

Tiv Traditional Justice System and Sankofa: A Comparative Study of Historical Consciousness and Communal Harmony in African Conflict Resolution

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ABSTRACT

Conflicts, disputes, and social frictions are inevitable in every human society, yet the mechanisms adopted for resolving them differ across cultures and civilizations. While Western approaches to conflict resolution often emphasize adversarial litigation, adjudication, and punitive justice, African indigenous systems prioritize reconciliation, communal harmony, and restorative justice. This study examines the Tiv Traditional Justice System and the Akan philosophy of Sankofa as complementary African frameworks for conflict resolution grounded in historical consciousness and communal harmony. Using a qualitative comparative design anchored in an African-centred epistemological methodology, the study draws on documentary sources to analyse Tiv indigenous dispute resolution mechanisms alongside the philosophical foundations of Sankofa. The study is further situated within the theoretical frameworks of Constructivism and Structural Functionalism to explain how shared values, social memory, and communal institutions sustain peace and social cohesion in African societies. Findings reveal that the Tiv Traditional Justice System employs kinship institutions, elders' councils, age-grade systems, and sacred oaths such as Swem to mediate disputes, enforce accountability, and restore social balance, while Sankofa emphasizes the retrieval of ancestral wisdom and historical consciousness as essential tools for healing and reconciliation. The study argues that both frameworks provide culturally grounded and restorative alternatives to Western adversarial systems by prioritizing dialogue, truth-telling, reconciliation, and communal wellbeing. It concludes that indigenous African justice systems remain relevant for contemporary peace building and should be integrated into broader conflict resolution and justice reform initiatives in Africa.

KEYWORDS

Tiv Traditional Justice System, Sankofa, restorative justice, indigenous jurisprudence, African cosmology, conflict resolution.

I. INTRODUCTION

Conflict is an inevitable feature of human society, manifesting in various forms such as political disputes, ethnic tensions, religious clashes, economic competition, and interpersonal disagreements. Across societies, different mechanisms have evolved to manage and resolve conflicts in ways considered legitimate and effective within specific cultural contexts. In many Western societies, conflict resolution is often approached through adversarial legal systems characterized by litigation, adjudication, and punitive justice. While these mechanisms may establish legal accountability, they frequently fail to repair fractured social relationships or restore communal harmony. In contrast, African indigenous

societies have historically developed restorative and community-oriented systems of justice that emphasize reconciliation, dialogue, and the restoration of social equilibrium.

Before the advent of colonialism and the imposition of Western legal systems, African societies possessed sophisticated indigenous institutions for conflict management and social regulation rooted in customary laws, spirituality, communal ethics, and ancestral authority. As Afatakpa (2025a) observes, conflict resolution in many African societies was traditionally handled through culturally embedded mechanisms involving elders, chiefs, lineage heads, women's groups, and spiritual authorities who mediated disputes with the primary aim of restoring balance and ensuring peaceful coexistence. These indigenous systems conceived conflict not merely as a violation of law or individual rights but as a disruption of communal harmony and moral order requiring collective intervention and reconciliation.

This communal orientation is reflected in several African socio-philosophical traditions, including Julius Nyerere's concept of Ujamaa, which emphasized family hood, communal solidarity, and collective wellbeing as the basis of African socialism (Pantaleon & Matthew, 2004). Ujamaa represented an African-centred alternative to excessive individualism by prioritizing cooperation, social responsibility, and communal harmony. Similar principles are also embedded in other African indigenous systems of justice and conflict resolution.

This study extends these indigenous philosophical traditions by comparatively examining the Tiv Traditional Justice System of central Nigeria and the Akan philosophy of Sankofa. The Tiv Traditional Justice System is a decentralized and kinship-based framework grounded in communal participation, ancestral accountability, and restorative justice. It operates through institutions such as the ityo (lineage elders), ijir tamen (great council), kwav (age-grade systems), and the Swem oath, a sacred mechanism used to enforce truth-telling, deter wrongdoing, and restore social harmony. Through these institutions, disputes are addressed through mediation, public dialogue, restitution, ritual cleansing, and reconciliation rather than punitive isolation.

Similarly, Sankofa, a philosophical concept rooted in Akan thought, emphasizes the importance of historical consciousness and ancestral wisdom in shaping present and future actions. Symbolized by a bird looking backward while moving forward with an egg in its beak, Sankofa is derived from the Akan proverb: "It is not taboo to go back and fetch what you forgot." The philosophy underscores the necessity of retrieving lessons, values, and wisdom from the past in order to address present challenges and secure a better future (Temple, 2010; Stanley, 2024). Within the context of conflict resolution, Sankofa provides a framework for communal healing rooted in memory, cultural continuity, and restorative reconciliation.

The significance of examining the Tiv Traditional Justice System and Sankofa together lies in their shared epistemological foundations. Both frameworks emphasize historical consciousness, communal harmony, ancestral accountability, and restorative justice as essential mechanisms for sustaining peace within society. They challenge the dominance of Western adversarial legal systems by offering culturally grounded approaches that prioritize reconciliation, social cohesion, and relational healing over punishment and exclusion.

Despite the continued relevance of indigenous African conflict resolution systems, contemporary scholarship and state legal institutions in Africa remain heavily influenced by Western legal traditions that often marginalize indigenous epistemologies and restorative mechanisms. As a result, African indigenous systems are frequently dismissed as informal,

primitive, or incompatible with modern governance despite their enduring effectiveness in many communities.

This study therefore undertakes a comparative analysis of the Tiv Traditional Justice System and Sankofa philosophy in order to examine how historical consciousness and communal harmony function within African indigenous conflict resolution frameworks. The study argues that both systems provide important philosophical and practical alternatives for contemporary peace building, restorative justice, and conflict transformation in Africa.

II. LITERATURE REVIEW

Scholarship on African indigenous conflict resolution has consistently emphasized the importance of communal harmony, mediation, consensus-building, and restorative justice in maintaining social order across African societies. Unlike Western legal traditions that prioritize adversarial litigation and punitive sanctions, African indigenous systems generally seek reconciliation, reintegration, and the restoration of damaged relationships within the community. These approaches are rooted in African cosmological worldviews that conceive conflict not merely as a legal dispute but as a disruption of social, moral, and spiritual equilibrium.

Afatakpa (2025a) argues that indigenous peace and conflict management institutions in African societies remain structurally effective because they are deeply embedded within communal values, spirituality, and customary norms. Using the Igbe religion in Delta State as a case study, he demonstrates how indigenous spiritual systems continue to provide frameworks for community-based conflict prevention and reconciliation. Similarly, Afatakpa (2025b) contends that indigenous Igbo jurisprudence constituted a sophisticated and morally grounded justice system in which punishment primarily functioned as a restorative mechanism aimed at cleansing moral pollution, repairing social relationships, and reintegrating offenders into the community rather than merely inflicting punishment.

This restorative orientation is further reinforced in the work of Afatakpa and Olufunmilayo (2026), whose study of the Nupe Traditional Justice System reveals that indigenous justice mechanisms such as *gyara* (reparation), elder mediation, oath-taking, ritual cleansing, and public apology were primarily designed to restore communal cohesion and repair fractured relationships. These findings collectively challenge colonial and Eurocentric assumptions that African indigenous justice systems lacked institutional sophistication or philosophical depth.

Specific scholarship on Tiv indigenous conflict resolution demonstrates that the Tiv Traditional Justice System operates through decentralized communal institutions rooted in kinship structures and ancestral accountability. Aluaigba (2011) provides one of the most comprehensive analyses of Tiv indigenous justice mechanisms, identifying institutions such as the *ityo* (lineage elders), *kwav* (age-grade systems), *ijir tamen* (great council), and the *Swem* oath as central mechanisms for dispute resolution and social regulation. According to Aluaigba, these institutions prioritize mediation, dialogue, reconciliation, and communal restoration above adversarial punishment. Similarly, Kyoon-Achan (2013), in a comparative study of Tiv and Inuit indigenous conflict resolution systems, argues that both frameworks privilege communal healing and restorative justice over punitive adjudication. Nominshan (2021; 2025) further demonstrates that the *Swem* oath constitutes both a tangible and

intangible cultural heritage mechanism that reinforces truthfulness, accountability, and moral discipline within Tiv society. Ginger (2020) also advocates for the integration of Tiv Indigenous Peace-making Approaches (TIPA) into formal Nigerian peace building structures, arguing that indigenous mechanisms possess significant potential for addressing contemporary communal conflicts.

The concept of Sankofa has equally attracted scholarly attention, particularly within African philosophy, education, memory studies, and DE colonial discourse. Temple (2010) traces the emergence of Sankofa within African diasporic communities in the United States, describing it as a philosophy of cultural reclamation and historical consciousness. Sankofa emphasizes the importance of retrieving ancestral wisdom, cultural values, and historical memory in order to address present challenges and build sustainable futures. Preston (2025) and Stanley (2024) further demonstrate how Sankofa has been applied in educational and community reconciliation contexts as a framework for healing, identity formation, and social restoration. Gyamerah (2025) situates Sankofa alongside Ubuntu and Ujamaa as African counter-frameworks to dominant liberal-individualist paradigms in global governance, development, and peace building. According to Gyamerah, these African philosophies provide alternative approaches grounded in communal ethics, rationality, and restorative justice. This perspective aligns with Afatakpa's (2025c) study of indigenous women's groups such as the Umuada and Jagunmolus, which demonstrates that African indigenous institutions have historically functioned as culturally embedded mechanisms for mediation, reconciliation, and social transformation.

Furthermore, Afatakpa (2022) argues that peace building in African societies should not be understood merely as a reaction to visible violence but as a continuous social process rooted in indigenous concepts and communal practices at the micro-level. This insight is particularly relevant to both the Tiv Traditional Justice System and Sankofa philosophy, which continuously cultivate social harmony through historical consciousness, communal responsibility, and restorative engagement. Despite the growing body of scholarship on African indigenous conflict resolution systems, significant gaps remain. Existing studies often examine Tiv indigenous justice systems and Sankofa philosophy independently rather than comparatively. There is also limited scholarship exploring how historical consciousness functions as a restorative mechanism within African indigenous peace building traditions. Furthermore, many studies remain descriptive and insufficiently engage the broader theoretical implications of African indigenous epistemologies for contemporary debates on restorative justice, decoloniality, and peace building.

This study addresses these gaps by comparatively examining the Tiv Traditional Justice System and Sankofa philosophy as interconnected African frameworks of historical consciousness and communal harmony in conflict resolution. In doing so, the study contributes to broader discussions on indigenous jurisprudence, restorative justice, and African-centred approaches to peace building.

III. THEORETICAL FRAMEWORK

This study is anchored on two complementary theoretical frameworks: Constructivism and Structural Functionalism. These theories provide an analytical foundation for understanding how the Tiv Traditional Justice System and Sankofa philosophy construct, sustain, and

operationalize communal harmony through historically grounded approaches to conflict resolution.

A. *Constructivism*

Constructivism argues that social reality is not naturally fixed or objectively given but is socially constructed through shared meanings, historical experiences, values, norms, and collective interactions (Wendt, 1999). Identities, institutions, beliefs, and systems of justice are therefore shaped and maintained through continuous social processes and communal understandings. Within the context of African indigenous conflict resolution, constructivism provides an important framework for understanding how historical consciousness, ancestral memory, and shared communal values function as mechanisms for preserving peace and social cohesion.

The Tiv Traditional Justice System reflects this constructivist orientation through its reliance on shared communal norms and ancestral authority. Institutions such as the ityo, ijir tamen, and kwav derive legitimacy not from written legal codes but from collectively recognized moral values and customary traditions passed down across generations. The Swem oath further reinforces this socially constructed moral order by invoking ancestral and spiritual authority as guarantors of truth, accountability, and justice (Nominshan, 2021). Through these practices, Tiv society constructs a shared understanding of justice rooted in communal responsibility and moral obligation.

Similarly, Sankofa functions as a constructivist framework of historical consciousness. By emphasizing the retrieval of ancestral wisdom and historical memory, Sankofa constructs a collective identity grounded in cultural continuity and communal values. The philosophy reinforces the belief that communities must consciously engage with their past in order to resolve present conflicts and secure peaceful futures. In this regard, Sankofa transforms memory and historical reflection into active instruments of reconciliation and social healing. Constructivism therefore helps explain how indigenous African systems of conflict resolution are sustained through shared cultural meanings, social memory, and collective moral consciousness rather than through coercive state authority alone.

B. *Structural Functionalism*

Structural Functionalism, associated with scholars such as Émile Durkheim, Talcott Parsons, and Robert Merton (1968), views society as a system of interconnected institutions and structures that perform essential functions necessary for social stability and cohesion. According to this perspective, social institutions exist because they contribute to the maintenance of order, collective solidarity, and societal equilibrium.

The Tiv Traditional Justice System exemplifies this structural-functional logic through its organized network of conflict resolution institutions. The ityo functions as the primary lineage-based mediation body responsible for resolving family and intra-lineage disputes. More complex disputes are addressed by the ijir tamen, while the kwav reinforces communal discipline and social regulation among age-grade groups. The Swem oath serves as the ultimate moral and spiritual enforcement mechanism that guarantees truthfulness and deters wrongdoing. Together, these interconnected institutions function to preserve

communal harmony, maintain social order, and prevent the breakdown of social relationships.

Sankofa adds a temporal and philosophical dimension to Structural Functionalism by emphasizing the importance of historical continuity in maintaining social stability. Through the retrieval of ancestral wisdom and cultural memory, Sankofa enables communities to identify the historical roots of conflict and apply culturally grounded solutions capable of restoring communal balance. The philosophy therefore functions not merely as a symbolic cultural concept but as a practical framework for sustaining social cohesion and collective identity.

The integration of Constructivism and Structural Functionalism enables this study to demonstrate that indigenous African conflict resolution systems are neither arbitrary nor primitive. Rather, they constitute sophisticated socio-cultural frameworks through which communities construct moral order, preserve historical consciousness, maintain social equilibrium, and promote restorative justice.

Together, these theories reinforce the central argument of this study: that the Tiv Traditional Justice System and Sankofa philosophy function as historically grounded and culturally embedded mechanisms for achieving communal harmony and sustainable conflict resolution in African societies.

IV. METHODOLOGY

This study adopts a qualitative comparative research design grounded in an African-centred epistemological methodology. The qualitative approach is considered appropriate because the study seeks to interpret indigenous philosophies, cultural meanings, historical consciousness, and traditional mechanisms of conflict resolution that cannot be adequately understood through quantitative measurement alone. Rather than reducing African communal experiences and cosmological systems to numerical variables, the study emphasizes interpretation, contextual understanding, and conceptual analysis.

The study is further situated within an African-centred epistemological framework, which recognizes African knowledge systems, oral traditions, spirituality, communal values, and ancestral wisdom as valid and legitimate sources of knowledge production. This approach challenges Eurocentric assumptions that often marginalize indigenous African systems of justice and peace building, while affirming the intellectual and philosophical sophistication of African indigenous epistemologies.

Data for the study are derived primarily from secondary sources. These include academic books, peer-reviewed journal articles, dissertations, ethnographic studies, archival materials, institutional reports, and reputable online publications related to African indigenous conflict resolution, Tiv traditional justice mechanisms, Sankofa philosophy, restorative justice, and African cosmology. Foundational works such as Bohannan's (1957) study of Tiv justice, Aluaigba's (2011) analysis of Tiv indigenous conflict resolution, and Temple's (2010) work on Sankofa constitute major sources for the study.

The study employs documentary analysis as its primary method of data collection and interpretation. Relevant scholarly materials were systematically examined in order to identify recurring themes, conceptual similarities, institutional structures, and philosophical foundations within the Tiv Traditional Justice System and Sankofa philosophy. Particular attention was given to concepts such as communal harmony, historical consciousness, restorative justice, ancestral accountability, mediation, reconciliation, and social cohesion.

The comparative analysis proceeds in three stages. First, the philosophical foundations and operational structures of the Tiv Traditional Justice System and Sankofa philosophy are examined independently. Second, both frameworks are comparatively analysed across key dimensions such as epistemological orientation, institutional structure, procedural logic, historical consciousness, and restorative outcomes. Third, the study evaluates the contemporary relevance of both systems within broader debates on peace building, indigenous jurisprudence, restorative justice, and DE colonial approaches to conflict resolution in Africa.

The study also adopts a case study approach by integrating documented examples of Tiv indigenous conflict resolution practices in Benue State and scholarly accounts of Sankofa's application within Ghanaian and diaspora reconciliation contexts. These case illustrations strengthen the interpretive validity of the research by connecting theoretical analysis with practical manifestations of indigenous conflict resolution.

Since the research relies exclusively on publicly available secondary sources, no direct ethical risks are involved. Nevertheless, the study maintains scholarly integrity through accurate citation of sources, objective interpretation of data, and respectful representation of African indigenous traditions and cultural practices.

Overall, the combination of qualitative analysis, comparative methodology, African-centred epistemology, and documentary interpretation provides a comprehensive framework for understanding how the Tiv Traditional Justice System and Sankofa philosophy contribute to restorative justice, communal harmony, and sustainable peace building in African societies.

V. CONCEPTUAL CLARIFICATION

A. African Cosmology

African cosmology refers to the way African societies perceive, interpret, and relate to the universe, reality, and human existence through their cultural beliefs, spiritual systems, and historical experiences. It embodies the collective worldview through which Africans understand the meaning of life, morality, social relationships, and the interaction between the visible and invisible realms. African cosmology therefore represents the philosophical foundation upon which many indigenous institutions, ethical systems, rituals, and conflict resolution mechanisms are built.

According to Kanu (2013), African cosmology reflects the African search for meaning and existence through a holistic understanding of reality in which spiritual, social, and material dimensions are interconnected. Karangi (2019) further argues that African cosmology

enables communities to understand present realities through the lens of historical memory and ancestral experience. Consequently, African cosmology shapes communal ethics, oral traditions, rites of passage, and indigenous justice systems by emphasizing relational harmony and collective wellbeing.

Within African indigenous conflict resolution systems, cosmology plays a significant role in defining concepts of justice, morality, accountability, and reconciliation. Conflict is not viewed merely as a disagreement between individuals but as a disruption of communal and spiritual equilibrium requiring restorative intervention.

B. Restorative Justice

Restorative justice refers to an approach to conflict resolution and justice that focuses on repairing harm, restoring relationships, and promoting reconciliation rather than emphasizing punishment alone. Unlike retributive justice, which prioritizes punitive sanctions against offenders, restorative justice seeks to address the broader social and relational consequences of wrongdoing by involving victims, offenders, and the wider community in processes of healing and reintegration.

In African indigenous societies, restorative justice is deeply embedded in communal ethics and cosmological beliefs. As Afatakpa (2025a), drawing from Uchendu (1965) and Onwuejeogwu (1981), observes, indigenous African justice systems were primarily designed to restore social harmony, reconcile disputing parties, and maintain communal stability rather than isolate or stigmatize offenders. Practices such as restitution, public apology, ritual cleansing, compensation, mediation, and oath-taking illustrate this restorative orientation.

The Tiv Traditional Justice System exemplifies restorative justice through mechanisms aimed at reconciliation and communal healing. Disputes are resolved through dialogue, mediation, compensation, and spiritual reconciliation in ways that prioritize the restoration of communal relationships and moral balance.

C. Indigenous Jurisprudence

Indigenous jurisprudence refers to systems of legal thought, customary norms, dispute resolution practices, and principles of justice rooted in the historical experiences, cultural values, cosmological beliefs, and social institutions of indigenous communities. Unlike Western legal systems based primarily on codified statutes and formal legal procedures, indigenous jurisprudence is relational, communal, oral, and spiritually grounded.

In the African context, indigenous jurisprudence conceives justice as the restoration of communal harmony and moral equilibrium rather than the strict enforcement of abstract legal rules. Arowosegbe (2017) argues that African indigenous legal traditions prioritize relational balance, communal responsibility, and ethical obligations over excessive individualism. Similarly, Afatakpa (2025b) demonstrates that indigenous Igbo jurisprudence constituted a morally grounded and spiritually anchored justice system in which wrongdoing was perceived as a disturbance of cosmic and communal order requiring restorative intervention.

African indigenous jurisprudence is characterized by the involvement of elders, councils, lineage heads, age-grade systems, and spiritual authorities in dispute resolution. Mechanisms such as mediation, reconciliation, oath-taking, restitution, and ritual cleansing are employed to repair damaged relationships and preserve social cohesion. In Tiv society, the Swem oath functions as both a moral and spiritual mechanism for enforcing truthfulness, accountability, and communal discipline.

D. Conflict Resolution

Conflict resolution refers to the processes, mechanisms, and institutions through which disputes, disagreements, and social tensions are addressed and managed in order to reduce hostility and restore peaceful relationships among individuals and communities. The primary goal of conflict resolution is to achieve peaceful and mutually acceptable outcomes capable of preventing further escalation of disputes.

Within African indigenous societies, conflict resolution is deeply communal, relational, and restorative. It is not limited to legal adjudication but involves broader processes of reconciliation, healing, dialogue, and communal reintegration. The Tiv Traditional Justice System reflects this orientation through the involvement of lineage elders, communal councils, age-grade systems, and spiritual mechanisms in resolving disputes and restoring social harmony.

Afatakpa (2022) argues that peacebuilding and conflict resolution in African societies should be understood as continuous social practices rooted in indigenous communal values rather than merely reactive responses to violence. This perspective aligns closely with both the Tiv Traditional Justice System and Sankofa philosophy, which emphasize communal responsibility, historical consciousness, and relational healing.

E. Alternative Dispute Resolution (ADR)

Alternative Dispute Resolution (ADR) refers to methods of resolving disputes outside formal court litigation. These methods include mediation, negotiation, arbitration, conciliation, dialogue, and collaborative problem-solving processes through which disputing parties seek mutually acceptable solutions without adversarial legal proceedings.

Although ADR is often presented within contemporary legal discourse as an alternative to formal judicial systems, many African indigenous societies historically practiced ADR mechanisms long before the imposition of colonial legal systems. Zartman (2000) observes that mediation, communal dialogue, negotiation, and consensus-building constituted primary forms of dispute resolution in many African societies.

The Tiv Traditional Justice System represents an indigenous form of ADR through its use of elders' councils, lineage assemblies, communal mediation, and the Swem oath as mechanisms for resolving disputes and restoring social equilibrium. Similarly, Sankofa contributes a philosophical dimension to ADR by emphasizing the importance of historical consciousness, ancestral wisdom, and collective memory in addressing present conflicts. Within this framework, effective conflict resolution requires not only procedural settlement

but also the retrieval of historical lessons and communal values capable of sustaining long-term peace and reconciliation.

VI. DISCUSSION AND ANALYSIS

A. The Tiv Traditional Justice System: Structure, Process, and Philosophy

The Tiv Traditional Justice System represents a decentralized and kinship-based framework of conflict resolution rooted in communal ethics, ancestral accountability, and restorative justice. Historically, the Tiv people organized social and political life around lineage structures and communal institutions that emphasized collective responsibility and social harmony. Conflict resolution was therefore embedded within the broader social fabric of Tiv society and designed primarily to restore relationships rather than impose punitive sanctions. At the family and lineage level, disputes are first addressed through the ityo, the lineage elders' council composed of respected elders with deep knowledge of customary norms, family histories, and communal values (Aluaigba, 2011). These elders mediate disputes through dialogue, negotiation, and consensus-building in order to prevent escalation and preserve social cohesion. More complex disputes involving multiple lineages or broader communal interests are escalated to the ijir tamen, the great council, which serves as a higher deliberative institution responsible for resolving inter-lineage conflicts through collective reasoning and public participation.

The kwav, or age-grade system, also performs important regulatory and mediatory functions within Tiv society by enforcing communal discipline and promoting accountability among members of similar age groups. These interconnected institutions collectively reinforce the Tiv communal worldview in which justice is understood as the restoration of social equilibrium and communal harmony. A central feature of Tiv indigenous jurisprudence is the Swem oath, a sacred mechanism that invokes ancestral and spiritual authority as guarantors of truth and justice. The Swem oath functions simultaneously as a truth-verification mechanism, a deterrent against false testimony, and a moral instrument for maintaining communal order. Individuals who swear falsely under Swem are believed to invite supernatural punishment upon themselves and their lineage, thereby reinforcing accountability through both social and spiritual means.

The outcomes of Tiv conflict resolution are fundamentally restorative in orientation. Resolution processes commonly involve public acknowledgment of wrongdoing, restitution, apology, ritual cleansing, compensation, and communal reconciliation ceremonies. As Iordaah (2024) observes, the Tiv worldview perceives unresolved conflict as a rupture within the communal fabric requiring collective healing and restoration.

B. Sankofa: Historical Consciousness as a Framework for Peace

Sankofa is a philosophical concept rooted in Akan thought and symbolized by a bird turning backward while moving forward with an egg in its beak. The concept derives from the Akan proverb: "Se wo were fi na wosankofa a yenkyi," meaning "It is not wrong to go back and fetch what you forgot." Sankofa therefore emphasizes the importance of historical

consciousness, ancestral wisdom, and cultural memory in shaping present actions and future progress.

Within the context of conflict resolution, Sankofa functions as both a diagnostic and restorative framework. Diagnostically, it encourages communities to examine the historical roots of conflict, including unresolved grievances, broken relationships, cultural dislocation, and collective trauma. Restoratively, Sankofa advocates the retrieval of ancestral values, communal ethics, and traditional mechanisms capable of promoting reconciliation and social healing.

Sankofa therefore represents more than a symbolic cultural philosophy; it is a framework of communal restoration grounded in memory, identity, and relational continuity. By reconnecting communities to ancestral wisdom and historical experience, Sankofa strengthens communal identity and provides culturally meaningful pathways for healing fractured relationships. Scholars such as Preston (2025) and Gyamerah (2025) demonstrate that Sankofa has increasingly been applied within educational, reconciliation, and decolonial contexts as a framework for community healing and cultural restoration. Its emphasis on memory and historical retrieval also aligns closely with broader African restorative traditions that prioritize communal continuity and moral responsibility.

C. Comparative Analysis: Convergences and Divergences

The Tiv Traditional Justice System and Sankofa philosophy share several important philosophical and epistemological convergences. Both frameworks emphasize communal harmony, historical consciousness, ancestral accountability, and restorative justice as essential foundations for sustainable peace. They reject purely punitive approaches to conflict resolution and instead prioritize reconciliation, dialogue, truth-telling, and the restoration of damaged relationships.

Both systems are also grounded in African cosmological worldviews that recognize the interconnectedness of the social, moral, spiritual, and historical dimensions of human existence. In both frameworks, conflict is not perceived merely as an individual disagreement but as a communal rupture capable of disrupting social equilibrium and collective wellbeing. Consequently, resolution processes involve the broader community and seek outcomes that restore communal stability. Another major convergence lies in their emphasis on historical consciousness. The Tiv system relies heavily on lineage memory, ancestral accountability, and communal history in resolving disputes, while Sankofa explicitly advocates returning to the past in order to retrieve wisdom necessary for present healing and future progress. Both frameworks therefore conceptualize history as an active resource for peacebuilding and social restoration.

Despite these similarities, important differences also exist between the two frameworks. The Tiv Traditional Justice System possesses a clearly defined institutional structure involving specific bodies such as the ityo, ijir tamen, kwav, and Swem oath. Sankofa, by contrast, operates primarily as a philosophical and pedagogical framework rather than a formalized institutional system. While the Tiv system provides concrete procedural mechanisms for mediation and adjudication, Sankofa offers broader ethical and historical guidance applicable across different contexts.

This distinction makes Sankofa highly adaptable across diverse cultural and social settings, whereas the Tiv system remains more context-specific and institutionally grounded. Nevertheless, both frameworks are complementary rather than contradictory. Sankofa provides the philosophical orientation of historical consciousness and ancestral retrieval, while the Tiv Traditional Justice System demonstrates how such principles can be operationalized through concrete communal institutions and restorative mechanisms.

D. Strengths and Limitations in Contemporary Contexts

One of the major strengths of both frameworks lies in their cultural legitimacy and grassroots accessibility. Unlike externally imposed legal systems that may appear distant or culturally alien, indigenous African conflict resolution systems operate within familiar communal structures and shared moral values. This cultural embeddedness enhances public trust, participation, and legitimacy. Both systems are also highly restorative and relational in orientation. They address not only the legal dimensions of conflict but also the emotional, spiritual, historical, and communal aspects necessary for long-term reconciliation. Their emphasis on mediation, communal participation, and restorative healing contributes significantly to social cohesion and sustainable peace building.

Furthermore, indigenous systems are generally more accessible and cost-effective than formal legal institutions. They rely on community participation, oral traditions, and existing social networks rather than expensive legal procedures or bureaucratic structures. Their collaborative nature also helps preserve relationships among families and communities. Despite these strengths, both frameworks face significant limitations within contemporary contexts characterized by urbanization, globalization, legal pluralism, and increasing social diversity. The Tiv Traditional Justice System developed within relatively small-scale kinship societies, raising questions about its adaptability within highly urbanized and multi-ethnic settings. There are also concerns regarding gender inclusion, procedural consistency, and compatibility with contemporary human rights standards. Traditional systems may sometimes privilege male elders and customary authorities in ways that marginalize women and vulnerable groups. Additionally, indigenous systems remain vulnerable to elite manipulation and politicization where traditional authorities become compromised.

Nevertheless, these limitations do not invalidate the broader significance of indigenous African conflict resolution systems. Rather, they highlight the need for critical adaptation, institutional reform, and constructive integration between indigenous restorative mechanisms and formal legal systems. When appropriately reformed and contextualized, frameworks such as the Tiv Traditional Justice System and Sankofa continue to offer valuable contributions to contemporary peace building, restorative justice, and conflict transformation in Africa.

VII. CONTEMPORARY RELEVANCE

The contemporary relevance of the Tiv Traditional Justice System and Sankofa philosophy extends beyond their historical origins and demonstrates the continued importance of indigenous African frameworks in addressing modern conflicts, peace building challenges, and justice reform initiatives. In many African societies where formal legal systems often

struggle with issues of accessibility, legitimacy, delay, and social fragmentation, indigenous mechanisms continue to provide culturally grounded alternatives capable of promoting reconciliation, social cohesion, and communal stability.

Within the context of Benue State and other conflict-prone regions in Nigeria, the Tiv Traditional Justice System offers important mechanisms for addressing communal tensions, farmer-herder conflicts, inter-family disputes, and local security challenges. Institutions such as the ityo and ijir tamen possess significant cultural legitimacy and grassroots authority capable of facilitating dialogue, truth-telling, mediation, and reconciliation before conflicts escalate into widespread violence. Because these institutions are deeply embedded within communal relationships and historical memory, they often command levels of trust and participation unavailable to distant formal state institutions.

The integration of indigenous dispute resolution mechanisms into Nigeria's broader justice and peace building architecture could therefore strengthen community-based conflict prevention and restorative justice initiatives. Formal recognition of traditional mediation structures, customary courts, and indigenous arbitration mechanisms would contribute to the decolonization of legal systems inherited from colonial rule. Such integration would also enable more culturally relevant approaches to justice that prioritize reconciliation and communal healing alongside legal accountability. The body of scholarship produced by Afatakpa (2025; 2025b; 2025; 2026) significantly contributes to this broader intellectual movement by systematically documenting indigenous African justice systems across multiple Nigerian communities. His studies on Igbe conflict management institutions, indigenous Igbo jurisprudence, Nupe justice mechanisms, and women-led indigenous peace building structures collectively demonstrate that African indigenous systems are neither primitive nor obsolete but represent sophisticated, morally grounded, and structurally effective approaches to conflict resolution and peace building.

Similarly, the Sankofa philosophy possesses significant contemporary relevance within education, reconciliation, cultural policy, and DE colonial discourse across Africa and the African diaspora. Sankofa emphasizes the importance of historical consciousness and ancestral memory in addressing contemporary social challenges. In societies affected by colonial disruption, identity crises, communal fragmentation, and historical trauma, Sankofa provides a framework for cultural reclamation, healing, and social reconstruction. The philosophy also offers important insights for peace education and transitional justice processes. By encouraging communities to revisit historical experiences, retrieve ancestral wisdom, and confront unresolved grievances, Sankofa contributes to deeper processes of reconciliation and collective healing. This is particularly relevant within post-conflict African societies where unresolved historical injustices often continue to shape contemporary tensions and social divisions.

Gyamerah (2025) situates Sankofa alongside Ubuntu and Ujamaa as African counter-frameworks to dominant liberal-individualist paradigms in global governance and peace building. These philosophies collectively challenge Western-cantered models by emphasizing rationality, communal ethics, historical continuity, and restorative justice. In this regard, Sankofa contributes not only to African peace building but also to broader global debates concerning legal pluralism, decoloniality, and culturally grounded approaches to justice and reconciliation.

Globally, the Tiv Traditional Justice System and Sankofa philosophy enrich ongoing discussions regarding the limitations of punitive legal systems and the growing relevance of restorative justice frameworks. Their emphasis on dialogue, communal participation, historical consciousness, and relational healing demonstrates that sustainable peace cannot be achieved solely through coercive legal mechanisms or adversarial litigation. Rather, lasting peace requires culturally meaningful processes capable of repairing social relationships and restoring communal trust.

Ultimately, the continued relevance of these indigenous African frameworks demonstrates the necessity of reclaiming and institutionalizing African-centered approaches to peace building and justice reform. By integrating indigenous philosophies such as the Tiv Traditional Justice System and Sankofa into contemporary legal, educational, and peace building institutions, African societies can develop more humane, culturally coherent, and socially sustainable approaches to conflict resolution and communal harmony.

VIII. CONCLUSION

This study has comparatively examined the Tiv Traditional Justice System and the Akan philosophy of Sankofa as African-centered frameworks of conflict resolution grounded in historical consciousness, communal harmony, and restorative justice. The study demonstrates that both systems are rooted in African cosmological worldviews that conceive justice not merely as legal adjudication or punishment, but as a relational and restorative process aimed at preserving social equilibrium, communal wellbeing, and moral order.

The analysis reveals that the Tiv Traditional Justice System employs decentralized communal institutions such as the *ityo*, *ijir tamen*, *kwav*, and the Swem oath to mediate disputes, enforce accountability, and restore fractured relationships within society. Through mechanisms such as mediation, restitution, ritual cleansing, and communal reconciliation, Tiv indigenous jurisprudence prioritizes healing, reintegration, and social cohesion rather than punitive exclusion. Similarly, Sankofa emphasizes the importance of historical consciousness, ancestral wisdom, and cultural memory in addressing present conflicts and shaping peaceful futures. By encouraging communities to revisit the past in order to retrieve forgotten values and lessons, Sankofa functions as both a philosophy of memory and a framework for restorative peace building.

The study further establishes that both frameworks challenge the dominance of Western adversarial legal systems that often prioritize litigation, punishment, and individual rights over communal healing and relational restoration. In contrast, the Tiv Traditional Justice System and Sankofa philosophy emphasize dialogue, reconciliation, truth-telling, communal participation, and ancestral accountability as essential foundations for sustainable peace. These systems therefore demonstrate that African indigenous conflict resolution mechanisms are sophisticated, morally grounded, and structurally effective approaches capable of addressing contemporary peace building challenges.

Furthermore, the study affirms that indigenous African systems of justice should not be dismissed as relics of a precolonial past. Rather, they remain living and adaptive traditions with significant relevance for contemporary justice reform, restorative peace building, and

DE colonial legal discourse in Africa. The scholarly contributions of Afatakpa (2022; 2025; 2025; 2025; 2026) further reinforce this position by systematically documenting the philosophical depth and institutional effectiveness of indigenous African justice systems across multiple Nigerian societies.

Ultimately, this study concludes that meaningful peace building and justice reform in Africa require the deliberate reintegration of indigenous restorative principles into contemporary legal and peace building frameworks. The Tiv Traditional Justice System and Sankofa philosophy demonstrate that African societies possessed sophisticated traditions of restorative and relational justice long before such approaches gained prominence within contemporary global discourse. Reclaiming and institutionalizing these indigenous frameworks therefore represents an important step toward building culturally grounded, humane, and sustainable systems of conflict resolution and communal harmony in Africa.

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