## Traditional Institution and Its Role in Curbing Insecurity in Nigeria: Issues and Prospects

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### **Abstract**

This article examines the role of traditional institution in curbing insecurity in Nigeria. Insecurity is one of greatest challenges confronting the country today. Before the advent of colonialism, there were traditional institutions that took care of security issues within their domain. Even after independence, the traditional institutions were also recognised in the governance of local levels. However, the role and powers of traditional rulers were virtually expunged in the 1999 Constitution as amended, an indication of the declining status of the traditional institutions in the governance of the country. Within the framework of historical orientation approach and secondary sources of data using content analysis, this paper seeks to examine the roles of traditional rulers in tackling insecurity in Nigeria. It was discovered that though, the powers of the traditional rulers have changed constitutionally, in practice they still have a high level of influence on the people. However, the powers to enforce sanctions have been eroded. This paper concludes that, despite the fact that the traditional rulers do not have formal political power, they are still highly respected in their communities across the states with considerable economic and political influence in the country. It therefore, recommends among others that, in order to effectively tackle the rising insecurity in Nigeria, the government shouldn't rely solely on security agencies, since the traditional rulers still wed a positive influence on the people. Some level of constitutional power should be accorded to the traditional institution to enable it handle security issues in their localities.

Keywords: Defense, Government, Governance, Grassroots, Safety

### Introduction

The Nigerian constitution clearly made provision for the security and welfare of the citizens. Section 14 (2) (b) of the Nigerian 1999 Constitution states clearly that "the security and welfare of the people shall be the primary purpose of the government". This is because the problem of insecurity is not new in Nigeria. There are different forms of insecurity in Nigeria such as, armed robbery, kidnapping, Boko Haram insurgence, banditry by herdsmen and others (Edukugho, 2012). It is already fast dawning on the citizens that government cannot effectively guarantee the security of lives and properties (Adegbami, 2013). The state security agents who are saddled with the responsibility for the security of life and property such as the police, state security agencies, the military, immigration, and prison service have not performed optimally in the discharge of their duties. Agomuo (2013) posits that at different times in the country, different groups have held the Nigerian nation to ransom and the nation's security agencies were unable to deal with them or quell their lawless conduct through superior fire power.

However, the point has been made that security is everybody's business, if community must be involved, the government must involve traditional rulers (Okonkwo, Onuigbo, Eme, & Ekekwe, 2019). There is no doubt that before the advent of the British colonial rule in Nigeria, the Nigeria people had their own system of government. The traditional rulers which include the chiefs, kings and those who ruled the traditional societies, were the leaders of the people. They had their method of punishing offenders, dispensing justice and arriving at decisions. The Traditional rulers in the post-colonial Nigeria used to have a robust constitutional role. Under the 1960 and 1963 constitutions, the Council of Chiefs was established for them in the regions and some of the traditional rulers even rose to become regional governors. In the 1979 Constitution, traditional rulers were represented in the National Council of State. But the role of traditional rulers was virtually expunged in the 1999 Constitution as amended, an indication of the declining status of the traditional institutions in the scheme of things. Despite the fact that they do not have formal political power, traditional rulers are still highly respected in many communities and states and have considerable economic and political influence in the country. Traditional rulers have always been called upon and used to neutralize crises as and when they arose. More so, successive governments realised that, the surest way to win the hearts and minds of the citizens on major issues of the day was through the traditional rulers (Agu, 2018).

Flowing from the foregoing, the researcher has observed that the level of security in the country today compared to what it was when the traditional rulers were constitutionally recognised cannot be overestimated. This study therefore, tried to find out if the expunged political power of the traditional rulers has affected their ability to fight insecurity in their localities and the country at large. To achieve this objective, the study shall be guided by the following research questions:

- What were the roles of traditional rulers in handling insecurity before the adoption of the 1999 Constitution?
- Have the roles of traditional rulers towards curbing insecurity changed since the adoption of the 1999 Constitution?
- Will it do more good or harm if the powers of traditional rulers are consolidated as law in the fight against insecurity in Nigeria?

To address the issues raised, this paper is structured into five sections. The first section aside introduction deals with conceptual and theoretical analysis. The second examines the role of traditional institution before the adoption of the 1999 Constitution in tackling security in the country. The third section traces the contours of the changing role of traditional rulers in fighting insecurity in Nigeria. The fifth section explores options of consolidating the powers of traditional rulers as law in the fight against insecurity in Nigeria. Then, the sixth is the conclusion.

### Methodology

This paper adopted the qualitative research method. 32 literature sources were consulted and analysed in order to explore the role of traditional institution in curbing insecurity in Nigeria. This includes textbooks, journal publications and internet sources relevant to the study. Authoritative scholarly sources were reviewed, during a desktop study. The purpose was to identify the relevant publications and apply them in the research.

# **Conceptual and Theoretical Analysis**

It is customary in social and management sciences research to begin an academic investigation by combing the conceptual and theoretical contours of the subject matter of analysis as well as the way in which one's research is integrated into the body of existing theories and research (Igbokwe-Ibeto, 2019). Traditional institution according to Nweke (2012); Orji and Olali (2010) can be defined as the indigenous political arrangements whereby leaders with good records are appointed and installed as head of community in line with the provisions of their native laws and customs. The foregoing definition view traditional institutions from the point of native traditional rulers in communities. However, Yadava and Gautam in (Ngwu, 2019), conceive traditional institutions to include traditional rulers, kinship, farmers' forum, age groups, women clubs, religious/sacred institution (church, temple, mosque) obtainable in rural communities. While the definition of Nweke (2012); Orji and Olali (2010) are narrow in scope that of Yadava and Gautam in (Ngwu, 2019) is larger in scope.

Traditional rulers (Chiefs, Kings, Oba, Obi, Emirs etc) are the custodians of traditional intuitions. Thus, traditional rulers in the views of Tonwe and Osemwota (2013) are the head of an ethnic group or clan who is the holder of the highest primary executive authority in an indigenous polity, or who has been appointed to the position in accordance with the customs and tradition of the area concerned by instrument or order of the state government, and whose title is recognized as a traditional ruler title by the Government of the State.

There are several theoretical widows through which an issue or subject matter can be analysed. This is more so, in the social and management sciences where perspective differ based on a scholar's orientation and worldview (Igbokwe-Ibeto, 2019). It is in the light of the ongoing that this article undertakes this enterprise. There have been strong debates on the nexus between the traditional and modern postcolonial Nigeria philosophy. African philosophers have examined this theme from many angles, yet the question that has remained the focus is whether traditional modes of thought, behaviour, and institutions constitute resources or impediments to development and modernisation in Africa (Ciaffa, 2008). This paper therefore adopts the historical orientation approach to study the subject matter of this research.

Historical orientation is reconstruction of the ideas of scholars who rely heavily on understanding the present through a probing of what happened in the past (Okonkwo et.al., 2019). The emphasis is on the sequence of past events. In this approach, the present is regarded as one stage in a series that will continue into the future and the specific features as well as the complexity of developments are carefully described and analysed. It is suggested as a fruitful approach not only to traditional macro-structural problems, but also to the domain of micro-structures and micro-processes (Sztompka, 1986). A concern with trends and patterns is sometimes as feature of this approach. At its best the historical approach helps to place a given administrative system in wider context in historical studies. Historical studies are essentially relevant because they give more local information. They constitute detailed studies of local communities in Nigeria.

Flowing from the above several schools of thought have emanated in relation to the subject matter of this paper. This paper shall focus on the abolitionist and the retention schools of thoughts, an eclectic approach. The abolitionists vehemently argued against any relevance of traditional institutions in government and administration in modern day Nigeria. They are of the view that traditional institutions are feudalistic, anachronistic and therefore irrelevant to our current needs. There are some other people who think that at this period of serious efforts towards national integration, institutions of traditional rulership which encourage ethnic instead of national interest should be scrapped. Others still, sound a note of warning on the danger of allowing traditional rulers wield undue influence in governmental affairs, this argument seems to follow from the lessons of the past civilian-regime which show that some traditional rulers in Nigeria, were politicians camouflaged in royal robes (Okonkwo et.al., 2019). The abolitionists based their arguments on the classification of authority by Max Weber. They argue that the reason for indigenous institutions of rulership is traditional authority, whereas modern governmental systems are based on legal authority as well as democratic principles (Ekong, 1985). They therefore, opined that these two systems cannot coexist. Sambo (1987) expressed that traditional rulership is politically irrelevant given the ascendancy of modern democratic government. This view posits that traditional rulers had become too politicised and might constitute parallel executive or legislative bodies which they should not be. More so, due to their gerontocratic, chauvinistic, authoritarian nature, are increasingly irrelevant form of rule that is antithetical to democracy.

The retention school on the other hand is mostly championed by the holders of traditional rulership positions and those who have strong regards for their traditional institutions. This school argues for the need not only to retain the institution of indigenous rulership in government and administration, but also (and more importantly) for an upward revision of the role which the institution plays in the political scheme of things, to a level comparable to what it was in the precolonial period (Okonkwo et.al., 2019). They regard Africa's traditional chiefs and elders as the true representatives of their people, accessible, respected, and legitimate, and therefore still essential to politics on the continent. Those in this school of thought are of the opinion that if traditional rulers and institutions are recognised only as retention of our cultural heritage, there would be the under-utilisation of the institution. This is because the relevance is conceived by this school not as a product of that which is assigned by any human being or human organisation. They believe that the traditional ruler or king is not man-made but that who answers to that position is God anointed and therefore not to be brushed aside or relegated or disrespected (Omo No Oba, 1982).

More so, the durability of traditional authority in Africa cannot be overemphesised. Vaughan (2003) emphasised that local initiative in the construction of colonial institutions was largely

responsible for the adaptation of traditional authorities to modern systems of government and the legitimacy they continue to enjoy among ordinary people during and after the colonial rule. In this view, 'mixed government' has been used to describe the dualism and symbiotic relationship between traditional and state-derived institutions that characterises government in Nigeria and many other African countries (Sklar, 2003).

This paper therefore argues in line with the retention school of thought that supports the relevance of the traditional institutions in the Nigeria political system in the fight against insecurity in Nigeria. The argument would be based on their relevance and impact on the Nigerian administrative system since independence.

# The Role of Traditional Rulers in Tackling Insecurity in Nigeria Prior to the Adoption of the 1999 Constitution

There is no clear definition of traditional authority in Nigeria due to the diversity in the political and administrative components of traditional systems in different parts of the country (Adewumi & Egwurube 1985). However, based on the review of State laws, 'traditional ruler' may be defined as 'the traditional head of an ethnic group or clan who is the holder of the highest primary executive authority in an indigenous polity, or who has been appointed to the positioning accordance with the customs and tradition of the area concerned by instrument or order of the state government, and whose title is recognised as a traditional ruler title by the government of the state (Ola & Tonwe, 2009). Before the advent of colonial rule, traditional rulers were considered the repository of religious, legislative, executive and judicial functions. In fact, governance in different parts of present-day Nigeria was synonymous with traditional institutions and their rulers (Afigbo, 1972). One striking fact is that the geographical spheres of authority of these traditional rulers were essentially localised and no traditional ruler ever had jurisdiction over the entire geographical area of modern Nigeria. In tracing the contours of the role of traditional rulers in the Nigeria government system, three distinct geographical regions are discernible, the north, the south-west and the south-east.

In the North, the Emir could be referred to as a strong executive participator in local administration with few restraints on his executive powers. In the South-West, beside the Oba (or king), there were other power blocks or centers who acted as checks on the Oba's power, so the Oba can be regarded as a weak executive participator in local administration (Oguntomisin, 1996). In the South-East, the indigenous political system reveals a great deal of popular participation and was highly decentralised and fragmented with authority being exercised at different levels. In all, the traditional rulers were embodiments of local administration (Ola & Tonwe, 2009).

In the advent of colonialism, the British colonial administrators recognised the strategic and influential position occupied by traditional rulers in the country and avoided attempting any drastic reforms of the indigenous local administration (Adesoji, 2010). Instead, the British colonial administration took steps to put in place a system of indirect rule, as a convenient strategy to govern the people through their traditional institutions and rulers while ensuring close guidance by British Administrators. In this way, the allegiance of the people was secured via their traditional rulers (Ola, 1983). In effect, there was a clear attempt by the colonial government to consolidate the role of traditional rulers as chief executives of their localities, and this was extended to areas where traditional rulers had not hitherto held this power.

However, before Nigeria gained independence in 1960, the contention by a cross-section of nationalists that the institution of traditional rulership was in direct conflict with democratic ideals

as the system was personalised had gained considerable momentum. After independence, the political elites continued to try to reduce the influence of traditional rulers in local decision-making. The assumption of political power by the military in 1966 had substantial implications for to role of traditional rulers in government. For instance, the nomenclature of Native Authority was dropped and the existing Native Authorities balkanized into independent local government units, but the traditional rulers were still influential in the decision-making process at the local level. The Federal Military Government in consultation with State Governments attempted to institute a uniform role for traditional rulers throughout the country through the 1976 Local Government Reform. Traditional rulers were insulated from politics and formally assigned advisory roles in local decision-making through Traditional/Emirate Councils (GLGR, 1976). However, the advice of the traditional rulers is not binding on the elected government.

After the inception of the 1979 Constitution, the diminishing role of traditional rulers became very critical that the constitution did not mention their role in local government, despite the fact that traditional rulers, particularly those in the North, were far from being contented with the advisory/ceremonial role assigned to them. The degree of prominence in local decision-making that traditional rulers could be given by democratically elected local government councils guaranteed by the constitution was the subject of heated debates during the Second Republic from 1979-1983 (Gboyega, 1987). These debates did not quite concretize before the military seized power again in December, 1983. Perhaps in response to the call by traditional rulers for constitutional recognition of their role in local government, the 1989 Constitution spelt out the functions of a Traditional Council at local government level. Critically speaking, this development cannot be regarded as an enhancement of their role in local government affairs, as the 1999 Constitution does not specify the functions of traditional authorities. The role of traditional rulers was virtually expunged in the 1999 Constitution, an indication of the declining status of the traditional institutions in the scheme of things.

# The Roles of Traditional Rulers in Curbing Insecurity since the Adoption of the 1999 Constitution

The traditional rulers are known as chiefs or kings of independent communities or states. Officially they do not have formal political power, but still, the traditional rulers have considerable influence and respect of their people (Agu, 2018). The role of traditional rulers in their local communities and the country at large has been changing over the years. From a position where they were chief executives of their localities, they now serve as advisers in the contemporary local government system. This has created a problem in the relationship between traditional rulers and elected local government actors. Although some traditional rulers had assisted liberation struggles across the continent, post-colonial governments saw them mainly as the collaborators of the colonial masters and as impediments to the modernisation and nation building projects of the 1960s and 1970s (Okonkwo et.al., 2019). Under the 1999 Constitution, the functions of the traditional authorities were not specified despite their contributions to governance in the past. However, it is obvious that local governments now play a leading role in the emergent order, as traditional rulers are still vital to the attainment of economic progress and political stability at the local level. Egwurube (1985) observed that the continued relevance of traditional authorities to the local government system in contemporary may be attributed to the following reasons. First, participant political culture among the majority the citizens, especially in rural areas is still dormant. Second, traditional authorities are still legitimate in the eyes many people. Third, attempts to institutionalize alternative local leadership structures in modern, stable and elected local government institutions, that would

eventually receive the overall acceptance of the citizenry, have largely failed. Thus institutions which essentially have a local base must complement the efforts of each other for effective governance at the local level.

Nigeria faces a plethora of security challenges ranging from violent extremism, to farmer-herder conflict, banditry, a revived secessionist movement, police repression, piracy, and attacks on oil infrastructure, among others. The rate of insecurity and threats to lives and properties in Nigeria has reached alarming proportions despite the increasing visibility of the Nigerian state security agencies and paramilitary agencies in the management of internal conflicts. To effectively operate, the security agencies in Nigeria often have to relate with traditional rulers who play prominent roles at the grassroots. They are very well situated to assist security agents in neutralizing threats emanating from their domains or neighbouring communities. Aliyu (2007) explained that traditional rulers have always been called upon and used to neutralize crises as and when they arose. In addition, Okonkwo et.al (2019) have observed that traditional rulers have always served as strong pillars of stability within our society, making our large and diverse populations governable due to the fact that they embody the dynamic, evolving links to our historic past and the future, they also give us pride in the uniqueness and ethics of our society. Also, it is an irony of fate that traditional rulers who are recognised in all states of the Federation and graded by State Governments are not given official recognition and security roles by the 1999 Constitution. In spite of the above, they have been the pillars of national security from the grassroots to the center in the country.

Despite the acknowledgement of the crucial role of traditional rulers in the maintenance of peace and unity in their societies, during the inconclusive constitution amendment process by the seventh National Assembly, there seems to be an equally overwhelming sense of fear about the implication of strengthening their role statutorily, particularly, among the politicians (Okonkwo et.al., 2019). Many politicians appear to be comfortable with traditional rulers being no more than mere appendages deriving their powers just from their subjects, rather than from the constitution of the country or the laws of the respective states.

But the prevailing insecurity in the country demands that the traditional rulers should be strengthened to do more of what they know how to do best: preserving the morals that guarantee orderliness and progress. To achieve this they need a more proactive legal backing to acquit themselves effectively in such role. This again brings to mind the role of the legislature in the fight against insecurity in Nigeria. It is the general belief and expectation that the security of lives and properties lies with the executive arm of government, however the role of the legislature cannot be overemphasised. The legislature is the law making arm of government, which puts them in the place of making laws on how and who can punish law offenders. On this note, it should be recalled that the same legislature removed the constitutional power of the legislature in the 1999 constitution as amended. Therefore, this paper is not only focused on the roles of traditional institutions in fighting against insecurity in Nigeria, but also the role of the legislature in consolidating the efforts of the traditional rulers.

## Traditional Institution and the Fight against Insecurity in Nigeria: The Prospects

In the attempts to ban or contain traditional institutions, as Ekeh (1975) and Sklar (1999) argued that since independence most African countries have experienced a "mixed polity" or a dualism of structures of power. As Skalnik (2013) pointed out that, chieftaincies or kinship-based forms of

governance have never ceased to be important, despite various attempts by states to do away with them. Security is everybody's business, if community must be involved, the authority must involve traditional rulers. Ezema (2020) rightly noted that he whose life and property is threatened is in the best position to meddle and be saddled with the responsibility of securing same, and any attempt to either advertently or inadvertently ignore this central thesis in the quest for a lasting solution to the myriads of security challenges faced by the Nigerian polity will continue to prove counterproductive. For instance, as community leaders, they have records of all the people that come into the community, they will inform the security agencies whenever they see strange persons in their community. This approach will checkmate and reduce the rate of crime such as kidnappings and other vices in the community and in the country. More so, sometimes it takes a longer time for security agencies to act, the traditional leaders on the other hand do not have constitutional power to act. That is why in most of the community attacks, the perpetrators must have succeeded with their plans before the arriver of security agencies.

Traditional rulers often give advice to modern politicians in such questions as economic policy, security, culture and customs, and general wellbeing of the citizens. Because of long experience of the dynasties, the monarchs and kings often have the ability to give wise advice in many questions related to the ruling. Order and peace are the vital conditions for the economic development of any country. Government administration relies on local traditional leaders who can support order and peace in their domains. Often traditional leaders settle land disputes and resolve minor conflicts, they are more successful in these issues than many modern politicians. Their function is not to give the conflict a chance to escalate into any hostility. In cases of land disputes, the rulers try to be the guarantors of peace and solve the disputes in the most peaceful way. More so, traditional leaders are considered role models and spiritual leaders for the communities. This helps them to play essential role in the formation of communities of good citizens (Agu, 2018).

The government try to pretend that they don't exist yet when there is crisis be it religious, ethnic, communal, land or political crisis, they run to them for help. No doubt, traditional institutions will be with us for long. It is our link with our past. As Justice Oliver Wendel Holness (1841-1935) said: "Historic continuity with the past is not a duty, it is only a necessity". A constitutional amendment has become necessary to give the traditional rulers important roles in governance (Teniola, 2016). The public values the role traditional authorities play in managing and resolving conflict and their leadership qualities and accessibility to ordinary people (Logan, 2013). The powers of traditional institutions are derived from the norms and values of their societies (Ezema, 2020).

Furthermore, with the institutionalisation of democratic dispensation in Nigeria, traditional rulers were used by politicians to mobilise votes and conquer oppositions where necessary. They were also used as tax collectors in their various districts. The instruments of coercion like the police, court and prisons were removed from its control. The detachment of traditional rulers from local government council marked the end of formal role for traditional rulers in politics and administration of criminal justice system in Nigeria including security. In real terms, the political elites that emerged in the post-colonial Nigeria (both civil and military) saw traditional rulers as subordinates instead of allies in Nigeria's quest to maintain peace and security of lives and properties. In addition, there is observable unequal collaboration between traditional rulers and law enforcement agencies in the maintenance of peace and stability within their own territories. It

is pertinent to note that the unequal nature of this collaboration makes the outcome of the collaboration counterproductive.

In line with the foregoing, many scholars and even government administrators have recommended that the traditional rulers should be given constitutional responsibilities to curb crime and insecurity in the region, and Nigeria in general (Ezema, 2020). As a matter of fact, some state governors are already in top gear to establish a security committee that will include traditional rulers and other critical stakeholders saddled with the responsibility of working out specific roles for traditional rulers towards the maintenance of peace and security in the state (Daily Trust, 2016). This paper therefore recommends that the role of the traditional rulers should be consolidated by law in Nigeria to enable them involve fully and actively in the fight against insecurity in Nigeria.

### Conclusion

The concepts of traditional institution and security have been examined with an attempt of establishing the intellectual 'cobweb's sounding the issue of traditional institution and how it could serve as a vehicle of confronting insecurity in Nigeria. In addition, our searchlight was also beaned on the theoretical framework for better understanding of the issues under analysis. Thus, historical orientation approach underpinning the article has also been examined as postulated by scholars.

It is clear from the foregoing analysis that, there is a positive correlation between traditional institution and security. Prior to the 1979 and 1999 Constitution as amended, the Nigeria Constitution clearly recognised and spelt out the roles and functions of traditional rulers in government administration. However, the present 1999 Constitution and the 1979 Constitution didn't make provision for traditional rulers' role. Yet, in spite of the eroding recognition by law, traditional rulers still record a high degree of legitimacy in the eyes of the people in Nigeria. There is need to integrate the institution into the country's contemporary government system. The fight against insecurity would be more successful when rooted in widely shared institutions and cultural values which traditional authorities represent. Traditional institution constitutes crucial resources that have the potential to promote grassroots governance and facilitates access of the rural communities to public services. The goal of modernisation is to achieve political and economic development. Traditional rulers in Nigeria are in a privileged position to contribute to this goal, and as such should not be jettisoned but taken seriously on the issues of community security in the Nigerian Constitution.

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