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## Doing Justice Without the State: The Afikpo (Ehugbo) Nigeria Model

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**BOOK REVIEW**

**DOING JUSTICE WITHOUT THE STATE: THE AFIKPO  
(EHUGBO) NIGERIA MODEL**

**By O. Oko Elechi. New York: Routledge, 2006.**

**Reviewed by**

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This very ground-breaking and credible research on restorative justice results in a powerful elucidation of Afikpo's traditional system of settling disputes between individuals and organizations. The main focus of this academic analysis is rooted in an understanding of Afikpo's established, legal, political and social systems and its contradictions with the burden of alien legal systems. Throughout the text, the author compares Afikpo's long-established lawful system to Western European's judicatory schemes. The author's study comprises an array of case-notes in support of his compelling analysis against totally replacing the traditional legal system in modern era with Western European models. The author has personal experiences in the Afikpo customary arrangement, and vigorously advocates for a method of local level jurisprudence based on the value and experience of social and political circumstances. Further, the author believes that

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these varying experiences should never alter Afikpo's basic legal principles that are better suited for African offenders and communities.

Indeed, there is a surfeit of information addressing the impact of the offender's actions on the community and the victim. A major finding of this study is that the justice system, under the Afikpo model, attempts to restore the emotional and material losses of the victim. Unlike this African justice model, the Western European law relies on the offenders and their illegal actions against the government and its laws, rather than focusing on restoration and reinstatement for the victims and their communities.

We must underscore that professor Elechi's book examines the effectiveness of a restorative and legal process that is devoid of the government, which encourages both the accuser and the accused to live and function in communities together. On the other hand, Elechi notes that the retributive emphasis of the modern law idolizes the social isolation of the offender in a panoptic environment in perpetuity. Nevertheless, the author points out that those grave felonies, such as murder, armed robbery, sexual assaults, and arson, are treated with utter seriousness and state intervention. However, "doing justice without the state" focuses primarily on tort actions and misdemeanors. The author enriches the book by presenting various interesting cases that provide the reader with some insight on how this alternative dispute resolution process works. This form of invigorating justice in Africa has been used in land disputes, paternity matters, inheritance adjudications, and tort actions.

## **ELECHI'S DOING JUSTICE WITHOUT THE STATE**

**Ihekwoaba D. Onwudiwe & Iona West**

Throughout the well-written eight chapters of the book, the author relies heavily on exploratory methodology in his investigation of the patterns of restorative justice and custom in Nigeria, civic life in Afikpo, native institutions and conflict resolution, as well as traditional justice systems and regulations of transgressions. The author underscores that his work is informed by “theories of restorative, transformative and communitarian justice and other concepts of African justice.” As an explorative research of the justice systems in Africa, with particular emphasis on Afikpo Township, the author focuses on various areas of qualitative techniques, such as participant observation, oral history, and in person interview of men and women. This approach resulted in the author’s finding that the Afikpo brand of justice allows for the inclusion of all members of the community in participatory decision-making. Indeed, the findings indicate that the Afikpo form of justice is not only practical and professional, but distinctive and democratic. It should be emphasized that this style of rationing justice involves the full participation of the citizenry.

Certainly, professor Elechi’s present work has captured the core of an African traditional and judicial dispute-settling mechanism that is accomplished without executive obstruction. Today, in criminology, some scholars have also directed their time and research toward an understanding of restorative justice and its application to the United States and Europe. Professor Elechi has masterfully established that this unique form of justice had already permeated the Afikpo judicial system prior to Euro dominion and the introduction of foreign decrees on the customary, conventional, and native mollifying practices. The Afikpo restorative model, as professor Elechi informs us, is “victim-centered.”

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We concur with the author's major findings that restoring the victim's well-being constitutes a cardinal memory bank of the judicial process in most of the traditional and customary judiciary systems in Africa. We, however, take an issue with the author for not using this unique approach for further development of African-centered theoretical perspectives on restorative justice, although we recognize the author's attempt to provide for justice perspectives in Africa. Still, we are resilient in our position that the author should continue to develop a strong theory in this regard.

Having made that genial observation, we vigorously recommend this vital work for use in criminology and criminal justice departments. We encourage scholars in graduate programs to also make this book a "must-read" for their graduate students. We insist that the time has come for scholars of our persuasion to begin to incorporate and integrate our various works in our divergent programs. Additionally, we also encourage scholars to make professionals in the areas of mediation, negotiation, and arbitration aware of this important book on restorative justice. For us, we enjoyed reading the book, learned a lot from it, and encourage others to read it.