

## RESEARCH ARTICLE

# Design Principles, Common Land, and Collective Violence in Africa

Oyebade Kunle Oyerinde

Clark Atlanta University, US  
ooyerinde@cau.edu

The conventional wisdom blames colonialism as the root cause of violence in Africa, but at the expense of analytical clarity about the context of collective violence over common land. This article uses qualitative data and Elinor Ostrom's perspective on governing the commons to analyze collective violence over common land in an African community. It finds that the absence of certain design principles strikes at the root of the violence in the African case. Exploring the less understood intricacies enriches analytical clarity about the conditions that lend themselves to sustaining the commons and gaining the compliance of generation after generation of resource users with property rights institutions for governing the commons.

**Keywords:** Africa; common land; design principles; property rights; common violence

## 1. Introduction

Scholarship has shown that the seeds of African violence lie in “the sociological and political mess which white colonialism created in Africa” (Mazrui 2008, 37), but at the expense of analytical clarity about the context of collective violence over common land. In African communities, the poorly understood roots of collective violence have derailed the goal of sustaining common land and gaining the compliance of generation after generation of land users with land rights institutions. Families or communities own common land to which members and nonmembers have certain rights (Platteau 2000). As defined by Boone (2011), collective violence, or an intentional attack by one group of actors against another group, often results in human displacement and loss of life and property.

Using Elinor Ostrom's design principles, which are depicted in **Table 1**, this article challenges the mainstream view and undertakes an in-depth analysis of an African violence situation that was between the Ife people and the Modakeke people in Ile-Ife, a southwestern Nigerian community. The Ife and the Modakeke are two major Yoruba groups in Ile-Ife, where British colonialization began in 1893 (Falola 2009). The Ife-Modakeke violence has, over the years, witnessed two pre-colonial occurrences (1849–1850 and 1882–1886), one colonial occurrence (1948–1949), and three post-colonial occurrences (1981, 1983, and 1997–2000). The pre-colonial roots of the violence reared their ugly heads again on October 20, 2014, over a claim by the Ife that “the land on which Modakeke people were farming belonged to Ile-Ife [the Ife people] and they [the Modakeke people] should pay tribute to their landlords” (Nigerian Punch 2014).

In analyzing the roots of the collective violence, this research focuses only on the two pre-colonial occurrences, 1849–1850 and 1882–1886, to gain greater insight into the origins of the violence that have thwarted the compliance of generation after generation of the Modakeke with the dominant land rights institutions in Ile-Ife. Contrary to the mainstream view that blames “the white legacy” for violence in Africa (Mazrui 2008, 36), the 1882–1886 Ife-Modakeke violence ended with the intervention of the British colonial administration of the Lagos colony that enacted a “Treaty of Peace and Friendship” (Akintoye 1970, 37). As evident in the tensions of October 20, 2014, the culpable sources of the violence of 1849–1850 and 1882–1886 can hardly be dismissed as the roots of the colonial and post-colonial occurrences of the violence.

This article provides strong evidence about the blamable sources that include the following missing design principles: congruence between the dominant land rights allocation rules and the local culture

**Table 1:** Design principles of successful property rights institutions for governing the commons.

---

DP1	<b>Clearly defined boundaries:</b> The boundaries of the resource system and the individuals or households with rights to harvest resource units are clearly defined.
DP2	<b>Congruence between appropriation and provision rules and local conditions [the local culture and ecology]:</b> Rules specifying the amount of resource products that a user is allocated are related to local conditions and to rules requiring labor, materials, and/or money inputs. According to Fennell (2011, 11), the success of congruence between rules and the local culture “depends to some extent on cultural factors, such as the existence of shared norms and reputational stakes, the expectation of repeat play, and the absence of marked divisions among members of the community sharing the resource.”
DP3	<b>Collective choice arrangements:</b> Most individuals affected by harvesting and protection rules are included in the group that can modify these rules.
DP4	<b>Monitoring:</b> Monitors, who actively audit biophysical conditions and user behavior, are at least partially accountable to the users and/or are the users themselves.
DP5	<b>Graduated sanctions:</b> Users who violate rules in use are likely to receive graduated sanctions (depending on the seriousness and context of the offense) from other users, from officials accountable to these users, or from both.
DP6	<b>Conflict resolution mechanisms:</b> Users and their officials have rapid access to low-cost local arenas to resolve conflict among users or between users and officials.
DP7	<b>Minimal recognition of rights to organize:</b> The rights of users to devise their own institutions are not challenged by external governmental authorities, and users have long-term tenure rights to the resource.
DP8	<b>Nested enterprises:</b> Appropriation, provision, monitoring, enforcement, conflict resolution, and governance activities are organized in multiple layers of nested enterprises.

---

DP = Design Principle.

Sources: Ostrom (1990, 90; 2009, 18–43) and Fennell (2011, 10–12).

[values by the Ife and the Modakeke] (DP2), minimal recognition by the Ife of the rights (DP7) of the Modakeke to organize landowning families [collective choice arrangements] (DP3), and the nesting of the landowning interests of the Modakeke in the dominant institutional arrangements (DP8). The absence of these conditions, consistent with a prediction by McGinnis and Ostrom (1996), impelled the Modakeke to dismiss as fundamentally unfair and illegitimate the prevailing land user definition [the Modakeke as tenants and the Ife as landowners] (DP1), monitoring (DP4) and sanctioning [eviction of the Modakeke from Ile-Ife] (DP5) rules, and conflict resolution mechanisms [tenant status or eviction for the Modakeke] (DP6). It was from these circumstances the two violent occurrences erupted as the Ife and the Modakeke found nonviolent means unattractive in moving away from what Follett (1940, 33) describes as “the boundaries of two alternatives which are mutually exclusive”, when, according to Borrás and Ross (2007, 1), the dominant group has “interests that are fundamentally opposed to the autonomy of the landless classes.” By focusing on the two pre-colonial occurrences of the violence, this article lays the foundation for understanding how the missing design principles have choked the sustainability of common land in Ile-Ife for long-term productive use and have doomed any prospect of gaining the compliance of generation after generation of the Modakeke with the land rights institutions for governing common land in Ile-Ife.

The foregoing complex relationships are less understood in empirical studies on African violence. Exploring the less-studied intricacies not only contributes to empirical knowledge about collective violence in Africa but also enriches theoretical tools and policy prescriptions. In this regard, this research provides rich evidence on the poorly understood context of the violence situation through a review of the colonial sources of African violence, before explaining how Elinor Ostrom’s design principles help disambiguate the analytical obscurity surrounding the violence.

## 2. Colonial legacy

Studies have blamed violence in Africa on the continent’s colonial legacy. It is often asserted that Africans learned how to be violent from colonial sources such as African state construction, conflicting public moralities, and ethnic division and marginalization. Hence, the dominant view that the seeds of African violence “lie in the sociological and political mess which white colonialism created in Africa” (Mazrui 2008, 37). In the process of state building, the colonial leaders successfully launched full-blown violence against the recalcitrant kingdoms, which was met with violent local resistance (Falola 2009). In addition to violent

dominance and resistance, the emerged state ran on the instrumentality of centralized authority, patron-client relations, and ethnic division, which the post-colonial African state inherited. The lack of common interests among the constituent groups have prevented the post-colonial African states from becoming communities of shared relationships operating on mutually agreed-upon rules of engagement. The irreconcilable heterogeneities have initiated and fueled mutual suspicion and violent hostility between groups (Mazrui 2008).

Studies have also demonstrated the alienation of Africans from governance by the colonial powers as another colonial source of violence. The alienation finds expression in the dialectics of two public realms [civic and primordial] shaping the African state's modus operandi. The moral and ethical standards of the civic public realm [state institutions] are in constant conflict with those of non-state institutions [the primordial public realm]. In laying the foundation for the two publics, colonial powers violently pursued an alienation policy that treated governance as too sophisticated and complex for the involvement of Africans, confining Africans within the kinship/ethnic arrangements operating as the primordial public. Primordial public leaders, on the other hand, used strategically delineated ethnic boundaries to engage in violent opposition against the colonial administration (Ekeh 1975).

Conflicting public moralities, centralized decision making, and ethnic exclusion and marginalization, inherited from the colonial powers, have been deliberately applied to the structure and operations of the post-colonial African state (Akokpari 2008). Post-colonial state structuring involves competition over the centralized authority functioning as the legitimate authority over persons and resources (Lund and Boone 2013, 2). Ekeh (1975, 104) notes that because the post-colonial state has remained unchanged in its character from its colonial predecessor, the two public realms have continued to coexist in modern Africa. The intense struggle among new ethnic and old ethnic boundaries, coupled with violent domination inherited by the Africa state, drives aggressive competition for state power among the constituent primordial public networks and forces marginalized groups to turn to violence to gain state power or self-determination (Akokpari 2008; Boone 2014).

### 3. Property rights institutions and design principles

Admittedly, the colonial sources can hardly be dissociated from certain types of African violence. However, there are other violence situations in Africa that are rooted in the absence of certain design principles for successful common pool resource (CPR) institutions. This article makes an important contribution by drawing upon Elinor Ostrom's design principles for successful property rights institutions to understand the sources of noncompliance with property rights institutions striking at the root of collective violence in Africa.

Institutions are "formal and informal rules that structure human behavior" (Verbrugge 2015, 450) and "allocate resources unevenly" (Mahoney 2010, 15). Property rights are important resources institutions allocate. Fennell (2011, 14) argues that "[o]ne influential model for understanding that fact has been the "bundle of rights" idea of property" that focuses on access, withdrawal, management, exclusion, and alienation rights. Access is the right an authorized viewer has to access property, such as land. With the right of withdrawal, the holder, an authorized user, can access property and harvest its yields. The right of management allows the holder [the authorized claimant] to regulate, improve, and transform the internal use patterns of property. In the case of farmland, the holder of management rights may switch between food and tree crop production, or convert forested land for the production of cash and subsistence crops. Exclusion is the right to decide who can access property and how access rights may be transferred. A proprietor holds the right of exclusion with access, withdrawal, and management rights. The right of alienation enables actors to transfer either exclusion or management rights, or both, through sale, lease, bequest, or inheritance. An owner is considered the holder of the five rights. Individuals, as authorized claimants, cannot meaningfully have withdrawal and management rights without access rights. However, "it is possible to have access rights without withdrawal rights, to have withdrawal rights without management rights, to have management rights without exclusion rights, and to have exclusion rights without the rights of alienation" (Schlager and Ostrom 1992, 252).

The inevitable concern crystalizes around the conditions under which property rights institutions for governing the commons succeed in sustaining the commons and in gaining the compliance of generation after generation of appropriators with the rules in use. In this regard, eight key design principles, as depicted in **Table 1**, have been posited to explain why some property right institutions for governing the commons succeed and others fail (McGinnis and Ostrom 1996). By "design principle" is meant "an essential element or condition that helps to account for the success of these institutions in sustaining the CPRs and gaining the compliance of generation after generation of appropriators with the rules in use" (Ostrom 1990, 90).

The first design principle (DP1), as depicted in **Table 1**, focuses on a clear definition of who has what rights to the commons, or common land, and of the physical boundaries of the commons itself. With regard to common land in Africa, individuals defined as tenants are permitted to use family land as tenant-farmers and hold no more than access, withdrawal, and management rights (Platteau 2000). Although the first design principle (DP1) is the first condition for organizing successful property rights institutions, it alone might not lend itself to gaining the compliance of generation after generation of users with property rights institutions. It is important for property rights institutions to be fair (McGinnis and Ostrom 1996) and be sensitive to contextual details, the success of which “depends to some extent on cultural factors (DP2), such as the existence of shared norms and reputational stakes, the expectation of repeat play, and the absence of marked divisions among members of the community sharing the resource” (Fennell 2011, 11). Congruence between rules and the local culture (DP2) is so important that the operation of collective choice arrangements (DP3) and minimal recognition of rights to organize (DP7) demands rules to be better matched to local circumstances (DP2) (McGinnis and Ostrom 1996, 476). While “the devising of a conflict-resolution mechanism (DP6) is a result of a collective choice arrangement” (DP3) (Gari et al. 2017, 11), the type of actors involved in constitutional decisions affects how congruent rules are with local circumstances (DP2); what monitoring (DP4) and sanctioning (DP5) rules are used; how boundaries of resource users or property right holders are defined (DP1); who participates in collective-choice arrangements to modify rules (DP3); and how appropriation, provision, monitoring, enforcement, conflict resolution, and governance activities are organized in multiple levels of nested systems (DP8) (McGinnis and Ostrom 1996, 479).

Congruence between rules and the local culture (DP2) can be difficult to achieve when “how people think and relate to one another” (Ostrom 1991, 11) shapes property rights rules to operate as the “product of the efforts of some to constrain the actions of others with whom they interact” (Knight 1992, 19). Apart from the crisis of legitimacy that can ensue, incongruence between rules and the local culture can cripple the operation of collective choice arrangements (DP3) and minimal recognition of rights to organize (DP7) (McGinnis and Ostrom 1996). The likelihood of this challenge tends to heighten where the dominant local culture both hinders what Stern (2011, 220) describes as a “plan for institutional adaptation and change” and blocks the nesting of the interests of relevant groups in constitutional decisions. In such circumstances, gaining compliance with the dominant property rights institutions are more likely to be undermined as “those groups whose interests are not represented dismiss” the following conditions “as unfair or illegitimate”: user boundary definition (DP1), collective choice arrangements (DP3), monitoring (DP4) and sanctioning (DP5) rules, conflict resolution mechanisms (DP6), and nesting arrangements (DP8). (McGinnis and Ostrom 1996, 477). When the contending groups find nonviolent means unattractive in moving away from “the boundaries of two alternatives which are mutually exclusive” (Follett 1940, 33), Ostrom (1997, 286) argues that “people who are subject to dominance will find capabilities for resistance.” This study draws on these deeper-level insights to analyze the roots of the Ife-Modakeke violence.

#### **4. Design principles, property rights institutions, and common land in Ile-Ife**

The belief of the Ife about land encapsulates a quintessential intersection of ancestral belonging, economic power, and political status. This sociopolitical and economic power matrix had prevailed in Ile-Ife long before the arrival of the Modakeke in Ile-Ife in 1827. As the earlier group, the Ife believed that land in Ile-Ife perpetually belonged to their dead, their living, and their unborn (Cameron 1933, 3; Price 1933, 3). Landownership, as the nontransferable right of the Ife, derived from the sacred command of Ife ancestors “whose spirits lay buried in the soil” (Nwabueze 1972, 319) and who had “placed an embargo at the pains of death” on sharing landownership with non-natives (Oyewo and Olaoba 1999, 126). The desecration of the eternal order of ancestors portended misfortunes for the living and ruined the socioeconomic and political power of the unborn (Bascom 1969; Driesen 1971; Berry 1975).

The dominant belief, as the constitutional basis of governance and land rights allocation, established a citizen-stranger dichotomy by which the Ife determined the political and economic terms on which the non-Ife were permitted to use land in Ile-Ife. The first generation of Ife male settlers shared land in Ile-Ife and individually exercised ownership over their respective land portions (Cameron 1933, 3). After the death of the first generation settler, male descendants of the settler exercised common ownership of the land, believing that it belonged to their ancestor. According to Price (1933, 6), “the land so taken belonged to that family henceforth in perpetuity, subject to no one and to no conditions.” By tradition, nonmembers of the landowning family were excluded from the common ownership of the family land. Nonmembers of the landowning family included migrants from outside Ile-Ife (DP1) (Agbe 2001).

Members of the landowning family (DP3) enjoyed access, withdrawal, management, exclusion, and alienation rights to the family land, with tenants (DP1) limited to access, withdrawal, and management rights. The Ife landowning family was a large patrilineal and patrilocal system. The subunit consisted of a man [the head], his wives and children, and his unmarried younger brothers and sisters. Senior male members within the family parceled out the family land among the male heads of the constituent subunits by specifying the land portion each subunit head had permission to access and manage for farming purposes (DP3). Each allottee maintained the allocated land, determined the crops to plant on the land, and exercised the right to withdraw or harvest produce from the land. His wives, children, brothers, and sisters enjoyed the freedom to access the land and withdraw or harvest permitted produce, and assisted with the management tasks of clearing and planting. After the death of the male allottee, senior male members shared the deceased's land between the children and brothers of the deceased. The young children of the deceased were not given a share until they were old enough to use the land. Senior male members also reserved the right to reallocate the land a family member failed to use. On reallocation, the initial allottee lost access, withdrawal, and management rights in the land, but kept the right of common ownership of the family land (Fadipe 1970; Price 1933; Driesen 1971).

It was a common practice for the landowning family to grant family land for agricultural purposes to nonmembers as tenants. A nonmember of the landowning family could be an Ife native from another Ife landowning family or a migrant from outside Ile-Ife. The tenancy did not confer on the tenant the right to enjoy common landownership of the family land and the right to organize a landowning family (DP7). Nevertheless, the tenant managed the land and owned the crops the tenant planted on the land. In addition, as a monitoring mechanism (DP4), the tenant presented produce [royalty or Isakole], no matter how little, to the head of the landowning family that the tenant did not own the land. According to an Ife leader, for example, the Modakeke paid "royalties as tenants" to landowning Ife families (Agbe 2001, 5). In deepening relationships with the landowning family, the tenant helped the landowning family with house building and footpath construction. The tenant could be exempted from payment of Isakole when the landowning family had no suspicion (DP4) that the tenant would claim ownership of the leased land. Descendants of the tenant could maintain the tenancy through favorable negotiations with the landowning family. The refusal of the tenant to pay Isakole on demand constituted unruly behavior and a sign that the tenant or the tenant's descendants wanted to claim ownership of the land. After a series of unsuccessful efforts to get the recalcitrant tenant to fulfil the required obligation, the landowning family would give the uncooperative tenant a time frame to harvest the crops the tenant had planted on the land before terminating (DP5) the tenancy (Driesen 1971; Price 1933).

The political standing of individuals in Ile-Ife cocooned their landholding status (DP8). Landowning families were grouped into subdivisions based on geographical contiguity (DP3). A set of subdivisions formed a ward. Ward chiefs constituted the Ife council of chiefs. The council worked with the Ooni of Ife [the Ife head authority] through palace chiefs to administer the community. Even though age played a major role in nominating candidates for chieftaincy roles, the political positions were open exclusively to members of landowning families. The tenancy status of Ife natives in relation to other landowning families was not a disqualification from available political positions in their respective families. Such Ife native-tenants exercised the right of common landownership in their respective ancestral families where their right to compete for vacant political positions was guaranteed. The non-Ife were, as a matter of belief [informal constitutional decisions], disqualified from the political positions even though they followed the terms and conditions of public affairs in the houses of their respective Ife landlords (DP8). The position of Ooni [the Ife head authority], for example, could be occupied only by an Ife male. The citizen-stranger dichotomy inherent in landholding was an acceptable tradition between natives and strangers in Ile-Ife and in other Yoruba communities (Cameron 1933; Bascom 1969; Fasogbon, 1985).

#### **4.1. Missing design principles, Ibadan political turmoil, and 1849–1850 violence**

The above constitutional arrangements, as expressed by the beliefs of the Ife about land, underpinned unequal allocation of land rights between the natives and the strangers in Ile-Ife before the arrival of the Modakeke following the collapse of the Old Oyo Empire in northern Yorubaland in the nineteenth century (Agbe 2001; Toriola 2001). The insecurity associated with the collapse of the Old Oyo Empire triggered massive population movements southwards and forced diverse Yoruba families to begin living together in southern Yorubaland. In the host cities, the refugees believed that they shared with the natives the same ancestral ties that qualified them to organize landowning families (Oguntomisin 1981, 227–232). The Modakeke, a part of the massive population surge, escaped to Ile-Ife as a refugee group of landless families

in about 1827 (Ade-Ajayi 2003, 8). The arrival of Yoruba refugees in southern Yoruba cities initiated “the general decay and collapse of previously existing beliefs and [property rights] institutions for governing land all over Yorubaland”, as “the old constitutional arrangements which bound the Yoruba kingdoms together and made for stability became increasingly questioned and undermined” (Akinjogbin 1992, 149). In other words, for the Yoruba refugees, the old institutional arrangements lacked congruence between the existing land right allocation rules and the refugees’ beliefs (DP2), minimal recognition of the rights (DP7) of the Yoruba refugees to organize landowning families (DP3), and the nesting of the landowning interests of the refugees in the old arrangements (DP8). The absence of these design principles, as captured by Akinjogbin (1992), caused the refugees to challenge the prevailing land user definition [refugees as tenant-farmers] (DP1), monitoring (DP4) and sanctioning (DP5) rules, and conflict resolution mechanisms (DP6) as fundamentally unfair. Unlike Ile-Ife, the response of other southern Yoruba cities to refugee-related developments lead to what Stern (2011, 220) describes as “institutional adaptation and change” that ensured that “there were no landless individuals since everybody belonged or was attached to a compound [family] and each compound had sufficient land to give its members” (Falola 1984, 26).

The Ife’s approach to the arrival of the Modakeke in Ile-Ife initially presented an image of institutional adaptation and change. In encouraging the Modakeke to settle in Ile-Ife, “Ife leaders went as far as to exploit the ancient traditions which represent Ife as the ancestral home of all Yoruba peoples, in order to persuade many of the refugees [the Modakeke] to come back home now that things were bad abroad” (Akintoye 1970, 35). The kind gesture ostensibly assured the Modakeke that their migration to Ile-Ife was a return to their ancestral home where their interests in landownership would be nested within the existing constitutional arrangements (DP8), where they would have recognized rights (DP7) to organize landowning families (DP3) and enjoy the nested political rights (Toriola 2001).

Shortly after the arrival of the Modakeke, the Ife, however, began to treat the Modakeke as strangers and tenant-farmers to the extent that the Modakeke were denied the right (D7) to organize landowning families (DP3). As strangers, the Modakekes were not permitted to occupy the position of Ooni [the Ife head authority] (Agbe 2001; Toriola 2001). However, in the early years of their settlement in Ile-Ife, the Modakeke were “living in Ife compounds [Ife landowning families] scattered through town and paying fees for the use of farmland” (Bascom 1969, 14). As expected of tenant-farmers, the Modakeke engaged in amicable relations with the Ife and assisted their respective Ife landlords with farming activities and house building. The Modakeke also served in the Ife elite army and palace guard and engaged in intermarriage with the Ife. As experienced warriors, the Modakeke joined the Ife in successfully defending Ile-Ife against external attacks from the Owu Yoruba and the Egba Yoruba (Akintoye, 1970). The marriage between a Modakeke woman and an Ife Ooni produced Prince Adegunle Abewela who later became the Ooni of Ife (Fabunmi 1985; Ade-Ajayi 2003).

Despite the embryonic cordial relations, tensions began to build up between the two Yoruba groups as the Modakeke began to experience the opposite of their belief (DP2) that their migration to Ile-Ife was a return to their ancestral home where their landowning interests would be nested (DP8) within the existing constitutional arrangements, where they would have recognized rights (DP7) to organize landowning families (DP3). Consistent with a prediction by McGinnis and Ostrom (1996), the four missing design principles forced the Modakeke to question the prevailing land user definition (DP1), monitoring (DP4) and sanctioning (DP5) rules, and conflict resolution mechanisms (DP6) as fundamentally unfair. In about 1830, “a feeling of disaffection became evident between the Ife citizens and the exiles [the Modakeke]” (Johnson 1921, 230). The Modakeke felt marginalized with their status as tenant-farmers and demanded the right to own land and gain ancestral belonging and the inherent political rights. The Ife treated the behavior of the Modakeke as unbecoming of strangers (Ade-Ajayi and Akintoye 1980, 286) and as “the beginning of disloyalty to their host” (Agbe 2001, 15).

The ruptured relationship intensified and metamorphosed into growing divisive relationships. As evidence of unwillingness for institutional adaptation and change, the Ife ignobly labeled the Modakeke as strangers and migrants, seized the farmlands granted to the Modakeke (DP5), and “treated “them like slaves” [as individuals without the right to organize landowning families – (DP7)] (Akintoye 1970, 35). Ife landlords were “not prepared to part with the family land to the tenants without the continued payment of royalties” (DP5) (Agbe 2001, 15). In addition, the Ife and the Modakeke split into two antagonistic groups (DP2), even though the Ife and the Modakeke had earlier claimed to be “sons and daughters of the same parents” descending directly from “Oduduwa, the progenitor of Yoruba race” [the founder of Ile-Ife] (Toriola 2001, 21). The Modakeke, who initially “settled in the capital city of the Ife”, “later relocated outside of the capital city” and “later took on the name Modakeke as a mark of separate identity from that of their host, the

Ife" (Akanji 2009, 36). Members of the two Yoruba groups also distanced themselves from the geographical area controlled by the hostile group. The Modakeke eventually adopted the Oyo dialect and tribal marks as a distinctive intra-ethnic identity. In showing resentment against the Modakeke, the Ife whipped up anti-Modakeke sentiments and made accommodation of the Modakeke difficult (Johnson 1921; Akinjogbin 1992).

A political turmoil in Ibadan raised the tension related to the missing design principles to an unbearable threshold in 1849. Historical records show that "the Ife were the original founders and real owners of the town of Ibadan" (Ademakinwa 1953, 68). Ibadan is 40 miles (64 kilometers) west of Ile-Ife and began to be increasingly populated from 1829 by Oyo refugees from destroyed towns under the Old Oyo Empire. Up to 1830, Ibadan was under the control of Ife soldiers led by Maye Okunade, an Ife military general. With their growing population, Oyo refugees challenged the leadership of Maye Okunade. In the resultant civil war, Oyo soldiers killed Maye Okunade in 1830, took full political control of Ibadan, and allowed members of the constituent groups to have equal citizenship rights [political and land rights]. The killing of Maye Okunade at the hands of Oyo soldiers infuriated the Ife and raised the possibility of rebellion by the Modakeke, who had adopted an Oyo identity and whom the Ife had accused of behaving as "overlords rather than guests" (Oyeniyi 2010, 309).

The failure to address the absent design principles was worsened by the Ibadan political turmoil, and pushed the Ife and the Modakeke to the point where they found nonviolent means unattractive in moving away from what Follett (1940, 33) describes as "the boundaries of two alternatives which are mutually exclusive." As part of their strategic moves to drive the Modakeke out of Ile-Ife and avenge Maye Okunade's murder, the Ife abducted and sold many of the Modakeke into slavery, with some Modakeke kidnapped and killed for religious rituals (DP5). An eyewitness account by an old Modakeke chief made it clear that "when Chief Maye, an Ife, was expelled from the town (Ibadan), it was then we began to suffer all sorts of indignities from the Ifes at home" (Akinjogbin 1992, 153). Complicating the Ife's suspicion of the Modakeke's noncompliance with the rules for land rights allocation, Ooni Abewela, with a maternal tie to the Modakeke, in about 1840, separated the Modakeke from the Ife and settled them on a different piece of land in Ile-Ife in order to stop the cruelty against the Modakeke (Johnson 1921, 231).

Using armed attacks to force the Modakeke out of Ile-Ife (DP5), the Ife murdered Ooni Abewela in 1849 before launching full-scale armed attacks the same year on the Modakeke. As the Modakeke aggressively held out against the Ife between 1849 and 1850, "the Modakeke captured about 12,070 of them [the Ife]" (Johnson 1921, 232). As the war intensified, the Modakeke gained an upper hand, capturing more Ife soldiers and civilians, selling them into slavery, and destroying their geographical area. The horrendous devastation compromised the sustainability of land in Ile-Ife for long-term productive potential. With heavier human and property losses, the Ife finally sank defenselessly to "the very bottom of defeat and destruction" (Akintoye 1970, 35). Ife survivors escaped to nearby Yoruba communities where they remained before Ibadan leaders restored the survivors to Ile-Ife in 1858 (Akinjogbin 1992, 154–155).

#### ***4.2. Missing design principles, Ibadan territorial expansion, and 1882–1886 violence***

Under the military leadership of Chief Ibikunle, the Balogun [warlord chief] of Ibadan, Ibadan leaders successfully negotiated the return of the Ife to Ile-Ife. Both the Ife and the Modakeke reluctantly accepted the resolution based on the following terms (DP6). First, the return of the Ife was critical to the revival of the worship of Yoruba gods. The Yoruba revered Ile-Ife as the location where gods descended to earth. The Ife were the custodians of the gods. Ibadan leaders believed that the appalling calamity befalling the Yoruba was rooted in the desertion of Ile-Ife by the Ife (Oyeniyi 2010, 319). Second, the Ife and the Modakeke were to live in their respective areas of control in Ile-Ife. Third, Ibadan leaders mandated Ile-Ife [the Ife and the Modakeke] to become their vassal as the payment for Ibadan's intervention. As a vassal, Ile-Ife paid annual tributes to Ibadan and contributed soldiers to its army on demand (Akinjogbin, 1992).

The resolution (DP6), however, did not address the missing design principles, one of which was what Fennell (2011, 11) describes as "marked divisions among members of the community sharing the resource" (DP2). As soon as the Ife returned to their area of control in Ile-Ife in 1858, they found it difficult to trust the Modakeke whom the Ife still saw as landless strangers (Hinderer 1858). In the atmosphere of hostility, the leaders of the two groups socialized their members to norms of exclusion against each other. The environment of divisive relationships was a contrast to what prevailed in Ibadan, which, according to Akintoye (1970, 36), "was an open society which welcomed all Yoruba men irrespective of their place of origin and in which birth counted for very little, and personal abilities counted for everything."

While the Ife and the Modakeke continued to engage in divisive relationships, Ibadan had emerged as the most powerful Yoruba community. During the time, “the Ibadan’s desire to seek dominance and control of the Yorubaland divided the Yoruba into two military camps: the Ibadan [Oyo Yoruba subethnic groups] and the Ekitiparapo [non-Oyo Yoruba subethnic groups]” (Akinjogbin 1992, 156). As Ibadan expanded its territorial reach by turning many Yoruba communities into vassals, the Ife in Ile-Ife faced two challenges. First, the Ife desired to free themselves from the overlordship of Ibadan. In planning to achieve this goal in 1881, the Ife realized that the involvement of the Modakeke was critical to success. The Ife, however, dropped the plan as the Modakeke were less willing to cooperate with the Ife in revolting against Ibadan due to the divisive relationships between the two groups. Second, the removal of the Modakeke from Ile-Ife remained a major pursuit for the Ife. In strategizing to remove the Modakeke from Ile-Ife, the Ife aligned with the Ekitiparapo. However, the Modakeke remained loyal to Ibadan (Akinjogbin 1992).

The Ibadan side approached the Ife’s decision to join the Ekitiparapo primarily as a challenge to Ibadan’s territorial expansion. In encroaching daringly on the Ekitiparapo’s territory for more vassal communities and in frightening the Ife to submission, the Ibadan exploited the marked divisions between the Ife and the Modakeke by rallying to the side of the Modakeke and launching armed attacks on the Ife as renegades (Toriola 2001, 21). On the other hand, the attacks from the Ibadan provoked the Ekitiparapo side into a violent turf battle against the former in order to defend the Ife and protect its [the Ekitiparapo’s] territorial integrity. However, the effort of the Ekitiparapo was successfully countered when Ibadan sent troops to defend the Modakeke (Johnson 1921; Ade-Ajayi 2003). Nevertheless, with further planning and strategizing on both sides, the turf battle “developed into a ding-dong” up to 1886 (Akintoye 1970, 37).

In ending the Ife-Modakeke violence aspect of the turf battle in 1886, the British colonial administration enacted a treaty of peace. The treaty was initially accepted by the Ibadan, the Ekitiparapo, the Ife, and the Modakeke (Olutobi and Oyeniyi 1994, 4), and “provided that the Modakeke must evacuate Ile-Ife and migrate westwards into Ibadan territory” (Akintoye 1970, 38). However, on November 28, 1886, the Modakeke gave the following reason for their refusal to honor the treaty, “Truly our fathers were not natives of this place, but we are born in this place and the mothers of most of us are Ifes. Hundreds of Ifes are our wives today and hundreds of our daughters were also given in marriage to the Ifes and they are with them to this present day. We have become one people with them by intermarriage so that it is very difficult for us to separate” (Akinjogbin 1992, 162). But the Ife “had come to such a state of mind that they could not reconcile themselves to the continued existence of Modakeke, because Modakeke had become the living symbol of their suffering and disgrace” (Akintoye 1970, 38). After some diplomatic moves, the colonial administration enforced the treaty in 1909, prompting the Modakeke to leave Ile-Ife and flee to Ibadan towns such as Ikire, Apomu, Ikoyi, Ede, and Ipetumodu (Johnson 1921). However, the Ife allowed the Modakeke to return to Ile-Ife as tenant-farmers between 1920 and 1923 under the agreement that upheld the disputed land rights institutions (Ajulo 1989; Agbe 2001; Oyeniyi 2010).

## 5. Conclusion

Scholarship has greatly compromised analytical clarity by blaming “the sociological and political mess which white colonialism created in Africa” as the root of violence on the continent (Mazrui 2008, 37). This analytical ambiguity has resulted in ineffective policy prescriptions for addressing violence in Africa. With the in-depth analysis of the roots of the Ife-Modakeke violence of 1849–1850 and 1882–1886, this research, however, has carefully provided rich evidence regarding the absence of certain design principles as the root causes of the Ife-Modakeke violence. The absence of the design principles, consistent with a prediction by McGinnis and Ostrom (1996), impelled the Modakeke to dismiss as fundamentally unfair the prevailing land user definition [the Modakeke as tenants] (DP1), monitoring (DP4) and sanctioning [eviction of the Modakeke from Ile-Ife] (DP5) rules, and conflict resolution mechanisms [tenant status or eviction for the Modakeke] (DP6). It was from these circumstances the two violent occurrences erupted.

Conversely, it may be argued that the analysis of the role of the missing design principles in the violence is less useful in countering the claim that European colonialism laid the foundation for African violence. As earlier explained in this article, apart from the fact that the 1882–1886 Ife-Modakeke violence ended with the intervention of the British colonial administration (Akintoye 1970, 37), the tensions of October 20, 2014, between the Ife and the Modakeke, had to do with a claim by the Ife that “the land on which Modakeke people were farming belonged to Ile Ife [the Ife Yoruba] and they [the Modakeke people] should pay tribute to their landlords” (Nigerian Punch 2014). Even though the triggers were different, the same missing design principles can hardly be dissociated from the reoccurrence of the Ife-Modakeke violence in the colonial and post-colonial eras. By focusing on the roots of the violence of 1849–1850 and 1882–1886, this article has,

therefore, provided a rich understanding not only about the culpable causes but also for sustaining common land and gaining the compliance of generation after generation of land users with land rights institutions.

## Acknowledgement

I thank two anonymous reviewers for thoughtful and constructive suggestions, Dr. Sabrina Riles for excellent comments, Mrs. Terry Kights for painstaking proofreading, Dr. Danille Taylor (SAS Dean) and Dr. Henry Elonge (PAD Chair) for encouragement of conference participation, and the Ostrom Workshop in Political Theory and Policy Analysis for research support.

## Competing Interests

The author has no competing interests to declare.

## Literature cited

- Ade-Ajayi, J. F.** (2003). Nineteenth Century Wars and Yoruba Ethnicity. In A. Akinjogbin (Ed.), *War and Peace in Yorubaland 1793–1893* (pp. 9–19). Ibadan: Heinemann Educational Books.
- Ade-Ajayi, J. F., & Akintoye, S. A.** (1980). Yoruba Land in the Nineteenth Century. In O. Ikime (Ed.), *Groundwork of Nigerian History* (pp. 280–302). Ibadan: Heinemann Educational Books.
- Ademakinwa, J. A.** (1955). *Ife, Cradle of the Yoruba Part 1: A Handbook on the History of the Origin of the Yorubas*. Lagos, Nigeria: Ademakinwa and Pacific printing works.
- Agbe, G. A.** (2001). The Ife/Modakeke Crisis: An Insider View. *Ife Psychologia*, 9(3), 14–20. DOI: <https://doi.org/10.4314/ifep.v9i3.23628>
- Ajulo, O.** (1989). *The Outline History of Modakeke*. Ibadan, Nigeria: M.A. Adelana NUBA Nigeria Chapter.
- Akanji, O. O.** (2009). Group Rights and Conflicts in Africa: A Critical Reflection of Ife-Modakeke, Nigeria. *International Journal on Minority and Group Rights*, 16, 31–51. DOI: <https://doi.org/10.1163/157181109X394362>
- Akinjogbin, I. A.** (1992). *The Cradle of a Race: Ife from the Beginning to 1980*. Port-Harcourt, Nigeria: Sunray Publications Ltd.
- Akintoye, S. A.** (1970). Ife's Sad Century. *Nigerian Magazine*, 104(March/May), 34–39.
- Akokpatri, J.** (2008). 'You Don't Belong Here': Citizenship, the State and Africa's Conflicts – Reflections on Ivory Coast. In A. Nhema, & P. T. Zeleza (Eds.), *The Roots of African Conflicts: The Causes and Costs* (pp. 88–105). Athens: Ohio University Press.
- Bascom, W.** (1969). *The Yoruba of Southwestern Nigeria*. Illinois: Waveland Press, Inc.
- Boone, C.** (2011). Politically-Allocated Land Rights and the Geography of Electoral Violence in Kenya. *Comparative Political Studies*, 44(10), 1311–42. DOI: <https://doi.org/10.1177/0010414011407465>
- Boone, C.** (2014). *Property and Political Order in Africa. Land Rights and the Structure of Politics*. New York: Cambridge University Press. DOI: <https://doi.org/10.1017/CBO9781139629256>
- Borras, S. M., & Ross, E. B.** (2007). Land Rights, Conflict, and Violence amid Neo-Liberal Globalization. *Peace Review: A Journal of Social Justice*, 19(1), 1–4. DOI: <https://doi.org/10.1080/10402650601181915>
- Cameron, D.** (1933). *A Note on Land Tenure in the Yoruba Provinces*. Lagos, Nigeria: The Government Printer.
- Driesen, I. H. V.** (1971). Patterns of Land Holding and Land Distribution in the Ife Division of Western Nigeria. *Africa*, 41(1), 42–53. DOI: <https://doi.org/10.2307/1159677>
- Ekeh, P. P.** (1975). Colonialism and the Two Publics in Africa: A Theoretical Statement. *Comparative Studies in Society and History*, 17(1), 91–112. DOI: <https://doi.org/10.1017/S0010417500007659>
- Falola, T.** (1984). *The Political Economy of a Pre-Colonial African State: Ibadan, 1830–1900*. Ile-Ife: University of Ife Press Ltd.
- Falola, T.** (2009). *Colonialism and Violence in Nigeria*. Bloomington: Indiana University Press.
- Fasogbon, M. O.** (1985). *The Principles of the Ancient Constitutional History of Ile Ife Ooyelagbo*. Lagos, Nigeria: Unity Print.
- Fennell, L. A.** (2011). Ostrom's Law: Property Rights in the Commons. *International Journal of the Commons*, 5(1), 9–27. DOI: <https://doi.org/10.18352/ijc.252>
- Follett, M. P.** (1940). Constructive Conflict. In H. C. Metcalf, & L. Urwick (Eds.), *Dynamic Administration* (pp. 30–49). New York: Harper and Row Publishers.
- Gari, S. K., Newton, A., Icely, J. D., & Delgado-Serrano, M. M.** (2017). An Analysis of the Global Applicability of Ostrom's Design Principles to Diagnose the Functionality of Common-Pool Resources Institutions. *Sustainability*, 9, 1–17. DOI: <https://doi.org/10.3390/su9071287>
- Hinderer, D.** (1858). Journal of a Missionary Journey August–September, 1858, CA2/049, CMS.
- Johnson, S.** (1921). *The History of the Yorubas*. Lagos, Nigeria: CMS.

- Knight, J.** (1992). *Institutions and Social Conflict*. Cambridge, England: Cambridge University Press. DOI: <https://doi.org/10.1017/CBO9780511528170>
- Lund, C., & Boone, C.** (2013). Introduction: Land Politics in Africa – Constituting Authority over Territory, Property and Persons. *Africa*, 83(1), 1–13. DOI: <https://doi.org/10.1017/S000197201200068X>
- Mahoney, J.** (2010). *Colonialism and Postcolonial Development: Spanish America in Comparative Perspective*. Cambridge: Cambridge University Press. DOI: <https://doi.org/10.1017/CBO9780511750328>
- Mazrui, A. A.** (2008). Prologue – Conflict in Africa: An Overview. In A. Nhema, & P. T. Zeleza (Eds.), *The Roots of African Conflicts: The Causes and Costs* (pp. 1–35). Athens: Ohio University Press.
- McGinnis, M., & Ostrom, E.** (1996). Design Principles for Local and Global Commons. In O. R. Young (Ed.), *The International Political Economy and International Institutions* (pp. 464–493). Brookfield, VT: Edward Elgar.
- Nwabueze, B. O.** (1972). *Nigerian Land Law*. Enugu, Nigeria: Nwamife Publishers Ltd.
- Oguntomisin, G. O.** (1981). Political Change and Adaptation in Yorubaland in the Nineteenth Century. *Canadian Journal of African Studies*, 15(2), 223–237. DOI: <https://doi.org/10.1080/00083968.1981.10803974>
- Olutobi, O., & Oyeniyi, A. I.** (1994). *Modakeke: From Grass to Grace*. Modakeke, Nigeria: Olutobi Ventures (Publishers).
- Ostrom, E.** (1990). *Governing the Commons: The Evolution of Institutions for Collective Action*. Cambridge: Cambridge University Press. DOI: <https://doi.org/10.1017/CBO9780511807763>
- Ostrom, E.** (2009). Design Principles of Robust Property Rights Institutions: What Have We Learned? In G. K. Ingram, & Y.-H. Hong (Eds.), *Property Rights and Land Policies* (pp. 25–51). Cambridge, MA: Lincoln Institute of Land Policy.
- Ostrom, V.** (1991). *The Meaning of American Federalism: Constituting a Self-Governing Society*. San Francisco, California: Institute for Contemporary Studies.
- Ostrom, V.** (1997). *The Meaning of Democracy and the Vulnerability of Democracies: A Response to Tocqueville's Challenge*. Michigan: The University of Michigan Press. DOI: <https://doi.org/10.3998/mpub.15021>
- Oyeniyi, B. A.** (2010). Greed–Grievance Debate and the Ife–Modakeke Conflict. *Social History*, 35(3), 308–29. DOI: <https://doi.org/10.1080/03071022.2010.495470>
- Oyewo, T. A., & Olaoba, O. B.** (1999). *A Survey of African Law and Custom with a Particular Reference to the Yoruba Speaking Peoples of South-Western Nigeria*. Ibadan, Nigeria: Jator Publishing Company.
- Platteau, J.-P.** (2000). Allocating and Enforcing Property Rights in Land: Informal versus Formal Mechanisms in Sub-Saharan Africa. *Nordic Journal of Political Economy*, 26, 55–81.
- Price, H. L. W.** (1933). *Colony and Protectorate of Nigeria: Land Tenure in the Yoruba Provinces*. Lagos, Nigeria: The Government Printer.
- Schlager, E., & Ostrom, E.** (1992). Property Rights Regimes and Natural Resources: A Conceptual Analysis. *Land Economics*, 68(3), 249–62. DOI: <https://doi.org/10.2307/3146375>
- Stern, P. C.** (2011). Design principles for Global Commons: Natural Resources and Emerging Technologies. *International Journal of the Commons*, 5(2), 213–232. DOI: <https://doi.org/10.18352/ijc.305>
- Toriola, J. O.** (2001). The Ife/Modakeke crisis: an insider view. *Ife Psychologia*, 9(3), 21–29. DOI: <https://doi.org/10.4314/ifep.v9i3.23629>
- Verbrugge, B.** (2015). Decentralization, Institutional Ambiguity, and Mineral Resource Conflict in Mindanao, Philippines. *World Development*, 67(5), 449–460. DOI: <https://doi.org/10.1016/j.worlddev.2014.11.007>

**How to cite this article:** Oyerinde, O. K. (2019). Design Principles, Common Land, and Collective Violence in Africa. *International Journal of the Commons*, 13(2), pp. 993–1002. DOI: <https://doi.org/10.5334/ijc.930>

**Submitted:** 09 September 2018

**Accepted:** 11 April 2019

**Published:** 30 October 2019

**Copyright:** © 2019 The Author(s). This is an open-access article distributed under the terms of the Creative Commons Attribution 4.0 International License (CC-BY 4.0), which permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited. See <http://creativecommons.org/licenses/by/4.0/>.



*International Journal of the Commons* is a peer-reviewed open access journal published by Ubiquity Press.

