Mediation and the Resolution of Intra-Family Conflict: A Case Study of Banigo Major House in Bonny Kingdom

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Abstract

Intra-family conflicts are uniquely complex because disputants share continuing relationships, making reconciliation as important as settlement. This study examines mediation as a mechanism for resolving intra-family conflict using Banigo Major House in Bonny Kingdom as a case study. The conflict has persisted for approximately three decades and involves leadership, property, customary authority, and demographic issues. Using a qualitative case-study design, the study draws on documentary evidence and semi-structured interviews with two elders knowledgeable about the conflict. Findings show that while litigation has been used alongside traditional mediation by elders, chiefs, the King and priests, there is a significant recent shift toward family-based mediation under the present principal leader. Both elders affirmed that efforts are underway to withdraw court cases and return disputes to family resolution. Anchored in Transformative Mediation Theory, the study argues that mediation functions as a healing and restorative pathway because it promotes dialogue, recognition, reconciliation, and family unity. The study concludes that wise leadership, supported by respected elders and culturally legitimate institutions, can make mediation an effective remedy for prolonged intra-family conflict.

Keywords: mediation, intra-family conflict, reconciliation, conflict resolution, traditional institutions, leadership, Bonny Kingdom, Nigeria.

1. Introduction

1.1 Background to the Study

Conflict is an inevitable dynamic in human relationships, emerging naturally from competing interests, divergent values, and structural inequalities. However, intra-family conflict poses unique and deeply complex challenges that distinguish it from mainstream civil or commercial disputes. Unlike legal battles between strangers or corporate entities, family disputes involve actors who remain inextricably bound by blood, shared history, ancestral property, and profound social obligations long after a formal disagreement is settled. Consequently, a purely transactional or legalistic resolution is fundamentally inadequate. For family cohesion to survive conflict resolution must go beyond merely determining legal rights or allocating blame; it must actively focus on restoring trust, healing psychological fractures, and preserving the relational fabric of the domestic unit.

In response to the limitations of adversarial legal systems, mediation offers a structured, voluntary process where an impartial, neutral third party facilitates communication, manages emotional volatility, and guides disputing parties toward mutually acceptable negotiation. Unlike adversarial litigation which inherently operates on a zero-sum, "win-lose" paradigm mediation prioritizes active participation, strict confidentiality, mutual compromise, and

systemic reconciliation. Within the contemporary Nigerian legal landscape, recent scholarship has heavily critiqued the adversarial system's tendency to aggravate domestic friction.

Researchers have increasingly highlighted mediation and Alternative Dispute Resolution (ADR) as structurally and culturally superior mechanisms for family disputes because they preserve fragile relationships, minimize financial burdens, and significantly reduce post-conflict hostility (Afolabi, 2024; Adesanya & Ajibade, 2025). Furthermore, this modern preference for ADR aligns seamlessly with indigenous heritage; African societies have historically rejected punitive justice in favour of relational restoration, relying on elders, titled chiefs, and traditional rulers as community mediators who emphasize consensus, communal solidarity, and enduring social harmony.

1.2 Statement of the Problem

The Banigo Major House in the Bonny Kingdom of Rivers State, Nigeria, serves as a poignant and critical case study for these competing dispute resolution paradigms. This internal communal conflict has persisted for approximately 30 years, evolving into a deeply entrenched crisis that encompasses complex disputes over chieftaincy leadership, communal property rights, customary successions, and shifting internal demographic dynamics. Over three decades, multiple intervention strategies have been deployed with varying degrees of success. Traditional institutions—including family elders, titled chiefs, the local priesthood, and the King of Bonny Kingdom (The Amanyanabo)—have repeatedly stepped in to mediate. Concurrently, various factions within the House have sought redress through formal litigation, dragging the family's internal affairs through the public and adversarial machinery of the state courts. Rather than resolving the crisis, decades of litigation have largely ossified the divisions, drained communal resources, and prolonged the socio-political paralysis of the Banigo Major House. However, a significant catalytic shift has occurred under the direction of the present principal leader of the House. In a bold strategic departure, the leadership has initiated a policy to withdraw active cases from the state courts and return the disputes to the internal domain of family settlement and traditional mediation.

Significantly, preliminary qualitative data indicates strong internal backing for this paradigm shift, with key family elders expressing explicit support for abandoning the court system in favour of indigenous dialogue.

1.3 Research Objectives

Despite the growing body of literature on Alternative Disputes Resolution (ADR) in Nigeria, there remains a critical research gap regarding how modern leadership initiatives interact with ancient customary institutions to resolve multi-generational, large-scale family house conflicts in the Niger Delta region. The long-term efficacy of shifting from state courts to traditional mediation in a highly formal traditional state like Bonny Kingdom requires rigorous empirical investigation.

Therefore, this study analytically examines whether mediation, anchored by legitimate leadership and reinforced by enlightening institutions, can provide a more restorative, healing, and sustainable resolution to prolonged intra-family conflicts than formal litigation. By evaluating the historical trajectory of the Banigo Major House crisis, this research aims to

provide an empirical blueprint for utilizing customary ADR frameworks to resolve deep-seated communal and familial disputes across contemporary African societies.

2. Discussion

2.1 Nature and Causes of the Conflict

The crisis within the Banigo Major House of the Bonny Kingdom is fundamentally multi-dimensional, representing an intricate web of historical resistance rather than an isolated grievance. Empirical observation and historical tracking over the past 30 years reveal that the conflict is cyclical and cumulative, driven by four distinct yet deeply interconnected structural catalysts:

2). Leadership Disputes: This dimension involves persistent contestation over legitimate administrative authority, headship succession protocols, and the official external representation of the House within the broader Bonny Kingdom traditional council.

3). Property Matters: These friction points manifest as intense disagreements over ancestral land ownership, real estate assets, and financial entitlements, all of which are deeply tied to conflicting interpretations of family lineages and historical inheritance rights.

4). Customary and Traditional Issues: The conflict is exacerbated by divergent interpretations of ancient customary laws, particularly regarding who qualifies for specific traditional titles and how foundational family norms should be applied in a modern context.

5). Demographic Concerns: Over three decades, significant changes in family size, geopolitical migration, and internal branch expansions have altered the domestic balance of power. These shifting demographics directly impact how representation is allocated and how communal resources are distributed among competing lineages. Rather than stemming from a singular catalyst, these four factors have acted as a continuous loop, where a dispute in one area (e.g., demographics) inevitably triggers a crisis in another (e.g., property allocation or leadership legitimacy).

2.2 Mediation and Traditional Institutions

A defining and culturally significant feature of the Banigo Major House case is the persistent involvement of indigenous, culturally legitimate actors. Over thirty years, family elders, titled chiefs, the Clergymen, and the King (The Amanyanabo) have consistently deployed customary dispute resolution mechanisms. Their methodology is deeply holistic, relying on intensive listening sessions, thorough examination of ancestral grievances, structural compromise, spiritual invocation and prayer, and public formal procedures of reconciliation. This indigenous approach aligns closely with contemporary West African sociology. Recent Nigerian research confirms that traditional rulers and institutions remain highly vital, resilient third-party interveners in contemporary conflict resolution, surviving despite the overwhelming expansion of state judicial systems (Ashiru-Badmus & Oyebode, 2025). The structural efficacy and enduring authority of these conventional mediators stem directly from two distinct institutional assets:

a).Deep Institutional Knowledge: Traditional authorities possess an exhaustive, both written and unwritten archive of family history, genealogy, and historical property boundaries that state court judges.

b).Cultural Legitimacy: Their authority is rooted in sacred tradition, community trust, and ancestral heritage, commanding a level of moral compliance and emotional deference that state machinery cannot replicate.

2.3 Litigation versus Mediation:

i). A Comparative Analysis: Despite on-going internal mediation options, certain factions (collectively referred to as Party A) historically chose to seek redress through state courts. This tactical choice created highly volatile, parallel dispute processes where traditional dialogue and modern state litigation operated at cross-purposes. While formal litigation succeeded in defining strict legal boundaries and establishing technical rights, it fundamentally failed to address the root causes of the friction. The current institutional pivot back toward internal family settlement represents an explicit acknowledgment that top-down court judgments are incapable of repairing the deep-seated mistrust, fractionalization, and social alienation generated by decades of warfare.

To illustrate these structural differences, below highlights the operational contrast between these two paths namely Operational dimension, formal litigation, Traditional mediation, System atmosphere, Adversarial, zero-sum, and inherently hostile.

Collaborative, relational, consensus-driven,
Process direction rigidly court-directed and bound by statutory technicalities,
Party-oriented, flexible and culturally organic,
Primary objective determines strict legal rights and allocations. Negotiates mutual solutions and uncovers root causes, Social outcome produces clear winners and losers, often deepening divisions and seeks holistic reconciliation and family reintegration.

2.4 Theoretical Framework:

To theoretically anchor this study, the analysis utilizes Transformative Mediation Theory, pioneered by Robert A. Baruch Bush and Joseph P. Folger. Unlike problem-solving mediation models that focus strictly on reaching a transactional settlement, Transformative Mediation views conflict as an opportunity to transform the very nature of human interaction. The model operates on two foundational pillars:

Empowerment: Strengthening the parties' intrinsic capacity for clear decision-making, independent problem solving, and emotional self-determination.

Recognition: Fostering mutual empathy, active listening, and a genuine understanding of the adversary's situation, perspective, and shared humanity. Within the Banigo Major House context, this framework perfectly explains the current leadership's strategic push to move the family from legal confrontation to restorative dialogue. By withdrawing cases from court, the current leadership is exercising a transformative peace building role. Leadership in this context ceases to be merely administrative or managerial; it becomes an active agent of socio-

cultural healing, empowering family factions to recognize their shared lineage and collaboratively rewrite their collective future.

2.5 Healing as an Outcome

Prolonged intra-family conflict inevitably produces significant, invisible wounds deeply entrenched bitterness, chronic suspicion, inter-generational trauma, and completely shattered lines of communication. While a state court has the legal authority to definitively close a case file, its institutional reach stops at the courtroom door; it cannot close the emotional and social wounds of the litigants. The present administrative initiative to return these complex disputes to the family domain reflects a sophisticated understanding of this limitation. It acknowledges that for a historic, foundational entity like the Banigo Major House, the ultimate metric of success is not merely a legal settlement or a technical truce, but genuine internal healing, structural restoration, and long-term communal unity.

3. Findings

3.1 Overview of the Findings.

Through a systematic analysis of qualitative field interviews and an extensive review of historical family records, court filings, and correspondence (documentary analysis), this study generated seven core findings. These findings illustrate the lifecycle of the dispute and the contemporary paradigm shift from adversarial litigation to customary peace building.

Summary of Key Findings

Finding 1: The crisis is a 30-year multi-layered dispute driven by leadership, property, customary, and demographic friction.
Finding 2: Traditional mediation relies on culturally legitimate institutions (elders, chiefs, the King, and the Clergymen).
Finding 3: Decades of litigation failed to resolve deep-seated relational fractures and created parallel process volatility.
Finding 4: The current leadership has initiated a structural shift to withdraw cases from state courts in favour of internal resolution.
Finding 5: Key institutional custodians (Elder 1 and Elder 2) express unanimous support and satisfaction with this reconciliation model.
Finding 6: Customary mediation functions as a holistic vehicle for communal healing and restoration, not just legal settlement.
Finding 7: Reconciliation oriented leadership acts as the primary catalyst for unlocking the effectiveness of traditional ADR.

3.2 Detailed Thematic Analysis of the findings:

Finding 1:The Multi-dimensional and Inter-generational Nature of the Conflict: The data confirms that the crisis within the Banigo Major House is not an isolated event but a protracted, 30-year conflict characterized by deeply entrenched structural layers. Documentary analysis of historical family registers and legal filings reveals that the dispute operates across four distinct axes:

i). Leadership Contestation: Long-term friction regarding succession protocols for the House headship and legitimate representation within the Bonny Kingdom Traditional Council.

ii). Property Disputes: Complex arguments over the ownership, leasing, and benefit-sharing of ancestral lands and communal economic assets.
iii). Customary Divergences: Conflicting interpretations of ancient Bonny customary laws regarding title inheritance.
iv). Demographic Pressures: Exploding branch populations within the House that have skewed historical representation and resource distribution. Both the documentary archive and oral testimonies show that these four factors did not occur in isolation rather they fed into each other over three decades, creating a cycle of continuous litigation and internal division.

Finding 2: Sustained institutional reliance on culturally legitimate actors: A significant finding is the enduring relevance and active deployment of indigenous conflict resolution frameworks. Despite the strong pull of modern state courts, the Banigo Major House has consistently returned to culturally legitimate traditional institutions.

The research shows that family elders, titled chiefs, the King of Bonny (The Amanyanabo), and the community clergymen have all actively mediated at various intervals. The qualitative data shows that these actors do not just arbitrate; they use a holistic tool-kit that combines historical truth-telling, genealogically informed compromise, moral suasion, and spiritual intervention (prayer and traditional invocations) to de-escalate tensions.

Finding 3: The limits of parallel litigation and relational erosion: The findings show that for decades, formal court litigation coexisted as a parallel process alongside traditional mediation. However, the data strongly indicates that litigation fundamentally failed to resolve the underlying relational issues. Documentary analysis of past court judgements reveals that while the state judiciary could issue clear declarations of legal rights, these top-down verdicts often exacerbated internal divisions. Litigating family matters in public courts created an adversarial "win-lose" dynamic that entrenched mistrust, formalized factionalism, and caused deep social alienation among close relatives, invisible wounds that standard court orders are structurally unequipped to heal.

Finding 4: The strategic paradigm shift under present leadership: The study highlights a major turning point under the administration of the present principal leader of the Banigo Major House. Recognizing the destructive cycles of endless court battles, the current leadership has executed a deliberate strategic pivot: thoroughly withdrawing active lawsuits from the state judiciary to return the issues to internal family round tables. This finding highlights a conscious move away from state-sponsored adversarial justice toward restorative, indigenous dialogue.

Finding 5: Unanimous stakeholder endorsement of the reconciliation initiative: A critical metric of success for this new direction is its high level of internal legitimacy. The qualitative interviews reveal that both Elder 1 and Elder 2 express absolute support for the current reconciliation approach.

Elder 1: (personal communication on 2 Emphasized that withdrawing the court cases has removed the structural hostility that previously blocked open communication between the factions.

Elder 2: Explicitly stated their deep satisfaction with the tangible progress made so far, noting that internal discussions are yielding a level of mutual understanding that thirty years of court battles could never achieve.

Finding 6: Mediation as a pathway to holistic restoration and healing:
The data demonstrates that within an intra-family context, traditional mediation provides a much higher value than standard dispute settlement. While formal litigation focuses strictly on ending a dispute by determining who is legally right, traditional mediation serves as a pathway to genuine reconciliation, structural restoration, and psychological healing. By allowing parties to voice historical grievances in a safe, culturally familiar space, the mediation process actively repairs broken communication lines, preserves the family fabric, and safeguards the collective heritage of the House.

Finding 7: The centrality of resolution oriented leadership: Ultimately, the study finds that the imperative success of customary ADR frameworks in deep-seated family disputes depends heavily on the nature of the family's leadership. The current turn-around within the Banigo Major House demonstrates that resolution oriented leadership is essential for effective mediation. For traditional tools to work, leaders cannot act merely as cold administrative managers or adherent actors. Instead, they must position themselves as active, dispassionate peace builders who are willing to sacrifice short-term legal victories to secure long-term communal harmony and structural unity.

4. Recommendations
Based on the empirical findings and analytical insights gathered from the Banigo Major House case study, the following policy and recommendations are proposed to build sustainable peace, ensure systemic reconciliation, and optimize customary Alternative Dispute Resolution (ADR) frameworks that includes;

4.1. Intra-family and communal disputes should be subjected to a mandatory, formalized phase of traditional mediation before any party is permitted to initiate prolonged, adversarial litigation in state courts. Implementing a "mediation-first" protocol prevents the early establishment of hostility and avoids the heavy financial burdens that empty communal treasuries.

2). The present principal leader of the House must continue to actively champion internal family settlement and restorative reconciliation. Because individual leadership turns can be temporary, this specific strategic revolve, withdrawing active cases from state courts, should be encoded into the official administrative policies of the House to ensure continuity across future administrations.

3). Structural frameworks must continuously involve family elders, titled chiefs, the Amanyanabo (King), and religious priests, provided they are mutually accepted by all disputing factions. These actors should use their indigenous cultural legitimacy and deep knowledge of lineage history to act as trusted third-party neutrals, operating as a bridge where modern statutory frameworks fall short.

4.2 Operational efficacy and conflict prevention:

a). Future mediation interventions should avoid applying quick, temporary fixes to isolate incidents. Instead, they must tackle the overlapping root causes, leadership succession, property boundary disputes, and customary interpretations, holistically, acknowledging that a failure in one area directly fuels crises in the others.

b). To prevent future inter-generational disputes, all family settlements, boundary classifications, and succession codes reached through traditional mediation must be properly reduced to written contracts, signed by all principal actors, and legally filed. These documents should be preserved in both state registries and sacred family archives to make them legally binding and durable.

c). The Banigo Major House should establish a standing Family Reconciliation Council. Rather than relying on temporary committees formed after a crisis breaks out, this permanent council will serve as an early warning system designed to detect, track, and peacefully resolve emerging inter-personal and demographic conflicts before they scale into full-blown legal conflicts.

4.3. Cultural and Paradigm Transformation

1). The leadership should run consistent public education and orientation sessions within the House to explicitly encourage family members to choose collaborative dialogue over immediate litigation. Normalizing internal mediation helps to destigmatized past disagreements and rebuilds community pride.

2). Traditional mediation within the House must be explicitly taught and practiced as a holistic process of emotional healing, structural restoration, and mutual recognition, rather than just a legal exercise to close a case file. The final metric of success for any internal intervention must be measured by the restoration of broken relationships and long-term communal harmony.

5. Conclusion

The protracted conflict within the Banigo Major House of the Bonny Kingdom offers a profound sociological and legal case study on the boundaries of adversarial justice and the enduring power of customary alternative dispute resolution (ADR). The central finding of this research demonstrates that deep-seated, intergenerational intra-family conflicts cannot be resolved through rigid legal determination alone. While state-sponsored litigation possesses the statutory authority to settle specific legal disputes, assign blame, and issue technical judgments, it leaves behind a wake of fractured relationships, intergenerational mistrust, and deep socio-political alienation within the communal unit.

Conversely, traditional mediation when anchored by legitimate, reconciliation-oriented leadership and reinforced by ancient indigenous institutions—presents a far more comprehensive, durable, and structurally sound remedy. By operating outside the zero-sum constraints of the courtroom, mediation creates a safe, culturally resonant space for authentic dialogue, mutual recognition, and genuine reconciliation. It reaches directly into the

emotional and relational wounds of the family structure spaces where the blunt instrument of formal state litigation cannot legally or practically go.

The recent administrative idea shift initiated by the present principal leader of the House to thoroughly withdraw ongoing lawsuits from the state courts and return them to the domain of internal family settlement marks a water-shed moment in the history of the Bonny Kingdom. This operational turnaround represents a conscious rejection of adversarial warfare in favour of relational restoration. The unanimous convergence of perspectives from the principal custodians interviewed Elder 1 and Elder 2 validates this shift, proving that an indigenous, consensus-driven framework is both culturally appropriate and highly effective in practice. Furthermore, when viewed through the lens of Transformative Mediation Theory, this intervention elevates leadership from a position of simple bureaucratic management to an active agent of communal peace building, proving that structural healing occurs when parties are empowered to recognize their shared ancestry over immediate legal victories.

Ultimately, this study concludes that within the context of the Banigo Major House, traditional mediation is not merely a tactical alternative to litigation; it is an indispensable source of communal cure and systemic healing. State courts are designed to determine who wins a legal battle, but they lack the tools to save the litigants from losing their shared identity. As contemporary African societies continue to grapple with the friction between modern statutory law and traditional heritage, the Banigo Major House case provides a compelling empirical truth: litigation may successfully determine who wins a case, but mediation ensures that the family does not lose itself in the process

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