



## Third Party Intervention in Conflict Management: A Study of International Federation of Women Lawyers in Rivers State, 2010-2020

\*Ojum, Ebitari Chwendu<sup>1</sup>, Egobueze Anthony<sup>2</sup>, Nsiegbe Greham<sup>3</sup>

<sup>1,2,3</sup>Department of Political Science, Faculty of Social Sciences, Rivers State University, Nkpolu- Orowurokwo, Port Harcourt, Nigeria

DOI: 10.5281/zenodo.6386214

Submission Date: 10<sup>th</sup> March 2022 | Published Date: 26<sup>th</sup> March 2022

\*Corresponding author: Ojum Ebitari Chwendu

### Abstract

The study investigated third party intervention in conflict management, with the role played by the International Federation of Women Lawyers in Rivers State in the front burner, between 2010 to 2020. The International Federation of Women Lawyers (FIDA) as a third-party agency is a non-governmental organization with the mandate to campaign against domestic violence that are meted out against women and children, influence the government to promulgate laws that would abolish cultures that are considered aberration against women and children, and preserve and protect their fundamental rights in conflict management. The study adopted secondary data and content analysis as its methodology. Also, structural-functionalism theory was adopted as the theoretical framework. Findings revealed amongst others that there is a nexus between International Federation of Women Lawyers and conflict management in Rivers State and the organization has impacted positively on victims and survivors of domestic violence as well as influenced government policies and campaign against gender discrimination. In line with the findings, the study recommended that the International Federation of Women Lawyers should continue to improve on their services in line with the mandates of the organization to boost public confidence. Also, the organization should adopt a more collaborative approach to create a wider publicity against abuses in conflict management.

**Keywords:** Conflict, Federation, Interventions, Management, Third party, Women lawyers

## INTRODUCTION

Conceptualizing the term conflict is nebulous. Scholars are divided in their opinion on its meaning <sup>[1]</sup>. Thus, the phenomenon has been defined as “the existence of non-compatibility or disagreements between two actors (individuals, groups, organizations or nations) in their interaction over the issues of interests, values, beliefs, emotions, goals, space, positions, scarce resources, etc <sup>[2]</sup>. Conflict is a natural <sup>[3]</sup>, and an integral part of human existence in every society. Conflict is natural, neither positive nor negative, and it is an effect which cannot be avoided as a result of a natural process for change and development. It is a disagreement between two people or groups; the process of living and interacting with one another makes dispute inevitable. They are products of social structure and character of society of which International Federation of Women Lawyers (FIDA) is an integral part. Alapiki <sup>[4]</sup> opined that disputes are not uncommon and are a part of growth and development. The scholar stressed that dispute can arise from diverse parties, amongst individuals, families, institutions, corporate bodies, different levels of government, communities etc. These disputes have diverse causes either from a claim of ownership over a property, or a violation of human right by an individual, state or political party.

Due to the rampant cases of women’s abuses and child molestation, the aim of FIDA is to campaign against, and prosecute cases of domestic violence against women and girl child vis a vis gender inequality in conflict management. Aggressive behavior at home takes many structures including physical, sexual, enthusiastic, and mental. Customarily, abusive behavior at home is submitted against females. Normal types of brutality against ladies in Nigeria are assault, corrosive assaults, attack, segregation, spouse beating, and flogging, once in a while passing. It is in any case, assessed that around one in each three ladies experiences aggressive behavior at home and Intimate Partner Violence from the

hands of the individuals who guarantee to adore and evidently, secure them. The hazard is eating profound as the majority of the casualties don't revolt against infringement of their privileges, a consequence of casualness, lack of care, and negative reaction from their close family and society on the loose.

Albeit, aggressive behavior at home is an infringement of essential common freedoms, which the Nigerian Constitution is against, the Nigerian government has taken official procedures to arraign men who misuse ladies in a few states to reestablish mental soundness and precision in the nation including Rivers State yet there are still arrangements that make it legitimate to take part in aggressive behavior at home against ladies. The arrangement of the Penal Code material in the Northern piece of Nigeria explicitly empowers viciousness against ladies. Under its arrangements, the beating of a spouse with the end goal of adjustment is lawful by utilization of (Section 55 (1) (d) of the Penal Code).

There have been series of laws that prohibit domestic violence in Nigeria particularly the UN show for the Elimination of Discrimination against Women in 1985. In May 2013, National Assembly passed a bill to decrease sex based savagery. The Violence against Persons Bill gave harsher disciplines for sexual brutality and furthermore offered help and measures like controlling request to forestall the continuation of misuse. Rape offenses were awarded with prison terms and sometimes fines. Despite all these steps adopted by the government, child abuses and molestations of women seem to be a recurring decimal.

It is pointed out that other developed societies like the USA, Britain, Japan, France, and Germany have provoked efficient, responsible and responsive mechanism for conflict management in matters relating to domestic violence and abuses while its application in the administration of prismatic (developing) societies like Nigeria, etc yields very little or no result. At the point when cases do come to court, they are typically costly, and time-consuming.

It is generally accepted that Rivers State have experience some cases of domestic violence too over the years. The services of FIDA have been questioned by many stakeholders including women whom they seek to protect. Unfortunately, there are complaints of negative behavioural attitudes of some women lawyers such as staff lateness, absence, unnecessary postponement and delay in the resolution process, etc from many quarters in conflict management.

It is against this backdrop that this study investigates third person intervention in conflict management with the role played by FIDA in Rivers State from 2010 to 2020 in perspective. According to Barebon<sup>[5]</sup> third party intervention involves a situation whereby a separate person, other than the disputant plays some vital roles in conflict situation.

## Theoretical Framework

The theoretical framework adopted for this study was structural-functionalism which originated from sociology. This theory looks at society through a macro-level orientation and attempts to explain why society functions the way it does by focusing on the relationships between the various social institutions that makes up society (example, government, law, education, religion, etc.).

Structural-functionalism was developed by the celebrated anthropologists, Malinowski and Radecliff Brown. So according to them, a society has a structure and functions. These functions are norms, customs, traditions and institutions. Spencer (1896) presents these parts of society as 'organs' that work toward the proper functioning of the body as a whole. Another major proponent of Structural-functionalism is Talcott Parsons. Structural-functionalism was adapted to political science in 1970s by Gabriel Almond and Bingham Powell. They used it to compare political systems. In order to understand a political system, it is necessary to understand not only its institutions or (structures) but also their respective functions. This implies that a change in one element of society results in changes in other aspects of society. Adapting Structural-functionalism means that no public institution has a monopoly of the service(s) it provides. For example, the effectiveness and timeliness of courts to dispense justice depends also on, the effectiveness and timeliness of the police in carrying out and concluding Investigations. On the other hand, a change in the operations and services of a public institution results in changes in the operations and services of other public institutions.

Structural functionalism sees society as complex and so for stability and solidarity and growth this complex system must find a way to work together. Functionalism addresses the society in terms of some elements such as the norms, the customs, traditions, institutions, and families.

This study focuses on FIDA, an umbrella that shades women lawyers and involved as third party in conflict management. Thus, given that violence is everywhere in the society, due to the cruelty of man, this system is very suitable for this study. For functionalists, it is the family that creates integrated members of the society instilling in them cultures and values, it also provides statuses like social class and ethnicity as new members of the society, the family is also responsible for social replacement by reproducing to replace members that have passed on, the family also offers

property rights, material and emotional security, as well as provides care and support for persons who need care. Intelligence, education and social capital are also passed through the family.

The structural functionalism theory is informed by the fact that it looked at society as being made up of different structure to meet the needs of society. Such structure according to the theory include all public institutions that minister to the needs of society and that the different structures contribute positively to the whole. This study explains an aspect of the society that concern families, clans, communities but, simply put, women and children who are vulnerable to harm and danger managed by a group of female lawyers. The significance of the structural functionalism theory is in line with the international federation of female lawyers (FIDAs) objective of promoting and enhancing the welfare of women and children realizing that on women and children's wellbeing depends the happiness of the home and strength of the society as a whole and as a system. Therefore, FIDA is fighting to make the state a whole in the aspect of protecting women who bear children and the children who will be leaders of tomorrow. If an aspect of the society is constantly rubbished and used for pleasure with their burdens swept under the carpet how then can the society claim to be stable? Hence FIDA watches out for such cases and intervenes.

### **An Overview of the International Federation of Women Lawyers (Fida)**

FIDA as an acronym of the original Spanish appellation Federacion Internacional de Abogadas, translated in English as "the International Federation of Women Lawyers. At its founding, FIDA's primary role was the packaging women to become respected and protection from dehumanization by men. Women in this circumstance includes especially, the girl child. With the advent of the Universal Declaration of Human Rights and other human rights instruments, the Association broadened its objectives to include human rights for all.

It is in the light of the above that Chima and Alokpa<sup>[8]</sup> opine that the term or organization is viewed differently by different people with each bearing the imprint of its socio-ideological context. A broader definition of FIDA however suggests that it is an social group that is non-governmental, but which purpose in civil society. This means that FIDA is independent of governmental control but can influence government decisions using its status platforms. Ball and Dunn (1996) who see FIDA as an integral part of NGOs opined that as an organization, they (FIDA) are not serving the interests of members, but are concerned in one way or another with the disadvantaged, and issues which are detrimental to the wellbeing, circumstances or prospects of people or society as a whole, particularly as it relates to women and children.

This suggests that FIDA operating as an NGO shows special interest in a particular aspect of community or social life of the people and the Nation at large. It also makes it possible for us to situate NGOs within development industry. Similar definitions in this vein are many. For Rajesh Tandon, (1989) FIDA a category of development promoting organizations whose initiatives are voluntarily taken on by citizens, professionals, youths, women and other special interest groups to focus their attention on one of the developmental aspects of their specific context. From this perspective it is pertinent to state that FIDA is a developmental organization that works where people are oppressed or where a gap is created in a particular area in the society.

The Association was formed in 1944 by a group of seven women lawyers from Cuba, El Salvador, Mexico, Puerto Rico, and the United States as a strictly non-governmental, not-for profit, non-political, non-religious association of women called to the practice of law. It was later admitted into the family of U.N. NGOs in 1952, and it became a member of the Conference of Non-Governmental Organizations (CoNGO). In 1954, the UN granted a Consultative Class 2B status to the association. Today, the Association has memberships in more than seventy countries in every region of the world along with thousands of individual members.

FIDA Nigeria was established as an affiliate of FIDA International in 1963, to fulfill the mandate of the global body in the country. It currently operates via national branches in thirty-one states across all of the country's geopolitical zones and in Abuja, Nigeria's seat of power. The body has existed in the country for over fifty years and has branches in all thirty-three states of the nation. It is a Non-Governmental, Non-Profit Organization made up of women lawyers called to the practice of Law in Nigeria. FIDA was formed in 1963 by Mrs. (Lady) Aduke Alakija in Nigeria.

Primarily, the organization was established as a response to many social issues bedeviling the existence of women and children. These social issues are social discrimination and gender inequality against women, violation of women's fundamental rights and protection of children, drug abuse, and female circumcision, amongst others.

FIDA's vision, mission and objectives are to develop a just, peaceful and equitable Nigerian society where every citizen especially women and children's rights, interests are guaranteed, in which they have the freedom to choose and live their own future. The author also noted that the mission of FIDA Nigeria is to promote, protect and preserve the

rights, interests and well-being of women and children through the use of legal framework to ensure that they live free from all forms of discrimination, violence and abuse in the society. Thus, the core objectives of FIDA are, to:

- i. Enhance and promote the welfare of women and children, realizing that on women and children's wellbeing depend the happiness of the home and strength of the society,
- ii. Establish friendly international on the basis of equality and mutual respect for all peoples;
- iii. Promote the principles and aims of the United Nations in their legal and social aspects;
- iv. Promote the study of comparative Law; and
- v. Proffer advice to the government in all cases of neglect relating to women and children<sup>[12]</sup>.

It was on this note that FIDA adopts the 4-fold mission to accomplish in Nigeria, to:

- a. Enhance and promote the welfare of women and children;
- b. Promote the study of comparative law;
- c. Promote the legal and social principles and aims of the United Nations; and
- d. Establish friendly international relations on the basis of equality and mutual respect for all peoples.

FIDA Nigeria carries out its mission by:

1. Extending activities in every locality by the formation of committees and global partners;
2. Furthering the dissemination of knowledge of the law;
3. Advancing opportunities for women in the political, social, civil, and educational fields as well as in industry, business, and the legal profession;
4. Seeking passage of legislation to advance and protect the rights of women and children; and
5. Working for the equal rights of women under the law.

In view of its meritorious services, FIDA Nigeria was honored by the Nigerian Government for their work on the eradication of drug abuse, and distribution of the African protocol on women throughout Nigeria. FIDA Nigeria collaborated with Legal Aid Council and Federal Ministry of Women Affairs to simplify the Child Rights Act. They advise the Government in all cases of neglect relating to women and children while collaborated with the World Bank and other non-governmental organization for the National Gender Policy Dialogue project in 2012. They also advocate Legislations that would promote the advancement and protector of women and children.

The body also serves as a vanguard for political participation and representation of women in decision making and governance. FIDA Nigeria received 2 delegate slots to the 2014 Sovereign National Conference from Federal Government of Nigeria. It managed the Secretariat for Legislative Advocacy Coalition on Violence against Women. [LACVAW]

## **International Federation of Women Lawyers (Fida) and Alternative Dispute Resolution (Adr) In Rivers State.**

There are several methods available for resolving disputes between two or more parties. The first and most important method is through the courts. Parties can get a dispute resolved through the courts established by law in that country<sup>[9]</sup>. Alapiki<sup>[4]</sup> aligns with this thought, but noted that the approach may have its own problems.

Alternative dispute settlement encompasses a variety of methodologies adopted in resolving disputes between the parties. Importantly, suffice it to the alternative dispute resolution methods are agreed upon by the disputing parties and most often, such parties are vast in the process of by Alternative Dispute Resolution (ADR). For the purpose of this study, the two mechanisms of alternative dispute resolution adopted by FIDA are discussed below.

### **Mediation**

Mediation usually involves a third party. A mediator is one who is mutually agreed upon by the parties involved in a dispute. FIDA representatives stand as a mediator appointed by the parties concerned with the view to settling the dispute amiably. The job of FIDA is to seek effective technical or logical settlement of the issue(s) in contention. Sometimes, two individuals in a conflict simply can't work it out together without the aid of third party. In this case, the dispute must have escalated to the point where outside intervention is necessary and set up a mediation session, train a staff member in the art of mediation, allow this staffer to sit down with the feuding individuals and assist them in working through their problems in a productive manner. Conciliation is a central element of mediation.

### **Negotiation**

Maiese<sup>[6]</sup> opined that negotiation is a discussion between two or more disputant who are trying to work out a solution to their problem. Negotiation involves a number of procedures including the exchange of proposals and counter proposals. In most negotiations, both sides are expected to make offers and concessions; the goal here is not only to try to solve the problem, but to gain information would enable you to get a clearer notion of what the true issues might be and how your "opponent" sees reality. Through offers and counter offers there should be a goals that would be met and lots of

information exchange that might yield a common resolution of the problematique. FIDA, Rivers State adopts negotiation as its methodology of conflict management. This is the first method they adopt in most cases that they intervene in, and negotiation method has proved very successful in most of the conflicts they waded into.

## Compromise

Compromise is a dispute resolution strategy in which each person or party to the dispute is asked to give a little and take a little by arranging a compromise between the two. Ask both of the members to come to your offer and talk the problem through with them, presenting potential compromises and allowing them to mull these options over. By arranging a compromise instead of just selecting one member's interests over the other, you can reduce the likelihood that one staff member feels slighted by the way in which the dispute was resolved. Through compromise, FIDA representatives try to resolve dispute by convincing each party to sacrifice some objectives. Compromise are not likely to leave conflicting parties felling frustrated or hostile. From a systemic point of view, however, compromise is a weak resolution method because it does not, usually lead to a solution that can best help the disputing parties achieve its goals. Instead, the solution reached will simply be one that both parties in the conflict can live with.

Forms of compromise include separation in which opposing parties are kept apart until they agree to a solution; arbitration, in which conflicting parties submit to the judgment of a third party (usually, but not always, the manager); setting by chance, in which some random event such as the toss of a coin determines the outcome; resort to rulers, in which the deadlocked reveals agree to "go by the book" and let the organizations rulers decide the conflict outcome; and bribing, in which one party accepts some compensation in exchange for ending the conflict. None of these methods is likely to leave the parties to the conflict fully satisfied or to yield creative solutions,<sup>[7]</sup>.

## International Federation of Women Lawyers and the Management of Domestic Violence

According to Olga, Dominika and Anna<sup>[10]</sup> violence is a major social issue affecting vast areas of life of many people across the world. Violence, an act of physical force that causes or is consciously cause harm. The impairment caused by violence may be physical, psychological, or both. In essence, it is a non-accidental acts that negatively impact upon individual or societal freedom causing physical or psychological harm, which deviate from the established social norms regarding relations. In contributing to preventing and combating violence against women and domestic violence Olga et al<sup>[10]</sup> defined domestic violence as all acts of physical, sexual, psychological, or economic aggression or hostility that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim.

Concealing violence within the family circle means that the problem is shamefully kept closed within four walls. Victims of domestic violence contend that they are being subjected to abuse only when pushed to the edge of their physical and emotional animation, and when they fear for their survival, or that of their dear ones. However, the frequent need to continue sharing residence with the abuser requires that the conflict be fully resolved, instead of being dismissed or temporarily reduced by means of imposition of a penalty or other restrictions. In view of the above, the need for mediation in such cases is increasingly acknowledged which FIDA fills.

FIDA Rivers State had grappled with several domestic violence unleash on women and children especially, and to some extent on men by their spouses, and or children. Some of such matter were amicably resolved through third party interventions of mediation and compromise, achieved through dialogue. Most ouster causes that were difficult to resolve through these two methods were taken to court. Indeed, FIDA has won several of these cases in both the Magistrate, Customary and High Courts of Rivers State. Very prominent were rape cases, and the violators are currently languishing in the Nigeria Correctional Centres as prisoners. All these efforts were achieved through pro-bono by FIDA. The persons that were victims of these domestic violence were bot charged any amount by FIDA as filing cost or professional charges. All were good will from the body.

## CONCLUSION

FIDA as third party interventionist adopted mediation in conflict management which has reduced domestic conflict, gender discrimination, rights abuse/violation and created more non-violent homes in conflict management in Rivers State. The study therefore concluded that there was a positive nexus between FIDA and conflict management in Rivers State between 2010-2020. Also, there was a high rate of domestic violence against women and children, gender inequality, unwarranted female genital mutilation and cut, and the ultimate UN mandate on eradication of inequality and protection of women and children's rights in conflict management on the globe. The study therefore held that the UN mandate on gender equality and respect for all, to abolish female circumcision, stop domestic violence on women and children, and the absolute protection of the rights of women and children are significant factors for establishing FIDA in conflict management in Rivers State. Furthermore, FIDA had influenced the state government to recognize the rights of women through advocacy to the State House of Assembly and the ministries; thus, legislations have been made



regulating gender based violence, abolish unwanted culture, campaign vigorously against female circumcision, support victims of domestic violence and physical molestations, rendered free legal aid to victims of abuses and propose legislation that would promote, protect and preserve the rights of women and children in conflict management in Rivers State. All these are impactful to the development of the State. Finally, the study held that the difficulties or challenges encountered by FIDA in conflict management had created an avenue for corruption and open to political or government compromise that could low public morale or confidence in Rivers State between 2010-2020.

## RECOMMENDATIONS

1. FIDA should continue to create links and allow victims of domestic violence in their offices.
2. It is observed that despite the establishment of FIDA and its milestone involvements in conflict management in the state, there were still cases of domestic violence against women and children. Consequently, the study recommended that FIDA should continue to act as a pressure group whose interest in abolishing domestic violence on women and children cannot be swindle by any individual no matter whose ox is goose in Rivers State.
3. In view of the fact that the issues that border on domestic violence is age-long, curbing the menace from the grassroots would take consciously coordinated approaches to make tremendous impact. Based on this, the study recommended that FIDA should adopt collaborative approach, seek more support from the state government and sister NGOs to create a wider publicity against abuses in conflict management to achieve more impact in Rivers State.
4. The study observed that the difficulties or challenges encountered by FIDA in conflict management had created an avenue for corruption and made the organization prone to political or government compromise that could lower public morale or confidence. Consequently, FIDA should align itself with international institutions/organizations to receive grants and financial assistance to enable them train their personnel on the intrigues of handling matters of domestic violence without any form of bias in Rivers State.

## REFERENCES

1. Egobueze, A. (2021). Conflicts in Nigeria: causes, types and consequences. In Ogbujah, C. N. and Egobueze, A. (Eds). *Peace and Conflict Resolution an Anthology*. 177 – 208), Port Harcourt, Geocilia International Services Ltd.
2. Egobueze, A. (2016). *The legislature in conflict management*. Germany: Scholar's Press.
3. Mohd, F and Mohd, F., S. (2014). *Third Party Intervention: Conflict Management in The Malay Society*, Conference: Malaysia-Indonesia, International Conference on Economics, Management and Accounting (MIICEMA) 2014, 10 - 11 November 2014, At: Bangi/Putrajaya, Malaysia. Retrieved from: (PDF) Third Party Intervention : Conflict Management in The Malay Society (researchgate.net)
4. Alapiki, H. E. (2010). *Politics and Governance in Nigeria*. Port Harcourt.
5. Berebon, C., B. (2021). Elements and process of conflict management. In Ogbujah, C. N. and Egobueze, A. (Eds). *Peace and Conflict Resolution an Anthology*. 177 – 208), Port Harcourt, Geocilia International Services Ltd.
6. Maises, M. (2003). *Negotiation*. Retrieved from: <https://www.beyondintractability.org/essay/negotiation>
7. Blair, C.H. (1998). Perception and Management of Superior-Subordinate Conflict. *International journal of conflict management*. Vol 13 pp 444-448.
8. Chima, P. and Alokpa, M. (2015). Non-Governmental Organizations and conflict management in Plateau State. *International journal of humanities and social science*. Vol 5, No.10
9. Okotie, F. O. (2009). Electoral Trends and Tendency for a one party system in Nigeria. *Journal of Common wealth political studies*, vol 1, pp. 21-36
10. Olga, S; Dominika, B. & Anna, J.W (2018). *Mediation and domestic violence: Theoretical reflection on the Polish background*. Poland: University of Silesia
11. Hugh, M. (2001). *Conflict transformation: A multi-dimensional task*. Berghhof: Berghof Research Center for conflict management.
12. Ibitimi, F. S. (2001). *A guide to identification of training needs*. Washington DC: Dude Publications Limited.
13. Obara, U. A. (2020). *Introduction to business. An introductory approach*. Port Harcourt: Worlusco publishers limited
14. Paulson, H. D. (2011). The initiation of super ordinate goals. *Journal of Applied Behavioral Sciences*, Vol. 4 pp.42-46.

### CITE AS

Ojum, Ebitari Chwendu, Egobueze Anthony, & Nsiegbe Greham. (2022). Third Party Intervention in Conflict Management: A Study of International Federation of Women Lawyers in Rivers State, 2010-2020. *Global Journal of Research in Education & Literature*, 2(2), 57–62. <https://doi.org/10.5281/zenodo.6386214>