

11-1-2012

## A Justice Void Filled: Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria

Nonso Okafo  
*University of Nigeria*

Follow this and additional works at: <https://digitalscholarship.tsu.edu/ajcjs>

---

### Recommended Citation

Okafo, Nonso (2012) "A Justice Void Filled: Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria," *African Journal of Criminology and Justice Studies*: Vol. 6: Iss. 1, Article 8.  
Available at: <https://digitalscholarship.tsu.edu/ajcjs/vol6/iss1/8>

This Article is brought to you for free and open access by Digital Scholarship @ Texas Southern University. It has been accepted for inclusion in African Journal of Criminology and Justice Studies by an authorized editor of Digital Scholarship @ Texas Southern University. For more information, please contact [haiying.li@tsu.edu](mailto:haiying.li@tsu.edu).

## **A Justice Void Filled: Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria<sup>1</sup>**

Nonso Okafo  
Law Faculty  
University of Nigeria  
Enugu Campus

### **Abstract**

*As should be expected, where the citizens of a society are unable to receive justice in the dominant legal system, they will seek out other avenues and processes to achieve justice. And, for many citizens, the extremity of an alternative justice process is unlikely to dissuade their quest for fairness if the citizens regard the alternative as a viable means for justice. The following problem statement guides this paper: In view of the official guarantees and enormous powers of the English-style law and justice in Nigeria vis-à-vis Nigeria's indigenous systems and processes as well as the potential for abuses of the indigenous models, this article critically examines the implications of the alternative justice process demonstrated in Nigeria's Okija shrine incident in 2004. The paper is based on the case study method. Thus, without suggesting that all traditional religious shrines in Nigeria – or even Igbo – follow the same pattern as that of the Okija shrine, the 2004 incident illustrates and helps to explain the persistence of such justice outlets. Consistent with a string of previous studies, this article expounds that on many law and justice subjects, the English colonial standards detract from the indigenous Nigerian norms in various communities. However, the paper is unique because it deduces that sometimes the divide between English law and indigenous Nigerian law yields extreme justice, such as happened in the Okija shrine incident. In particular, the article offers nine major explanations for the persistence of the Okija and similar shrines as case management avenues in various Nigerian communities. Without suggesting that the Okija and similar shrines are suitable routes to justice, the paper concludes that as long as the official law and justice system fails to properly address the relevant subject matters and satisfactorily accommodate germane indigenous Nigerian law and justice ideas and standards, extreme versions of justice, such as that found in the Okija incident, are likely to persist.*

### **Introduction**

---

<sup>1</sup> An earlier version of this paper was published as “Foundations of Okija Justice”, see Okafo, Nonso (2005) in *NigeriaWorld*, March 1, <http://nigeriaworld.com/articles/2005/mar/033.html>; Internet.

## ***Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria by Okafo***

The “rule of law” posits that all persons in a society are subject to, and ruled by, the same legal standard. This concept instructs that no one is to be treated preferentially, without legal justification (see as examples, Dicey, 1885/1985; Tamanaha, 2004). This is the way to build and sustain a fair, just, and lastingly progressive society. Building and upholding such a society requires the contributions of good law, custom, tradition, and other forms of social control (see Hart, 1997). Law (that is, official law) alone cannot achieve this condition. However, in the absence of fair, just, and a lastingly progressive condition, a society will be weak, teeter, and likely to fail due to internal failings (ineffective system due mainly to lack of citizens’ support) as much as external weaknesses (low regard for the society by other societies that observe the rule of law) (Okafo, 2007). Thus, the rule of law is fundamental to a society. When the rule of law fails, as often happens in more recent postcolonies (less developed countries), such as Nigeria, the official law and justice are challenged *through* and *by* alternative social control.

A society lacking the proper rule of law standard faces several present and future challenges. The capacity of the society to function optimally in the present is legitimately questionable mainly because of the dissatisfaction with which the citizens are likely to view it. The law and justice system of the society is likely to be both ineffective and inefficient as a result of its lack of proper and legitimate grounding among the citizens. Also, the future of the society will be highly speculative. Its survivability will become an open question. The high level of unpredictability of the future direction and actions of the society will substantially compromise the society’s present functioning and future. The present and future challenges will conspire to degrade the quality of the lives of the citizens of such a society. Life, at both the individual and group levels, will likely be bleak.

Thus, the social control challenges facing a society in which the rule of law is absent or is prominently compromised are of two main kinds: individual (or personal) and institutional. Individual citizens and small groups of citizens in a society without the rule of law readily resort to alternative social control. These citizens challenge the official (governmental) law and justice system *through* (by means of isolated, individual cases, actions, and omissions within) the available alternatives. Also, larger groups of citizens, such as communities, groups of communities, ethnicities, and regions of the affected country may, in time, use the alternative social control as a means to challenge the official system. As the challenges to the official law and justice system expand, the alternative system is constituted into a powerful, all encompassing institutional obstacle or challenge to the ineffective official system. Thus, the now large alternative social control becomes the alternative system that challenges (*by*) the official system.

In many instances, the challenges to an official law and justice system are *mild*. This means that those challenges are routine, not fundamentally threatening ways of expressing dissatisfaction with the prevailing rule of law shortcomings of the official system. Such mild challenges do not undermine the foundations of the

official system. These regular challenges do not oppose the essential characteristics of the law and justice system. Rather, the challenges operate in ways that offer alternatives *through* (within) the existing dominant official system. Examples include situations where citizens opt to manage their grievances, conflicts, and disputes informally according to their indigenous ways of life contrary to the stipulated official standards. Disputants are likely to choose an indigenous process where they derive greater satisfaction compared to an official (likely foreign) system. However, these mild challenges do not significantly oppose (or threaten) the official law and justice system. As such, it is perfectly “normal” that official and unofficial law and justice systems coexist and the citizens routinely opt for one system or the other to manage grievances, conflicts, and disputes as the citizens see fit.

Beyond the *mild* forms of challenges that produce “normal” law and justice processes, there may be extreme challenges to the official law and justice of a society. Extreme challenges seek a system that will replace or operate outside the dominant official system. However, whether a law and justice system experiences *mild* or *extreme* challenges may not be evident. In a revolutionary context where, for example, the protagonist declares intent to replace or significantly alter an existing law and justice system, we can see that an *extreme* challenge has occurred. But, in the majority of situations, such overt statement of change will not be provided. Thus, an observer needs to look for more subtle indicators of a *mild* challenge or an *extreme* challenge, as the case may be.

This means that the best way to understand a system as pursuing an extreme stance is to recognize that the extreme objective may not be expressed or declared. Therefore, it is to be understood as a subtlety discernible from the extent of the actions within the justice system as well as the circumstances surrounding it. In a previous work, I contrasted three levels of interactions between (and within) societies. Those forms of interactions (*Cooperative, Pluralistic, and Substitutive Interactions* – see Okereaføzeke, 2002 – are relevant for understanding the forms of challenges that could face a law and justice system.

Okereaføzeke (2002, pp. 18-20) identifies and explains three kinds of interactions (“Cooperative”, “Pluralistic”, and “Substitutive” Interactions) between nations or peoples. In the first type of interaction, peoples or nations share systems and ideas and essentially cross-fertilize one another to become better. In the second, two or more systems or processes operate side-by-side with one another with occasional meeting points among them. In the third kind of interaction, a system or process dominates another or others and replaces or seeks to replace those others. This (Substitutive Interaction) mirrors the relationship between the colonially introduced law and justice system vis-à-vis the indigenous systems in each colonized population. Even where colonists purport to administer a colonized people through the people’s indigenous laws,

## ***Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria by Okafu***

the colonists always ensure that the indigenous system ultimately answers to the introduced foreign model.

The *Ogwugwu Isiula*, Okija incident of 2004 seems to be an extreme challenge to official law and justice in Nigeria. There is substantial evidence that the judicial process applied in the shrine violates the country's official laws. The incident appears to detract from the standards of law and justice expected in a modern State. This paper analyzes the nature of the incident as well as the conditions that gave rise to it. The article emphasizes that *Ogwugwu Isiula*, Okija and similar tradition-based avenues for extreme justice subsist in Nigeria in part because of the shortcomings of the British-dominated, official justice system.

### **Extreme Challenge to the Rule of Law in Nigeria: A Case Study**

#### ***Ogwugwu Isiula, Okija***

In August 2004, the Nigeria Police Force (NPF) in Anambra State received a report of possible illegal activities at the *Ogwugwu Isiula* shrine in Okija town of the state. The state Police Commissioner, Felix Ogbaudu, led a police team to the location. At the shrine and in the surrounding area, the police made some gruesome findings. They discovered dozens of headless bodies, skulls, and human corpses, along with a record of names – ostensibly, the names of individuals that patronized the shrine. The police and the Okija residents were alarmed at the extreme nature of the findings, and the fact that the patrons list contained the names of notable Nigerians from within and outside the community.

Ordinarily, as a component of indigenous Igbo (Nigeria) law and justice, the *Ogwugwu Isiula* shrine is an avenue for case management. A person with a dispute has the option of taking the dispute to the shrine, through the shrine's priest and other officials, and asking the shrine to step in and adjudicate the case between the disputants. The disputant(s) swears on the shrine to the truthfulness of his claim. The guilty party risks punishment, ranging from a minor fine, substantial fine, to death, depending on the gravity of the dispute or offense. Thus, there is nothing unusual about the existence of the *Ogwugwu Isiula* shrine and other similar shrines in Igbo and other parts of Nigeria. Even in modern (postcolonial) Nigeria, the shrines and other indigenous avenues for case management subsist and play major roles in the management of cases (see Okereaføzeke, 1996; 2002).

For avoidance of doubt, shrines such as *Ogwugwu Isiula* and other similar indigenous case management avenues are used in Igbo as in other parts of Nigeria. Case management before the shrines does not always lead to the sort of gruesome discoveries made at *Ogwugwu Isiula*. This was precisely why the 1986 Winner of the Nobel Prize for Literature, Wole Soyinka, an ardent believer in indigenous Nigerian religions and practices, cautioned the NPF in the wake of the Okija incident to avoid using the incident as an excuse to intimidate, denigrate, or destroy traditional religions in the country. Similarly, Joe Achuzia, then

Secretary-General of Ohaneze Ndigbo, accused the NPF of using the Okija incident as an excuse to scorn the Igbo and their culture. See also Asoegwu and Anoliefo (2004). Moreover, the list of patrons that the police obtained during their raid of *Ogwugwu Isiula* substantiates the wide use of the shrine. The list, containing hundreds of names, included the names of some public figures and high ranking government officials (see “Full, Authentic List of Patrons of Okija Shrine”, 2004). Also, Okija-like incidents have occurred in some other parts of Nigeria. See as an example, Oyekola (2010) for the discovery of a replica of the Okija shrine in Ido-Osun in Egbedore Local Government Area of Osun State.

However, the NPF’s grouse with the Okija shrine is that, according to the police, the richest party in a dispute before the *Ogwugwu Isiula* is always guilty. The police have given the *modus operandi* of the shrine operators as follows. The representatives of the shrine track down the rich disputant in a case and put poison or charm in his or her motor vehicle to ensure that the wealthy disputant dies. Alternatively, according to the police, a rich party is made to consume drink or some potion after which he or she dies. The police further state that the *Ogwugwu Isiula* shrine priests’ leader is a named individual who, according to them, owns millions of Naira worth of property in Lagos. The implication is that the shrine is a means of making money, rather than a just case management body.

### **Analyzing the Okija Incident and Similar Events**

As mentioned, the Okija incident is not an isolated occurrence in Nigeria. It has been duplicated in various forms in other parts of the country. For many Nigerians, the continued existence and strength of the country’s traditional justice and social control systems contradict the country’s status as a “modern” State. The Okija incident may be cited as an example of the evils of traditional justice and social control (see Okafu, 2005). Also, to many Nigerians and non-Nigerian observers, “outdated, heathen” indigenous-rooted social control is not expected to continue as a means of case management in modern Nigeria. But, there is strong evidence that traditional social control remains very popular among Nigerians. This form of social control is widely used. However, sometimes, the wide use leads to significant abuses, such as those that the Okija incident exemplifies.

Therefore, the question is: “Why do the Okija’s (traditional courts, tribunals, and other tradition-based justice and social control organs and processes) exist and flourish in Nigeria?” The following sections of this article will answer this question. However, the fact that Nigeria’s official *Criminal Code* criminalizes the type of traditional crime management that apparently occurred in the Okija incident makes this question particularly relevant. The Code defines some of the crimes alleged by the police in the case as having arisen from a “trial by ordeal”, which is punishable under Sections 207-213 of the Code. In light of the *Criminal Code*’s criminalization of the traditional process, it seems reasonable to point out

## ***Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria by Okafo***

that the many Nigerians who persist in managing their civil and criminal cases through the deities must be doing so for compelling reasons. Thus, on close examination of the Okija incident, the following nine explanations have been identified for the continued recourse by the citizens to Okija's *Ogwugwu Isiula* shrine and similar deities in Igbo and other parts of Nigeria.

### **Why Do the Okija's Endure in Nigeria?**

The Okija case exemplifies extreme challenge to official law and justice in Nigeria because its judicial *modus operandi* violates the country's official criminal procedure. Also, the case contravenes Sections 207-213 of the substantive Nigerian *Criminal Code*. A careful consideration of the case (and similar occurrences) in Nigeria has led to the following nine factors as explanations for the continued relevance of this form of harsh tradition-based justice in the country. The nine variables are the rationales for the extreme challenge that the Okija and similar cases pose to official law and justice in Nigeria.

***The Relationship Between Nigerians and the English System***

It is well documented that imperial Britain, through its colonial regime in Nigeria, imposed the English-based common law system of social control on Nigeria (Okereaføezeke, 1996; 2002; Uwakah, 1997; Okafø, 2009). A consequence of the imposition is that the English law and justice system in Nigeria is widely regarded as groundless because in Nigeria it lacks the foundation that it enjoys in its native England. The English system is alien to Nigeria and Nigerians. In varying degrees, most Nigerians (including the so-called well-educated, modern Nigerians) appreciate their indigenous cultures and traditions. These cultures and traditions are strikingly different from the English culture and tradition, from which the English common law evolved. The mere absence of consultation by imperial Britain before importing and imposing the English law and justice system on Nigeria is sufficient for Nigerians to reject the system or, at least, treat it with suspicion and trepidation (see Uwakah, 1997, p. 84). With little, if any, confidence in the English-style, British-imposed law and justice system and its officials (police, judges, prosecutors, prisons and corrections personnel, etc.), the average Nigerian has no significant choice but to depend on his or her indigenous system of justice and law.

The disparity between indigenous Nigerian cultures and traditions, on the one hand, and the English common law in Nigeria, on the other, is very wide. Many principles and rules of the common law contradict some widely held indigenous beliefs in Nigeria. These contradictions are found on many dispute subjects in the country, including matrimonial causes (marriage, divorce, inheritance, custody, etc.), land (ownership, lease, sale, use, mortgage, etc.), title and other types of inheritance. The use of the English language to write the English common law in Nigeria, as well as to process cases in the official courts, is one of the greatest illustrations of the extent to which Nigerians are alienated by the official system. Most Nigerians neither speak nor write the English language, at least not the correct grammatical version.<sup>2</sup>

Nonetheless, the non-English speaking Nigerians continue to be subjected to foreign-based laws couched in English, in Nigeria. In all likelihood, the language difference interferes with these Nigerians' ability to follow the English-based laws. How can a citizen conform to, or challenge, a law that he does not understand? In the prevailing circumstances, the State (through the Legislature) has denied the affected citizen the opportunity to know, understand, appreciate, comply with, and critic, the law. It is quite reasonable to hypothesize that Nigerians' alienation from the English law and justice system operating in

---

<sup>2</sup> Other than the correct English grammatical version, many Nigerians speak and understand Pidgin English. Pidgin or Broken English, widely spoken across Anglophone West Africa, merges English and indigenous language words and phrases to convey information. In Nigeria, many people that are unable to speak or understand correct English grammatical expressions communicate effectively in Pidgin English. However, Pidgin English is not recognized as a medium of communication in government business.



## ***Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria by Okafo***

Nigeria contributes to the citizens' preference for their traditional law and justice systems, even if sometimes as the Okija case study shows, the traditional systems result in extreme challenges to the State.

### ***A Question of Effectiveness and Efficiency of English Law and Justice***

The English law and justice in Igbo and other parts of Nigeria have an image problem. This means that many, perhaps most, Igbos and other Nigerians view the English system of law and justice, as introduced and practiced in Nigeria, as ineffective and inefficient for social control in the country. This is based in part on the fact that the English model of law and justice seems unable to satisfactorily manage grievances, conflicts, and disputes among Nigerians. Facts on the ground support this image of the English system. There are numerous cases that had been tried, decided, and it seemed concluded by Nigeria's official, English-style courts. However, the disputes festered long after they were supposedly settled. In many instances, these cases remain major subjects of contention and even violence years or decades after the official courts had decided upon the cases.

Land disputes (ownership, use, transfer, etc.) are prime examples of these volatile matters. For many of these cases, there is no doubt that Nigeria's official, English-based common law system has been unable to identify and address the deep-seated issues between the parties and address them permanently. In some cases, the fact that the citizens view the English system as improperly interfering in a customary issue (such as a customary land right or other customary entitlement) fuels the animosity between the parties. Moreover, mere perception that the English-based common law system is ineffective or inefficient suffices for Nigerians to be wary of managing their cases within the system. In social control, perception goes a long way to encouraging or discouraging compliance, as the case may be. After all, social control is about complying or being influenced or made to comply; thus the complier's state of mind towards the guiding rules of conduct is important. The view that the English system in Nigeria is incapable of satisfactorily addressing certain disputed issues encourages the citizens to seek out other systems and methods of case management (Okereaføezeke, 1996; 2002).

### ***Cultural Pride***

Pride in indigenous Nigerian culture, such as an Igbo person's pride in his or her culture, also helps to explain the continued existence and apparent expansion of Nigeria's traditional social control and justice systems. As pointed out, the extreme nature of the *Ogwugwu Isiula* shrine incident in Okija does not accurately represent the vast majority of the traditional systems and processes, which play crucial roles in case management and social control. Cultural pride is a significant variable in understanding and explaining the endurance of the tradition-based laws in Nigeria. Britain's colonial "Substitutive Interaction"

agenda in Nigeria led to the imposition of the English common law system on Nigerians (Okereaføezeke, 2002, pp. 18-20; see also Okereaføezeke, 1996; Okafo, 2009). This, in turn, fuels the rejection or cold reception that Nigerians give to the English system in Nigeria.

Culture is mainly bred within a society. It is true that inevitably, in time additional cultural elements are borrowed from other societies to complement the home-grown, fundamental characteristics of a society's culture. However, foreign culture that displaces or threatens to displace a culture is liable to be condemned or rejected. Therefore, a society's culture represents the society's history, experiences, failures, successes, and its other ways of doing things. In short, a society's culture is its essence (Andersen and Taylor, 2006, particularly Chapter 3). Culture, as a society's heart and soul, ties, or should tie, directly to its substantive and procedural law, justice, and social control statements, interpretations, and practices.

Consequently, even with full recognition of *globalization* and the need for the right kind of interaction (that is, "Cooperative Interaction", or at least "Pluralistic Interaction", rather than "Substitutive Interaction" – see Okereaføezeke, 2002, pp. 18-20), *justice* and *law*, like *crime*, remain largely culture-specific. This means that justice, law, and crime are defined and understood in the context of each society. Inevitably, there are variations – sometimes fundamental variations – in understanding and interpreting justice, law, crime, etc. between societies. It is therefore quite natural and essential for Nigerians to remain proud of their indigenous law, justice, and social control. This is important and should be expected even in the face of erstwhile colonial British-initiated and postcolonial Nigerian officially-sustained efforts to destroy or emasculate the indigenous systems and processes. There is something to be said for Nigerians' desire and preference to identify with and practice a system that belongs to them naturally, rather than a system that belongs to the British. The sheer pride in Nigeria's indigenous systems and processes helps to sustain interest in, and increase the uses of, the traditional mechanisms of law and justice.

### ***Knowledge and Understanding of Other Systems and Processes***

Another important factor that adds to the sustenance of the Okija's in Igbo and other parts of Nigeria is the absence of, or limited, knowledge or understanding of other systems and methods of law, justice, and social control. The issue here is the lack of sufficient exposure to other world cultures and systems of social control and justice. Such exposure often occurs through education (formal and informal). An adult Nigerian that has spent all or virtually all of his or her life in a secluded village, where the *Ogwugwu Isiula* shrine is accepted as the highest judge, is not likely to contemplate or take steps to deviate from the generally perceived obligations to the shrine. Thus, some of the priests, servants, enforcers, and other agents that participate in, or patronize the deities in Nigeria do so

## ***Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria by Okafo***

because these actors are trapped physically and psychologically by the circumstances in which they were born, were brought up, and live. These agents know no differently from their environment.

## ***Assessing the Developmental Conditions for Law and Justice in Nigeria***

As mentioned earlier in this article, some Nigerians and non-Nigerian observers readily regard the country's indigenous law, justice, and social control as outdated and heathen. They argue that the traditional model is consequently unfit for case management in a modern, developed or developing Nigeria. The suitability of indigenous law, justice, and social control ("customary law") for a modern State has been addressed in other works. In sum, the correct position is that customary law remains highly relevant in official law and justice, even in a modern State. Specifically, customary law is the genesis of many laws of a modern State (Younkins, 2000). Thus, the customary law of a society plays a crucial role in its social control, and should therefore be included in the society's official law and justice arrangement (Okafo, 2009).

However, there is strong evidence that Nigeria lacks the basic characteristics of a developed or even developing nation. A hallmark of a developed (or developing), modern nation is that basic State institutions and infrastructure exist and they work. In such a State, there is a reasonable expectation that the institutions and infrastructure work for the benefit of the average citizen, not just a privileged few. Thus, the average citizen should be assured of effective and efficient public institutions, such as the legislature for law making, the police for security maintenance and law enforcement, and the courts for judging cases fairly. Also, infrastructure such as electricity, motorable roads, and clean water should be present and functioning reasonably well.

Unfortunately, contrary to the developmental expectations outlined in the preceding paragraph, in virtually every aspect the institutions and infrastructure of the Nigerian State and its constituent authorities (state and local governments) are poor and degrading. The institutions and infrastructure are below the minimally acceptable level for a modern society. In many parts of the country, the institutions and infrastructure are worse than they were under imperial British rule. The quality of the services expected from the institutions and infrastructure has practically disappeared, mainly because of immense corruption and incompetence among government officials at the federal, state, and local levels. While these officials trumpet religiosity and Godliness, there is abundant evidence that they do not seriously consider moral precepts in their conducts. Thus, the governments and their officials typically preach one thing while practicing something different.

The negative images witnessed around the country contradict official claims to development or modernism in contemporary Nigeria. In many parts of the

country, there are no motorable roads. Often, the horrible conditions of the open spaces or narrow paths belie the “road” label placed on them. In the vast majority of circumstances, the deplorable conditions persist after the responsible authority (the federal government, state government, or local government, as the case may be) has budgeted obscene amounts of money through annual and supplementary budgets to construct or rehabilitate the roads. However, as often happens, the lion share of the budgets is diverted to private accounts. In addition to the horrible road conditions, most parts of Nigeria have no (reliable) electricity supply, clean water, medical care, educational system at the primary, secondary, or tertiary level, etc. Rather than developed and modern policies and services, the overwhelming majority of Nigerians are subjected to the adverse consequences of the official governments, their policies, and programs.

In particular, official Nigerian policies and actions in two vital areas of the citizens’ lives (petroleum products and education) illustrate the dim view of governments as facilitators of development and modernism in the country. Since the inception of the present civilian era on May 29, 1999, the Olusegun Obasanjo/Atiku Abubakar and Umaru Yar’adua/Goodluck Jonathan regimes have increased the prices of petroleum products more than eight times. Each time, the increase is made without input or prior notice to Nigerians. With each of the first seven price changes amounting to about a 30% increase over the previous price, what sort of “developed” or “modern” government ambushes its citizens and complicates their lives on such essential merchandise as petroleum products? In Nigeria, petroleum products are used for cooking, powering motor vehicles, as well as powering individual and industrial electrical generators since there is no reliable public electricity supply, etc. Far in excess of the previous increases, in January 2012 the Jonathan administration ambushed Nigerians with upwards of 300% increase in the prices of petroleum products. The extent of the increase, its timing (Christmas/New Year holiday period), and the overall government’s impunity in the process were particularly vexatious that many Nigerians across all walks of life publicly protested the regime’s policy and program. The public protests shut down public and private activities in Nigeria for one week before the government relented and reduced the increase by about a half (see Ndujihe, Muhammad, and Ebegbulem, 2012; Nossiter, 2012a; b). Regarding education, teaching, research, and service at the primary, secondary, and tertiary levels are routinely interrupted, sometimes for months at a time, due to incessant industrial actions by teachers, administrators, as well as students. Contemplating the future of the Nigerian youth and the country in the circumstances of the disruptions to teaching and learning is unsettling, to say the least.

Faced with the governments’ role in creating the massive evidence against development and modernity, it is not surprising that many Nigerians reject official law and justice, or at least regard them with suspicion. These Nigerians retreat to their kinship groups, highlight, and follow their indigenous cultures, religions, and traditions, including their traditional processes for law and justice.

## ***Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria by Okafo***

This is not to say that indigenous law and justice are antithetical to development or modernity. Rather, retreating to the traditional system signifies that, to achieve some certainty in a time of unpredictability, the citizens prefer a familiar system, such as the traditional law and justice system.

### ***Mixed Signals by the Governments and Officials***

As mentioned, the Nigeria Police Force found that leaders and officials of Nigeria's governments at the various levels are some of the most prominent clients of the *Ogwugwu Isiula* shrine. The leaders and officials patronize the shrines for various purposes, including material wealth, influence, political fortunes, and supernatural protection from real and perceived enemies. Apparently, the shrine patrons experience successes in their various pursuits, hence the continued allegiances to the deities. Also, the perception in the general public that the patrons of the deities are successful – especially regarding increased wealth, influence, and protection – lend credence to the claim that the deities are potent. The wide belief in the strength and potency of the deities, in turn, draw more Nigerians to the idols.

However, the government leaders and officials that patronize deities in Nigeria thereby contradict the official position of the governments. Officially, the various governments condemn and sometimes criminalize allegiances to deities (see as an example *Criminal Code* of Nigeria, Sections 207-213, which criminalize trial by ordeal). In the circumstance, doing business with the deities and their agents is illegal. But the individual practices of influential government leaders frequently belie this official position. Thus, it is common for a public official in Nigeria to publicly condemn illegal trials, rituals, and other activities involving deities, while privately participating in the same activities. It makes no difference to the participant that the condemned behavior contradicts official law and other policies. As mentioned earlier in this manuscript, the Nigeria Police Force's (NPF) raid on the Okija shrine yielded a list of some of the shrine's patrons. The list showed that prominent, influential public figures in and out of governments were some of the deity's clients (see "Full, Authentic List of Patrons of Okija Shrine", 2004).

It is fitting to add the following. In the vast majority of cases, a government leader or public official patronizes deities contrary to the leader's assumed "Christian" or "Muslim" label. Ordinarily, a "Christian" or "Muslim" should not be involved in other idolatry practices, including patronizing deities for supernatural advantages. But in Nigeria, this is common because the patrons regard the deities, such as the Okija shrine, as sources of assured and quicker wealth, influence, etc. over their competitors. This is quite telling in a country where virtually every leader or public official claims to be either a Christian or a Muslim. Not surprisingly, the chasm between the claims to "Christian" or "Muslim" label and actual conducts have created a situation where corruption

and other official criminal behaviors enjoy “norm” status at all levels of government in Nigeria (Okafo, 2003).

However, the fact that Nigerian government leaders and officials patronize the deities is not bad in itself, and should not be regarded as such. There is nothing inherently wrong with participating in shrine activities. Rather, the emphasis ought to be on the morality and legality of specific shrine activities. Shrines of various forms are commonplace throughout the world. Some of the more famous shrine examples are the Christian churches, the Islamic mosques, and the Jewish synagogues. By political expediency, undeserved and unjustified influences, the three religions that the named shrines represent (Christianity, Islam, and Judaism, respectively) have been offered to the world as “the three great religions”. But, there is nothing intrinsically great about any of the three religions. The greatness of a religion lies in its proper use to positively influence or regulate human behavior in a society and between societies. Political, economic, or social dominance does not a great religion make. In particular, a religion whose great political, economic, or social advantage was obtained violently, forcefully, corruptly, or otherwise dishonestly cannot be a great religion. In determining the greatness of a religion, the capacity of the religion to offer individual human beings and groups the moral and ethical tools to relate with one another, with pure hearts, ought to be accorded greater consideration than political, economic, or social dominance. Thus, there is no credible reason that Nigerians should be discouraged from patronizing all Igbo (and other Nigerian) traditional religious shrines.

There is another significant way in which Nigeria’s governments and their officials send mixed signals to the citizens. The official local, state, and federal governments continue to meddle in traditional community matters. These official, Western-style governments intrude in the traditional community affairs in a variety of ways. As examples, the official governments appoint, recognize, and sack the various communities’ traditional rulers (such as “Eze”, “Oba”, or “Emir”) more or less at will. The 2010 removal of the Deji of Akure, Ondo State (see Johnson, 2010; Sowole, 2010), offers a good illustration of how the official government can interfere in such a traditional institution.

Regardless of a justification for interfering in a traditional institution, such as removing the Deji for alleged public assault, these official meddlings are really forms of blending indigenous with official (foreign), Western-style politics and government. Interference by an official government is not the only way to redress a wrong in a traditional institution. In many instances, a traditional institution will have an in-built procedure for correcting such wrong. Where no such procedure is found, the institution is quite capable of creating a credible procedure with minimal, if any, interference by the official government. However, in view of the governments’ officiousness, it must be asked: Why don’t Nigeria’s official governments take equal interest in unifying the indigenous with official, English-style law and justice to minimize the likelihood of another Okija-

## ***Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria by Okafo***

like incident happening in the country? This question should be the basis for another research.

### ***Desire for Quick, Inexpensive Justice***

Justice in Nigeria's English-style official law and justice system is long, drawn-out, and expensive. This is well documented (see as examples, Okereaføzeke, 1996; 2002; Elechi, 2006; Okafo, 2009). Criminal as well as civil justice clientele (plaintiffs, defendants, victims, accused persons, witnesses, interested communities, etc.) incur great costs to achieve some justice in Nigeria's official system. The types of costs vary from money to time and reputation, among others (Okereaføzeke, 1996; 2002). On time cost, as an example, it is common for a criminal case to drag on for years, while a civil case can go on for decades.

Considering the long time needed for a trial, hearings, and multiple appeals, average Nigerians cannot afford the attorney's fees and other expenses for conducting a case in the official court system. The prevailing harsh economic conditions exacerbate this citizens' inability. Those citizens that are able to afford the huge sums of money needed for official case processing are only able to do so after making significant sacrifices. In this condition, it is not surprising that many Nigerians yearn for less expensive, faster avenues for justice. The country's indigenous tribunals and processes of law, justice, and social control, such as Okija's *Ogwugwu Isiula* shrine, respond to this need. Relative to the English common law-based official justice system, the deities are widely regarded as quick and cheap dispensers of justice. This reputation shapes the citizens' preference for the indigenous law and justice processes over the foreign, English-style process.

### ***Financial and Material Gains***

This is another strong reason why some Nigerians persist in, or begin, using the deities and similar traditional justice institutions. There are money and other forms of material gains to be acquired by creating or championing a deity and presenting it (sometimes, falsely) as having supernatural powers. In many instances, Nigerians in difficult situations, who are asked to accept such a deity with promised redemption from their difficulties, accept the offer. There is nothing unique about this condition in the Nigerian traditional environment. Cheaters and their victims are found in every institution of every society. Those who use religion to further their selfish interests and enrich themselves are regarded as false prophets. False prophets are common even among Christians, Muslims, and other so-called major religions.

Similarly, among traditional Igbo and other Nigerian religious followers, there are bogus prophets. These "prophets" regard their religious endeavor as a business and thus exploit their clients for maximum profits. This is so because

great opportunities exist for the false prophets to defraud unsuspecting citizens who, because of their ignorance and naivety, usually accept without question that any person with the “Christian” or “Muslim” label is an honest person. In an environment that accommodates all manner of prophets with little or no questions asked, false prophets of Nigeria’s traditional religions find relative ease in appropriating their believers’ material and financial belongings. Since it is this easy to enrich oneself by falsely claiming to be righteous, many dishonest people are encouraged to do so, through the Christian, Islamic, as well as Traditional religious shrines. That is what occurred in the Okija shrine incident in which, according to the Nigeria Police Force, the deity’s leaders and officials enriched themselves at the expense of their clients.

### ***Confused Attitudes to Deities, Traditional Religions, and Practices***

Deities in Nigeria are generally respected and highly regarded, even by those that profess to be “Christians”, “Muslims”, or followers of other religions. On many important issues involving shrines, many Nigerians defer to the deities. Thus, it is not just the practitioners of the indigenous religions that hold the deities in high regard. Other Nigerians routinely appeal to the various deities for different degrees of interventions in the appellants’ lives. As stated earlier in this article, such appeals are for various things, such as wealth or increased wealth, influence, political fortunes, and supernatural protection from (perceived) enemies. Of course, these Nigerians would not appeal and defer to the deities if they (the Nigerians) did not believe in, or fear, the deities. Because of the widespread use of the deities in Nigeria (by “Traditionalists” as well as “Christians” and “Muslims”), it is safe to state that many, perhaps most, contemporary Nigerians fundamentally believe in, and/or fear, the deities. This leads to the following hypothesis: Even if he/she flaunts another religious label, the average Nigerian is convinced in the potency of the supernatural powers of a Nigerian deity.

The foregoing should show that Nigerians who reject the indigenous shrines somehow indirectly acknowledge that the shrines are potent. The attitudes of these citizens towards the deities and their followers belie the claim that the shrines are of no consequence. However, sometimes the negative attitudes of the opponents to the deities degenerate to violence against the followers of the indigenous religion. A December 2004 incident in Enugu State illustrates the religious extremism that Christians can visit on non-Christians in Nigeria. In the incident, Christian youths in Abor, Enugu State, took it upon themselves to destroy the traditional religious shrines in their community because, according to the youths, those who worship the deity are holding back the progress of the area (Edike, 2005). Contrast the warnings by Soyinka and Achuzia, respectively, against convenient, opportunistic attacks on traditional religions (referenced above). Ostensibly, the rampaging youth took the destructive action for two main reasons: to serve their God and further his will at all costs; and because if they failed to act as they did the deities would harm the community. This, in effect, acknowledges the potency of the destroyed deities, even while the same Christians sought to dismiss the deities as inconsequential.



## ***Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria by Okafu***

Another important component of many Nigerians' confused relationship with traditional religions, deities, and indigenous practices is found in the celebration of traditional festivals and anniversaries. Every year, in communities across Nigeria, celebrations take place to mark many traditional beliefs. These celebrations are typically joyous occasions. New Yam Festival, New Farming Season, and New Masquerade Season are some of the celebrations that take place annually. Ordinarily, these should be celebrated by community members that hold only traditional beliefs. However, many people professing other beliefs, such as Christianity, Islam, etc., routinely and prominently participate in the celebrations. The non-traditionalists do not merely observe the traditional celebrations. They participate actively and fully in the festivities. This is symptomatic of the confounding attitude that the non-traditionalists have towards the traditional beliefs. On the one hand, the non-traditionalists expressly reject the traditional beliefs and practices, on the other hand, the non-traditionalists accept and participate in the relevant traditional celebrations. So, on this issue, it seems accurate to describe the average Nigerian as a dual-believer (a "Traditional-Christian" or "Traditional-Muslim", etc.).

The confused attitudes to deities also stem from lethargy by some citizens. Some people prefer not be bothered with the activities of traditional believers, except when traditional festivities are taking place. Such dismissive attitude toward the traditional religion ignores the indigenous way of life. By their attitude, the general citizenry fails to monitor the activities of the traditionalists. The Okija shrine incident and a number of other events around the country should convince the average person that such neglect can lead to significant abuses by the traditionalists. Whereas reasonable pressure from "Christians" and "Muslims" could have caused the traditionalists to recognize and perhaps observe human rights standards in their activities, ignoring the deities and the practices at these shrines is likely to lead to substantial violations.

In the midst of the enumerated confused attitudes towards deities, traditional religions, and practices among Nigerians, the traditional shrines thrive. And sometimes their protagonists misuse the deities in law and justice processing, as the Okija case evidences.

### **Theoretical Relevance**

The following question seems important to the issues in this paper. The question is whether it is sensible and accurate to regard the form of religious-based indigenous justice exemplified by the *Okija* incident of 2004 as that based on Max Weber's idea of irrational administration of justice (as opposed to his ideal bureaucracy)? The *Oxford Advanced Learner's Dictionary*, Online edition, defines "irrational" as "unreasonable; not based on, or not using, clear logical thought". By implication, then, justice administration based on *ideal bureaucracy* is rational (that is, reasonable; based on, or using, clear logical thought), while administration of justice without such bureaucracy is irrational.

Since Weber's bureaucratic model is native to the West, it is safe to conclude that the Igbo (or other non-Western) justice system or process would not qualify as "rational".

The question remains whether it is reasonable or acceptable to label all non-Western justice systems and processes as irrational. It seems presumptuous and self-serving to sweepingly label them as unreasonable means of justice, especially without credible inquiry into every system or process. A more prudent approach seems to be that the enquirer should as a primary consideration evaluate the substantive as well as procedural elements of each justice system to determine its workability, effectiveness, efficiency, and overall acceptability to the citizens whose lives the system regulates. Further, as a secondary issue, the standing or credibility of each justice system in the comity of other societies' systems is of some importance. In the contemporary globalized village, the assessments and opinions of other societies are important. Often, the systems, practices, and events in a society are viewed and interpreted relative to those in neighboring as well as far-flung societies. Thus, comparative analysis of law and justice systems and processes is a fact of modern life.

However, having acknowledged the role of alternative societies in appreciating and using a justice system, we reiterate the question: is it reasonable or acceptable to label every non-Western justice system or process as irrational? While accepting that different cultures breed different rationalities, some writers regard all *odd and illogical* practices (that is, all practices that differ from those with which an evaluator or commentator is familiar) as absolutely inconsistent with modern rationality (Sahlins, 1981). On the other hand, other analysts are of the view that the ability to recognize, tackle, and manage specific challenges practically and with common sense demonstrates the universality of the human culture (Obeyesekere, 1990). It seems that while it is useful to appreciate the general human nature, the culture-specific components of each justice system should be understood and utilized as well.

Thus, the correct answer to the question (Is it reasonable or acceptable to label all non-Western justice systems or processes as irrational?) seems to be "no". Several legal sociologists and analysts agree with this position. Writing about fact-finding practices in culturally distant cultures, Damaska (1997) points out that a cursory look at the practices used to determine facts in a justice system other than the observer's own typically produces strange results. This means that the observer is faced with unfamiliar findings regarding the practices in the foreign system. As such, the observer is tempted to conclude – and often concludes – that the observed practices are irrational. However, Damaska continues, a thorough examination of the practices shows that they are not nearly as irrational as first thought. Rather, the observed practices, like those of other societies, are culture-based and should be regarded as such. Further, the observed practices may provide other perspectives for better understanding the observer's own practices and familiar environment.

## ***Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria by Okajo***

A major criticism of the trial process in *Okajo* and similar indigenous processes is the absence of a clear and verifiable method for submitting, receiving, questioning, and evaluating evidence before making a determination on guilt or responsibility. Although this practice is not unique to *Okajo*, Igbo, or Nigerian traditional justice (see Geertz, 2000), the criticism is valid, especially in view of the overarching Nigerian constitutional provisions guaranteeing various rights, including the right to fair and open trial.<sup>3</sup> On this account, by way of reform, the trial process in *Okajo* needs to be modified if it is to be acceptable in the modern Nigerian State. However, the value of the present process cannot be denied. Even with its flaws – especially when viewed from the perspective of a foreign (outside) process – the indigenous religious process serves a useful purpose for social control. Thus, it would be mistaken to reject the process outright. Like an oath helper or magical test in Damaska (1997), the *Okajo* and similar processes should not be impulsively discarded as unable to yield results we would regard as correct. Rather, what is needed is reform of the existing processes. When applied properly without the manifest abuses the Nigeria Police Force identified in *Okajo*, such indigenous processes are capable of effective, efficient, and fair social control.

Therefore, resorting to oracles for social control can be as *rational* as resorting to expensive lawyers under the English-style justice system. The highly specialized, exclusive, and formalized English-style justice system that relies overwhelmingly on lawyers to do justice can reasonably be viewed as *irrational* because the system thus denies and alienates the vast majority of its non-lawyer citizens who cannot personally present their cases and may not be able to afford the hefty legal fees that lawyers charge. On the other hand, resorting to oracles such as the *Okajo* may negate some of the citizens' confidence in the justice system because they are unfamiliar with or reject the practices before the oracles. Thus, such citizens may view the practices as *irrational*. In the final analysis, the determination whether a justice system or practice is rational or irrational depends on the specific elements of the system or practice. There is nothing inherently rational or otherwise about a justice system or practice.

Relatedly, despite the acknowledged value of the rule of law in a modern State (some of them have been identified in this paper), it seems inaccurate to describe the rule of law as an *unqualified* human good, as Thompson stated in *Whigs and Hunters* (1990). Thus, according to Thompson, the rule of law is *totally, definitely, unreservedly, completely, or absolutely* good for humanity. Thompson's commitment to the rule of law sounds rather extreme. I do not share his unmitigated devotion to this rule type. For the rule of law, as well as for other social control models, moderated and critical appraisal is imperative to prevent or correct abuses. Thompson fails to demonstrate such consideration. For

---

<sup>3</sup> See generally Chapter 4 of the *Constitution of the Federal Republic of Nigeria, 1999* as amended, for the rights; see particularly Section 36 for the rights to fair and open trial.

avoidance of doubt, the rule of law offers many advantages for law and justice in a society, especially a modern pluralistic State. However, the enabling conditions and ingredients required for the existence of the rule of law as well as the fact that law by itself cannot effectively and efficiently control the citizens of a society means that the rule of law depends on other things and is thus a *qualified* human phenomenon. It is inevitable that credible aspects of other forms of control (such as *rule of custom/tradition, rule of religion, rule of elders*, etc.) are needed for the appropriate social control of a society.

## **Conclusion**

Based on a study of Okija's *Ogwugwu Isiula* shrine incident in which the Nigeria Police Force discovered dozens of human dead bodies and other evidence of gross violations stemming from traditional judicial processes, this article has identified, analyzed, and illustrated nine variables that explain the continued and widespread uses of deities as traditional courts in parts of Nigeria. Besides Okija's *Ogwugwu Isiula* shrine, the indigenous-based justice institutions in contemporary Nigeria are widely available. In the great majority of cases, the traditional institutions serve very useful social control needs. They successfully manage grievances, conflicts, and disputes among the citizens, even on issues that the official English-style courts and processes have no remedies (Okereafọezeke, 1996; 2002). This paper demonstrates that the uses of the traditional law and justice avenues are likely to continue and expand as long as the nine identified variables persist in Nigeria. The variables are factors that encourage and contribute to the citizens' decisions to use (as patrons or clients) the deities to achieve justice on disputed issues.

Thus, the traditional practices will not abate any time soon, nor should they fade away. These practices are borne out of the citizens' culture. For most Nigerians, their culture remains a strong source of identity. The citizens are unlikely to abandon their essential character, even in the postcolonial era. In the modern Nigerian State, most aspects of the culture ought to be reasonably encouraged and expanded for more effective and efficient law, justice, and social control (Okafo, 2009). What is needed is the removal of the factors that enable the types of violations and abuses found in the *Ogwugwu Isiula* shrine case. However, as demonstrated in this paper, in addition to culture, there are compelling religious, ethnic, and material reasons, as well as reasons of official ineffectiveness, inefficiency, citizens' pride, belief, fear, apathy, and limited resources for Nigerians to use the traditional courts. In many instances, the failures of the official foreign-based law and justice system and the extreme circumstances in which most Nigerians find themselves force or encourage the citizens to resort to long-standing indigenous institutions to manage their cases.

## **References**

***Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria by Okafo***

- Andersen, Margaret L. and Howard F. Taylor (2006) *Sociology: Understanding a Diverse Society*, 4<sup>th</sup> edition. Belmont, California, USA: Thomson Wadsworth.
- Asoegwu, Jimmie and Anoliefo, Obi (2004) "The Ogwugwu Okija Fairy Tale" in *VANGUARD*, <http://web.archive.org/web/20040908195300/http://vanguardngr.com/articles/2002/columns/c208092004.html>; Internet.
- Constitution of the Federal Republic of Nigeria 1999 as amended. Criminal Code Act (Nigeria).*
- Damaska, Mirjan R. (1997) "Rational and Irrational Proof Revisited", *Faculty Scholarship Series, Yale Law School Faculty Scholarship*, Paper 1577, [http://digitalcommons.law.yale.edu/fss\\_papers/1577](http://digitalcommons.law.yale.edu/fss_papers/1577); Internet.
- Dicey, Albert V. (1885/1985) *An Introduction to the Study of the Law of the Constitution*. Hampshire, United Kingdom: Palgrave Macmillan.
- Edike, Tony (2005) "Tension in Enugu as Youths Destroy Shrines" in *VANGUARD*, January 5, <http://allafrica.com/stories/200501050090.html>; Internet.
- Elechi, O. Oko (2006) *Doing Justice Without the State: The Afikpo (Ehugbo) Model*. Oxford, United Kingdom: Routledge.
- "Full, Authentic List of Patrons of Okija Shrine" (2004, October 11) in *BiafraNigeriaWorldNews*, <http://news.biafranigeriaworld.com/archive/2004/oct/12/246.html>; Internet.
- Geertz, Clifford (2000) *Local Knowledge: Further Essays in Interpretive Anthropology*. New York, New York, USA: Basic Books.
- Hart, H. L. A. (1997) *The Concept of Law*, Second Edition. New York, New York, USA: Oxford University Press.
- Johnson, Dayo (2010) "Deji Deposed, Banished, Arrested" in *VANGUARD* (June 10), <http://www.vanguardngr.com/2010/06/10/deji-deposed-banished-arrested/>; Internet.
- Ndujihe, Clifford, Abdulsalam Muhammad, and Simon Ebegbulem (2012) "Nigeria's Oil Subsidy Protests Escalate" in *Sweet Crude*, January 6th, <http://sweetcrudereports.com/2012/01/06/nigerias-oil-subsidy-protests-escalate/>; Internet.
- Nossiter, Adam (2012a) "Nigerians Protest Rise in Oil Prices" in *New York Times*, January 9, <http://www.nytimes.com/2012/01/10/world/africa/nigerians-protest-oil-price-rise-as-subsidies-end.html>; Internet.
- Nossiter, Adam (2012b) "Under Pressure, Nigerian Leader Relents on Gas Price" in *New*

- York Times, January 16, <http://www.nytimes.com/2012/01/17/world/africa/nigerian-president-rolls-back-price-of-gasoline.html?pagewanted=all>; Internet.
- Obeyesekere, Gananath (1990) *The Work of Culture: Symbolic Transformation in Psychoanalysis and Anthropology*. Chicago, Illinois, USA: University of Chicago Press.
- Okafo, Nonso (2003) "Religious Labels and Conduct Norms in Government" in *NigeriaWorld*, March 13, <http://nigeriaworld.com/articles/2003/mar/132.html>; Internet.
- Okafo, Nonso (2005) "Foundations of Okija Justice" in *NigeriaWorld*, March 1, <http://nigeriaworld.com/articles/2005/mar/033.html>; Internet.
- Okafo, Nonso (2007) "Rule of Law, Political Leadership, and Nobel Peace Prize: Analysis of the Obasanjo Presidency 1999-2007" in *NigeriaWorld* (January 12), <http://nigeriaworld.com/articles/2007/jan/122.html>; Internet.
- See also "Analysis of the OBJ's Presidency" in *SaharaReporters*, <http://www.saharareporters.com/da001.php?daid=204>; Internet.
- "Analysis of the OBJ's Presidency" in *Daily Triumph*, <http://www.triumphnewspapers.com/archive/DT19012007/ana19107.html>; Internet.
- <http://www.triumphnewspapers.com/archive/DT22012007/any22107.html#>; Internet.
- Okafo, Nonso (2009) *Reconstructing Law and Justice in a Postcolony*. Surrey, England and Burlington, USA: Ashgate Publishing.
- Okereaføzeke (Okafo), Nonso (1996) *The Relationship Between Informal and Formal Strategies of Social Control: An Analysis of the Contemporary Methods of Dispute Processing Among the Igbos of Nigeria*. (Ph.D. dissertation). UMI Number 9638581. Ann Arbor, Michigan, USA: University Microfilms.
- Okereaføzeke (Okafo), Nonso (2002) *Law and Justice in Post-British Nigeria: Conflicts and Interactions Between Native and Foreign Systems of Social Control in Igbo*. Westport, Connecticut, USA: Greenwood Press.
- Oxford Advanced Learner's Dictionary*, Online Edition, <http://oald8.oxfordlearnersdictionaries.com/dictionary/irrational> (accessed April 14, 2012).
- Oyekola, Tunde (2010, January 22) "S-H-O-C-K-E-R: Strange Shrine Found in Osun" in *Nigerian Tribune*, <http://www.tribune.com.ng/index.php/front-page-news/300-s-h-o-ck-e-r-strange-shrine-found-in-osun-leader-says-its-a-church-members-worship-only-at-night-founders-skeleton-many-skulls-found.html>; Internet.
- Sahlins, Marshall D. (1981) *Historical Metaphors and Mythical Realities: Structure in the Early History of the Sandwich Islands Kingdom*. Ann Arbor, Michigan, USA: University of Michigan Press.

***Explaining the Endurance of Extreme Tradition-Based Laws in Nigeria by Okafo***

- Sowole, James (2010) "Akure Monarch Deposed, Banished" in *ThisDay*, June 11, <http://allafrica.com/stories/201006110060.html>; Internet.
- Tamanaha, Brian Z. (2004) *On the Rule of Law*. Cambridge, United Kingdom: Cambridge University Press.
- Thompson, Edward P. (1990) *Whigs and Hunters*. London, England: Penguin Books.
- Uwakah, Onyebuchi T. (1997) *Due Process in Nigeria's Administrative Law System*. Lanham, Maryland, USA: University Press of Nigeria.
- Younkins, Edward W. (2000) "The Evolution of Law" in *Le Quebecois Libre*, No. 65, <http://www.quebecoislibre.org/000805-11.htm#youkin1>; Internet.