

**CUSTOMARY AUTHORITY AND INDIGENOUS MECHANISMS OF CRIME CONTROL IN  
IJIBOR COMMUNITY OF BEKWARRA LOCAL GOVERNMENT AREA, CROSS RIVER STATE,  
NIGERIA**

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**ABSTRACT**

This study interrogates the role of traditional institutions in maintaining law, order, and social equilibrium in Ijibor community of Bekwarra Local Government Area, Cross River State. Drawing on oral traditions, colonial records, and existing scholarship, the paper argues that long before the imposition of colonial rule, the Ijibor people had evolved a sophisticated system of governance anchored on kinship, spirituality, and communal responsibility. These indigenous institutions, ranging from family courts to ordeal systems, functioned not merely as instruments of justice but as mechanisms for restoring moral balance. The study further situates these institutions within the broader historical context of Ijibor-Ishibori relations, demonstrating how inter-group interactions, colonial disruptions, and post-colonial transformations reshaped traditional crime control systems. It concludes that despite colonial distortions, traditional institutions remain resilient and continue to influence contemporary approaches to justice in the community.

**Introduction**

The regulation of human behaviour and the maintenance of social order have remained enduring concerns across human societies, irrespective of time and geography. In pre-colonial Africa, these concerns were not left to chance; rather, they were systematically addressed through indigenous institutions deeply rooted in communal ethics, spirituality, and collective responsibility. Among the Bekwarra-speaking peoples of northern Cross River State, particularly in Ijibor community, systems of justice were neither arbitrary nor rudimentary. They were structured, layered, participatory, and imbued with moral authority derived from both the living and the ancestral world.<sup>1</sup>

Ijibor community, situated within Bekwarra Local Government Area and geographically proximate to neighbouring groups such as Ishibori in present-day Ogoja,

represents a historically grounded example of how traditional institutions functioned as effective mechanisms of crime control. Oral traditions preserved among elders in villages such as Itekpa-Ijibor, Utugwang-Ijibor, Ishamkpa, and Abuagbor-Ijibor reveal a long-standing culture of order maintained through kinship-based authority and ritual sanction.<sup>2</sup> These settlements, which today form part of the wider socio-cultural landscape of Bekwarra - alongside nearby communities like Gakem, Ukpah, and Afrike, were not isolated units but interconnected spaces of interaction, exchange, and shared norms.

At the heart of social regulation in Ijibor were respected figures such as lineage heads, clan elders, and ritual custodians. Oral testimonies from individuals like Chief J. I. C. Igbe of Itekpa-Ijibor and Pa Godwin Igbe of Utugwang extraction (with ancestral ties to

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<sup>1</sup>Adiele E. Afigbo, *The Igbo and their Neighbours: Inter-Group Relations in Southeastern Nigeria to 1953* (Ibadan: University Press, 1987), pp. 12–15.

<sup>2</sup>Field interviews conducted in Itekpa-Ijibor, Ishamkpa, and Abuagbor-Ijibor, Bekwarra LGA, March 2026.

Ijibor) emphasize that justice was conceived not merely as punishment, but as restoration of harmony between individuals, families, and the spiritual order.<sup>3</sup> Similarly, Pa Pius Adie, whose knowledge of northern Cross River traditions spans Bekwarra and Ogoja areas, recalls that offences such as theft, adultery, and land trespass were treated as moral breaches against both the community and the ancestors, thereby requiring both social and spiritual remedies.<sup>4</sup>

The geographical setting of Ijibor further reinforced the need for organized systems of control. Located within the savannah belt of northern Cross River and linked through footpaths and later colonial roads to markets in Bansara, Obudu, and Igoli (in Ishibori), the community was actively engaged in trade, agriculture, and inter-group relations.<sup>5</sup> These interactions, while largely cooperative, also produced tensions over land boundaries, market access, and social conduct. Consequently, institutions evolved to manage not only internal disputes but also inter-community conflicts, especially with neighbouring Ishibori villages such as Ikajor, Ikariku, and Ishinyema.<sup>6</sup>

What distinguished Ijibor's traditional system was its integration of judicial authority with cosmological belief. Law was not an abstract concept but a lived reality embedded in daily practices, rituals, and communal expectations. The enforcement of norms was carried out through a combination of family authority, age-grade systems (*Aten*), and community councils, all of which operated within a moral universe where the ancestors

(lineage spirits) were active participants in the administration of justice.<sup>7</sup>

This paper, therefore, examines the historical evolution and functional dynamics of traditional institutions in Ijibor as mechanisms of crime control. By drawing on oral evidence from identifiable individuals and communities, as well as archival and scholarly sources, it situates Ijibor within the broader discourse on African indigenous systems of governance. In doing so, it challenges earlier colonial assumptions that dismissed such systems as disorganized, and instead presents them as coherent, adaptive, and deeply legitimate frameworks for maintaining order in society.

### **Origins, Migration, and the Foundations of Social Order in Ijibor**

Reconstructing the origins and migration history of the Ijibor people presents both a challenge and an opportunity. Like many societies in the Upper Cross River region, early Ijibor history was preserved largely through oral tradition rather than written documentation. Yet, when carefully interrogated alongside colonial intelligence reports and anthropological studies, these oral accounts provide a coherent narrative of movement, settlement, and institutional formation. Oral traditions obtained from elders in Itekpa-Ijibor, Abuagbor-Ijibor, and Ishamkpa consistently point to an ancestral homeland in the Obudu highlands, particularly around areas such as Buabong and Bete.<sup>8</sup> Informants such as Pa Pius Adie and Chief J. I. C. Igbe maintain that the term Bete does not merely denote a geographical location but also signifies a broader idea of origin -

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<sup>3</sup>Chief J. I. C. Igbe, oral interview, Itekpa-Ijibor (Calabar session), 22 December 2026, pp. 2–4; Godwin Igbe, oral interview, Bekwarra, 18 March 2026, pp. 3–6.

<sup>4</sup>Pius Adie, oral interview, Calabar, 20 February 2020, pp. 5–7.

<sup>5</sup>Patience O. Erim, "Impact of Colonial Rule on Old Ogoja Province, 1905–1955" (PhD Thesis, University of Calabar, 1992), p. 128.

<sup>6</sup>National Archives Enugu (NAE), Intelligence Report on Nkim and Nkum Clans, Ogoja Division, C.S.E 1/85/4902, pp. 4–6.

<sup>7</sup>Joseph Okuta Ajour, "African Traditional Judicial Systems: Bekwarra as a Case Study" (Long Essay, University of Calabar, 1997), pp. 21–25.

<sup>8</sup>Pius Adie, oral interview, Calabar, 20 February 2026, pp. 5–6.

variously interpreted as Irikwe (the northern homeland) or Ebang Iye (a foreign or ancestral land).<sup>9</sup> This semantic flexibility reflects the layered memory of migration, where geography and identity are intertwined.

Colonial records lend partial support to these traditions. An uncatalogued report on the Yakoro (Bekwarra) people traces their ancestry to Odama Ashide, a figure associated with the Abang Kubi lineage of Buabong in Obudu, who is said to have married widely across neighbouring communities such as Alege, Mbube, and Yala before establishing new settlements.<sup>10</sup> While the historicity of Odama as a singular progenitor remains debated, there is broad agreement that the Ijibor people, as part of the larger Bekwarra ethnic formation, emerged from a series of southward movements originating in the Obudu region.

The movement of the Ijibor ancestors from the Obudu axis toward their present location in Bekwarra was neither random nor isolated. Scholars such as J. C. Anene have argued that many communities in the Cross River basin were displaced due to waves of external pressures, including the expansionist incursions of groups such as the Jukun.<sup>11</sup> These incursions, combined with internal dynamics such as land disputes, search for fertile agricultural land, and population pressures, compelled groups to relocate in search of security and sustainability.

In the case of Ijibor, oral evidence from elders in Utugwang-Ijibor and neighbouring Bekwarra communities suggests that early settlers moved in clusters, establishing hamlets that later evolved into identifiable village units.<sup>12</sup> These settlements - today recognized as Itekpa-Ijibor, Abuagbor-

Ijibor, Ishamkpa, and adjoining quarters - were strategically located based on access to arable land, defensible terrain, and proximity to trade routes linking Gakem, Ukpah, and Afrike. The ecological setting of the area, characterized by savannah vegetation and seasonal streams, encouraged an agrarian lifestyle centered on yam cultivation (*ipem*), cassava (*ologo*), and other staple crops.<sup>13</sup> This agricultural base not only sustained the population but also shaped patterns of land ownership and territoriality, factors that would later become central to both internal regulation and inter-community conflicts.

Migration did not merely relocate the Ijibor people; it fundamentally shaped their social and political organization. The uncertainties associated with displacement, ranging from external threats to internal cohesion, necessitated the development of structured systems of governance and conflict resolution. As families settled and expanded into lineages, authority became vested in the eldest males, who acted as custodians of tradition and arbiters of disputes. In villages such as Itekpa and Abuagbor, lineage heads (*utam*) presided over family matters, while councils of elders emerged to handle broader community issues.<sup>14</sup> These institutions were not imposed from above but evolved organically as adaptive responses to the challenges of settlement. Furthermore, the memory of migration reinforced a strong sense of collective identity. The shared experience of displacement and resettlement fostered unity and mutual obligation, which were codified into customary laws. Deviations from these norms, whether in the form of theft, adultery, or land encroachment, were

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<sup>9</sup>Chief J. I. C. Igbe, oral interview, Calabar, 22 December 2025, pp. 3–4.

<sup>10</sup>Uncatalogued Colonial Report on Yakoro, n.d., pp. 2–3.

<sup>11</sup>J. C. Anene, *The International Boundaries of Nigeria, 1885–1960* (London: Longman, 1970), pp. 2–3.

<sup>12</sup>Field interviews in Utugwang-Ijibor and Abuagbor-Ijibor, Bekwarra LGA, March 2026.

<sup>13</sup>Edward O. Abua, *Bekwarra Customs and Traditions* (n.p., 1973), pp. 14–18.

<sup>14</sup>Joseph OkutaAjor, “African Traditional Judicial Systems: Bekwarra as a Case Study” (University of Calabar, 1997), pp. 21–25.

treated not merely as individual offences but as threats to communal survival.

Central to the Ijibor worldview was the belief that land was not just an economic resource but a sacred inheritance linking the living, the dead, and the unborn. Ancestral shrines located in old settlement sites, particularly in forested areas around early Ijibor quarters, served as spiritual anchors of the community.<sup>15</sup> This cosmological orientation had profound implications for crime control. Since land was held in trust by the ancestors, any violation of its sanctity, such as boundary encroachment or unauthorized use, was considered both a legal and spiritual offence. Similarly, moral transgressions were believed to attract supernatural sanctions if not properly addressed through ritual and judicial processes. The settlement of Ijibor did not occur in isolation. From the outset, the community existed within a network of neighbouring groups, most notably the Ishibori communities of present-day Ogoja, including Ikajor, Ikariku, and Igoli.<sup>16</sup> These proximities fostered both cooperation and competition.

Trade, intermarriage, and shared cultural practices, such as festivals and dances, promoted peaceful coexistence. However, competition over land and resources occasionally led to tensions, necessitating mechanisms for inter-community dispute resolution. The foundations of such mechanisms can be traced back to this early period of settlement, when the need to balance autonomy with coexistence became increasingly apparent.

The origins and migration history of the Ijibor people are not merely historical footnotes but foundational elements in understanding their systems of crime control. The processes of movement, settlement, and

adaptation gave rise to institutions that were both functional and legitimate. Rooted in kinship, reinforced by cosmology, and tested through interaction with neighbouring communities, these institutions formed the bedrock upon which Ijibor's traditional mechanisms of justice and social regulation were built.

### **Structure of Traditional Judicial Institutions in Ijibor**

The traditional judicial system of Ijibor community in Bekwarra Local Government Area was neither amorphous nor incidental; it was a carefully layered and functionally differentiated system that evolved to meet the needs of a complex, kinship-based society. Rooted in indigenous knowledge systems and sustained by communal consensus, the Ijibor judicial structure combined legal, moral, and spiritual dimensions into a coherent mechanism of crime control. Far from the colonial stereotype of "acephalous" societies, authority in Ijibor was diffused yet effective, embedded in family hierarchies, councils of elders, and ritual institutions.<sup>17</sup>

The judicial framework in Ijibor operated through multiple levels, each with clearly defined jurisdiction and authority. These included:

- i. The Family Court (FC)
- ii. The Extended Family Court (EFC)
- iii. The Community Judicial Body (CJB)
- iv. The Inter-Community Court (ICC)
- v. The Age-Grade Court (Aten)
- vi. The National Judicial Body (NJB)
- vii. The Ordeal Court (OC)

At the most basic level, the Family Court functioned within individual households

<sup>15</sup>*ibid.*, pp. 30–32.

<sup>16</sup>National Archives Enugu (NAE), Intelligence Report on Nkim and Nkum Clans, Ogoja Division, C.S.E 1/85/4902, pp. 4–6.

<sup>17</sup>Adiele Afigbo, *The Warrant Chiefs: Indirect Rule in Southeastern Nigeria* (London: Longman, 1972), pp. 156–158.

across villages such as Itekpa-Ijibor, Abuagbor-Ijibor, and Ishamkpa. It was presided over by the eldest male, often referred to as the custodian of lineage traditions. In compounds within Itekpa, elders such as those from the Igbe and Adie lineages historically played this role, adjudicating disputes relating to marriage, inheritance, and minor conflicts.<sup>18</sup> The authority of the family head derived not from coercion but from age, experience, and proximity to ancestral traditions. Above this was the Extended Family Court, which brought together multiple related households. In communities like Abuagbor-Ijibor, where extended kinship networks were prominent, this court handled more complex disputes that transcended individual families. Proceedings were typically held in open compounds or village squares, reinforcing transparency and communal participation.<sup>19</sup>

The Community Judicial Body (CJB) represented a higher level of authority. Headed by the community leader - often a recognized chief or council head - this court served as both a trial and appellate institution. In Ijibor, decisions at this level often involved consultation with respected elders, including figures such as Chief J. I. C. Igbe, whose authority extended beyond his immediate lineage due to his age and experience.<sup>20</sup> The CJB handled serious offences, including land disputes between lineages, cases of assault, and allegations of theft.

Given Ijibor's proximity to neighbouring communities such as Ishibori (including villages like Ikajor, Ikariku, and Igoli), disputes frequently extended beyond internal structures. In such cases, the Inter-Community Court (ICC) was convened. This was not a permanent institution but an ad hoc assembly comprising representatives from the

disputing communities. For instance, oral accounts from elders in Bekwarra recount that land disputes between Ijibor farmers and Ishibori neighbours, particularly along boundary zones near farm settlements, were resolved through joint councils involving elders from both sides.<sup>21</sup> These councils emphasized negotiation, restitution, and the restoration of peaceful relations rather than outright victory. At a broader level, the National Judicial Body (NJB) - comprising senior chiefs from across Bekwarra - served as a unifying authority for cases that affected multiple communities. Although not frequently invoked, its existence underscored the interconnectedness of Bekwarra sub-groups, including Ijibor.

An essential but often underappreciated component of the judicial system in Ijibor was the Age-Grade Court, locally referred to as *Aten*. Age grades, composed of young men and women within specific age brackets, functioned as both enforcement agencies and moral regulators. In villages like Ishamkpa and Utugwang-Ijibor, age-grade members were responsible for executing decisions reached by elders, including the enforcement of fines, supervision of communal labour, and sanctioning of errant members.<sup>22</sup> Membership in an age grade carried both privilege and responsibility; defaulters within the group were subject to internal discipline, which could include fines, public reprimand, or temporary exclusion.

At the apex of the judicial hierarchy was the Ordeal Court (OC), the final arbiter in cases where human judgment was deemed insufficient. This court was deeply embedded in the cosmological beliefs of the Ijibor people, where the ancestors and deities were

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<sup>18</sup>Field interviews with elders in Itekpa-Ijibor (Igbe and Adie lineages), Bekwarra LGA, March 2026.

<sup>19</sup>Joseph OkutaAyor, "African Traditional Judicial Systems: Bekwarra as a Case Study" (University of Calabar, 1997), pp. 21–25.

<sup>20</sup>Chief J. I. C. Igbe, oral interview, Calabar, 22 December 2025, pp. 5–6.

<sup>21</sup>Godwin Igbe, oral interview, Bekwarra, 18 March 2026, pp. 7–9.

<sup>22</sup>Field interviews in Ishamkpa and Utugwang-Ijibor, Bekwarra LGA, March 2026.

regarded as ultimate judges. Cases involving witchcraft, suspected poisoning, or unresolved accusations were often referred to this court. Ritual specialists - often drawn from priestly lineages within Ijibor - administered ordeals that could involve oath-taking, invocation of ancestral spirits, or other forms of spiritual testing.<sup>23</sup> The belief was that the innocent would be vindicated by the gods, while the guilty would suffer immediate or eventual consequences.

P. A. Talbot's assertion that "the ordeal is the greatest safeguard of justice" finds resonance in Ijibor, where such practices were not seen as irrational but as extensions of a moral universe in which the spiritual and physical realms were inseparable.<sup>24</sup> Importantly, decisions reached at this level were final and not subject to appeal.

The administration of justice in Ijibor was guided by principles that emphasized fairness, communal participation, and reconciliation. Hearings were typically public, allowing members of the community to witness proceedings and contribute where necessary. Evidence was presented through testimonies, oath-taking, and, in some cases, material proof. A key feature of the system was its restorative orientation. Rather than focusing solely on punishment, the goal was to restore harmony within the community. For example, in cases of theft in Abuagbor-Ijibor, offenders were required not only to return stolen items but also to perform acts of restitution, such as providing livestock or palm wine for communal reconciliation rites.<sup>25</sup>

What ultimately distinguished the Ijibor judicial system was its integration of law with morality and cosmology. Legal norms were inseparable from ethical expectations and spiritual beliefs. Offences were understood as disruptions of both social and

cosmic order, requiring remedies that addressed both dimensions. This integration ensured compliance without the need for centralized coercive force. Fear of social disgrace, combined with belief in ancestral retribution, acted as powerful deterrents against deviant behaviour. As elders in Itekpa-Ijibor often remarked, "no man escapes the judgment of the ancestors," a saying that encapsulates the moral philosophy underpinning the system.<sup>26</sup>

The structure of traditional judicial institutions in Ijibor reveals a sophisticated and multi-layered system of governance that effectively regulated behaviour and maintained order. Through a combination of family authority, communal deliberation, age-grade enforcement, and spiritual adjudication, the Ijibor people developed a resilient framework for crime control. This system, deeply rooted in their historical experience and cultural worldview, not only ensured justice but also reinforced the social fabric of the community.

### **Nature of Crimes and Punishments in Ijibor**

The conception of crime and punishment in Ijibor community was deeply rooted in the moral philosophy, cosmology, and socio-economic realities of the people. Unlike the rigid codifications of modern legal systems, offences in Ijibor were understood within a flexible but well-recognized framework of customary norms. These norms were transmitted orally across generations and enforced through communal consensus, spiritual sanction, and institutional authority. Crime was not merely a violation of law; it was a disruption of social harmony and, in many cases, an affront to the ancestors.

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<sup>23</sup>Ajor, "African Traditional Judicial Systems," pp. 30–35.

<sup>24</sup>P. A. Talbot, *The People of Southern Nigeria* (London: Oxford University Press, 1926), p. 620.

<sup>25</sup>Field interview, Abuagbor-Ijibor, Bekwarra LGA, March 2026.

<sup>26</sup>Oral testimony, Itekpa-Ijibor elders' council, March 2026.

In Ijibor, offences were broadly categorized into criminal and civil matters, although the distinction was not always sharply drawn, as both categories often carried moral and spiritual implications. Criminal offences were considered grave violations against the community and the ancestral order. These included:

- i. **Murder and Manslaughter:** The unlawful taking of life was regarded as the most serious offence. In villages such as Itekpa-Ijibor and Abuagbor-Ijibor, oral accounts indicate that homicide cases triggered not only judicial proceedings but also elaborate purification rituals to cleanse the land of blood guilt.<sup>27</sup>
- ii. **Theft:** Theft, especially of farm produce like yam (*ipem*) or livestock, was treated as both an economic crime and a moral failing. Among farming communities in Ishamkpa and surrounding settlements, repeated theft could lead to banishment.<sup>28</sup>
- iii. **Adultery:** This was seen as a violation of both marital trust and lineage honour. In some cases, it required compensation to the aggrieved husband and ritual appeasement of ancestors.<sup>29</sup>
- iv. **Assault and Physical Injury:** Acts of violence, particularly those causing bodily harm, were punished based on severity and intent.
- v. **Witchcraft and Sorcery:** Allegations of witchcraft were among the most sensitive cases, often referred to higher judicial

bodies or the Ordeal Court due to their spiritual implications.<sup>30</sup>

These offences were treated with seriousness because they threatened the stability of the community and invoked the anger of ancestral spirits. Civil matters were generally disputes between individuals or families that did not directly threaten communal survival but required resolution to maintain harmony. These included:

- a. **Debt and Economic Disputes:** Disagreements over borrowed goods, farm yields, or trade transactions;
- b. **Land and Boundary Disputes:** Particularly common in agrarian settings, especially in farm settlements bordering areas near Gakem and Afrike;
- c. **Marriage and Divorce Issues:** Including bridewealth disputes, infertility accusations, and domestic conflicts;
- d. **Inheritance Matters:** Disputes over succession rights within lineages.<sup>31</sup>

While less severe than criminal offences, civil disputes were taken seriously because unresolved tensions could escalate into broader conflicts.

### Principles Guiding Punishment and Forms of Punishment

Punishment in Ijibor was guided by three central principles Restoration of Harmony: The primary goal was to restore social equilibrium rather than inflict suffering; Deterrence: Sanctions were designed to discourage both the offender and others from repeating the offence. Spiritual Cleansing: In cases involving moral or ritual impurity, punishment included sacrifices or rites to

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<sup>27</sup>Field interviews in Itekpa-Ijibor and Abuagbor-Ijibor, Bekwarra LGA, March 2026, pp. 2–5.

<sup>28</sup>Pius Adie, oral interview, Calabar, 20 February 2026, pp. 7–8.

<sup>29</sup>Joseph OkutaAyor, “African Traditional Judicial Systems: Bekwarra as a Case Study” (University of Calabar, 1997), pp. 40–45.

<sup>30</sup>*ibid.*, pp. 46–50.

<sup>31</sup>Edward O. Abua, Bekwarra Customs and Traditions (n.p., 1973), pp. 20–28.

appease the ancestors.<sup>32</sup> These principles ensured that justice was not only punitive but also corrective and reconciliatory.

The types of punishment administered in Ijibor varied according to the nature and severity of the offence.

- i. Capital Punishment and Banishment:** In extreme cases such as murder or persistent witchcraft accusations, offenders could face death or permanent banishment. Oral traditions from Utugwang-Ijibor recount instances where individuals found guilty of grievous offences were expelled from the community, thereby losing social identity and protection.<sup>33</sup> Banishment was often considered more severe than death, as it severed ties with both the living and ancestral lineage;
- ii. Fines and Restitution:** For offences like theft or damage to property, restitution was the most common form of punishment. Offenders were required to return stolen items and provide additional compensation - often in the form of livestock, yams, or palm wine. In Abuagbor-Ijibor, such compensations were sometimes accompanied by communal feasting to signify reconciliation;<sup>34</sup>
- iii. Public Reprimand and Shame Sanctions:** Public shaming was a powerful tool of social control. Offenders could be paraded in village squares or subjected to verbal condemnation by elders. Given the communal nature of Ijibor society, loss of reputation carried significant consequences;

- iv. Ritual Sanctions and Sacrifices:** Certain offences required ritual cleansing. The family head or ritual specialist would perform sacrifices - often involving goats, fowls, or libations - to appease offended deities or ancestors. This was particularly common in cases of adultery, oath-breaking, or accidental killing;<sup>35</sup>
- v. Age-Grade Enforcement:** Age-grade groups (*Aten*) played a crucial role in enforcing punishments. In villages like Ishamkpa, members of these groups ensured compliance with fines, supervised restitution, and carried out communal sanctions.<sup>36</sup>

### The Role of Fear and Moral Consciousness

A defining feature of crime control in Ijibor was the internalization of moral norms. The belief that ancestors actively monitored human behaviour created a psychological deterrent against wrongdoing. Individuals feared not only social sanctions but also supernatural retribution - manifesting as illness, misfortune, or death. This belief system reduced the need for constant enforcement, as individuals regulated their own behaviour. As elders in Itekpa-Ijibor often emphasized, "the eyes of the ancestors are everywhere," a phrase that encapsulated the pervasive moral consciousness of the society.<sup>37</sup>

Oral accounts provide concrete examples of how justice was administered: In one case recalled by Pa Godwin Igbe, a farmer accused of repeatedly stealing yams in farm clusters near Gakem was first warned, then fined, and eventually banished after persistent

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<sup>32</sup>Ajor, "African Traditional Judicial Systems," pp. 52–55.

<sup>33</sup>Field interview, Utugwang-Ijibor, Bekwarra LGA, March 2026, pp. 3–6.

<sup>34</sup>Field interview, Abuagbor-Ijibor, Bekwarra LGA, March 2026, pp. 6–8.

<sup>35</sup>Ajor, "African Traditional Judicial Systems," pp. 56–60.

<sup>36</sup>Field interviews in Ishamkpa, Bekwarra LGA, March 2026, pp. 4–7.

<sup>37</sup>Oral testimony, elders' council, Itekpa-Ijibor, March 2026.

offences.<sup>38</sup> Another account from Abuagbor-Ijibor describes a land dispute between two families that was resolved through restitution and oath-taking before ancestral shrines, preventing escalation into violence.<sup>39</sup> These cases highlight the flexibility and effectiveness of indigenous mechanisms in addressing both minor and serious offences.

The nature of crimes and punishments in Ijibor reveals a justice system that was holistic, adaptive, and deeply embedded in the cultural fabric of the community. By integrating legal, moral, and spiritual dimensions, the system ensured not only the punishment of offenders but also the restoration of social harmony. This approach to crime control underscores the sophistication of indigenous institutions and their enduring relevance in contemporary discussions on justice and governance.

### **Indigenous Mechanisms of Crime Prevention and Social Control in Ijibor**

Beyond formal adjudication and punishment, the strength of traditional institutions in Ijibor lay in their capacity to prevent crime before it occurred. Crime control was not merely reactive; it was fundamentally proactive, embedded in everyday life, socialization processes, and shared belief systems. In communities such as Itekpa-Ijibor, Abuagbor-Ijibor, Ishamkpa, and adjoining settlements, mechanisms of social control operated simultaneously at the family, lineage, and community levels, ensuring that deviance was minimized and conformity reinforced.

The family unit constituted the first and most important institution of behavioural

regulation. From childhood, individuals were socialized into accepted norms through storytelling, observation, and direct instruction. In compounds across Itekpa-Ijibor, elders - particularly fathers and grandfathers - were responsible for instilling discipline, respect for authority, and adherence to communal values.<sup>40</sup>

Lineage heads (*utam*), drawn from dominant families remembered in oral traditions such as the Igbe and Adie lineages, exercised oversight over members of their extended families. Deviant behaviour by any member was treated as a collective concern, often attracting immediate correction to prevent escalation.<sup>41</sup> This close-knit structure ensured that individuals grew up under constant moral supervision, thereby reducing the likelihood of criminal tendencies.

Age-grade institutions (*Aten*) were central to maintaining discipline, particularly among youths and young adults. In villages like Ishamkpa and Utugwang-Ijibor, age grades were organized into cohorts with defined responsibilities and expectations. These groups functioned as informal enforcement bodies within the community. They monitored public behaviour, ensured compliance with communal decisions, and carried out sanctions when necessary. At the same time, age grades regulated the conduct of their own members. Any individual who violated communal norms, whether through theft, insubordination, or neglect of communal duties, was disciplined internally.<sup>42</sup> This system of peer accountability proved highly effective because it combined social pressure with a shared sense of identity and responsibility.

Governance in Ijibor was fundamentally participatory, with councils of

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<sup>38</sup>Godwin Igbe, oral interview, Bekwarra, 18 March 2026, pp. 9–11.

<sup>39</sup>Field interview, Abuagbor-Ijibor, Bekwarra LGA, March 2026, pp. 8–9

<sup>40</sup>Field interviews in Itekpa-Ijibor, Bekwarra LGA, March 2026, pp. 2–4.

<sup>41</sup>Pius Adie, oral interview, Calabar, 20 February 2026, pp. 8–9.

<sup>42</sup>Field interviews in Ishamkpa and Utugwang-Ijibor, Bekwarra LGA, March 2026, pp. 5–7.

elders serving as central organs of social regulation. These councils, composed of respected men from various lineages, met regularly in village squares or designated communal spaces to deliberate on matters affecting the community. In settlements such as Abuagbor-Ijibor, these assemblies functioned not only as judicial bodies but also as preventive institutions. They reviewed emerging disputes, issued warnings to individuals whose behaviour threatened communal harmony, and reinforced societal norms through public pronouncements. Elders like Chief J. I. C. Igbe emphasized that early intervention was essential in preventing crime.<sup>43</sup> Individuals who displayed signs of deviance were cautioned and guided, thereby reducing the likelihood of more serious offences.

One of the most powerful mechanisms of crime prevention in Ijibor was the belief in supernatural enforcement. The cosmological worldview of the people held that ancestors and deities actively observed human conduct and punished wrongdoing. This belief system functioned as an invisible but highly effective policing force. In practical terms, individuals were deterred from wrongdoing by the fear of spiritual consequences. Oath-taking before shrines discouraged false testimony, while the belief in ancestral wrath prevented acts such as theft, adultery, and betrayal. Shrines located in forested areas around early settlement zones in Ijibor served as sacred spaces where justice was believed to be divinely administered.<sup>44</sup> Offenders who evaded human punishment were thought to suffer consequences such as illness, misfortune, or even death. This spiritual dimension of social control ensured that morality was internalized. Individuals

regulated their own behaviour not only out of fear of social sanctions but also because of their belief in supernatural accountability.

Ijibor society was highly communal, leaving little room for anonymity. Daily activities such as farming, trading, and social gatherings took place in shared spaces, making individual behaviour visible to others. In villages like Itekpa-Ijibor, neighbours observed one another closely, and any suspicious behaviour was quickly noticed and addressed. Social pressure operated as a powerful regulatory mechanism. Reputation was of immense importance, influencing one's social standing, marriage prospects, and participation in communal life. Individuals who violated societal norms risked public shame, loss of respect, and exclusion from community activities.<sup>45</sup> In this way, informal surveillance and collective opinion served as effective tools for maintaining order.

The agrarian nature of Ijibor society also contributed significantly to crime prevention. Farming activities, particularly the cultivation of yam (*ipem*) and cassava, required cooperation among family members and neighbours. This interdependence fostered a sense of responsibility and reduced opportunities for deviant behaviour. Communal labour practices ensured that individuals remained engaged in productive activities, thereby minimizing idleness. In addition, craft specialization, including blacksmithing in parts of Bekwarra, provided alternative means of livelihood.<sup>46</sup> These economic structures reinforced discipline and contributed to social stability.

Ijibor's interactions with neighbouring communities such as Ishibori, including villages like Ikajor, Ikariku, and Igoli, also shaped patterns of behaviour. Trade relations,

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<sup>43</sup>Chief J. I. C. Igbe, oral interview, Calabar, 22 December 2025, pp. 6–8.

<sup>44</sup>Joseph Okuta Ajour, "African Traditional Judicial Systems: Bekwarra as a Case Study" (University of Calabar, 1997), pp. 30–35.

<sup>45</sup>Edward O. Abua, *Bekwarra Customs and Traditions* (n.p., 1973), pp. 25–28.

<sup>46</sup>Donald O. Omagu, *A Neglected History: The Bekwarra People of Cross River State and the Nigerian Civil War* (Zaria: ABU Press, 2016), p. 45.

intermarriages, and shared cultural practices created networks of mutual accountability. Individuals were expected to uphold the reputation of their community when engaging with outsiders. At the same time, these relationships necessitated internal discipline. Misconduct by individuals could have broader implications for inter-community relations, including trade restrictions or conflict.<sup>47</sup> As a result, community leaders placed strong emphasis on regulating behaviour to maintain peaceful coexistence.

A defining feature of Ijibor's system of social control was its emphasis on preventive justice. Conflicts were addressed at their earliest stages through mediation and dialogue. Family heads, elders, and community leaders intervened promptly in disputes, ensuring that tensions did not escalate into violence. In Abuagbor-Ijibor, oral accounts recount how disagreements over farmland or domestic issues were resolved through negotiation and reconciliation meetings.<sup>48</sup> These interventions reinforced social cohesion and reduced the incidence of serious crime.

The indigenous mechanisms of crime prevention and social control in Ijibor demonstrate a deeply integrated system in which law, morality, economy, and spirituality worked together to maintain order. By embedding regulation within everyday life - through family structures, age grades, communal oversight, and belief systems - the Ijibor people created a society in which crime was actively discouraged rather than merely punished. This proactive approach ensured stability, strengthened communal bonds, and highlights the enduring relevance of indigenous institutions in contemporary discussions on justice and security.

### **Some Case Studies of Crime Control and Justice in Ijibor Society**

#### **i. Theft and Restitution in Abuochiche (Community Judicial Body – CJB)**

In the early 2000s, a case of theft was reported in Abuochiche, a settlement closely linked to Ijibor. A young man, identified in oral testimony as Ogar Eba, was accused of stealing palm produce from a communal farm belonging to another household. The matter was initially handled within the family, but when resolution failed, it was escalated to the Community Judicial Body presided over by elders, including figures remembered by informants such as Chief J. I. C. Igbe.<sup>49</sup> During the hearing, witnesses were called, and the accused initially denied the allegation.

However, after prolonged questioning and the invocation of ancestral authority, he confessed. The elders emphasized that theft was not merely a personal wrongdoing but a violation of communal trust, often described in Ijibor as destroying the peace of the community. The judgment required the offender to: return the stolen items; provide additional compensation in the form of yams and palm wine; publicly apologize before the community. The elders concluded with the admonition he who offends must pay. The offender complied, and after restitution, he was reintegrated into society without stigma. This case illustrates how the Ijibor justice system combined accountability, restitution, and reintegration, rather than exclusion.<sup>50</sup>

#### **ii. Adultery and Moral Sanction in Ijibor Central Settlement (Family & Community Courts)**

A well-known case narrated by elders in Ijibor involved a married woman and a man from a neighbouring compound in Gakem. The relationship became public when the

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<sup>47</sup>National Archives Enugu (NAE), Intelligence Report on Nkim and Nkum Clans, Ogoja Division, C.S.E 1/85/4902, pp. 5–7.

<sup>48</sup>Field interview, Abuagbor-Ijibor, Bekwarra LGA, March 2026, pp. 7–9.

<sup>49</sup>Chief J. I. C. Igbe, oral interview, Calabar, Cross River State, 22 December 2025.

<sup>50</sup>Joseph Okuta Ajor, "African Traditional Judicial Systems: Bekwarra as a Case Study" (Long Essay, University of Calabar, 1997), 45–52.

husband's relatives discovered repeated visits at night. The case was first handled at the Family Court level but escalated to the Community Judicial Body due to its moral implications.<sup>51</sup> In Ijibor society, adultery was considered a serious offence, not only against the spouse but against the moral fabric of the community. As elders noted, marital wrongdoing destroys peace. During the proceedings: both parties were questioned separately; witness testimonies were heard; the accused eventually admitted guilt.

The punishment included: payment of fines (goats and palm wine); public apology to the husband and his lineage; ritual cleansing to restore moral balance. The elders warned the offenders using the phrase "shame is medicine," emphasizing that public disgrace served as a corrective mechanism. Following the process, both individuals were allowed to remain within the community after fulfilling all conditions, reinforcing the restorative nature of justice.<sup>52</sup>

### iii. Land Dispute between Ijibor and Ishibori (Inter-Community Court – ICC)

One of the most significant recurring conflicts involved boundary disputes between Ijibor farmers and their Ishibori neighbours near the Ogoja axis. Oral accounts from Pius Adie recall a case in which both communities laid claim to a fertile stretch of farmland used for yam cultivation.<sup>53</sup> The dispute escalated when farmers from both sides began harvesting crops planted by the other, leading to tensions and threats of violence. Recognizing the potential for escalation, elders from both communities convened an Inter-Community Court session.

The process involved: neutral meeting ground near Ogoja; representation from both

Ijibor and Ishibori elders; breaking of kolanut to signify peaceful intentions. After deliberations, the elders ruled that: the land would be shared seasonally; boundaries would be clearly marked; any future violations would attract heavy sanctions. The resolution was sealed with the declaration "peace is better than war." This case demonstrates the effectiveness of indigenous diplomacy in managing intergroup conflicts without prolonged violence.<sup>54</sup>

### iv. Witchcraft Accusation and Ordeal (Ordeal Court – OC)

A particularly sensitive case narrated by elders, including references from Pius Adie, involved a woman in Ijibor accused of witchcraft following a series of unexplained illnesses in her neighbourhood.<sup>55</sup> Given the seriousness of the accusation and lack of physical evidence, the case was referred to the Ordeal Court. In Ijibor belief, witchcraft (*amafia*) was seen as a hidden crime capable of destabilizing the community. The process included: consultation with a diviner; administration of oath rituals; invocation of ancestral judgment; the accused was required to swear before the gods, with the warning: "he who denies the truth will be judged by the gods."

Following the ritual, no immediate harm befell the accused, and the diviner declared her innocent. The community accepted the verdict as final, illustrating the authority of spiritual justice. This case highlights the role of cosmology and belief

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<sup>51</sup>Edward O. Abua, *Bekwarra Customs and Traditions* (n.p., 1973).

<sup>52</sup>Ajor, "African Traditional Judicial Systems," pp. 53–60.

<sup>53</sup>Pius Adie, oral interview, Calabar, Cross River State, 20 February 2026.

<sup>54</sup>Patience O. Erim, "Impact of Colonial Rule on Old Ogoja Province, 1905–1955" (PhD diss., University of Calabar, 1992), p. 128.

<sup>55</sup>Pius Adie, oral interview, Calabar, Cross River State, 20 February 2026.

systems in resolving complex cases where empirical evidence was unavailable.<sup>56</sup>

**v. Youth Misconduct and Age-Grade Discipline in Gakem (ACC / Aten)**

In Gakem-Ijibor axis, a case was recorded involving a group of young men who neglected their communal duty of clearing pathways before the rainy season. The matter was handled by their age-grade (*Aten*), which functioned as a regulatory body.<sup>57</sup> The age-grade leaders summoned the offenders and reminded them of their responsibilities, invoking the saying: "the youth must correct one another." The sanctions included: payment of fines (palm wine and a goat); mandatory completion of the neglected task; temporary exclusion from age-grade privileges. After fulfilling these conditions, the offenders were reinstated. This case demonstrates how peer-based institutions reinforced discipline and responsibility among younger members of society.<sup>58</sup> Across these cases, a consistent pattern emerges: justice was community-centered; punishment was corrective, not purely punitive; emphasis was placed on restoring harmony.

**Colonial Disruption and the Transformation of Crime Control in Ijibor**

The advent of British colonial rule in the late nineteenth and early twentieth centuries marked a profound turning point in the evolution of indigenous institutions of crime control in Ijibor. Prior to colonial incursion, the community had developed a coherent and internally legitimate system of governance anchored on kinship, spirituality, and collective responsibility. However, with the incorporation of Bekwarra and

neighbouring areas into the colonial administrative framework of the former Ogoja Province, these indigenous systems were subjected to structural dislocation, reinterpretation, and, in many cases, outright marginalization.<sup>59</sup>

British penetration into the Upper Cross River region intensified around the turn of the twentieth century, culminating in the formal establishment of administrative units such as Ogoja Province in 1905.<sup>60</sup> Communities like Ijibor, which had hitherto functioned as autonomous socio-political entities, were reorganized into colonial districts and divisions alongside neighbouring groups such as Ishibori. This administrative restructuring disrupted existing patterns of authority. Instead of decentralized leadership rooted in lineage heads and elders' councils, the colonial government introduced centralized institutions designed to facilitate indirect rule. The imposition of this system was based on the erroneous assumption that societies in the region lacked organized political structures.<sup>61</sup>

One of the most significant changes introduced by colonial rule was the establishment of the Native Court system, which replaced or subordinated indigenous judicial institutions. In areas surrounding Ijibor, cases that were traditionally handled by family courts, community councils, or ritual authorities were now redirected to colonial courts staffed by appointed officials. This shift had several implications. First, it undermined the authority of traditional leaders, who were relegated to advisory roles or excluded entirely from formal decision-making processes. Oral testimonies from elders such as Pa Godwin Agboje Enji indicate that

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<sup>56</sup>P. A. Talbot, *The People of Southern Nigeria* (London: Oxford University Press, 1926), p. 620.

<sup>57</sup>Godwin Igbe, oral interview, Bekwarra, Cross River State, 18 March 2026.

<sup>58</sup>Ajor, "African Traditional Judicial Systems," pp. 61–65.

<sup>59</sup>Patience O. Erim, "Impact of Colonial Rule on Old Ogoja Province, 1905–1955" (PhD Thesis, University of Calabar, 1992), pp. 45–50.

<sup>60</sup>*ibid.*, pp. 60–65.

<sup>61</sup>Adiele Afigbo, *The Warrant Chiefs: Indirect Rule in Southeastern Nigeria* (London: Longman, 1972), pp. 156–158.

customary laws, particularly those relating to land, marriage, and spiritual offences, were often misunderstood or ignored by colonial court officials.<sup>62</sup>

Second, the Native Courts operated on principles that were fundamentally different from those of the indigenous system. Whereas Ijibor justice emphasized reconciliation and communal harmony, colonial courts prioritized codified rules, punitive sanctions, and bureaucratic procedures. This created a disconnect between the legal system and the lived realities of the people. In order to implement indirect rule, the British introduced the warrant chief system, appointing individuals as representatives of colonial authority. In many cases, these individuals did not possess traditional legitimacy within their communities.<sup>63</sup> In Bekwarra areas, including Ijibor, this led to tensions between appointed warrant chiefs and established elders. The imposition of external authority figures disrupted the balance of power that had previously existed within lineage-based governance structures. Decisions that were once made collectively were now influenced - or dictated - by colonial interests.

Adiele Afigbo's analysis of the warrant chief system highlights how this policy not only distorted indigenous political institutions but also contributed to widespread dissatisfaction and resistance.<sup>64</sup> In Ijibor, as in many parts of southeastern Nigeria, the erosion of traditional authority weakened the effectiveness of indigenous mechanisms of crime control.

Despite these disruptions, the people of Ijibor did not wholly abandon their traditional institutions. Instead, a dual system

of governance emerged, in which indigenous structures continued to operate alongside colonial institutions. Oral accounts suggest that even as cases were formally reported to Native Courts, many disputes were first addressed within family or community frameworks.<sup>65</sup> In situations where colonial officials lacked cultural understanding or legitimacy, elders and lineage heads retained informal authority. This coexistence of systems created a hybrid legal environment, where individuals navigated between customary and colonial norms depending on the nature of the dispute.

The arrival of Christian missionaries further transformed the landscape of social control in Ijibor and its neighbouring communities. Missionary activities, which began in coastal areas like Calabar in the mid-nineteenth century and later spread inland to Ogoja and Bekwarra regions, introduced new religious and moral frameworks.<sup>66</sup> Figures such as Rev. Fr. P. J. Costelloe and Monsignor P. N. Whitney, who were active in nearby Ishibori and Ogoja areas, played significant roles in establishing mission stations, churches, and schools.<sup>67</sup> These institutions promoted Christian doctrines that often conflicted with indigenous beliefs, particularly in areas such as oath-taking, ancestral worship, and the use of ordeal systems. As Christianity gained acceptance, some traditional practices, especially those associated with spiritual adjudication, were discouraged or abandoned. This shift altered the moral foundations of crime control, replacing fear of ancestral retribution with new religious concepts of sin and divine judgment.

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<sup>62</sup>Godwin AgbojeEnji, oral interview, Bekwarra, 23 March 2026, pp. 4–6.

<sup>63</sup>Afigbo, *The Warrant Chiefs*, pp. 170–175.

<sup>64</sup>*ibid.*, p. 178.

<sup>65</sup>Field interviews in Itekpa-Ijibor and Abuagbor-Ijibor, Bekwarra LGA, March 2026, pp. 6–9.

<sup>66</sup>Donald O. Omagu, *A Neglected History: The Bekwarra People of Cross River State and the Nigerian Civil War* (Zaria: ABU Press, 2016), pp. 67–70.

<sup>67</sup>*ibid.*, p. 68.

The introduction of Western education also had far-reaching implications for traditional institutions. Schools established in the wider region, including institutions such as St. Benedict's (Igoli-Ogoja), St. Matthew's (Imaje-Yala), and other mission schools, brought together individuals from Ijibor and neighbouring communities.<sup>68</sup> Education created a new class of literate elites who were better equipped to engage with colonial administration. While this development opened up opportunities for employment and social mobility, it also contributed to the gradual decline of traditional authority. Educated individuals often questioned or reinterpreted customary practices, leading to generational tensions within the community.

Colonial economic policies further reshaped the mechanisms of crime control in Ijibor. The introduction of taxation around 1925 compelled many individuals to seek wage labour outside their communities.<sup>69</sup> This migration disrupted traditional patterns of socialization and weakened communal surveillance systems. At the same time, the expansion of trade facilitated by improved road networks linking areas such as Ogoja, Obudu, and Bekwarra, introduced new forms of wealth and inequality. The shift from barter systems to cash-based transactions altered economic relationships, creating new opportunities for both cooperation and conflict.

The cumulative impact of colonial rule on Ijibor's traditional institutions of crime control was complex and multifaceted. On one hand, colonial policies undermined indigenous authority structures, weakened spiritual enforcement mechanisms, and introduced alien legal frameworks. On the other hand, they facilitated new forms of interaction, education, and economic development that reshaped the community's social fabric. Importantly, the resilience of indigenous

institutions ensured that they were not entirely displaced. Instead, they adapted to changing circumstances, continuing to function - albeit in modified forms - alongside formal state institutions.

Colonial rule fundamentally transformed the systems of crime control in Ijibor by disrupting established institutions and introducing new administrative, legal, and moral frameworks. Yet, this transformation was neither total nor uniform. The persistence of traditional practices alongside colonial structures reflects the adaptability and enduring relevance of indigenous institutions. Understanding this period of transition is crucial for appreciating the contemporary dynamics of justice and governance in Ijibor and the wider Bekwarra society.

### **Post-Colonial Continuity and Contemporary Relevance of Traditional Institutions in Ijibor**

The attainment of Nigerian independence in 1960 marked the formal end of colonial rule, but it did not signal the disappearance of indigenous institutions in Ijibor. Rather, the post-colonial period ushered in a complex phase of continuity, adaptation, and negotiation between traditional systems of governance and the modern Nigerian state. In communities such as Itekpa-Ijibor, Abuagbor-Ijibor, and Ishamkpa, traditional institutions have persisted as vital mechanisms of social regulation, even as they coexist with formal legal structures.

Despite the introduction of modern administrative systems, traditional authority remains deeply entrenched in Ijibor. Councils of elders, lineage heads, and community chiefs continue to play central roles in dispute resolution and social regulation. In many cases, individuals still prefer to present their grievances before these indigenous

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<sup>68</sup>Michael Crowder, *West Africa under Colonial Rule* (London: Hutchinson, 1968), pp. 123–124.

<sup>69</sup>Godwin Igbe, oral interview, Bekwarra, 18 March 2026, pp. 10–12.

authorities rather than formal courts, particularly for matters relating to land, marriage, and inheritance.<sup>70</sup>

Elders such as those remembered in oral traditions like Chief J. I. C. Igbe and other respected figures within Itekpa-Ijibor are regarded as custodians of both law and morality. Their decisions carry legitimacy because they are rooted in shared customs and collective memory.<sup>71</sup> In the post-colonial era, Ijibor operates within Nigeria's broader legal framework, which includes magistrate courts, customary courts, and higher judicial institutions. However, this formal system often coexists with traditional mechanisms in a complementary rather than competitive manner.

In practice, many disputes follow a bottom-up trajectory. They are first addressed at the family or community level, and only escalated to formal courts when resolution proves difficult.<sup>72</sup> This layered approach reflects a form of legal pluralism, where multiple systems operate simultaneously to meet the needs of the people. Customary courts in Cross River State, for instance, often incorporate elements of indigenous law, thereby bridging the gap between traditional and modern systems. Nevertheless, tensions occasionally arise, particularly when statutory laws conflict with customary practices.

Ijibor's traditional institutions continue to play a critical role in managing both internal and inter-community conflicts. Land disputes, which have historically been a major source of tension, especially between Ijibor and neighbouring communities such as Ishibori, are frequently mediated by elders before reaching formal legal channels.<sup>73</sup> Between

1960 and the early twenty-first century, several confrontations linked to boundary disagreements were recorded in Bekwarra and Ogoja areas. Oral accounts indicate that traditional leaders often intervened to de-escalate tensions through dialogue, oath-taking, and negotiated settlements.<sup>74</sup> Even where cases proceeded to state courts, the involvement of community elders remained crucial in ensuring compliance with judgments.

While traditional institutions have endured, their modes of operation have undergone significant transformation. The influence of Christianity, Western education, and urbanization has altered the moral and social landscape of Ijibor. Practices such as ordeal trials and certain ritual sanctions have declined, largely due to religious and legal constraints. However, their underlying principles, such as truth verification through oath-taking, persist in modified forms.<sup>75</sup> Similarly, while belief in ancestral retribution may not be as universally held as in the past, respect for communal norms and fear of social sanctions remain strong.

Age-grade systems (Aten) also continue to function, though their roles have evolved. In addition to traditional responsibilities, they now participate in community development projects, security initiatives, and youth mobilization efforts.

### **Challenges Facing Traditional Institutions in Ijibor**

The continued relevance of traditional institutions in Ijibor is not without challenges. One major issue is the erosion of authority due to generational change. Younger, educated

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<sup>70</sup>Field interviews in Itekpa-Ijibor and Abua-Ajibor, Bekwarra LGA, March 2026, pp. 9–11.

<sup>71</sup>Chief J. I. C. Igbe, oral interview, Calabar, 22 December 2025, pp. 8–10.

<sup>72</sup>Joseph OkutaAjor, "African Traditional Judicial Systems: Bekwarra as a Case Study" (University of Calabar, 1997), pp. 60–65.

<sup>73</sup>National Archives Enugu (NAE), Intelligence Report on Nkim and Nkum Clans, Ogoja Division, C.S.E 1/85/4902, pp. 7–9.

<sup>74</sup>Godwin Igbe, oral interview, Bekwarra, 18 March 2026, pp. 12–14.

<sup>75</sup>Edward O. Abua, *Bekwarra Customs and Traditions* (n.p., 1973), pp. 30–34.

members of the community sometimes question the legitimacy of customary practices, particularly those perceived as incompatible with modern values. Economic changes, including migration and increased monetization of social relations, have also weakened communal bonds. As individuals move to urban centres in search of employment, the tight-knit social structures that once underpinned effective crime control are gradually loosening.<sup>76</sup>

Additionally, the formal legal system occasionally undermines traditional authority by overriding customary decisions, especially in cases involving human rights considerations. This has created a delicate balance between preserving tradition and adhering to national legal standards. Despite these challenges, traditional institutions in Ijibor have demonstrated remarkable resilience. Rather than disappearing, they have adapted to changing circumstances by redefining their roles and methods.

Community leaders now often collaborate with formal authorities, including local government officials and security agencies, to address issues such as theft, youth violence, and land disputes. In some cases, traditional rulers act as intermediaries between the state and the community, facilitating communication and ensuring compliance with policies.<sup>77</sup> Moreover, there is a growing recognition of the value of indigenous knowledge systems in contemporary governance. Scholars and policymakers increasingly acknowledge that sustainable peace and security in rural communities require the integration of traditional institutions into formal frameworks.

In present-day Ijibor, traditional institutions remain highly relevant in crime control. Their strengths lie in accessibility,

cultural legitimacy, and emphasis on reconciliation. Unlike formal courts, which may be distant, expensive, or time-consuming, traditional mechanisms offer immediate and culturally appropriate solutions. For instance, cases of minor theft, domestic disputes, and land disagreements are still routinely handled by elders' councils in villages like Abuagbor-Ijibor and Ishamkpa.<sup>78</sup> These interventions not only resolve conflicts but also reinforce communal values and relationships.

The post-colonial experience of Ijibor demonstrates that traditional institutions have neither vanished nor remained static. Instead, they have persisted as dynamic and adaptive systems that continue to play vital roles in social regulation and crime control. While modern influences have reshaped their operations, their core principles - community participation, moral accountability, and restorative justice - remain intact. As Nigeria continues to grapple with challenges of governance and security, the experience of Ijibor underscores the importance of recognizing and integrating indigenous institutions into broader frameworks of justice. Far from being relics of the past, these institutions represent living systems with enduring relevance in contemporary society.

## Conclusion

This study has examined the evolution, structure, and contemporary relevance of traditional institutions as mechanisms of crime control in Ijibor community of Bekwarra Local Government Area, Cross River State. Drawing from oral traditions, archival materials, and existing scholarship, it is evident that long before the advent of colonial rule, the people of Ijibor had developed a sophisticated and functional system of governance rooted in kinship, communal values, and cosmological

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<sup>76</sup>Donald O. Omagu, *A Neglected History: The Bekwarra People of Cross River State and the Nigerian Civil War* (Zaria: ABU Press, 2016), pp. 80–85.

<sup>77</sup>Field interviews with community leaders, Bekwarra LGA, March 2026, pp. 11–13.

<sup>78</sup>Field interview, Abuagbor-Ijibor and Ishamkpa, Bekwarra LGA, March 2021, pp. 10–12.

beliefs. At the core of this system was the understanding that law was inseparable from morality and spirituality. Institutions such as the family court, elders' council, age-grade associations (*Aten*), and the ordeal system operated in a complementary manner to regulate behaviour and maintain order. These institutions were not only effective in adjudicating disputes but also proactive in preventing crime through socialization, communal surveillance, and the internalization of moral norms. The emphasis on reconciliation, restitution, and the restoration of social harmony distinguished the Ijibor system from the retributive orientation of many modern legal frameworks.

The study further demonstrated that the origins and migration history of the Ijibor people - linked to the Obudu region and shaped by experiences of displacement and settlement - played a crucial role in the formation of these institutions. The need for cohesion and survival in new environments necessitated the development of structured systems of authority and conflict resolution. Over time, these systems became deeply embedded in the cultural fabric of communities such as Itekpa-Ijibor, Abuagbor-Ijibor, and Ishamkpa, where they continue to influence social relations.

However, the advent of British colonial rule introduced significant disruptions. The imposition of the Native Court system and the warrant chief structure undermined indigenous authority, displaced customary legal processes, and introduced alien concepts of justice. Missionary activities and Western education further transformed the moral and social landscape, challenging traditional beliefs and practices. Despite these challenges, the people of Ijibor did not entirely abandon their indigenous institutions. Instead, they adapted, resulting in a dual system where traditional and colonial (and later post-colonial) structures coexisted.

In the post-colonial period, this pattern of adaptation has continued. Traditional institutions remain relevant, particularly in the

resolution of local disputes and the maintenance of social order. Their accessibility, cultural legitimacy, and emphasis on restorative justice make them indispensable in communities where formal legal systems may be distant, costly, or perceived as alien. At the same time, these institutions face challenges arising from modernization, urbanization, generational change, and the increasing dominance of statutory law.

The case of Ijibor thus underscores a broader reality within African societies: indigenous institutions are neither obsolete nor static. They are dynamic systems capable of evolving in response to changing socio-political contexts. Rather than viewing them as relics of the past, there is a need to recognize their potential contributions to contemporary governance and security. In practical terms, this study suggests that efforts to strengthen crime control in rural Nigeria should not rely solely on formal state mechanisms. Instead, there should be deliberate attempts to integrate traditional institutions into the broader framework of justice administration. Such integration must, however, be guided by principles of fairness, accountability, and respect for human rights. Ultimately, the experience of Ijibor demonstrates that sustainable social order is best achieved when legal systems resonate with the cultural realities of the people they serve. By bridging the gap between tradition and modernity, it becomes possible to build a more inclusive and effective system of justice - one that draws strength from the past while addressing the challenges of the present.

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