

**Behind the Intractability of Communal Conflicts in Africa: the case of the Nkonya-Alavanyo conflict in Ghana.**

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**Abstract**

In this article, I move away from the rather active and bloodier conflicts to which there exists significant academic literature to the rarely researched, less bloody and latent communal violence. Based on archival documents and in-depth semi-structured interviews conducted in Ghana with analysis of transcript following a thematic approach, I examine from the perspective of the Nkonyas, the intractability of the Nkonya-Alavanyo conflict in Ghana, which, despite many attempts at resolution, persists for almost a century. The findings suggest that, in the view of the Nkonyas, the conflict remains insoluble due to (a) the non-execution of the various courts' judgments in their favour, (b) the lack of punitive measures against violators of the law, (c) the nature of the conflict resolution mechanisms practised, (d) greed of the Alavanyos and (d) the political undertones that underpin the conflict.

**Keywords:** Protracted Social Conflict, Communal Conflicts, Nkonya-Alavanyo, Ghana, Africa

## **Behind the Intractability of Communal Conflicts in Africa: the case of the Nkonya-Alavanyo conflict in Ghana.**

For many years, Africa has figured prominently in the discussions of violence and a significant amounts of research have accordingly been devoted to it. In this article, I move away from the rather active and bloodier conflicts to which there exists significant academic literature to the rarely researched, less bloody and under-explored latent communal violence. By communal violence, reference is made to violent conflicts among “identity-based groups including ethnic, regional, religious or livelihood communities” in which the conflicts are either sustained or developed “over territorial disputes, local power disparities, resource access, and historical disagreements” (Raleigh, 2014, p.93). These conflicts, given the conspicuous fragmentation of the African continent, exist in almost every part of the continent (see, Mazrui, 2008). Accordingly, recent studies on communal violence in Africa to which my project contributes to, are rich and diverse. These studies focus, for instance, on the conditions that are likely to inform the outbreak and involvement of groups in communal violence (Balestri & Maggioni, 2017; Eck, 2014; Hillesund, 2019; Wig & Kromrey, 2018), on the predisposition of communal violence in triggering armed conflicts (Fjelde & Østby, 2014), or on the reasons behind governments’ involvement in communal violence (Elfverson, 2015).

Latent form of communal violence, in the context of this article, refers to inactive forms of communal violence that are visibly absent from known databases due to their statistical insignificance in terms of yearly fatalities but affects countless of people daily. According to the Uppsala Conflict Data Program (UCDP) for example, conflict is deemed active when it records at least 25 deaths in a given year. Consequently, UCDP requires these 25 annual deaths for inclusion

into its database (Uppsala Conflict Data Program, n.d.). By extension, this means that even if a conflict records 20 deaths each year, it is perceived inactive and perhaps unworthy of attention.

My context for exploring latent communal conflicts in Africa is Ghana, which although spared the lethality of civil wars that engulfed its sub-regional neighbours in the 1990s, still plays host to series of violent communal conflicts. According to the 2018 Global Peace Index, Ghana's peacefulness is ranked high, appearing in the same brackets with European countries including Finland, Sweden, and Germany. The country also improved by 5.5% in the domain of peace and security in 2017 (Institute for Economics & Peace, 2018). But Ghana is not immune to violence and its related insecurities. Indeed, the country continues to play home to most sporadic communal conflicts that often pivot around land, chieftaincy, ethnicity and religious disagreements (Osei-Kufuor, Kendie, & Boakye, 2016; Suleiman, 2017; Tsikata & Seini, 2004). Electoral violence and related vigilantism is also progressively becoming part of the Ghanaian society (Côté & Mitchell, 2016; Oduro & Franklin, 2012). Even Islamic radicalism that was hitherto deemed distant and confined to certain geographical areas such as the Sahel region has made its way into the country (Aning & Abdallah, 2013). This does not however, constitute a complete revocation of Ghana's peacefulness, I argue, it rather situates an appreciation of and an understanding of peace that deviates from both peace as an absence of war and peace as an absence of all forms of violence and underscores the potential existence of violent interactions in the margins of everyday lives even in peaceful situations (see, Agyei & Möller, 2019).

In particular, I examine the insolubility (difficult to solve) of the Nkonya-Alavanyo conflict in Ghana which revolves around land ownership and usage and pertains between the Nkonya (Guans) and Alavanyo (Ewes) (see, Midodzi & Imoro, 2011; Penu & Essaw, 2019; Yakohene, 2012). As a non-state conflict, the case has failed to capture the attention of many scholars because; it poses

no threat to neither Ghana's territorial integrity nor that of its neighbours, stays latent and therefore unrepresented in known databases.

### **Nkonya-Alavanyo Conflict in Perspective**

Nkonya and Alavanyo are two distinct ethnic groups in the Oti region and Volta region of Ghana respectively but nonetheless share a common boundary. The people lived peacefully for about five centuries until 1923 when the first full-blown conflict was recorded among them. Evidence of such peaceful coexistence go beyond the sharing of just common boundaries. Indeed, manifestations of such cordial engagements can be found in their centuries of intermarriages. That notwithstanding, their relationship has in the last century been marred by a protracted conflict over the ownership of a piece of land (Mediation Committee Report, 2008).

Today, the conflict between the Nkonya and Alavanyo remains one of the most prolonged communal conflicts in Ghana. Since 1923, occasional violent incidences have been reported to date. While mostly land related issues have precipitated the conflict, an outbreak in 1983 for example, was due to a disagreement over the fetching of water (Tsikata & Seini, 2004). Currently, the land in contention stands at 2,616.23 hectares (Gariba, 2015). Although the actual number of fatalities remain unknown due to poor record keeping and the lack of free information flow among others, the conflict continues to affect daily, over 75,616 people in both communities (Ghana Statistical Service Report, 2014) and the entire country as a whole. Various exertions made by successive governments, concerned citizens, and private organisations and related non-governmental bodies at solving the conflict have not yielded any result.

The 1913 Grunner map, *Karte des Sechsherrenstockes* which was commissioned by the colonial German administration and drawn by a German cartographer, Dr. Hans Grunner was the earliest attempt at salvaging the land related issue among the Nkonya, Alavanyo, Gbi, Santrokofi, Akpafu and Bowiri. Despite being endorsed by five of these six communities, the Alavanyos have to this day, rebuffed the validity of the map. In their view, the true boundary can only be ascertain using the local *anyaa* tree planted by their ancestors instead of pillars planted by Dr. Grunner (Tsikata & Seini, 2004; Yakohene, 2012). The Grunner map apart, some attempts have been made at solving the conflict, including the setting up of settlement committees such as the Mireku Committee of 1995 tasked to investigate and report on the advancement of peace between the groups (Agyeman-Duah, 2008). The court has also been pivotal in the resolution of this impasse. What is significant is that, the Nkonyas have won all the court cases between 1953 and 1980 where they consistently tendered the Grunner map in evidence. In reaction, the Alavanyos have also cited three colonial court rulings in their favour as a counter claim to the recent or post independent rulings (Tsikata & Seini, 2004). Parliament and the Volta Regional House of Chiefs have also been instrumental in the search for peace among the disputants (Yakohene, 2012).

The failure of the above-mentioned interventions called for the use of Alternative Dispute Resolution mechanisms (ADR) under the framework of the Nkonya-Alavanyo Conflict Mediation Committee in 2004. ADR refers to a “wide variety of dispute resolution mechanisms that are short of, or alternative to, full-scale court processes” (Poku & Adu-Gyamfi, 2014, p.135). Unfortunately, the conflict persists. The inability of the various efforts to bag the much-needed peace clearly establishes the need for innovative approaches to solving this conflict.

From the perspective of this article, these existing studies present two lacunas. First, none of the studies – both on communal violence in general and on Nkonya-Alavanyo specifically – has

ventured to investigate the insolubility of these violent conflicts. Second, they tend to focus on active violence with high mortality ratios. In this article, I attempt to contribute to the existing literature by bridging these gaps. In doing so, I draw on Azar's Protracted social conflict (PSC) theory to grasp the complexity of the conflict. The seeming insolubility of the conflict will then be explained through Burtons human need theory and related literature.

### **Azar's Protracted Social Conflict theory (PSC)**

Azar's PSC was his contribution to, the subject of preoccupation among scholars at the time of his writing— intractable conflicts, deep-rooted conflicts. To Azar, the theory exemplified the persistent and sometimes violent struggle by “communal groups for such basic needs as security, recognition and acceptance, fair access to political institutions and economic participation” (Azar, 1991, p.93).

To Azar, the non-satisfaction of basic human needs based on people's communal identity is the foundation stone upon which PSC stand. Such deprivations he argues, are the product of a “complex causal chain involving the role of the state and the pattern of international linkages.” Azar identifies three stages that best describe PSC ranging from *genesis*, *process dynamics* through to *outcome analysis* (Azar, 1990, p. 12).

Under *genesis*, Azar indicates that the “communal content, needs, governance and the role of the state, and the international linkages” are accountable for the conversion of “non-conflicting situation into conflicting ones.” To him, the most substantial feature correlated to PSC is the communal component of a society. Regarding needs, he contends that when groups are denied the satisfaction of their basic needs while others enjoy them in abundance; it is only natural that grievances that are often articulated communally will result. His contention is that the authorities'

inability to deal with such grievances often creates a niche for PSC. On governance and the role of the state, Azar maintains the modern states have a stake in the satisfaction of the basic human needs and depending on how this power is exercised; peace can be sustained or destroyed. Related also to this is the role of other international systems (countries/organizations) which can impact either the economic and/or political, as well as military circles (Azar, 1990, pp. 7-12).

These preconditions above do not precipitate PSC. Rather, their ability to cause PSC is dependent on three factors, which he calls *Process Dynamics*. The first is communal action and strategy by which Azar meant where structural setbacks in communications systems within a society is characterised by suspicion among various groups, fertile grounds are laid for PSC. Second, the state's action and strategy seen in its ability to deal with general communal grievance and promote the satisfaction of needs and thirdly, built-in properties of conflict which is reflected in the effects of conflicts over time on the opinions some groups have and how they reflect on the behaviour of disputants. The results of such PSC, he noted, are incalculable- from the deterioration of physical security, institutional deformity, psychological ossification, increased dependency and Cliency (Azar, 1990, pp. 14-17). Although Azar's work seems to have sunk into obscurity, it throws more light on the conflict in context. In Ramsbotham (2005, p.109) view, "Azar's work does not merit such neglect and that it still offers useful pointers for an understanding of the sources of major armed conflict in the turbulent and contested arena of post-Cold War politics".

## **Research Goals**

The goal of this article is to develop an understanding into the reasons why latent/inactive communal violence become intractable or simply difficult to resolve. In this research, inter alia, I sought from the Nkonyas, answers to the following questions:

1. What are the causes of the Nkonya-Alavanyo conflict?
2. What are the effects of the Nkonya-Alavanyo conflict?
3. Why has the conflict remained protracted?

## **Methods**

### **Data, data-collection and analytic strategies**

The article uses phenomenology as its method. This methodological choice is influenced, first, by the subjective nature of the research questions and secondly, by the reliance of phenomenology on the lived experiences of people and believe that peoples' experiences are better told by themselves (Giorgi, Giorgi, & Morley, 2017; see also, Reed & Robinson, 1998). In the view of Groenewald (2004), this method helps in the suppression or elimination of biases. Therefore following the thinking of Rich & Ginsburg (1999, p.72) that "qualitative methodologies can offer far greater insight into "why" and "how" phenomena occur than can quantitative methods", this article is presented as a qualitative study. By qualitative study, I refer to "the study of people and phenomena in their natural setting and reflects an emphasis on the meaning people find in their natural social life" (Cooper & Finley, 2014, p. 1). Accordingly, I apply the qualitative data collection methods of in-depth semi-structured interviews and personal observations to generate the data for the study. Their combination reflects Remenyi's (2012) position that observation



supports interviews, as interviews are unable to observe previous happening and present intentions. “To remain flexible and adapt my questions to the developments made” in the interviews, (Lefort, 2013, p.53), a wide range of selected themes were discussed with the interlocutors ranging from their perceptions of the background of the conflict -causes and effects- to reasons behind the intractability of the conflict.

My first entry was aided by the police who acted as a gatekeeper by introducing me to the local authorities in the Nkonya communities where permission for the research was granted after my I explained my mission to the elders. Apart from being a Ghanaian and speaking a language that the disputing communities do understand, I have no connection to the conflict and people. My ideas and interest in the conflict is based on the available literature. Given that any preconceptions can impact on the entire project – the data collection, interpretation and presentation if any, (see, Tufford & Newman, 2012) – I stayed strictly to the subject matter of the study.

For the sampling of prospective respondents, Nkonya-Tayi also called Tayi was chosen out of the about twenty-one (21) Nkonya towns as it suffers the highest incidence of violence and shares a direct boundary with Alavanyo. For the purpose of this study, Nkonya-Tayi and Tayi is used interchangeably. Overall, twelve people (n = 12) aged between 18 and 92 were interviewed. Nine of them were interviewed in Tayi, one in Nkonya-Ahenkro while two were interviewed in Accra. In sampling the participants, I used both snowball and convenient sampling methods while considering at the same time, their land/farm ownership status in the disputed area, experiences/ involvement in the conflict/peace processes, as well as residential status in Nkonya.

There was also a conscious effort in securing gender and age balance in the recruitment process and the limited number is due to inadequate resources including money, time. The choice of place and time of each interview which lasted for about 45 minutes on the average was given to the

participants. All interviews were audiotaped with the permission of the participants and transcribed afterwards to form the data for the study.

The generated data was transcribed verbatim and analysed using thematic analysis where a thorough readings of the transcript in search of “repeated patterns of meaning” were made (Braun & Clarke, 2006, p.86). In this paper, “themes with relevance specific to the research focus, the research question, the research context and the theoretical framework” were selected (Roberts, Dowell, & Nie, 2019, p. 1). Following the six guidelines provided by Braun & Clarke (2006) for thematic analysis, the following steps were followed: First, I familiarised with the data by transcribing it verbatim and read it thoroughly. Secondly, I coded the data into meaning groups that reflected the various subjects of interest- causes, effects and reasons behind the intractability of the conflict. Thirdly, I examined rigorously, the dominant ideas expressed under the codes to hand pick the themes. Fourthly, the generated themes are then re-examined and refined. In the fifth step, I then defined and further refined the themes, and subsequently produced the final report.

### **Results from the field: A Nkonya Perspective**

The open-ended interviews were conducted with the blanket terms of causes, effects and intractability which largely reflects the research questions in mind. Accordingly, the generated themes are structured under these headings to offer some clarity to the work.

#### Causes

Land emerged as a main theme in the interviews. All twelve participants said that at the core of the conflict is the question of land- ownership and related border demarcation. A participant made a strong case for this when she mentioned that, “the conflict is about land, and I have been badly affected. Our great grandfathers were here before the Alavanyos came but later they rebelled against us” (Participant 5, female). Endorsing the above perspective, a female, Participant 10, had this to say “... the Alavanyos have an eye on our land especially behind the mountains. The point is that, we are the landlords and I believe that if there is not enough for them, they should simply ask us for it”. Speaking on the reasons behind the change in their hitherto cordial relationship, another participant hinted that “the land and of course the agreement as to what really constitute the original boundary between Nkonya and Alavanyo changed.” To him, the conflict is simply a medium of “fighting for what we [they] believe rightly belongs to [them] us” (Participant 7, male).

The land issue apart, other factors serve as immediate triggers for the outbreak of hostilities at certain times. All 12 participants referred to the drought that flared the conflict in 1983. The text below represents the account of a participant;

it was a dry season and the people of Nkonya fetched water close to the Alavanyos in the Gyenana River. As always because of the nature of the flow, people had to fetch in turns. Witnesses said that when it got to the turn of a man from Nkonya- Ntwumuru to fetch, an Alavanyo woman refused to allow him to fetch and instead threw his bucket away. This resulted in a fight. So, the lady was beaten by the Nkonya man and she had to run to report to the chief and then later to the police. We went to settle the issue but unknown to us, the Alavanyos had planned to retaliate....

they turned to our forest, killed our people and looted all our products including our cocoa and cola farms (Participant 1, male)

Another theme that featured prominently in the interview process was ethnicity. On the question of whether or not their ethnic differences have been a potential cause of the conflict, the views of participants were not unanimous. While eight (8) participants believed that ethnicity is an issue of much significance in the conflict, four (4) of the participants disagreed. In discounting the strength of ethnicity, a participant had this to say;

the conflict is not because they are different ethnic groups, they are different ethnic groups in which they define themselves as different but the reasons for the conflict go beyond their different ethnicities. It goes to power relationships, it goes to who is who, it goes to ownership of land which translates to we are more superior (Participant 8, male).

In simple terms, Participant 1, male, mentioned, “I don’t believe that our ethnic difference is responsible for this whole conflict.” But in the view of Participant 3, male:

Ethnicity has been a major problem. Almost all the Ewes [the Alavanyos are a subdivision of the bigger Ewe ethnic group] are now supporting the Alavanyos and there have been many threats to exterminate all of us. Even previously, the conflict was limited to only Nkonya-Tayi but as we speak the conflict has been extended to the entire Nkonya people.

## **Effects**

On the effects of the conflict, respondents unanimously agreed that the conflict has been devastating on their lives in diverse ways – fear and related insecurity, economic hardship, social menace, illiteracy among their children. The views of Participant 3, male, best captures the perspectives of the people when he mentioned;

Our cocoa and cola farms have been left in the bush unattended to for years. This has caused food problems and money issues. We just cannot go to farm for food because of fear. Our children cannot also go to school because we cannot pay their school fees. My brother, as I speak to you, this conflict has brought to our communities some social menace: some of the women are engaging in prostitution both here and in the cities like Accra for money.

## **Intractability of the Conflict**

Without exception, all twelve (12) participants hinted that the conflict has been difficult to solve primarily because, of the non-enforcement of the courts' judgements; a blame they place at the doorstep of government. For Participant 12, male, "...the conflict is still going on because; the Alavanyos have refused to accept the court rulings". To Participant 3, male, "the Alavanyos have refused to accept the rulings of the courts and no one is saying anything to them. The government has all the judicial records and is not ready to come out with the truth?" The following narrative comes from Participant 11, male, who although agrees in principle, on the issue of the non-

execution of the courts' verdict being responsible for the persistence of the conflict but puts the blame on the Nkoyas instead of the government as others put it.

After the Nkonyas had won, if they had done the proper thing, then it meant serving on them [Alavanyos] the entry of judgment and then subsequently if they flouted the injunction, then you go with contempt of court... This was not done because, the Nkonyas entered into an agreement with some of the Alavanyos for which they were to atone tenancy to the Nkonya people. After they all died, I suppose their people did not understand why those things were done so they continued the trespassing.

Most participants referred to the lack of punitive measures against people who violate the laws of the country. According participants, this has endorsed a culture of impunity as people who perpetrate acts of violence go unpunished. As a participant puts it "we know all the people behind this, and we know that they are all walking around as freemen. After all, they know they can always escape from being punished" (Participant 9, female). The opinion of another participant below underscores the thinking of the participants.

They [Alavanyos] openly defy court orders, enter our lands, cut down our timber, destroy our food crops and cocoa and yet walk freely afterwards. We know of many such persons who as still walking as free men today (Participant, 6, male).

All participants also talked about the defective nature of the resolution, mediation or peacebuilding efforts practised over the years. Speaking during our interview session, a participant had this to say;

There has never been any mutual satisfaction. For peace to be durable, sustainable and genuine, the solutions must be mutually satisfactory to the parties of the conflict and that has not happened. Whether it was the high court ruling or the way the state has managed it, that has never happened. (Participant 8, male).

When the reasons behind the *protract-ability* of the conflict was put to a participant, here is what he said;

All the interventions have been problematic in one way or the other. I think they have not really made any difference. To me, the most effective one was the Mediation Committee [Nkonya-Alavanyo Conflict Mediation Committee of 2004]. Unfortunately, it looked as if its leaders were in support of the Alavanyos right from the beginning (Participant, 7, male).

Another thing that featured prominently in the data was the issue of greed. All participants mentioned greed in their narratives. As one participant puts it, the whole conflict is based on "...sheer jealousy and greed" (Participant, 8, female). To another, "it is mere greed. There are a lot of resources to be enjoyed on the land and this has been difficult for them to simply let go" (Participant 5, female).

Politicisation of the conflict is also a recognisable theme. With the exception of one participant, all participants raised the notion of party politics as a factor worth considering. The assessments of this participant, largely reflect the mood of the people;

...we still have this problem because it is now the NDC [National Democratic Congress] government that is ruling. The majority of the Voltarian including the Alavanyos belong to that party and most of them are big men who always twist and turn issues around (Participant 9, female).

But for Participant 11, male, the significance of politics or the element of politicisation remains hugely exaggerated. In his view, "...there has always been politics in land matters, but I don't think it does take away the findings as it were..."

## **Discussions**

This article is aimed at presenting an understanding to while the Nkonya-Alavanyo conflict persists despite many attempts at its resolution. But understanding the insolubility of the conflict meant also, an appreciation of the conflict-its causes and effects, inter alia.

## **Causes and effects**



A careful review of the findings on the field establishes a clear connection with the thinking of Azar on protracted social conflict. In the view of the twelve participants, land remains the chief cause of the conflict. This, however, does not come as a shock as land is the most prized asset and accordingly serves as the foundation of Ghana's economy (Ministry of Lands and Forestry, 1999). Looking at the land issue through Azar's communal component calls for questioning and debate. His basic position has been that societies made up of multiple communities are likely to experience PSC. This, he argues, is a direct result of diverse differences brought to bear either through colonialism or through the historical pattern of warfare among various group (see, Nhema & Zeleza, 2008). Although one can blame the conflict largely on Ghana's colonial history, I argue that, such claims call for critical scrutiny given that most groups, regardless of their colonial commonalities, have lived peacefully without incidents (see, Williams, 2016).

This relates to the question of ethnicity. The interviews so far have produced two opposing views. While one group blames the conflict's intransigence on their ethnic difference, the other disagreed. My observations, however, established that indeed, ethnic undertones play a central role in their discordant relationship as the strong distinction between 'us' and 'them' was very pronounced in their daily conversations. Although cultural distinctions are not easily observable in the daily lives of the Nkonyas, it is worth pointing out that this position is consistent with Barth's (1969) ethnic composition, which is grounded on ascriptions and self-ascriptions rather than cultural embodiments. Azar's (1990) communal content although true in the case under review, stands challenged particularly when viewed from the angle of others. William (2016) for example points out that the association between ethnicity and conflict is an unsustainable perspective, arguing instead that given the ethnic diversity across the globe; the entire world would have been engulfed by interminable conflicts. Irrespective of how the role of ethnicity is perceived in the

Nkonya-Alavanyo case, it is conspicuous that while the conflict might not have been sparked by the ethnic differences, these differences have now become one of the fault lines through which the conflict is being fought.

Because the land question and by default, all other related activities are based on the proclivity for survival, we encounter the human need model as advanced by Azar (1990) and more critically by Burton (1990b; 1997; 1988). According to the need theory, there are certain ontological needs that are so integral to human development that, they “will be pursued by all means available” regardless of the consequences (Burton, 1990b, p. 36). Since the Nkonya-Alavanyo population are largely subsistent farmers whose livelihood is dependent on the available lands, – part of which is under contention – any attempt to take these lands is seen as a denial of their livelihood and by extension their very existence.

Following Azar’s (1990) thinking on governance and the role of the state in containing or sparking PSC, I argue that Ghana stands helpless, as it does not have the capacity to provide land for the people due mainly to the existing land tenure system. The current land proprietorship in Ghana is a hybrid between colonial past, modern society as well as indigenously customary norms. In all, three main forms of land ownership exist in Ghana; customary, public and vested lands (Yeboah & Shaw, 2013). The customary system which is administered “by well-intentioned social and cultural rules meant to grant equal access to families within groups with common interest in land” (Yaro, 2010, p.199). Public land ownership encompasses lands, that were forcefully seized under the British administration and subsequently transferred at independence to present day Ghana while Vested lands refers to lands that are jointly owned by both the state and traditional authorities. According to Bower (1993), customary ownership constitutes 78% of the total lands in Ghana with the public and vested landownership covering 20% and 2% respectively. It is worth

noting that despite the state's inability to provide lands, it has fulfilled the provision of other needs like security. However, respondents contend that they still feel insecure and therefore respond by massing up in defence of their personal security. The everydayness of fear and insecurity as presented by respondents lends credence to the fact that the attempts by the government is yet to be felt by the people.

To Azar (1990), the above preconditions are only likely to precipitate PSC when triggered by factors such as communal actions and strategies. A classic case in point was the 1983 outbreak of hostilities over water. More prominent is the fact that these situations start as individual disagreements but end up as a communal headache, a point Azar is very clear on. Again, Ghana's actions and strategies seen in its response to this conflict also stands out as a possible trigger or containment strategy for the conflict. In the case under consideration, the state has not used any form of coercion, which respectively calls for an aggressive response from disputants. Rather, co-option measures in the form of the various interventions, which "serve to mitigate communal grievances", have been used. Its failure however, in the view of Azar, "justifies coercive repressive options, leading to an upward spiral of violent clashes" (Azar, 1990, p. 14).

On the issue of the effects brought about by the conflict, respondents argue that their insecurity and fears result in a lack of confidence in the security system. This bears semblance to what Azar calls deterioration of physical security, which he indicates "is the most obvious consequence, exacerbating initial conditions of insecurity through further loss of lives and means of support" (Azar, 1990, p. 16). This also relates to Azar's point about institutional deformity. Azar contends that such degeneration while denting institutions' ability to function also broadens communal divisions and consequently affects the prospect of peace. This insecurity has occasioned the loss of their livelihood. A position they claim has brought untold hardships to their people and has been

further aggravated by the state's inability to take care of their basic needs. It is in the face of the difficulties they endure that governments and well-meaning stakeholders have, in the last century tried to solve the conflict. The question is, why has the conflict remained intractable?

### **Intractability of the conflict**

The intractability of the conflict, according to respondents stems primarily from the non-execution of the rulings from various courts in their favour (*see, Paul Kodjo Anane v. Kwasi Asigbetse, 1957; Paul Kodjo Anane v. Kwasi Asigbetse, 1959*). Given this background, can a participant's that the execution of the judgements will end the conflict be justified? Vallacher et al, (2010) argue that the issue of justice is essential to interpersonal and intergroup associations as it could promote social norms and help to regulate disputants' behaviour. Their contention is that it can become challenging as justice is often seen in subjective terms. This subjectivity can serve to intensify rather than mitigate conflict under some circumstances. They argue that unequal division of resources not only precipitates but also sustains conflict when the conflict is framed in terms of justice. They also contend that the disadvantaged parties often view themselves as victims and see their opponents as acting unfairly and this serves to give meaning to their possible aggressive acts. The victors on the contrary are also likely to look down on the underprivileged party and invariably see themselves as superior by virtue of their access to resources. In the end, both groups tend to subscribe to a notion of justice but from different angles. The analysis by Vallacher et al above, paints a vivid picture of the conflict under study. The judgments in favour of the Nkonyas and their subsequent cling onto them only seek to legitimize the so-called aggressive actions of the Alavanyos. The Alavanyos in turn might view themselves as having been

victimized by the courts' decisions. For example, on December 11, 1970, a judge, establishing the authenticity of the Grunner map, ruled in favour of Nkonyas while rubbishing the Alavanyos claim. According to the judgement;

The impression one is left with, is a strenuous bid by the defendants [Alavanyo] to discredit once more the Grunner plan of 1913. I regret this third throw of the dice cannot yield the necessary bonanza. On the first issue therefore, namely the line of the boundary, between the Nkonya and the Alavanyos, no difficulty to a solution is posed. The plan of Mr. Hagan Exhibit 'F' showing clearly the 1913 Grunner line as also the transcript of Mr. Hagan's evidence which was put in by consent as Exhibit 'J' put the issue beyond the periphery of dispute (Nana Kwabina Agya-Atta v. Joseph Foli, 1970).

This judgment and the subsequent persistence of the conflict shows the ineffectiveness of the court to solve the conflict and ultimately deliver peace in such a situation. It also goes to prove that the conflict has gone beyond just a land dispute. The point remains that, as long as the court verdicts are seen from subjective angles by both sides, the conflict will persist. This sheds light on the position of Burton (1997, p. 94) that the "legal system is no longer an effective means of social control." His arguments are that unlike conflict resolution, the court system is not adequate in dealing with conflicts. To him, conflict resolution takes its root from a theoretical orientation that postulates that social stability can never be feasible unless there are institutions that ensure that human needs are provided. He is, however, quick to underscore that the legal system despite its limitations is not entirely immaterial. In his view, the legal system is very effective in "disputes

which are confined to interpretation of documents, and disputes over material interests in respect of which there are consensus property norms” (Burton, 1997, p. 97). Conflict resolution on the other hand becomes the only way out when dealing with non-negotiable human needs. That notwithstanding, Burton is not clear on the boundaries between the roles of both the legal system and conflict resolution. Following Burton’s argument on the centrality of the court in disagreements based on interpretation either renders his contention fallacious or only calls into question the authority of the legal framework in Ghana. This is because the entire legal tussle has been rooted in the interpretation and clarification of the authenticity of existing documents such as the 1913 Grunner map, previous judgments, and local deeds of agreements among others.

Participant 11’s position, however, not only contradicts Burton’s arguments but also exonerates the legal regime from the accusation of ineptitude. To him, the execution of the judgment is the preserve of the individual judgment creditor (Nkonya). Thus, while the law courts dealt judiciously with cases brought before them, the onus was on the Nkonyas to make sure they execute the judgment to complete the process. It is important to note however, that the participant’s argument is consistent with basic legal standpoints on the responsibilities of the judgment creditor (The Registrars Handbook, 2011). Nevertheless, can the implementation really put an end to the age long conflict? I argue that while such a position will more than solidify and entrench the Nkonyas claims to the land, it will also spark disappointment on the part of the Alavanyos and ultimately end in more violent forms of actions. The subsequent reaction from the Nkonyas will only seek to increase the violence and make the conflict even more protracted.

The seeming ineffectiveness of the legal systems led to the use of Alternative Dispute Resolution (ADR) mechanisms which has become inoperable. This is as a result of perceived bias and different agendas among mediators as suggested by Azar (1990, p. 18). According to a

participant, one of the mediators' statement "we [the Nkonya people] should not be slaves to court rulings and map" (Participant, 3, male) was received as a comment in bad faith and one that suggest that the mediators support the Alavanyos culminated eventually to their loss of interest in the mediation process. This gives meaning to the position of Zartman (1995) that "mediation is an intrusion especially difficult to legitimate in internal conflicts". I maintain that unless mediators are deemed fair among disputants, their efforts will at best distant the groups instead of bringing them together. Thus, further lending credence to Bercovitch's (2004) argument that; some intractable disputes are beyond mediation and the contention of Bukari (2013) that most conflicts protract owing to the type and nature of resolution mechanisms used.

Beyond these entrenched positions, is the quest for survival, recognizable Burton's (1998; 1990a; 1990b; 1997) need theory which also supports and expands the position of Azar (1990; 1991). Human needs refer to ontological needs that are important to human development as they mirror our universal aspirations. Such needs include but are not limited to, "security, recognition and acceptance, fair access to political institutions and economic participation." (Azar, 1991, p. 93). Burton expands these needs to include "a need for response, a need for security, a need for recognition, a need for stimulation, a need for redistributive justice, a need for meaning, a need to be seen as rational . . . and a need to control" (Burton, 1990b, p.95). These basic human needs do not produce conflict, rather, social conflicts such as the Nkonya-Alavanyo conflict are by-products of unmet human needs and are best resolved if these needs are satisfied especially when "individual survival is contingent upon the satisfaction of material need" (Azar, 1990, p. 7). Given the centrality of human needs in human developments, Burton argues that the endemic nature of structural violence and forced compliance do not have the capacity of satisfying the basic needs of individuals and groups. Instead, structural violence will be met with violent resistance from various

groups in the pursuits of their human needs, notwithstanding the consequence. Burton writes that if human “needs are not satisfied there would be costly conflict” (Burton, 1997, p. 36). Burton’s need theory is very relevant in the case under study. Like Azar’s position, it sheds light on a root issue (land) and related insecurity and deprivation that has the strength to stimulate the conflict. What Burton’s theory does not suggest is the best way to actualise these human needs and who actually does the categorisation of the needs. Another point of concern is whether structural categorisation taken from Abraham Maslow’s need theory is indeed necessary in the context of analysis of conflicts of this type and in what order the need satisfaction should take. So, while land (a physical human need) appears to take centre stage in the conflict, the Nkonyas’ chronicle suggests that other structural needs such as identity (ethnicity) and its consequent alienation, (, see Barth, 1969), security, justice, among others have become endemic in the conflict. I argue that long after the land issue has been resolved, these other structural needs will come to the surface, reaffirming the intractability of the conflict. Again, given the wide extent and variety of human needs, there is a danger that focusing exclusively on needs may actually serve to protract the conflict as different needs continually appears, with each demanding attention, to the exclusion of others.

Another reason given for the insolubility of the conflict is the entrenched culture of impunity made possible due to the weakness of the legal system, in the view of respondents. This impunity is also supported by the lack of punitive measures against people who acts contrary to the law. Such show of impunity in the end amplifies revengeful quests among victims. This argument is in keeping with the idea that disciplinary actions serve as ways of registering disapproval of certain behaviour and averting future wrongdoings (Jewkes, Crewe, & Bennett, 2016).



Again, to respondents, the greed of the Alavanyos is also responsible for the intractability of the conflict. This is somewhat contrary to Collier and Hoeffler's (2004) theory of greed and grievance theory. The theory suggests that countries with abundant natural resources have a predisposition to violent conflict as against those without. This they argue stems from the fact that rebellious groups are more likely to be driven by the desire to control these natural resources, than by grievances caused by ethnic differences among others as being alleged. In the Nkonya-Alavanyo case, this claim remains largely unsubstantiated. For example, there are no evidences to suggest that the incentives from the land help keep the Alavanyos in the fight.

Another point worth noting is the influence of party politics on the dynamics of the conflict. The Nkonyas arguments are that, the Alavanyos are the favourites of the National Democratic Congress (NDC) and therefore are been supported. This point remains very weak given the persistence of the conflict even after the NDC's loss of power – from 2000-2008, and more recently 2016-date. I contend that such a claim is a matter of further research and debate as party politics permeates every aspect of Ghanaian society. In the arena of conflict, Tsikata & Seini (2004) contend that the management of conflicts have significant electoral repercussions for governments and their political parties especially the NDC and NPP.

### **Limitations of the study**

In addressing the insolubility of the Nkonya-Alavanyo conflict, this article presents only the perspective of the Nkonya, primarily due to limited resources including time and money. Such one-sided view remains a huge limitation of the study as it does not tell the full story. Even within Nkonya, most of the interviews were contacted in Nkonya-Tayi which hosts the disputed land and therefore witness at first-hand, the mundane violence. While this is consistent with the

phenomenological method in use and does not constitute a limitation, it is possible that a view from the other remaining 20 Nkonya towns or communities might have enriched that data.

Again, a critical appreciation of other related issues that came up in the data such as memory and its importance to the perspective of the Nkonyas could have been explored to enhance or deepen our understanding of the conflict.

### **Implications of the Research**

In this study, I have addressed the issue of mundane violence among communal groups that is endemic in Africa. Although, I provide a comprehensive understanding of the Nkonya-Alavanyo conflict and its insolubility, the limited scope of the study does not allow for a more general conclusions for Africa.

That notwithstanding, it is my contention that this qualitative article will be a valuable addition to the existing body of literature in three main ways: First, I draw attention to the quantitative imbalance on communal violence literature relative to latent and less bloody forms of violence. Secondly, I bring to fore, the reasons behind the insolubility of the Nkonya-Alavanyo conflict from the perspective of disputants which is hugely unexplored not just in the context of the Nkonya-Alavanyo conflict and communal violence in Africa in general but also, in Peace and Conflict studies. Thirdly, I use this article to emphasise the need for re-thinking and rejuvenation in the discussions around the transformation and resolutions of these communal violence especially considering the findings. Accordingly, this article is intended as a reference point for further studies that will lead to a deeper deconstruction of the conflict and ultimately, it's resolution.

For policy makers and practitioners, the article presents an opportunity for an in-depth appreciation of the conflict and its apparent insolubility from the purview of the Nkonya people which will be critical in any future attempts at resolving the conflict.

## **Conclusion**

The aim of this paper was to interrogate the Nkonya–Alavanyo conflict by finding out its causes, effects and most importantly, the reasons behind its intractability. Focusing principally on answering the above research questions, I have arrived at a number of conclusions.

First, on the causes and effects of the conflict which is carefully reviewed in light of Azar's PSC, The findings passes the Nkonya-Alavanyo conflict in Azar's PSC litmus test. In the view of the participants, the conflict is caused mainly by access to and ownership of land (farming) among the Nkonyas and Alavanyos. In the view of the participants, the conflict has resulted in the degeneration of their physical security and its concomitant effects on their daily lives.

Second, in the view of the Nkonyas, the Conflict remains intractable as a result of the non-execution of the various courts judgments in their favour, the lack of punitive measures against violators of the law, the nature of the conflict resolution mechanisms practised, and greed of the Alavanyos as well as the political undertones that underpin the conflict.

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