the sense of a guiding framework of written rules as set out in a declaration approved by the Midwestern State Government.

COUNCIL OF OBAS AND CHIEFS

It has been shown that, on the local level, the W.U.D.C. is the intermediary between the various tribal entities and the Midwestern State Government through the Ministry of Local Government and Chieftaincy Affairs. In addition to this and to the House of Chiefs through which tribal rulers have some say or influence in the new State Government, a statutory body of tribal rulers known as the Council of Obas and Chiefs, has been created. As a consultative body, this Council advises the Government before the latter decides on matters affecting chieftaincy in the new state. This mechanism is designed to smoothen the relationship between Government and tribal rulers and

their 'subjects'. The Council of Obas and Chiefs Law, No.38 of 1959²⁷ ~~concerning only~~ ^{consisting only} of Government-recognised chiefs, states that before the State Governor suspends, deposes or deports a recognised chief to another part of the state he shall consult the Council of Obas and Chiefs for advice. The new State Governor does this even if he himself feels that such deposition is in accordance with customary law or is necessary in the interest of peace or order or of good government according to Sections 22 or 23 of the Chiefs Law, 1957. Consultation here involves presenting all the facts of the dispute concerning the chief and the report of any Enquiry set as well as other official information. Before recommending action to the Government, the Council²⁸ makes further investigation in addition to the Enquiry conducted by any Commissioner in the community concerned. The Council also invites contestants or rulers for further questioning as was the case of the king of Agbarha chieftaincy between December, 1966, and March, 1967, and the king of Arhavwarien tribal chieftaincy in May, 1967.

The members of the Council are all recognised chiefs of the new state. Their appointments to the Council are made by the Executive

27. This was amended in 1960 by Council of Obas and Chiefs (Amendment) Law, 1960 - No.18 of 1960 which commenced on 1/12/60. This amendment mainly concerns designation of members of the Council. See Western Nigeria Gazette, No.62, Vol.9 of 1/12/60.
28. Members of the Council are appointed every two years and are eligible for re-appointment. The President of the House of Chiefs of the State is the Chairman of the Council. In 1967, the Council was made up of seven chiefs (its required maximum number) from all over the Midwestern State, with the Oba of Benin as Chairman. The Urhobo Chief in the Council was Chief C.E. Ugen, the Okobaro of Ughienvwen tribe.

Council of the State. But because this executive council is controlled by a political party, the tendency has been that the reciprocal relationship between the chiefs and the Government creates problems of objectivity. Unless the chiefs want their tails to be rolled up and cut, they can hardly detach themselves from complicity and from Government political party commitments in matters concerning the deposition or succession of particular candidates. The Council is apparently intended as a corrective or check on the Government political party excesses but its composition makes it hardly capable of obstructing the intention of Government which must, in all cases, have its way.

Both this Council and Sections 22 and 23 of the Chiefs Law make it clear that the tribe does not possess the final mechanism for deposing a recognised king or chief, whatever his misbehaviour may be in terms of the tribal custom. Indeed, a recognised king or chief who supports the new State Government and who is, for this reason, a client of the political party stalwarts in Benin City, may retain his position in the tribal political system with the assistance of the new State Government political party. This means that inspite of what may constitute atrocities in purely tribal traditional terms, a king or chief with the support of the new State Government, is capable of retaining his traditional political position inspite of objections from some members of his tribe.

This discussion thus shows further that in terms of succession or deposition of holders of high offices recognised by the new State

Government in Okpe and in other tribes, the Government of the new State has to a large extent, alienated the functions provided in the traditional political system.

CONCLUSION

As Goody has pointed out, high office tends to be unique and non-duplicating

"So that the very uniqueness, the scarcity of the resource, magnifies the conflict situation that centres around the transfer of an office from one individual to another."²⁹

In terms of the agreements reached and of the statements made and signed as traditional by all Okpe, and in terms of the Midwestern State Government-approved declarations, Okpe tribal four kin groups are all potential royal descent groups.³⁰ This feature also regards the family of every Okpe chief a potential royal family because the post of king, like that of the tribal spokesman, is achieved. None of the offices is confined by hereditary regulations to only one family in Okpe. This succession principle thus stresses the equivalence of the four descent groups and of Okpe chiefs. But the combination of the declaration and what the Okpes approve as their tradition as enshrined in their signed documents, shows the descendants (chiefs) of Orhue, the senior descent group, not only as kingmakers or as constituting a Ruling House, like the other three descent groups, but also as

29. Goody, J. (Ed.) 1966. Succession to High Office, p.2.

30. Ibid. See pp.26-28 and 45-46 for a discussion of the four types of dynastic structures.

the traditional entroners of high officers in Okpe tribe.

No Okpe Ruling House has a familial dynasty. Indeed, one cannot talk of Okpe dynasty because although rotation shifts the kingship and the post of the spokesman amongst the four kinship units, successors are not necessarily produced by the same family that produced a previous incumbent for the descent group. This is inherent in the specified conditions of eligibility for the two posts by means of the achieved title of chief. The whole rotatory process does not involve the spatial transfer of the kingship from the tribal capital, Orerokpe.

By the same principles of rotatory succession, neither the incumbent's kinsmen nor the chiefs of his descent group constitute a threat to his position because none of them is his heir. This fact also tends to rally the members of the incumbent's family as well as the chiefs from his major descent group to his support. They do this because the vacation of the tribal political position - by death or otherwise - results in the departure of royalty or of the high political office of the spokesman from their descent group for some time. The basis of the group support and, therefore, what they could lose, is in terms of temporary prestige and political pre-eminence for their social unit. The loss is not very economic.

Okpe rotatory succession stresses total tribal corporateness in terms of their two high offices. In view of the signed declarations, the pattern of succession can hardly be expected to change drastically. So long as it remains unchanged, it will retain its great structural

distance between successors. The declarations also imply, in practice, that the Okpes will have little or nothing to do with divination or other supernatural consultation as a means of sorting out or of even confirming a candidature selected by the kingmakers through an election. Divine authority through the tribal cults may be sought only after an election of a successor and merely to bless rather than to reject or doubt a candidate's eligibility or ability to hold the tribal high office. Okpe rotatory succession is post mortem and thus a dying king cannot nominate his successor. The latter may, in fact, remain unknown until after his selection in accordance with the terms of the declaration.

Any contest for Okpe positions of king or spokesman remains in the realm of canvassing amongst the chiefs. Every candidate is assessed on what he can do for the tribe within chieftaincy norms and also on what he can achieve for the tribe from the new state. Thus, the norms of Okpe tribal chieftaincy are being constantly reinterpreted to accord with changing political processes and expectations. But it should be noted that whatever personal property a king acquires during his reign passes on to his own children and not to his successor in office.

Whether or not the new State Government's statutory incursions into tribal political positions will have the effect of a gradual elimination of traditional chieftaincy is a moot point. But this feature does tend to increase the tempo of political integration of

the highest institutions in the various tribal political systems or organisations in the Midwestern State of Nigeria. The greater the pace of political development along the current political party lines, the greater the changes will probably be in the functional content of chieftaincy, in the prestige of the kings and chiefs, and in the grip which traditional leaders have on the tribal political organisation as a whole.

CHAPTER NINE

CONCLUSION

The first three chapters of this thesis contain mainly a descriptive analysis of the traditional socio-political system of Okpe tribe. Two levels of government and politics are emphasised: the town and the tribe. I regard this two-tier approach indispensable for a full understanding of the politics of Okpe tribe. The political sub-system has itself been examined within the whole concept of government. Kinship, religious, economic and other cultural sub-systems are vital to the understanding of the political relations and organisation of Okpe tribe. Government and politics as seen at the grass-roots level of the towns and as a totality for the tribe, form the basis for the analysis in chapters four to eight, in which the impact of both British and post-independence Nigerian Government and politics are discussed.

The following discussion highlights some of the theoretical issues arising from this thesis.

Southall notes that

"One of the worst biases in the African material is the tendency to a simple dichotomy between supposedly primeval systems, stated in the ethnographic present, and the contemporary situation. The latter is left

to be studied only at the centre, by political scientists with inadequate knowledge of language or understanding of the general social context.... A breath of reality must be introduced by recognition that African peoples have often passed through a number of significant phases....Independent African states will increase pressure at some points on local community structure and reduce it at many others. The overall structure itself, though obviously adapted from Western models, will become less and less familiar, less to be taken for granted, and more worthy of study in its interaction with ethnically diverse, formerly tribal, local groups. The theoretical problems of analysis will be more complicated, but cannot be evaded any longer by ventures into unreality."¹

The above excerpt identifies a very important problem in political anthropology. What I have done in this thesis is to show how, in practice, Okpe tribe has been integrated in the Midwestern State of Nigeria. The analysis shows that we can hardly make any more progress in the subject if we continue to analyse tribal political systems as if they were isolated.

Social anthropologists have often produced monographs which project the political systems of the tribes they studied back to the 19th century or earlier. With reference to Africa, this is apparently because

1. Southall, A. 1965. /A Critique of the Typology of States and Political Systems. In M. Banton (Ed.). Political Systems and the Distribution of Power. pp.135-136.

"...studies of African kingdoms in periods of colonial indirect rule tend to show that while the roles attributed to political offices may change, the offices themselves are maintained. We are apt therefore to project the present structures back into the past; our reconstruction of the mid-nineteenth century pattern is in fact the ethnographic present."²

On the basis of this kind of reasoning Fortes and Evans-Pritchard produced the first classification of African political systems in 1940. Their classification shows two types of African political systems.³ These are: Group 'A', that is, those societies such as the Zulu and the Banyankole which

"have centralised authority, administrative machinery and judicial institutions - in short a government - and in which cleavages of wealth, privilege, and status correspond to the distribution of power and authority;"

Group 'B' societies, for example, the Tallensi and the Nuer, which

"lack centralised authority, administrative machinery and constituted judicial institutions - in short which lack government - and in which there are no sharp divisions of rank, status or wealth."

Fortes and Evans-Pritchard explain that

"Those who consider that a state should be defined by the presence of governmental institutions will regard the first group as primitive states and the second group as stateless societies."

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2. Lloyd, P.C. 1968. The Political Development of West African Kingdoms. Review Article. In Journal of African History, IX, 2: 329.
 3. Fortes, M. and Evans-Pritchard, E.E. (Editors). 1940. African Political Systems, p.5.

This first classification into centralised states and segmentary lineage societies has formed the basic point of departure for later studies of African political systems.⁴ Most, if not all, of these classifications are already well known. The central argument in them is that not all African societies fit into the two categories of political systems. This is because other kinds of organisation such as associations, age or descent groups, regulate political relations.

M.G. Smith adds another dimension when he argues that government is an inclusive concept having the analytically distinct but interdependent components of political action and the administrative process; all societies have governmental process in varying degrees of political and administrative functions.

"As political action is defined by power competition, and is inherently segmentary, so administrative action is defined by authority, and is inherently hierarchic... Power which is inherently segmentary and conditional, latent as well as manifest, is relativistic in nature

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4. For example, see Brown, Paula. 1951. Patterns of Authority in West Africa. In Africa. 21. 261-278.
 Easton, David. 1959. Political Anthropology. In B.J. Siegel (Ed.). Biennial Review of Anthropology, pp.210-262.
 Eisenstadt, S.N. 1959. Primitive Political Systems. A Preliminary Comparative Analysis. In American Anthropologist. 61. 200-220.
 Lloyd, P.C. 1965. The Political Structure of African Kingdoms. An Exploratory Model. In M. Banton (Ed.). Political Systems and the Distribution of Power, pp.63-109.
 Smith, M.G. 1956. On Segmentary Lineage Systems. In Journal of the Royal Anthropological Institute. 86. 39-80.
 Southall, A. 1965. A Critique of the Typology of States and Political Systems. In M. Banton (Ed.). Political Systems and the Distribution of Power, pp.113-138.

and expression, and cannot be centralised. The 'centralization' of power proceeds by its transformation into authority, with a specific administrative hierarchy of its own. In contrast, authority is always by definition to some extent centralised since it consists in an allocated right..."⁵

Political action which involves segmentation is only one aspect of the process of government in every society. Therefore, a distinction cannot be made between centralised and segmentary states. Smith thus feels that the dichotomy of centralised and segmentary systems is doubly misleading because it compares the administrative systems of one type with the political systems of another. Also, that without the analytically critical difference between authority and power, the dichotomy attempts to study government from the point of view of group relations or control of force. Smith's analysis thus shows that without a more articulate theoretical framework, all comparisons and classifications of political systems are likely to be erroneous.

Easton, however, points out that nowhere does Smith show an administrative hierarchy in maximal lineages or clans. Easton considers this to be important because it was

"the major point of the editors of African Political Systems. It was this very difference between the organized authorities within the lineages and their absence between the lineages at the higher levels that struck them as most significant and therefore

5. Smith, M.G. 1956. Ibid., pp.49-50.

as a useful criterion for purposes of classification. No one had ever argued that no administrative behaviour took place in stateless societies. Fortes and Evans-Pritchard merely saw the scope of authority or administration, in Smith's terms, to be more restricted. It embraced only subgroups within the society, not the whole society."⁶

Easton also feels that Smith's two faces of the concept of government constitutes criteria for identifying many similarities in various political systems while providing few insights as to their differences. Easton views political action as that aspect of social action in general which relates to the formulation and the execution of binding decisions for a social system. He suggests five kinds of activities engaged in by members of a society in order to make their decisions binding and effective. These are

"(1) the formulation of demands, (2) legislation, (3) administration, (4) adjudication, and (5) marshalling of support or solidarity."⁷

Easton finally suggests a role differentiation approach⁸ in the study of political systems. From the cluster of roles on a continuum of political types, variations of other important political characteristics are expected to be found and used to construct a useful typology or classification of political systems.

6. Easton, David. 1959. Ibid., p.225.

7. Ibid., pp.226-227.

8. I.e. Political roles differentiated from other social roles; political roles differentiated from each other; and the extent to which political roles fulfil specific or multiple diffused functions.

Since 1940, there has been a more complex differentiation of political roles involving African tribes. Under current conditions of national integration and independence, Southall's observation, quoted above, is a logical development in analysis in political anthropology.

In this thesis, I consider the political process as a component of the tribal or the new State Government. Also, government consists not of two aspects - the political and the administrative as suggested by Smith⁹ - but of four analytical components, that is, the political (which includes the legislative), the administrative, the judiciary and the executive. Thus, in this thesis, I regard politics as any power-oriented behaviour with reference to government in a tribe or in the new state. And,

"Power is the capacity to take autonomous action in the face of resistance from persons, groups, rules, or material conditions. It is the ability to pursue one's will effectively, if necessary by imposing it on others. As such it is manifested directly as pressure against resistance, that is, by contraposition and confrontation."¹⁰

I have avoided treating Okpe tribe as if it exists alone. The thesis shows that the various arms of government of the new state regard Okpe tribe as its inextricable part.

9. Smith, M.G. 1956. On Segmentary Lineage Systems. In Journal of the Royal Anthropological Institute. Vol.86, p.48.

10. Smith, M.G. 1968. Power and Authority (under Political Organization). In International Encyclopaedia of the Social Sciences, Vol.12, p.193.

In this sense, and although Okpe tribe possesses its cultural sub-systems for self-identification, its politics and political organisation are a specific part of the political system of the new state. At the new state level, Okpe tribal politics may be referred to, somewhat paradoxically, as powerless politics. It is largely an attempt to sustain and to assert Okpe pre-1890 political kingdom structure and separateness in relation to other cultural groups in the Midwestern State. For, with the loss of its political sovereignty, and, restricted by the new state laws and government of which the Okpes are a part, the content of tribal separate politics has changed.

The co-existence of the surviving tribal politics and the new state politics at the tribal or constituency level, shows the two faces of local-level politics in the Midwestern State. Their co-existence emphasises the assertion that Okpe tribal political system cannot now provide the only framework for explaining the various types of political actions in the tribe. It also indicates the importance of political role differentiation in current studies of political systems at the grass-roots level in the new state.

Contemporary typologists of African political systems should, therefore, make it clear which of the two local-level political systems they are classifying.

Okpe traditional political system, as a historical continuity, can be described in terms of what Southall calls 'segmentary-unitary' states'. That is, it combines two of his three 'typological ranges'

based on political role differentiation.¹¹

Okpe political system is segmentary only in terms of its total four-fold kin group organisation and its town units. The thesis shows that descent groups have not yet broken down in Okpe tribe. In fact, at the new state level, the four descent groups of Okpe are given some form of separate identity because each is made corporate in respect of tenure of the rotatory offices of the king and the tribal spokesman, and is periodically strengthened at moments of succession. Also, the separateness of the four descent groups is given reinforced legitimacy through the Midwestern Nigeria State Government approval of the tribal declarations discussed in Chapter Eight. This legal support by the new State Government helps to sustain the unity of each descent group and also involves it in the total unity of the tribe. In this respect, the stake consists of the political titles and of the tribal council in which the four descent groups are inextricably involved.

On the other hand, Okpe tribe is a unitary 'state' in the sense that it has developed a unitary political framework over its four segmentary lineage groups. This framework consists of the tribal council made up of holders of the three grades of chieftaincy titles already discussed. Okpe chiefs gain and retain their titles not through the favour of their king but through their personal wealth, desire and exemplary character. The conferment of chieftaincy titles

11. Southall, A. 1965. A Critique of the Typology of States and Political Systems. In M. Banton (Ed.). Political Systems and the Distribution of Power, pp.126-129.

is done only by the king, an act which he cannot normally withhold once a candidature is approved by members of the tribal council; nor can the king depose any chief without the consent of the tribal council.

The dispersal of the four kin group members all over Okpe territory means that it would be difficult, if not impossible, for the tribal government to act through the segmentary lineage groups. The Okpe solution to this tribal government problem is the utilisation of its chiefs as tribal government personnel whatever the kin group or territorial unit they come from in the tribe. The Okpe mass meeting, as discussed in Chapter Six, is used to the same effect to achieve a centralised tribal government. Okpe tribe is, therefore, not a federation of town 'states'. It should also be remembered that the chiefs are not heads of segmentary lineage groups. Nor do these lineage groups help to obtain the chieftaincy title for some of its members in order to have representatives in the tribal council. Otherwise, the wide range of tribal council membership from the four segmentary lineage groups - 12.8%, 63.8%, 19.1%, and 4.2%¹² - as discussed in Chapter Six, can hardly be defended.

Okpe pre-occupation is with the unity of the tribe rather than with the political distinction of its four lineage segments. A chief's political status is a personal and non-inheritable achievement. The question of kin group representativeness in the tribal council is, therefore, merely incidental. However, chiefs from any of the four

12. I.e. from Orhue, Orhoro, Ewreke and Ezezi descent groups respectively.

descent groups constitute its interest group in the tribal council.

The point underlined is that a chief from whatever town or descent group is a tribal chief and only the tribe, represented by the tribal council, can depose him. This means that the king cannot offset opposition by creating new titles or chiefs. He has to rule satisfactorily to at least a majority of people and within expected traditional norms as well as within untraditional current political party processes in order to retain the confidence and the assistance of existing chiefs. This feature results in relative stability in titular status and order in the tribe. It also contributes to the stability of the unitary nature of the tribe as a submerged state within the wider new state.

The new state recognises and utilises the tribal political organisation. Tribal key political positions are made statutory in the new State Government. Also, Okpe principal actors in the tribal political system participate in the new State Parliament and Local Government Councils. Chapter Seven shows how party politics and the new State Government administrative and judicial processes involve tribal rulers as well as the tribal political, administrative and judicial processes.

The Midwestern State Government utilisation of the tribal government system provides some legitimacy and incentive for its continuity.

Under the new state, the Okpes have added two positions to their

revived titular political structure. These positions are those of the 'State Secretary' and the regents. These additional positions show that the new variables resulting from the new State Government have produced corresponding and changing elasticity of roles and multiplex relations in the tribe. The Okpe political structure, therefore, is a changing social framework important mainly as a heuristic device for analysing its changing socio-political processes. It is possible that this conclusion is applicable to other societies. It should be noted that

"Anthropologists who have used a purely structural frame of reference and who have treated structures as closed systems are now faced with the problem of relating their models to empirical reality in all its complexity."¹³

Although there has been a crucial break with the past particularly in terms of lost political sovereignty, this thesis shows that there is continuity between Okpe political structure and processes of the past and the present. This feature is both a contributor to and a result of the necessity for both Okpe tribal identity and Nigerian political unity. The problem of Okpe appears to be, therefore, the problem of both tribal autonomy and dependence in the new state.

In this connection, Okpe tribe has sustained and re-interpreted the position and roles of its collective political symbol, the Orodje,

13. Kaberry, Phyllis. 1963. Malinowski's Contribution to Fieldwork Methods and the Writing of Ethnography. In R. Firth (Ed.). Man and Culture, An Evaluation of the work of Bronislaw Malinowski, p.89.

and of its central political institution, the Udogun.

The above discussion emphasises closer relationship or co-operation between the historian and the social anthropologist on one hand and between the social anthropologist and the political scientist on the other hand. Much has been written on the connection between history and social anthropology.¹⁴ But as Lloyd points out,

"The elucidation of the details and chronology of political change is the task of the historian (or, may we say, the historical aspect of the scholar's task); from the sociologist and social anthropologist interested in comparisons between kingdoms, one expects those generalisations about political change which will illuminate specific cases. The danger is that they remain wedded to the functional viewpoint, and in attempting diachronic studies, become mere historians."¹⁵

Today, political anthropologists analyse situations involving political groupings and political relations at both the new state and the grass-roots levels.¹⁶ As discussed in this thesis, politics in

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14. For example, see Evans-Pritchard, E.E. 1961. Anthropology and History. Manchester University Press.
 Forde, D. 1967. Anthropology and the Development of African Studies. In Africa 4: 397-405.
 Lewis, I.M. 1968. Introduction. In I.M. Lewis (Ed.). History and Social Anthropology. London. Tavistock.
 Schapera, I. 1962. Should Anthropologists be Historians? In Journal of the Royal Anthropological Institute. 92. 143-156.
 Smith, M.G. 1962. History and Social Anthropology. In Journal of the Royal Anthropological Institute. 92. 73-85.
15. Lloyd, P.C. 1968. The Political Development of West African Kingdoms. Review Article. In Journal of African History. IX, 2. 329
16. For example, See Cohen, Abner, 1968. The Politics of Mysticism in Some Local Communities in Newly Independent African States. In Marc Swartz (Ed.). Local-Level Politics. Aldine Press.
 Lloyd, P.C. 1955. The Development of Political Parties in Western Nigeria. In American Political Science Review, XLIX. 3. 693-707.

Okpe illustrates the point that there are two political arenas in the tribe today. The first is politics which is part of the tribal government. This is focussed on the highest political institution, the tribal council, with the king as its key symbol. The second is the politics of the new State Government. This is based on political parties which are controlled from outside the tribe and which tend to be disruptive to the tribe as a social unit.

Political actors in the latter arena are both Okpes and non-Okpes. There are often conflicting interests and incompatible roles as Okpes get involved in the two types or arenas of politics. The main problem in this respect is to hold together what their political party activities tend to divide. Under such seemingly confused situations the tribe currently finds it ever more necessary to utilise its existing cultural symbols or to create new ones in order to sustain its cohesiveness. Success in this task of keeping the tribe together rests largely on the successful manipulation of the various tribal symbols. The study of such tribes, as illustrated by Okpe, involves the social anthropologist in the study of Political Science.

Although it constitutes a cultural unit within the new state, the tribe may be treated as the whole or part of a political segment under a new distribution of political power. It is thus suggested that current anthropological studies of politics and society should

be more concerned with the new states either as a whole or at different levels of the whole. The classification of the new state political system as seen at the tribal level, provides a meeting point for Political Anthropology and Political Science.

Economic development depends largely on the primacy of party politics in the new state. In addition, the fact that the political, administrative and judicial sub-systems of Okpe and of other tribes are now part of the Government of the Midwestern State and of the Federal Republic of Nigeria, creates immense problems for the political organisation of the integrated tribes. Although political relations constitute only one aspect of social relations, the political system of the new state determines, to some degree, the relations between various social groups and the nature of the other sub-systems by which the tribes also organise themselves.

The tendency is towards a closer integration of tribal political systems in the new state. The degree to which both the Okpe traditional politics and the new state party politics come into this somewhat mixed political system varies according to time and circumstances. Also, the fact that the new State Government recognises and utilises the integrated tribal political system and its personnel, as discussed in this thesis, indicates that Okpe political organisation will not become anachronistic in the near future.

APPENDIX A

AN OUTLINE HISTORY OF THE URHOBOS¹

This appendix suggests that the Urhobos reached their present territory in two main waves of migration accomplished through a multi-stage movement from the Sudan through Ife and Benin. Perhaps a key-note to this problem of Urhobo history and of the political growth of the various tribes is struck by Hubbard who, as observed by Bradbury,

"suggests that the distinctive characteristics of the various Urhobo and Isoko tribes are a result of the superimposition of Ijaw, Ibo and later Edo immigrants upon aboriginal strata already speaking Edo-type dialects."²

The importance of this suggestion will become clearer as this outline of Urhobo history progresses.

In 1910, Thomas³ used the collective term 'Edo-Speaking Peoples' for all those later classified by Bradbury into the following four main groups of people: the Edo proper, that is, Bini; the Ishan; the Northern Edo, that is, the Ivbiosakon, Etsako, Northern Edo and Ineme; and the Urhobos and Isoko.⁴ Bradbury concludes from Westerman's work, that the Edo language and its dialects belong to the Kwa group of the Western Sudanic Languages.⁵ Talbot makes the same linguistic classification of the Edo-Speaking peoples and regards them as speaking

1. It should be noted that this is tentative. Also it is impossible at present to give this outline a definite time scale.
2. Bradbury, R.E. 1957. The Benin Kingdom and the Edo-Speaking Peoples of Southwestern Nigeria. p.129.
3. Thomas, N.W. 1910. The Edo-Speaking Peoples of Southern Nigeria. In J.Afr.Society, XXXVII, p.1. Also see his Anthropological Report on the Edo-Speaking Peoples of Nigeria Pt.I. 1910.
4. Bradbury, R.E. 1957. The Benin Kingdom and the Edo-Speaking Peoples of Southwestern Nigeria. p.13.
5. Ibid., p.14.

True Sudanic Languages.⁶ These linguistic classifications appear to me to suggest kinship and cultural, if remote, connections with the Sudan from where the Edo-Speaking peoples appear to have migrated.⁷

This point is already suggested by Hubbard who states that the Edo-Speaking peoples are a Sudanic people presumably forced southwards by Arab expansion centuries ago into the equatorial forest where the strongest tribes occupied the best territories.⁸ Also Egharevba states that the Binis came from Egypt to their present territory in three waves: the first and second waves from the Sudan through Nupe in about the 7th century A.D. and the third, in the 8th century A.D. from Egypt. He adds that the Binis made short stops in the Sudan and in Ile-Ife, which was then called Uhe, and that on reaching their present territory, they met some aboriginals who had already come from the Sudan.⁹ This point appears corroborated by Welch who finds that the Benin Kingdom was occupied by the ancestors of the present Ijos before the 15th century but that they were driven into the creeks by the ancestors of the present Binis: who came from Ondo Province in Yorubaland.¹⁰ Welch's date of Bini 'occupation' of their present territory adds to the inconsistency of the order of events in the study of Benin History to which the early history of the Urhobos seems to be closely related.

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6. Talbot, P.A. 1926. The Peoples of Southern Nigeria. Vol.2, p.416.
 7. It is not clear where exactly in the Sudan the migrants came from, nor is it clear what name the Urhobos or their predecessors answered at that time. Also, the exact date of this first migration is uncertain.
 8. Hubbard, J.W. 1931. The Isoko Country, Southern Nigeria. In The Geographical Journal, Vol.LXXVII, Jan-June, p.116.
 9. Egharevba, J.U. 1960. A Short History of Benin, p.1. Also 1965: Chronicle of Events in Benin, p.12 and 1966: Fusion of Tribes, p.9.
 10. Welch, J.W. 1936. The Isoko Clans of the Niger Delta. Ph.D. Thesis. University of Cambridge, pp.3-4.

It is quite possible that migrants from the Sudan reached the present Midwestern State territory at a much earlier date. For example, Talbot refers to a second wave of the Sudanese people who reached the present territory of the Midwestern State between 7th and 2nd millennium B.C.¹¹ Also, Owonaro who based his findings principally on oral tradition concludes that the Urhobos and the Ijos emigrated together from Ile-Ife in about 990 A.D.¹²

The tribal social organisation of the various social units geared towards a show of force and survival of the fittest from the Sudan or Egypt(?) did not appear to have changed considerably even after reaching Ife at a much later date. It must be said, however, that reflections of war and spoilations together with the exact nature of social and political relations of the pre-Ife period are at present obscure. Also these contributions to the history of the various peoples in the Midwestern State do not help us make any definite temporal assertion about an accepted political leadership over some or all the heterogeneous immigrants living in or near Benin territory during the long period mentioned above.

However, at some stage in Benin, according to Egharevba and others¹³ different leaders emerged to organise closely related peoples into various groups. Marshall states that Obanigodo founded the site of Benin which he called 'Ugodo N'Igodo'¹⁴ or 'Igodomigodo'¹⁵ and that his descendants ruled it during the Ogiso period which was started by Igodo's reign. This period ended through revolt resulting from mis-government by Owodo, the last of the 31 Ogisos.¹⁶ Thus ended the

11. Talbot, P.A. 1924. The Peoples of Southern Nigeria. Vol.2. Chapter 1, paras. 6 and 7.
12. Owonaro, S.K. 1949. The History of Ijo (Ijaw) and Her Neighbouring Tribes in Nigeria, pp.1-5, 96, 109.
13. For example Chiefs Avwovwo Odeghe and Akpovoka Onaiseru who, during an interview at Ekiugbo-Ughelli on 11/12/67 stated that these leaders were leaders of the age-grades. (Ilotu)
14. Marshall, 1939. Intelligence Report on Benin City, Benin Division, Benin Province, Microfilm, W.P.17095A p.5. University of Ibadan Library
15. Bradbury, R.E. 1957. Ibid., p.19.
16. Egharevba, J.U. 1960. A Short History of Benin, p.3.

first incipient political leadership formation over a comparatively wider area.

Amidst some local protests, some chiefs and elders in Benin subsequently requested Oduduwa, the Oni of Ife, to provide a ruler for the disintegrating society. Oduduwa agreed and provided his son, Oranmwiya, who got married to the daughter of the Onogie of Ego. They had a son. But until this son effectively became the first Oba, that is, Eweka I of Benin in about 1200 A.D.¹⁷ and thereby introduced a centralised government, chiefs and elders were said to have controlled the scattered hamlets between which there were internecine wars.¹⁸

UHOBO

One of the earliest leaders in Benin in the 10th century, according to Egharevba, was a man called Uhobo. He was fond of and known for his skill in hunting and trapping animals and birds. Uhobo is regarded, as Egharevba suggests, as the ultimate ancestor of all Urhobos.¹⁹ In one of his early works, Egharevba states that

"the Urhobos or Sobos migrated from Benin in successive waves to their various localities from the first to the second periods of the Benin Empire. The first wave under the leadership of Uhobo migrated from Use, on the Benin City and Siluko road."²⁰

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17. After reviewing Egharevba's own evidence, Dr. Bradbury regards 1200 A.D. as too early for the beginning of the dynasty begun by Eweka. The exact date of Eweka's succession is still uncertain. See Bradbury, R.E. 1959. Chronological Problems in the Study of Benin History. In J.Hist. Society of Nigeria. Vol.I, No.4, p.285.
18. Marshall, 1939. Ibid., p.8. Also see Bradbury, R.E. 1967. The Kingdom of Benin. In West African Kingdoms in the 19th Century, p.1.
19. Chief Egharevba confirmed this statement in my interview with him ~~at~~ Benin City on 7/11/67. The suggestion that Uhobo lived in Benin and is the progenitor of all or most of the Urhobos is supported by data collected by my research assistants from Udu, Ewreni ('Urhiabo'), Uwheru and by informants from other tribes; these include Chiefs Avwovwo Odeghe and Akpovoka Onaiseru who were interviewed ~~at~~ Ekiugbo-Ughelli on 11/12/67 and also Chief T.E.A. Salubi who observes during an interview at Ovu Inland-Agbo on 18/11/67 that not all the present Urhobos are descendants of Uhobo.
20. Egharevba, J.U. 1951. Some Tribal Gods of Southern Nigeria, p.23.

If Uhobo ever led the emigrant ancestors of the present Urhobos from Benin, as Egharevba suggests, there appears to be, at present, no information about his ever reaching any part of the present Urhoboland. Currently, it is not known whether and when Uhobo lived in Ife before coming to Benin. Also, nothing is known about his actual predecessors. It would appear, however, that Uhobo himself died in or around Benin and that only his descendants made up the first main wave of emigrants from Benin before and during the reign of Igodo, the first Ogiso of Benin.

This emigration was perhaps the result of the political dis-organisation of the pre-Ogiso period, the uncertain outcome of the reign of the Oba and of the "atrocious hearts of the people."²¹ The pull factors consisted of fertile virgin lands, abundant food and water and, above all, peace. All the descendants of Uhobo emigrated neither at one time nor in one body. Instead, they left Benin territory in scattered forms and under various kin-group leaders.

The first wave of emigrants appeared not to have been subject to the first Oba of Benin. For, it was not until the time of Ewedo, the 4th Oba,²² - 5th in Egharevba's list and dated 1255 A.D. approximately - that the immediate neighbourhood including the territory and people on the banks of the Ikpoba River, were brought under the Oba's control.

It is also observed that emigration from Benin occurred along different routes although at one stage, emigrants tended to follow the River Ethioppe towards Abraka and later moved into Aboh creeks and further downstream. Here, they lived for a considerable time and intermarried with the Ijos and some Ibo tribes from whose territories they finally migrated into their present territories.

21. Egharevba, J.U. 1960. A Short History of Benin, p.5.

22. Marshall, 1939. Ibid., pp.9-10.

The second wave of emigration appeared to have left Benin in the 14th and 15th centuries. For example Egharevba records that many Urhobos emigrated from Benin during Oba Egbeka's reign in about 1370 A.D. owing probably to several loathsome and unpopular political activities of this and succeeding Obas. These activities caused awe and uncertainty amongst subjects.²³

In general, the second main set of emigrants followed similar routes as did the earlier emigrants. The latter would appear to be the aboriginals referred to by Hubbard.²⁴ Also, judging from dates and calculations in various Intelligence Reports on Urhobo tribes, most of the second major group of emigrants reached their present tribal territories in the 17th and 18th centuries.²⁵ But as opposed to this, other sources state that the Urhobos were already very populous by 1505 A.D. and that Europeans who first came to the area called them "Subou" or "Sobo".²⁶

It is suggested that the organised migration to settle in their present territories has emphasised patriliney among the Edo-Speaking peoples. Among the Urhobos, the migratory process has, in addition, certainly led to a strong feeling of tribal consciousness which tends to regulate the principles of inclusion or exclusion in tribal membership.

23. Egharevba, J.U. 1960. A Short History of Benin, pp.15-16. Also see Galwey, H.L. 1893. Journeys in the Benin Country, West Africa. In The Geographical Journal, Vol.I Jan-Jun., p.129. Also see The Renamed City of Benin. In Frazer's Magazine for Town and Country, Vol.LXVII, March 1863, p.287.
24. Hubbard, J.W. 1948. The Sobo of the Niger Delta, pp.145-8.
25. These calculations were based on remembered genealogies of the founders and rulers of the tribes, allowing 25 years for every tribal ruler or for every generation. Also most of the British Administrators' Intelligence/Assessment Reports of the late 1920s and early 1930s appear to regard the second wave of immigrants as the first settlers in Urhoboland.
26. Pereira Esmeralda, Haklyut Society 1937. Translated and edited by G.H.T. Kimble, p.129. Also see Hubbard, J.W. 1948. The Sobo of the Niger Delta, p.145.

The Kingdom of Benin later became the dominant power in Southern Nigeria and extended its influence from Lagos in the West to Bonny River in the East and Northwards to Idah.²⁷ The Oba occasionally sent his army to subdue some of the neighbouring states in order to extend his Empire. Not all the successful war leaders, however, returned to Benin. Rather some carved out independence for themselves elsewhere while other outlying states became satellite kingdoms to the kingdom of Benin. For some time before his conquest by the British Government in 1897, the Oba of Benin, in turn, recognised the spiritual suzerainty of the Oni of Ife. In this respect, part of the remains of a dead Oba of Benin were sent by his son to the Oni of Ife whose formal approval was sought for the accession of the Oba's son. Bradbury notes that this was certainly the case in the 16th century when, after sending his father's remains to Ife, the son was given a brass cross, cap and a staff of office by the Oni of Ife, as the symbols of approval of his succession.

The degree of political attachment to Benin varied greatly among Urhobo tribes. For, not all the tribes received ruling elite or titles from the Oba or from Benin.²⁹ This feature together with the migratory movements gave rise to varieties of tribal political organisations as well as to different power relations with Benin.

Several points of interest arise from this brief outline of the political history of the Urhobos. Firstly, there is, apparently, an accepted linguistic classification presupposing historical and social relationships between the Edo-Speaking Peoples and Egypt or the Sudan. Secondly, there is an overwhelming amount of oral tradition among the

27. Dike, K.O. 1956. Trade and Politics in the Niger Delta, 1830-1885. p.21.

28. Bradbury, R.E. 1957. The Benin Kingdom and the Edo-Speaking Peoples p.22.

1964. The Historical Uses of Comparative Ethnography with special reference to Benin and the Yoruba. In The Historian in Tropical Africa, p.151.

1967. The Kingdom of Benin. In West African Kingdoms in the 19th century, pp.1-2.

29. Also see Hubbard, J.W. 1948. The Sobo of the Niger Delta, p.46. Hubbard states that out of the five or six Urhobo tribes governed by

Urhobos apparently emphasising their one-time life in Ife before proceeding to Benin. If this is accepted, the Urhobos would therefore appear to have had an experience of government under one or the other of the over 400 kings that reigned in Ife.³⁰

The observation made by Alagoa should however be noted that present research though able to separate the Edo, Yoruba, Ibo and Ijo languages as long ago as 5000 years cannot, so far, tell "which peoples are older than which or who drove who in what direction."³¹ Thirdly, although the influence of Benin Empire³² extended over several states along the coast and the hinterland, most of these states were nevertheless politically independent, some of their political leaders having "bought" their political power and authority from Benin. Fourthly, during the post-Benin stage of migration most Urhobo tribes passed through the rivers, streams, creeks and lived amongst foreign hosts. But this cannot form the basis for classifying, for example, the tribes of Arhavwarie, Ephro-Oto, Ewu, Uvwie and Ughelli as non-Ijo-speaking Ijos or the Evwreni and Uwheru tribes as Urhobo-speaking Ibos. Also according to Welch,

"The Isoko, forming the last large emigration, were compelled to occupy the land that was left unoccupied by the Ijo, the Abo-Ibo, the Itsekiri and the Urhobo peoples; their land is therefore the poorest and swampiest."³³

Fifthly, some Urhobo tribal states, for instance, Olomu, Idjerhe, Udu and Evwremi, later absolved into their territories affines and remote

Ivie only one, that is, Ughelli, has obtained his title from the Oba of Benin.

30. Akinjogbin, I.A. 1967. Ife: The Home of a New University. In Nigeria, No.92, March. p.45.
31. Alagoa, E.J. 1966. Ijo Origins and Migrations. In Nigeria No.91, December, p.287.
32. The nucleus of this vast Empire constitutes the Benin Kingdom today. See Bradbury, R.E. 1956. The Social Structure of Benin with special reference to the Politico-ritual organization (The Village Community). Ph.D. Thesis, London. p.7.
33. Welch, J.W. 1936. The Isoko Clans of the Niger Delta. Ph.D. Thesis No.811, Cambridge, p.5.

kinsmen as well as individual immigrants or families some of whom had been their foreign neighbours. But such intakes do not appear to have noticeably disrupted the strong sub-culture running through all Urhobo tribes quite apart from the wider cultural substratum running through all Edo-speaking peoples. Lastly, throughout the process of migration to its present territory where its population has since increased manifold, each Urhobo tribe organised itself as a separate political unit vis-a-vis other migrating tribes.

APPENDIX BSLAVERY AMONG URHOBO TRIBES

Apart from polygyny, an important means of possessing human and economic resources until 1914 was slavery. A wealthy man could purchase as many as forty slaves or more of both sexes.¹ But these represented the total of those working for the owner at only one time. For they were in addition to several slaves that passed through his hands during the course of the slave trade.

Slaves were obtained through sale of unsacrificed thieves, malefactors, debtors, incorrigible offenders and prisoners of war. Recidivists were also made slaves because there were no prisons and because slavery provided one profitable way of disposing of a town's undesirable people. If a man seduced another man's wife or committed adultery with her, or if he was caught trespassing another's land, the offended person, if powerful enough, could capture the offender and either sold or retained him as his slave. Another form of slavery, though sometimes temporary, occurred when a debtor pawned himself or his wife/wives and children to his creditor to work to refund a loan or to raise money for some desired project. Until the loan was repaid, the slave nature of work continued and this was regarded as interest on the original capital borrowed. Slaves were also obtained through birth because the children of a slave family were owned by the parents' master.

Slaves were not normally sold within or between the towns of one tribe. The normal slave traffic occurred between tribes - an obvious means of avoiding social disorganisation and possible feud or blood

1. Fellows, L.E.H. 1928. Ibid., p.42. Chadwick estimates that a person could have up to 100 slaves. See Chadwick, E.R. 1929. Agbor Sobo Assessment Report, p.60.

vengeance between families and patriclans of the same tribe. This feature of slavery helped to maintain the unity of the whole tribe which was already knit together through kinship, religion and common political institutions.

A person caught away from his tribesmen was a 'safe' slave if the family affected failed to muster support to demand his release. But if it did, such a collective action caused tribal wars as well as tribal fluctuations in population. Most wealthy Okpe and other Urhobo tribesmen were ambitious to own slaves except those from Benin.²

The middlemen for this trade between the European trader on the coast and the Okpe and other Urhobo tribes in the hinterland were mainly the Itsekiris. Among the Urhobos, a slave was bought for about £10 usually paid for by means of cases of gin. In Uwheru tribe, for example, a young girl or boy was sold for thirty cases of gin whereas a mature man was sold for fifteen to twenty cases of gin.³ But a troublesome slave was either sacrificed or resold. This condition affected the price paid for such a slave.

The life of a slave depended on the whims or caprices of the master. In general, there was little difference between the lots of a good slave and those of a freeborn. A domestic slave was housed and fed by his master. He could be placed in a position of trust or allowed to trade or work in his personal farm obtained from his master's family land. Such a slave could lead a comparatively pleasant life. Often, he divided his time between his master's labour and his own.

A woman and her children could become free if she married a freeborn man provided that if the female slave belonged to a master other than his father, bride price was paid in the usual way before

2. The reason for this appears based on fear arising from the might and awe attached to the Oba of Benin.

3. Lambert, D.E.R.M. 1932. Intelligence Report on the Uwherun Clan. C.S.O. 26/3, 27988. National Archives, Ibadan, p.61.

marriage. But a freeborn woman could not normally marry a male slave although a male slave could marry any slave woman and have children. In spite of all these apparent pleasantness, the slave, together with his property and family, belonged to his master. Also, the life of a male slave committing adultery with a freeborn woman was rarely spared. Slaves were regarded as the property of their master and they were inherited and shared like widows.⁴ The epithet, slave, was, in addition, most unwelcome.

The possibility of achievement of a 'free' status therefore motivated hard work and savings of private earnings by slaves. This was a task in which they were sometimes helped by their families, if located. The amount for manumission varied with the slave's usefulness and affluence. Generally, before redemption was gained by a slave or by his family, all his belongings had to be given to his master. The slave was required to take an oath that he was taking nothing away. His hair was thereafter shaved and he then washed in water. These events symbolised total freedom and the whole ritual was a proud event in the life of the ex-slave. Such freed slaves normally preferred to stay away from the tribes of their own former masters as a means of concealing their identity.

Although slavery no longer exists today, unfreed slaves or their descendants are said to endeavour to 'clean' their name by paying redemption charges of up to £20 to the patrilineal descendants of their former masters whenever these are traced.

Slavery made the Urhobos grow more conscious of the fact of their freeborn status in various patrilineages. They proudly point to these as their paternal sockets in the total framework of their patrilines.

4. Bradbury, R.E. 1957. . The Benin Kingdom and the Edo-Speaking Peoples of Southwestern Nigeria, p.150.

While it lasted until its legal abolition in 1914, slavery became an integral part of the social and economic organisation of Urhobo and other tribes which indulged in it along the West Coast of Africa. But in Okpe tribe, real differences in social status were marked because a slave could not participate in any lineage, patriclan, town or tribal ancestral worship because he had no locus standi in any of the kinship units where he served as a slave. A slave, therefore, had no position of honour and could not achieve one while a slave in the tribe. Today, descendants of unredeemed slaves are hardly found or identified in Okpe and in other Urhobo tribes.

APPENDIX C

SUCCESSION TO THE THRONE OF UGHELLI TRIBE

What follows¹ is a summarised pattern of succession to Ughelli throne. This is also typical of Ogo and Agbarha tribes. The whole process involves three major stages as follows:

1. The Actual Succession of the Heir

As long as the king (Ovie) lives, his first son, (Omowara) who is also the heir by primogenitural principles, is not expected to stay in the same compound or town as does the king.² This is probably regarded as a check against generational conflict with the ruling father and against any form of encouraged aspiration to unseat the father by violence and take over the throne. But as soon as possible after the king's death and burial, the first son returns to the palace

1. This appendix is mainly descriptive and may be read along with what concerns the theme in the thesis. It is based principally on materials obtained from four sources:
- (i) Interviews with the following:
 - His Highness, Ovie Okogbe Oharisi II, of Ughelli on 12/12/67;
 - Chief Avwovwo Odeghę and Chief Akpovoka Onaiseru at Ekiugbo on 11/12/67.
 - Chief Igbogidi Oharisi, Chief Robert Erorayikoko Oharisi and Chief Tobi Ighwuwhuavwe on 14/12/67, 17/12/67 and on 21/12/67, in Otovwodo-Ughelli. Chief Igbogidi Oharisi is the present Iyasere (eldest male half sibling) to the king of Ughelli. He accompanied his father to Benin in 1917 after overcoming restrictions imposed by the British Government.
 - (ii) Main, P.V.1928. Intelligence Report on Ughelli (Ogelle), Ogor and Agbassah Subclans.
 - (iii) Document signed by Oba Eweka II, Oba of Benin regarding the activities undertaken by Urhobo Ivie while in Benin for their titles. This document is undated but certified to be true copy on 28/6/29.
 - (iv) Welch, J.W. 1936. The Isoko Clans of the Niger Delta. Cambridge University Ph.D. Thesis No.811, pp.230-233.
2. The Omowara could usually meet his father for discussions at night by passing through the rear of the compound to a rendezvous.

at the head of a large jubilating entourage, offering sacrifices at various shrines on his route and in the town. Thereafter, he assumes the un-crowned headship of the royal lineage in the palace.

But he does not start to serve the royal shrines (Eriwivie) at once. A selected maternal daughter of Ughelli (Omoromote) takes up this religious duty temporarily whenever the need arises. If the funeral ceremonies of the late king did not follow immediately after the real burial, this is accomplished in the interval as a second burial during which several gunshots (Ikurusu) are fired, dances arranged and expensive festivities, hospitality and monetary gifts incurred. Both the burial and the funeral ceremonies involve the whole kingdom. During this preparatory period (called Erhere) the heir keeps an eye on the throne and the royal lineage, and prepares for worship at the royal shrines.

When all the children of the late king are fully prepared in terms of money and food materials, a day is fixed for the service of the royal shrines during which all the towns in Ughelli are represented. Each male or female child, young or old of the late king, cooks very costly food with big fishes or goat to serve the shrines in turn. The heir to the throne worships last and with a goat or cow (not with fishes) and sits with legs astride facing the shrine. This event is called Asoborose wviyuwewwi and it symbolises the entrenchment of the father's hand in the house. As from the completion of this public worship, the king-elect takes over the service of the royal shrines from the Ughelli maternal daughter.³ He is now entitled to sit on the elevated royal central section of the long mud seat in the royal palace hall.

The king-elect and his family then prepare for the expenses of the real installation. When a date is fixed, all the towns of the

3. The worship of the royal shrines is itself a check on usurpation of the throne, for it is believed that any person who seizes the throne and serves the royal shrines is killed at once by the royal ancestors.

kingdom are summoned to declare and to recognise the king-elect as the successor and ruler of the tribe. On this occasion, religious worship is performed at the royal shrines. Also all evil spirits are exorcised by the tribal priests and diviners. Various dancing groups are organised inside and outside the gaily decorated palace. At an appropriate stage, the Izomo (eldest male full sibling) of the late king surrenders the royal regalia and palace keys which he had kept after the death of the late king.

The crucial stage is when the king is ritually 'seated'. This is an occasion in which four men officiate as follows: The chief priest of the tribe, called Oserovwodo, holds the left arm of the king-elect. The Iyasere (eldest male half sibling) of the late king holds his right arm and the senior Ogbu (senior warrior and killer of an enemy) of the tribe stands in front of the king-elect. The spokesman (Otota) of the late king stands by and asks all Ughelli people present three times whether the king-elect should be enthroned. The answer to this question is normally affirmative. Thereafter, the spokesman counts nine times and bends the king-elect down at each count until he is fully seated on the ninth count. Two of the late king's wives, the senior and the junior ones, are made to sit on either side of the new king before he is crowned. He is given the royal regalia and symbols, for example, Ogbay, Abere and Ovwo as well as the palace keys which are handed to him by the Izomo of the late king. From this stage he is recognised legally as the king. His father's Iyasere ceases to have any form of control over the royal lineage. The new king now presides over the affairs of the tribe. This completes the public handover of the highest tribal political status and government from the older to the younger royal generation.

2. Recognition Trip to Benin

This trip has been abolished. But it is shown here because of its significance in history. The king reigned over all Ughelli for between

three to six years during which he accumulated money, slaves and other equipment from each town in Ughelli tribe. When fully prepared, he exchanged emissaries with the Oba of Benin. The late king's 'head' was also sent to Benin. The king then handed over the palace and the government of the tribe back to his father's Iyasere assisted by the late king's Izomo, the chiefs and the elders of Ughelli tribe.

Thereafter, the king left Ughelli, passing through several towns starting from Odja, near the old site of Otovwodo through Afiesere to Okpara Inland and Igun in Agbo tribe, where his entourage passed to the other side of River Ethiope. Rulers of the towns passed were given gifts of cows, slaves or Ughelli daughters in marriage. Several shrines of the Oba had to be served on the way. This journey took several months from Igun passing through Orogho, Umoghumu, Ugo, Igbekwe and Oka Numokwuenhen. When the king reached Igbohwe, near Benin, he stayed for a long time. From there, he sent emissaries with plenty of gifts and money to the Oba who asked the king to enter Benin and to stay with a particular chief whose business was to conduct the king to the Oba. At each town passed after Igbohwe, the king paid the Oba's tribute of about 200 bags of cowries (about £65) all of which expenses added up to about £520.

While in Benin, the king gave more gifts to the Oba and slaves and food to some of the Oba's chiefs, including about £10 and £5 to Ogbe Council and Eghaivbos respectively. The king stayed with one of the Ehoba, that is, those chiefs who 'have the hearing of the Oba' (his councillors).⁴

On the third day, about 20 people carried gifts - cows and goats and yams - from the Oba to the king and his entourage. Thereafter, every morning and evening, the king attended the Oba's court, standing

4. These are said to be Chiefs Uwangué, Eribo, Ayobahan, Obaduagbon, Olaye and Opaseki. According to Eweka II, candidates for recognition came from Ukwokori, Agbarha, Ughelli, Okpe, Aghalokpe, Ovu, Mosogan, Jesse, Oghara, Okpara and Iyede.

on the same platform as the Benin chiefs and learning Benin judicial and administrative processes. This student period took as long as six years but depended on the king's cleverness and progress. During the period, the king made general observations and received instructions from the Oba's courtiers and guides in addition to whatever education he received from his host councillor to whom he had been entrusted by the Oba. At some stage, the king requested the Oba's metal workers to make two brass swords, Ebere, following his specifications. When completed, they were sent to the Oba.

The king's instructors informed the Oba about the king's progress and proficiency and when considered to be sufficiently trained, the Oba sent for him to receive his recognition of the title of king.

On that day, the king wore a red pleated kilt from the waist to the knee and a red cloth thrown over his shoulders. He wore no jewels or ornaments. But he brushed his hair up to shape like a coronet. He was then taken first to a chamber containing all skulls of past kings said to be cast in a kind of iron, called Erovwo. He was ordered to identify his father's skull. A palace official followed the king with a sword in case he chose wrongly. If he did, he could be beheaded. The Oba's officials were, however, usually bribed for easy identification of the correct skull.

After his success, the Oba invited the king to his court where he was required to lie down about 20 yards away from the Oba's seat. A high official of the Oba ceremoniously spat on the king and pinched and slapped his hand ritually. As he did this, he told the king that thenceforth he was to be neither despised, wounded nor hit by any man, for, the Oba recognised him as a king. The king thereafter stood up and raised his hands in Bini salutation to the Oba. This ceremony was repeated seven times in progressive movement towards the Oba's throne, and, each time, the Oba reciprocated the king's salutations.

On the seventh time, the king knelt before the Oba who repeated

the ceremonies and breathed on the king as the final act or recognition of rulership. The Oba then told the king that he was thenceforth a complete ruler of his tribe. The king thereafter danced with his entourage to the compound of his host to which place the Oba sent the two Ebere after blessing them as the symbol of the successful completion of the king's course in Benin. In addition to the Ebere the king got a short truncheon to which was tied a bunch of cowries, like the Ovwo, which the king used to tap people whom he condemned to death. He then returned home to Ughelli moving faster this time through the same route by which he went to Benin.

3. Rejoicing and Ceremonies in Ughelli

Information of the king's successful completion of his course in Benin and of his return was received in Ughelli long before the king left Okpara. On the day of arrival, in Otovwodo, the capital of Ughelli tribe, the tribal chief priest placed seven sticks across the road and staged a mock fight progressively against the king's entourage by attempting to strike the king with each of the seven sticks as it was reached. The dramatised aim was to prevent the king from entering the town. As the chief priest held the last stick to strike, the king rushed at him and apparently struggled. The chief priest was eventually forced back by the king's entourage. The townsmen, at the background, rushed to welcome the king to the town. This was a symbolic representation of an attempted earlier usurpation of the throne while the rightful king was still in Benin.

After this event, the Izomo of the new king met him at Odja where some coral beads (Aghigho) were put around his neck by the king who thereby formally installed him as his Izomo. The Izomo's entourage carried a she goat, yams, plaintain etc. and a box of gin, all of which were accepted by the king's entourage. The Izomo and his entourage then returned to the palace. The king progressed for a short distance until he was met by his Iyasere and his entourage in a way similar to that of the Izomo. The eldest son and his entourage, consisting mainly of matrilinear kinsmen, also met the king and presented

him with gifts and a box of gin costing about twelve shillings. But he received no title and never returned to the palace as in the two previous cases.

The king then headed his procession to the palace where he was secluded for seven days. All the towns in the kingdom assembled in the capital to welcome and rejoice with the king on the 8th day. On this occasion, a large dancing entourage, including the tribal chiefs, was formed with the king's outstretched right hand held by a male youth of about 15 years and the left arm held by a girl of about 12 years. Another person supported the waist. The king wore his coronation robes and special male youths carried the Ebere power symbols as he left the palace amidst splendour. The king spread Emare (pounded yam with or without oil but moulded into small lumps) as he progressed through shrine sites, and as he returned to the palace.

This ceremony was the public tribal announcement of the Ovie's enhanced status attaching to his safe return from Benin. Thereafter, he continued his reign.

APPENDIX DTREATY WITH CHIEFS OF ABRAKA¹

"ARTICLE I: Her Majesty the Queen of Great Britain and Ireland, Empress of India, in compliance with the request of the Chiefs and people of Abrakar, hereby undertakes to extend to them, and to the territory under their authority and Jurisdiction, Her gracious favour and Protection.

"ARTICLE II: The Chiefs of Abrakar agree and promise to refrain from entering into any correspondence, Agreement or Treaty with any foreign nation or Power, except with the knowledge and sanction of Her Britannic Majesty's Government.

"ARTICLE III: It is agreed that full and exclusive jurisdiction, civil and criminal, over British subjects and their property in the territory of Abrakar is reserved to Her Britannic Majesty, to be exercised by such consular or other officers as Her Majesty shall appoint for that purpose. The same jurisdiction is likewise reserved to Her Majesty in the said territory of --- over foreign subjects enjoying British protection, who shall be deemed to be included in the expression "British Subject" through this Treaty.

"ARTICLE IV: All disputes between the Chiefs of Abrakar or between them and British or Foreign traders or between the aforesaid Chiefs and neighbouring tribes, which cannot be settled amicably between the two parties, shall be submitted to the British Consular or other officers appointed by Her Britannic Majesty to exercise jurisdiction in the Benin and adjoining territories for arbitration and decision or for arrangement.

1. Taken from F.O.2/64, pp.262-263.

"ARTICLE V: The Chiefs of Abrakar hereby engage to assist the British Consular or other officers in the execution of such duties as may be assigned to them; and, further, to act upon their advice in matters relating to the administration of justice, the development of the resources of the country, the interest of commerce, or in any other matter in relation to peace, order, and good government, and the general progress of civilization.

"ARTICLE VI: The subjects and citizens of all countries may freely carry on trade in every part of the territories of the Chiefs parties hereto, and may have houses and factories therein.

"ARTICLE VII: All ministers of the Christian religion shall be permitted to reside and exercise their calling within the territories of the aforesaid chiefs who hereby guarantee to them full protection.

All forms of religious worship and religious ordinances may be exercised within the territories of the aforesaid Chiefs and no hindrance shall be offered thereto.

"ARTICLE VIII: If any vessels should be wrecked within the Abrakar territories, the Chiefs will give them all the assistance in their power, will secure them from plunder, and also recover and deliver to the owners or agents all the property which can be saved. If there are no such owners or agents on the spot, then the said property shall be delivered to the British Consular or other officer. The Chiefs further engage to do all in their power to protect the persons and property of the officers, crew, and others on board such wrecked vessels. All claims for salvage dues in such cases shall, if disputed, be referred to the British Consular or other officer for arbitration and decision.

"ARTICLE IX: This treaty shall come into operation, so far as may be practicable, from the date of its signature.

Done in triplicate at Abrakar this ninth day of May, 1892."

N.B.

This treaty was signed by H.L. Gallwey, Dep.Comm. and Vice Consul, Benin District, and with X marks of Waffebi, Aye Popo and Afeita.

APPENDIX E

DECLARATION MADE UNDER SECTION 4(2) OF THE CHIEFS' LAW
CAP. 19, OF THE CUSTOMARY LAW REGULATING THE SELECTION
TO THE OTOTA OF OKPE CHIEFTAINCY

1. There are four ruling houses and the identity of each ruling house is:

- i. The Orhue Ruling House
- ii. The Orhoro Ruling House
- iii. The Esezi Ruling House
- iv. The Evbreke Ruling House

2. The order of rotation in which the respective Ruling Houses are entitled to provide candidates to fill successive vacancies in the Chieftaincy shall be

- i. The Orhue Ruling House
- ii. The Orhoro Ruling House
- iii. The Esezi Ruling House
- iv. The Evbreke Ruling House (Last Ruling House).

Provided that if the Ruling House whose turn it is to provide a candidate or candidates happens to be at the same time the present Ruling House in respect of the Orodje of Okpe Chieftaincy, that Ruling House shall miss its turn and the next Ruling House shall be entitled to provide a candidate or candidates to fill the vacancy.

3. The persons who may be proposed as candidates by a Ruling House entitled to fill a vacancy in the Chieftaincy shall be:

- i. Male members of the Ruling House who hold the Okakuro of Okpe Chieftaincy title, that is, persons appointed and recognised as Ekakuro (plural of Okakuro) by the Orodje of Okpe sitting with the College of Ekakuro;
- ii. Natives of Okpe, that is, persons whose fathers and/or mothers were born in Okpe.

4. There are Eighty Kingmakers who are the following Ekakuro:
- i. 20 Ekakuro from Orhue House in order of seniority of title;
 - ii. 20 Ekakuro from Orhoro House in order of seniority of title;
 - iii. 20 Ekakuro from Esezi House in order of seniority of title;
 - iv. 20 Ekakuro from Evbreke House in order of seniority of title.

For the avoidance of doubt, it is hereby declared that seniority amongst Ekakuro shall be determined by their chronological order of appointment.

5. The method of selection by each Ruling House is as follows:
- i. The Ruling House whose turn it is to provide a candidate or candidates to fill a vacancy in the Chieftaincy shall nominate a candidate or candidates at a meeting of that Ruling House summoned by the Head (Okpako) of the House.
 - ii. The Head (Okpako) of the House shall present the candidate or candidates so nominated to the kingmakers.

6. The consent of the Orodje of Okpe is required to the appointment of the Otota but such consent shall not be unreasonably withheld.

MADE by the Chieftaincy Committee of the Western Urhobo District Council which has been designated as the competent Council by W.R.L.N. 22 of 1959 and signed by the Chairman and the Secretary of the Committee this 4th day of January, 1962.

Sgd. Chairman Esezi II
Chieftaincy Committee,
Western Urhobo District Council.

Sgd. Secretary: Iyamu.
Chieftaincy Committee,
Western Urhobo District Council.

Approved this 13th day of February, 1962.

Sgd. Minister of Chieftaincy Affairs.
Registered this 14th day of February, 1962.

Sgd. J.O. Iluebbey
for Permanent Secretary,
Ministry of Chieftaincy Affairs.

APPENDIX F

SOME PARTICULARS ABOUT THE EKAKURO OF OKPE TRIBE AS
AT MARCH, 1966

Name	District	Descent Group (Quarter)	Occupation	Residence
1. J.E. Biokoro	Mereje	Orhue	Customary Court Judge	Orerokpe
2. J.A. Eghagha	"	"	" "	Warri
3. T.O. Dafinone	Arhagba	Orhoro	Retired Council Employee	Orerokpe
4. O. Oluwa	-	Esezi	Contractor	Okegborode
5. D.O. Onokpitem	Ugolo	Evwreke	Trader	Ugolo/Warri
6. Chanai	Asagba	Orhoro	Farmer etc.	Ovwori
7. Okro Erukunuakpor	Elume	"	"	Ughimidaka
8. Gberaja Abeke	Sapele	"	Trader	Sapele
9. J.E. Odiete	Oha	"	Barrister/Trader	Warri
10. D.O. Oghene	Elume/ Mereje	"	Contractor/ Businessman	Sapele
11. G.B. Ometan	Ughoto/ Aghalokpe	Evwreke	" "	Warri
12. Rabor Abeke	Sapele	Orhoro	Trader	Sapele
13. Ohi Ayomano	"	"	"	"
14. Atiewo Ovuakpor	Ugolo	Evwreke	Farmer	Umiawha
15. J.A. Ayomano	Sapele	Orhoro	Civil Service	Sapele
16. G.A. Kekeke	"	"	Contractor	"
17. E.A. Eyefia	"	"	Trader/ Contractor	"
18. J.O. Abodo	Mereje	Orhue	Trader	Warri
19. P.E. Temile	"	"	"	"
20. D.E. Owhere	Aghalokpe	Evwreke	Farmer	Aghalokpe
21. Webranu Amuze	Oha	Orhoro	"	Oha
22. D.O. Amuze	"	"	Trader/ Contractor	Warri
23. Egberebo Amioku	Mereje	Orhue	Farmer	Egborode

Cont'd.

APPENDIX F

Name	District	Descent Group (Quarter)	Occupation	Residence
24. P.A. Gbinije	Mereje	Orhue	Politician/ Businessman	Warri/ Benin City
25. C.O. Agbosa	Oha	Orhoro	School Head- master	Warri
26. S.D. Obar	"	"	Contractor/ Businessman	"
27. D.O. Pemu	Elume	"	" "	Adagbrasa
28. E.O. Jarikre	Sapele	"	Pensioner/Trader	Sapele
29. P.O. Omuvwie	Eleme	"	Trader	"
30. M.O.D. Mebitaghan	Ughoto	Esezi	Magistrate	Benin City
31. D.A. Ejinyere	Oha	Orhoro	Manager of an Industry	Orerokpe
32. E.O. Ayomano	Sapele	"	Trader	Sapele
33. J.K. Azigbo	Ugolo	Evwreke	"	"
34. O. Ofogba	Oha	Orhoro	Student	London
35. J.O. Opubor	Elume	"	Money Lender	Sapele
36. J.I. Ekamah	Oha	"	Trader	Oha/Warri
37. Popo Ejoh	"	"	"	Warri
38. G.O. Oweh	Aghalokpe	Evwreke	Politician	Sapele
39. J.A. Anirah	Sapele	Orhoro	Customary Court Judge	"
40. S.O. Eriabie	Aghalokpe	Evwreke	Politician/ Trader	Benin City
41. Sanco Adogbeji	"	Orhoro	Contractor/ Trader	Sapele
42. G.O. Aruokpere	Ugolo	Evwreke	Trader	Warri
43. B.A.F. Abeke	Sapele	Orhoro	"	Sapele
44. B.C. Emukperuo	Ugolo	Evwreke	"	"
45. Isaac Normor	Sapele	Orhoro	"	"
46. Warri Ogodu	"	"	"	"
47. Frank Ebah	"	"	Contractor	"

Note: The first on the list, Chief J.E. Biokoro, is the current Otota of Okpe. He is also the Chairman of the Regents who are listed above as Nos. 1 to 5.

APPENDIX GMILITARY GOVERNMENT IN NIGERIA(1966-1968)

A Military Government in Nigeria started on January 15, 1966, when the civilian Federal Government led by Sir Abubakar Tafawa Balewa, was ousted. Consequently, all State Governments, including the Midwestern State N.C.N.C.-controlled Government, crumbled. In May, 1967, the Head of the Federal Military Government, Major-General Yakubu Gowon, declared a State of Emergency throughout Nigeria. During this period all party political statements over the press, radio and television and over other publicity media, were banned. A decree was also promulgated dividing the country into twelve States, that is, six in the former Northern Region, three in the former Eastern Region; Western State was created from former Western Nigeria, a part of which, the Colony area, was added to the former Federal Territory of Lagos to form the Lagos State.

The Midwestern State, headed by Brigadier David Ejoor, remained unaltered and, by September, 1967, was headed by Lt.Colonel Samuel Ogbemudia.¹ Although the Army assumed the control of Government in 1966, the Midwestern State Houses of Chiefs and of Assembly were merely suspended and were not formally dissolved until April, 1967.²

Lagos remains the seat of the Federal Military Government which now controls the Midwestern State more directly. But although there is direct communication between the Federal and the State Governments, there is a gap between the State Government itself and the various tribes because of the sudden disruption of the political party

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1. See Sunday Times (Nigerian) of 28th May, 1967, pp. 1, 2 and 16.
 2. See Daily Times (Nigerian) of 20th April, 1967, p.16.

organisation and communication system as discussed in Chapter Seven.

Military Government or Coup in a State is usually the consequence of corrupt, inefficient and unpopular elected civilian Government. And, although the military organisation replaces the political party organisation, a vacuum is created at the time of Military take-over as a result of the missing contact media created by the social distance between the Army and the people. The king, his tribal chiefs and the town rulers fill this gap occurring in the communication system.

It is not an easy task for the Army used only to military administration and to their covert military politics, to assume the State power and government. As soon as they replace a civilian Government, an attempt is therefore made to bridge the gap between military aristocracy and its antecedent parliamentary government. In the absence of elected politicians and their party agents, the traditional tribal political leaders gain prominence as military administrative assistants and agents. This is a mechanism by which the Military Government which took up the State political control suddenly can give effect to its influence and to its non-party Government of the State and the tribe. The persisting social structure and organisation of the tribe present the ready and acceptable framework for sustaining the machinery of government in a Military regime.

The Orodje, the Otota and the Ekakuro together with other local town rulers rely on their local or tribal institutions, particularly the tribal council, to ensure that life is normal and that law and order do not break down; also that instructions of the Military Government are passed on to the Okpes. To these ends, individual town and tribal religious or ritual performances are accomplished to solicit peace in near-forgotten war shrines.

Though memories of their party activities in the tribe remain, the deposed party politicians have neither political base nor constituency

but are merely part of the Okpe community which is organised and ruled by the tribal leaders. Also tribal or town meetings are called by the respective traditional rulers and not by the politicians. For example, whenever there is need to organise to raise funds as donation in publicised support for the Military Government as was the case between October, 1967 and March, 1968, meetings are called by tribal rulers and collections are made through the process and links offered by the persisting tribal political system.

The tribal rulers appear to prefer the Military regime and to regard it as a second or better independence mainly because they detest the factionalising and oppressive nature of party politics.³ They are not, however, happy about the cessation of the monetary gains which they derived from the statutory or political party-patronage appointments. They do not regard themselves as contributors to the necessity for a Military take-over of the Civilian Government.

Because of its non-party interests or commitments, the Military regime is looked upon for impartiality in deciding pending cases of chieftaincy disputes and in appointing the rightful successors. The Army personnel themselves create good rapport with the traditional rulers. They also respect the tribal rulers because disrespect to them would not only mean disregard for the community who still see their rulers as collective symbols but would also destroy their only outstanding link with the ordinary tribesman. The Army and tribal rulers trust and befriend themselves for their mutual non-party political advice and behaviour. High regards by the Military Government for the State's tribal rulers was made clear when it was asserted

3. Most tribal rulers refused to be active and hid themselves during the occupation of the Midwestern State by 'Biafran' Forces from August 9, to September 20, 1967. This situation led to postponement of meetings of the Ekakuro of Okpe summoned to deliberate on the choice of a successor to Ezezi II. During the same period, most urban dwellers stayed firmly in their rural homes, that is, the tribe was filled with returnee urban dwellers who merely went to the urban area for work irregularly and returned to their rural base after work.

that

"Chieftaincy is and ought to be a noble institution. Obas and Chiefs are therefore expected by the nature of the high and traditional offices which they hold, to avoid getting themselves unnecessarily involved in politics. Unfortunately, it is evident that a number of them throughout the Republic have allowed themselves to be used by politicians for undesirable ends with the result that their own prestige has severely suffered. Some of them were used as tools in the filthy and dangerous politics which we have witnessed in the past in the country and they consequently exposed themselves to indignities which could easily have been avoided. Happily, Chieftaincy, as an institution, is still held, by and large, in high esteem. I appeal to you all to save it from its past and to see that it firmly regains its normal status and respect in the community. If you fulfil your natural roles as impartial fathers and leaders of the people, the Military Government will show in practical terms the confidence it reposes in you... Provided that you clearly show that the welfare of the people is your first and overriding interest, I can give the solemn assurance that your services will be utilised fully at the appropriate level."⁴

The Military regime gives the opportunity to tribal rulers to reassert their position and plead for their insulation from party politics. During their conference on June 2, 1966, the tribal kings and chiefs of the Midwestern State expressed their desire about changing the situation in which they received only 'lip service' as leaders whereas party politicians, in practice, controlled power in the new state. Throughout the state, chiefs want to be statutorily and constitutionally so placed as to avoid the situation of, for example, having to sanction through the Council of Obas and Chiefs, the deposition or deportation of tribal rulers as was the case involving the Olu of Warri, referred to in this thesis. The 1966 Conference of Natural Rulers of Midwestern Nigeria, served as an informal exchange of views and offered an opportunity to the Military Government to explain its

4. Address by His Excellency Lt.Col. D.A. Ejoor, Military Governor of the Midwestern Group of Provinces, to the Conference of Obas and Chiefs on June 2, 1966.

activities to the tribal rulers. Military Government reliance on tribal rulers is shown by the statement that:

"...the Government expects the people themselves, through you who are assembled here, to give their unflinching loyalty and support to the Government in effectively achieving the objective which I have stated."⁵

This objective is to preserve the territorial integrity of the state and to protect, without discrimination, the lives and property of all the people living peacefully within the tribal areas. During the 1967 Conference, the Government gave instances of its continuing practical interest and acceptance of the nobility and responsibility of the tribal rulers by referring to those chiefs appointed as Customary Court Judges, to the Oba of Benin appointed as the Chairman of the Midwestern Nigeria Council of Obas and Chiefs and to the reinstatement of the Olu of Warri, Erejuwa II. During the discussion that followed the Military Governor's address to the conference, the tribal rulers from various parts of the state emphasised that as representatives of Government in their localities, their demands should not be left entirely to the wishes of the Local Government Councils and also that some provisions should be made by the Government for their upkeep.

The Military Governor, as always, showed concern for the plight of tribal rulers by stating that he devotes about 40% of his time to chieftaincy matters in the state.

The claim by tribal rulers of their representation of their people and of the people's reliance on tribal rulers during a Military Government appears supported by the fact that in neighbouring Agbo tribe and amidst other duties as well as between tours, the king, Okpara I, made 147 entries in his Clan Diary of complaints - of refund

5. Address by H.E. Brigadier D.A. Ejoor, Military Governor of the Midwestern State of Nigeria, to the Conference of Midwestern Nigeria Obas and Chiefs in Benin City on 17th July, 1967.

of bride prices, debts, return of wives, adultery, divorce and marital disputes - launched between 8 a.m. and 6 p.m., with majority of the cases coming between 2 and 5 p.m., for 84 days between January 1, 1968, and March 24, 1968. This engagement is in addition to courtesy calls made on the king from time to time. But these figures would probably be different under a civilian Government and would also increase if the king were to be available every day and every time for his tribal consultations.

This tribally approved re-assertion of the king's leadership tends to suggest that the tribe has its cultural solution to political crises in the Midwestern State.

The raison d'être for the Army take-over of Government has prompted the setting up of Enquiries by Government to probe alleged personal or institutional corruptions and political malpractices. The extent to which these Enquiries highlight the misdeeds of former political party leaders largely determines the tendency to rely on the kings and chiefs as accredited leaders.

This discussion should not be taken to mean that there is no challenge to tribal traditional leadership in a Military regime. For, the Military Government has found it useful to involve as many civilians as are found impeccably honest - including ex-party politicians - in the Military Government of the State.⁶ Such civilians reconstitute an area of competitive leadership vis-a-vis tribal traditional rulers during the Military regime.

6. Many civilians are appointed Commissioners in place of civilian Ministers or Board members.

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GLOSSARY

- Abere: Ceremonial sword and symbol of political office.
- Aghigho: About one foot diameter string of cylindrical coral beads.
- Agware: Court.
- Ama (or Agogo): Bell or gong.
- Edeki: Market day.
- Edewo: Native Sunday.
- Edio: Collectivity of dead elders or ancestor/predecessors' shrines.
- Egba: War shrines.
- Egodo (plural - Igodo): Compound.
- Emare: Pounded yam balls mixed with oil (sometimes without oil).
- Erivwi: Collectivity of predecessors or the spirit world.
- Esemo: Ancestors; literally fathers of children.
- Imitete: Children.
- Iniemo: Ancestresses; literally mothers of children.
- Iyasere: Male half sibling to the king of Ughelli.
- Izomo: Male full sibling to the king of Ughelli.
- Obuevwa: Native doctor/fortune teller.
- Odiagware: Tribal councillor/Attendant in Court.
- Oghene: God.
- Ogwa (plural - Egwa): Patriclan hall/Shrine hall
- Ogwedio: Tribal or town ancestor/predecessors' shrine hall.
- Oko (or Iwhre): Village.
- Okoredi: Wooden oil trough.
- Okpo (plural - Ekpo): Okakuro's staff of office.
- Orho (or Amwa, Odo, Orere, Ovwodo): Town.
- Orua (or Ekru): Family.
- Osuere: A town's main street.
- Oto (or Otore for the tribe): Earth cult.
- Otu (plural - Itu): Age grade.

Ovie (plural - Ivie): King.

Ovię (plural - Evie): Slave.

Ovwo: Carved stick of about 9 inches with cowries at one end and representing the collective spirit of an ancestor or, collectively, of the predecessors of a social unit.

Umomo (or Ogba): Iron.

Uvie: Kingship.

Kinship terminology: See Bradbury, R.E. 1957. The Benin Kingdom and the Edo-Speaking Peoples of South-Western Nigeria. London: International African Institute; Ethnographic Survey of Africa, Western Africa, Part 13, 136-137.