

## Colonialism and the Transformation of Berom Justice System, 1915-1960

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### Abstract

*The conquest and subsequent imposition of colonial rule on the various ethnic nationalities in Nigeria created a great encounter with the traditional institutions therein. These encounters compelled and necessitated adjustments, modifications, adaptability, and some cases, outright jettisoning of the traditional practices of those ethnic nationalities. While appreciable studies have examined the impact of colonial rule on the political, economic, and ecology of the Berom, less has been done on the impact of the same on their justice system. Thus, this paper examines the Pre-colonial judicial practices of the Berom and how it was transformed by colonialism. To achieve this, the work synthesises sources such as books, chapters in books, projects, dissertations and theses, archival materials, and oral interviews.*

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### Introduction

It is a historical fact that the establishment of contacts between the people of Nigeria greatly affected or jettisoned some of the traditional beliefs and practices of the former. By the close of the first decade of the 20<sup>th</sup> century, the "pacification" of the Nigeria area had been accomplished by the British imperial forces and thus put in place different administrative and economic instruments aimed towards the realization of their set objective in the conquered territories. The policies they adopted and their actualizations greatly affected all aspects of the people's life experiences. The Berom of the Defunct Plateau Province was also affected by these historical events.

Successful attempts were variously made by scores of scholars to examine the colonial experiences of the people of Nigeria.<sup>1</sup> Despite these studies, however,

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<sup>1</sup>See Asiwaju Anthony *Western Yoruba land Under European Rule, 1889-1945: A Comparative Analysis of French and British Colonialism*, (Longman, London, 1976); Philip Aigbona Igbafe, *Benin Under British Administration: The Impact of Colonial Rule on the African Kingdom 1897 – 1938*, (Longman, London, 1979); Afigbo Eberechukwu Aliele, *The Warrant Chiefs: Indirect Rule in South-Eastern Nigeria, 1891-1929*, (Longman, London, 1972); Atanda Joseph Adebowale *The New Oyo Empire: Indirect Rule and Change in Western Nigeria, 1894 – 1934*, (Longman, London, 1973) and Ayandele Adekunle Emmanuel "External Relations with

emphasis can still be made that "minority communities" especially those of today Central Nigeria have not yet received the same attention. This is because the tendency has been to subsume the smaller units, such as clans and villages, under the major geopolitical units, such as empires and kingdoms.<sup>2</sup> While the policies formulated and executed in Nigeria were expected to have general application in such micro administrative units, including regions, provinces, and districts, there were enough local peculiarities in the actualization of the policies and the response of the people to it makes micro studies such as this worthwhile. Studies such as this help to fill the gaps, which micro studies often create. This paper, therefore, examines an aspect of the colonial experience of the Berom People of the defunct Plateau Province and relates it with what was obtained in other parts of Nigeria. The thrust of this paper is to examine how colonialism transformed the Justice system of the Berom people through an evaluation of the efficacy of the traditional judicial system in dispensing justice compared to the "Modern" one that replaced it.

The Berom area had witnessed tremendous growth in both Pre-colonial and Colonial historiography as its Pre-colonial and Colonial history had caught the attention of C.C. Jacobs;<sup>3</sup> S.D. Mwodkwon;<sup>4</sup> H. Alahir;<sup>5</sup> I.Y Nyongo;<sup>6</sup> L.L. Pwajok;<sup>7</sup> N.G. Peter<sup>8</sup> and C.E Jonah<sup>9</sup> etc. These literature treat the diverse aspects

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Europeans: Explorers, Missionaries and Traders," In Ikime Obaro (ed) *Groundwork of Nigerian History* (Heinemann Educational Books, Ibadan, 1980).

<sup>2</sup> Until 1926, the Berom area in particular and the Plateau area, in general, were seen as a subset of the Bauchi Emirate and Later Province by the British invading force. The resistance they later faced from the various ethnic groups in the Plateau contradicted their earlier notion.

<sup>3</sup> Jacobs Charles Creswell has researched the micro History of the Berom people. Prominent among his works are Jacobs Charles Creswell *Studies in Berom History and Culture Vol 1*, (Jos: Berom Historical Publication, 1995) and Jacobs Charles Creswell, *Studies in Berom History and Culture Vol 2*, (Jos: Berom Historical Publication, 1997).

<sup>4</sup> Mwodkwon Simon Davou, 'Silencing the Spirit of the Shrine: The Impact of Tin Mining on Berom Religion and Ecology' (Ph.D. Thesis, University of Jos, 2010).

<sup>5</sup> Alahira Hannatu, 'The Role of Women in the Colonial Economy of Northern Nigeria: A Case Study of the Berom of Jos Plateau, 1900-1960' (Ph.D. Thesis, Ahmadu Bello University Zaria, 2001)

<sup>6</sup> Nyango Ishaya Yop 'Imperialism: Exploitation and Popular Unrest in Beromland, 1900-1960' (B.A Project, University of Jos, 1992).

<sup>7</sup> Pwajok Lilian Lyop, 'The Impact of Colonial Domination on Berom Traditional Judicial System' (B.A Project, University of Jos, 1992).

<sup>8</sup> Peter Nyem Gai 'The Development and Modernization of Traditional System of Adjudication in Beromland' (LLB Long Essay, University of Jos, 1990).

of the people's histories ranging from religion, values, belief system, burial rites, architecture, given names, socio-economic and political structure, impacts of Imperialism viz- a- viz colonialism on their various traditional structures. On the latter, Pwajok and Peter examined the impact of colonialism on Berom judicial practices. These separate works were instructive in understanding how colonialism affected traditional justice practices without recourse to how it affected both the agents and the procedures of justice of the Berom people on the one hand, and the changes in their corpus of laws on the other. Thus, this paper is set to fill the voids in the works of Pwajok and Peter and also contribute to the debate on the impact of colonialism on Berom traditional institutions in particular and the entire defunct plateau province in general.

The study is divided into sections. The first section is the ongoing introduction. The second section examines the geography and historical background of the Berom. While the third section gives a synopsis of their Pre-colonial Legal System, the fourth section focuses on colonial conquest and the establishment of English-typed courts in Beromland. The fifth section examines the operation of the native courts. The sixth section examines the transformation in Berom Justice System occasioned by colonialism. The seventh section concludes the work.

### **The Berom Area: A Geographical and Historical Background**

The Berom are among the estimated 150-200 various peoples, languages, and dialects of the Present Plateau State of Nigeria.<sup>10</sup> They belong to the Eastern plateau sub-group of the Benue Congo language family.<sup>11</sup> They inhabit the undulating highlands of the Jos Plateau along with other neighbors such as the Bache, Irigwe, Anaguta, Amo, Buji, Pyem, and Mwaghavwul. J.G Davis further emphasized this when he noted that:

“...the Berom live in villages on a part of the Plateau, the area which they occupy being some 1,020 square miles. Their Villages

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<sup>9</sup>Jonah Emmanuel Changwak 'Crime and the Law in Pre-Colonial Berom Jurisprudence: A Discourse' (Presentation, Department of History and International Studies Seminar, Police Academy Wudil, 2019).

<sup>10</sup>For more on this, see Crozier David, and Roger Marsh Blench, *An Index of Nigerian Languages* (Dallas: Summer Institute of Linguistic, 1992), 24.

<sup>11</sup> Crozier David and Roger Marsh Blench, *An Index of Nigerian Languages* (Dallas: Summer Institute of Linguistic, 1992), 24-25.

(heavily fenced with cactus) of which there are over 80, and composed of numerous compounds”<sup>12</sup>

The size of the area occupied by the Berom given by Davies in 1948 has changed today due to growth in the population of the people, resulting in an increase in the number of villages from 80 to 104. The Berom live on the northern side of the Jos plateau. They share boundaries on the West with the Aten, Katab, Chawai, and Ninzom. On the north, they share boundaries with Rukuba, Irigwe, Anaguta, Afizere, Jere, and Amo. To the south, the Berom share boundaries with Dafo, Rom, Atakar, Ayu, and Muna, to the east, by the Pyem, Mwaghavul, Ron, and Kulere.<sup>13</sup>

The Berom settlement is divided into sections: the East, West, and South. The East section has villages that include *Ropp*, *Foron Du*, *Zawan*, *Shen*, *Fan*, *Heipang*, and *Kwang* (Rayfield). The West comprises *Kuru*, *Vwang*, *Turu*, *Riyom*, *Hoss*, *Rim*, and *Gyel*. The Southern Berom villages include *Bachit*, *Shonong*, *Kakuruk*, *Gashish*, and *Sho*. These three sections were distinct in dialect and customs. These distinctions were signified in female clothing. The Southern section assimilated known as *Baho* from their Chadid-speaking Pankshin neighbors.<sup>14</sup> The East and West use the same clothing but distinct in the area of the festival. Whereas the West has an important festival called *mandyieng*, the East has none. Intermarriages were not, in the past, common than now.<sup>15</sup> This may largely be explained by firstly, the change in the socio-religious, economic, and political lives of the people occasioned by their contact with the tin mining industry, Western education, vis-à-vis Christianity, and modernization. These forces allowed for free and mass movement of people of different socio-religious backgrounds to Berom country. It also allowed for free interaction between individuals and groups than the case was hitherto.<sup>16</sup> This had adverse effects on the custom and values of the people, including their judicial practices.

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<sup>12</sup> John Davies, ‘The Berom: The Study of Nigerian Tribe’ (Manuscript, National Museum Library Jos, 1949), 10-11.

<sup>13</sup> John, Davies ‘The Berom: The Study of Nigerian Tribe’ (Manuscript, National Museum Library, Jos, 1949), 11.

<sup>14</sup> Simon Davou Mwodkwon, ‘Silencing the Spirit of the Shrine: The Impact of Tin Mining on Berom Religion and Ecology’ (Ph.D. Thesis, University of Jos, 2010), 94.

<sup>15</sup> John Davies ‘The Berom: The Study of Nigerian Tribe’ (Manuscript, National Museum Library, Jos, 1949), 12-13.

<sup>16</sup> Simon Davou Mwodkwon, ‘Silencing the Spirit of the Shrine: The Impact of Tin Mining on Berom Religion and Ecology’ (Ph.D. Thesis, University of Jos. 2010), 96.

The population of the Berom as of 1916 stood at about 35,000<sup>17</sup> and 74,977 and 82,746 in 1944 and 1949 respectively. The growth rate was not unconnected with the growth in the mining industry during the colonial period.<sup>18</sup> Between 1963 and 1980, the Plateau State Facts and Figures Handbook showed an annual increase of 2.5% in the population of both the then Jos and Barkin Ladi Local Government Areas, which stood at 593,110 and 389,840 respectively. The 1991 population census would have rendered the previously estimated population of the Berom useless if the census had embarked on headcounts of ethnic groups. The 1991 census gave the figure of the citizens of Jos North, Jos South, and Barkin Ladi as 785,681.<sup>19</sup> With such a figure, the population of Berom (the majority group in these three Local Government Areas except for Jos North), is approximately four to five hundred thousand. This is only based on an estimated 2.5% average growth rate of the population and the citizens of Jos and Barkin Ladi from 1963 to date.<sup>20</sup>

The Berom people are also found in the Sanga Local Government Area of Kaduna state and Tilde Fulani area of Bauchi State.<sup>21</sup> They, like their counterpart ethnic groups on the Jos Plateau, (i.e. Ngas, Rukuba, Miango, Taroh, Afizere, etc) practice agriculture and terrace farming and have learned to live in extremely mountainous and stony terrain. This is also true of most ethnic groups on the Jos Plateau.<sup>22</sup>

### **The Berom Legal System in the Pre-Colonial Era**

Just like many other African communities, the Berom did not have any formal instruments of justice. Rather, they operated state justice systems that were homegrown, culturally appropriate, and operated on minimal resources.<sup>23</sup> These

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<sup>17</sup>John, Davies 'The Berom: The Study of Nigerian Tribe' (Manuscript, National Museum Library, Jos, 1949), 14.

<sup>18</sup> Charles Creswell Jacobs 'The Berom Pre-Colonial Economy: An Overview' (Presentation, Nzem Berom Festival, Jos, 1994), 3.

<sup>19</sup> House Magazine of National Population Commission, 1992, 23.

<sup>20</sup>Charles Creswell Jacobs, *Studies in Berom History and Culture Vol 2*, (Jos: Berom Historical Publication, 1997), 23.

<sup>21</sup>Simon Davou Mwodkwon, 'Silencing the Spirit of the Shrine: The Impact of Tin Mining on Berom Religion Ecology' (Ph.D. Thesis, University of Jos. 2010), 122.

<sup>22</sup>Danfulani Umar Habila Dadem, *Pebbles and Deities: Pa Divination among Ngas, Mupun, and Mwaghavul in Nigeria* (Frankfurt: Am main Peter Leng, 1995), 38.

<sup>23</sup> Interview with James Pwajok, aged 76 years, Jos North, 26<sup>th</sup> April 2013

laws were easily acceptable to the communities they serve.<sup>24</sup> The community had its unique instrument of dictating and punishing crime which was handed down to them from generation to generation. The absence of formal instruments of justice like courts, prison centers, and coded laws forced the local inhabitants to devise ways of handling crimes within their society. The punishment meted out depended on the magnitude of the crime committed and the punishment ranged from banishment to traditional performance that could even result in the death of the perpetrator of that particular crime.<sup>25</sup> These mechanisms that were locally applied had a huge potential for enhancing access to justice, strengthening the rule of law, and bring development.<sup>26</sup>

The pre-colonial Berom society had a concise system of administration of justice which was carried out at different levels depending on the nature and where the crimes were committed. At the family level, the *Dalo* (head of the household) settled inter-family disputes involving quarrels and keeping of malice among members of the family.<sup>27</sup> Intra-family disputes were settled by the head of the lineage or clan known as *Be-danlo*. The *Be-danlo* summoned the disputants and their witnesses (if any) to resolve the dispute(s). Among the pre-colonial Berom, cases that affected the families or lineage alike were first tried at that level, in the first instance, before been forwarded to other judicial bodies for adjudication.<sup>28</sup>

Unresolved disputes at the family clan or village levels were forwarded to the *Damanjei* (Ward Head) for adjudication. When disputes were unresolved at this level, or when the parties were not satisfied with justice at this level, *Damajei* could as well forward the cases to the *Gwom* (Chief Priest) if, and only when, he

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<sup>24</sup> For more on this see Jonah, Emmanuel Changwak 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University, 2018), 120-121; and Ndeh, Martin Sango, 'Traditional Justice System and Conflict Resolution: Exploring the Pre-Colonial Institutional Frameworks in Mamfe and Bakweri Lands of Cameroon' *Global Journal of Politics and Law Research*, Vol.5, (2017): 34.

<sup>25</sup> For more on this see Jonah Emmanuel Changwak 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University, 2018), 120-121; and Ndeh Martin Sango, 'Traditional Justice System and Conflict Resolution: Exploring the Pre-Colonial Institutional Frameworks in Mamfe and Bakweri Lands of Cameroon' *Global Journal of Politics and Law Research*, Vol.5, (2017): 34.

<sup>26</sup> Interview with Davou Bot, aged 69, Bassa LGA, 6<sup>th</sup> April, 2014.

<sup>27</sup> Interview with Davou Bot, aged 69, Bassa LGA, 6<sup>th</sup> April, 2014. Also See Changwak Emmanuel Jonah 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University, 2018), 120-121.

<sup>28</sup> Interview with Davou Bot, aged 69, Bassa LGA, 6<sup>th</sup> April, 2014.

could not settle such case or such cases were above his judicial power.<sup>29</sup>The *Gwom* converge the council of elders known as *Bemakuk* or *Bekanat* to discuss the case further.

The council of *Bemakuk* or *Bekanat* which comprised every *Dalo* (family heads) were part of the Berom political hierarchy; they played important roles in the administration of the village. They served in their capacity as advisers to the *Gwom* and in most cases, to the *Demanjei*. They met from time to time to discuss matters affecting the whole village.<sup>30</sup> Such matters for instance include witchcraft and sorcery cases, cases of epidemics, and also judged cases of disloyalty. The council met at small ritual or sacred spaces to take decisions on such issues.<sup>31</sup> The judicial decisions reached by the council of *Bemakuk* or *Bekanat* were binding on all parties.

Judgment was always passed by the *Gwom* in the presence of the *Bamakuk* who were considered as official interpreters and who acted as members of the traditional jury.<sup>32</sup> Verdicts were given according to the seriousness of the offense. Judgments on such important matters affecting the generality of the society were taken or passed with the full consent of the designated priest(s) of the spirits or shrines involved. The priest(s) had a say on the nature of the fine or punishment to be meted on the culprit(s) or the rituals to be performed to correct the system.<sup>33</sup> The *Gwom* made sure that the decisions of the *Bamakuk* council as pronounced by the priest(s) were carried out.

Each village in the pre-colonial Berom society had its tribunal and its judges who were always informed of the events happening by the ward heads and elders. Chief Priests were always alerted as soon as the slightest irregularity happened. Offenses ranged from breaking taboos that were connected with sacred spaces, buffer zoned areas, matrimonial quarrels, inability to pay back debt, slander, and damage of property. Offenders were either asked to pay some fine of may be a

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<sup>29</sup>Simon, Davou Mwodkwon, 'Silencing the Spirit of the Shrine: The Impact of Tin Mining on Berom Religion and Ecology' (Ph.D Thesis, University of Jos. 2010),160-161; also see Andrew, Alahira Hannatu, 'The Role of Women in the Colonial Economy of Northern Nigeria: A Case Study of the Berom of Jos Plateau, 1900-1960' (Ph.D. Thesis, ABU Zaria, 2001), 57-60.

<sup>30</sup> Simon Davou Mwodkwon, 'Silencing the Spirit of the Shrine: The Impact of Tin Mining on Berom Religion and Ecology' (Ph.D. Thesis, University of Jos, 2010), 174.

<sup>31</sup>Interview with Pwol Dalyop, aged 75, Jos South, 30<sup>th</sup> September, 2014.

<sup>32</sup> Interview with Pam Dung, aged 64, Kabong, 16<sup>th</sup> September 2014.

<sup>33</sup> Interview with Pam Dung, aged 64, Kabong, Jos 16<sup>th</sup> September, 2014.

*rwangat* (cock), *Chonot* (a hen), *Vyel*(goat), *dwa* (horse), *ba* (knives), *yeneng* (grains), and *randong* (cow) or given strokes of the cane in public. For instance, offenses like murder, theft, adultery, working in buffer zoned spaces, and desecration of sacred space(s) was considered big offenses and carried heavy punishments. Thus, those found guilty of any of these offenses could face the death penalty, expulsion from the community, or sold into slavery.<sup>34</sup>

In witchcraft cases, the procedure was similar to the one discussed above. Here the suspects were made to confess, and if they confessed, their lives were usually spared in the short run, although if the patient did not recover or there was a new outbreak of illness, the confessed witch would probably be killed. Where the accused denied being witches they were given the poison ordeal (*gat*) to vindicate themselves. The diviner (*voshun*) produced the poison, but the administration of the poison was done with the permission or authorization of the Chief Priest (*gwom kwit*) as it was a kind of judicial procedure. The parties were given the poison, and whosoever died was deemed to have been a witch.<sup>35</sup>

### **British Colonial Conquest and the Establishment of English Courts**

The first attempt towards opening of Beromland for the colonial venture was in 1903. The attempt was led by H.W Laws, a mining engineer employed by the Royal Niger Company (Hereafter RNC). Laws, in the process of prospecting, came with about 600 carriers and about twenty-five men of the 2<sup>nd</sup> Battalion of RNC regiment. However, before that time, many expeditions had already been directed to the Plateau by the District Officer of Bauchi Province.<sup>36</sup> This indicated the existence of previous skirmishes between the Berom and the British invading forces such that they had to be accompanied by armed men to subjugate the “stubborn tribe” through their military power, forcefully occupy Beromland. The Berom, in most cases, put up huge resistance against Europeans. They took advantage of their terrain and made charges against the intruding forces where few Europeans were killed. This expedited series of punitive expeditions against

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<sup>34</sup>Baker Tanya 'The Social Organisation of Berom' (Ph.D. Thesis, London, 1956), 9.

<sup>35</sup> Interview with Joseph Dalyop, aged 49, Du Village Jos 16<sup>th</sup> June, 2015.

<sup>36</sup> For details on this, see NAK/SNP/15/1 Acc.29; NAK/SNP/15/1 Acc.39; NAK/SNP/15/1 Acc.40; NAK/SNP6c.140/1907, Also See Ikime Obaro, 'The British in Bauchi, 1901-1918: An Episode in the British Occupation and Control of Northern Nigeria' *Journal of the Historical Society of Nigeria*, Vol VII, No.2, (1974):271-301; Adeleye. Rolland Adebayo, *Power and Diplomacy in Northern Nigeria* (London: Longman, 1971), 237-243; Morrison, Innocent 'A History of Jos Division' (Ph.D. Thesis, University of Ibadan, 1977), 160-213.



the Berom. In an attempt to break the people's resistance, the British Colonial Force employed the use of Maxim gun and other sophisticated weapons which were more effective in the face of crude weapons used by the Berom. In the end, the resistance was ineffective as many, including the leaders of the resistance, were killed, and their villages, completely burned down.<sup>37</sup>

The establishment of a government station in Bukuru in 1905 marked the first move by the British to impose colonial rule and administration on Beromland. This effort was further marked by the creation of the Native Treasury at Naraguta in 1920. However, between 1905 and 1912, there were a few developments that occurred as a result of the British Settlement of a Government station at Bukuru in 1905. One of such developments was that the Berom tribal areas were placed under the Bauchi Province of which it became an administrative sub-division. In 1907, the Berom tribal area was separated from those of Ron and Mwachavul formerly under the Pankshin Division. Pankshin and Bukuru sub-division were united under a single headquarters which was at Naraguta and a Native Treasury at Naraguta was created in 1912.<sup>38</sup> The subsequent division of Jos into five Native Authorities placed the Berom tribal areas under the Berom Native Authority.<sup>39</sup> The Berom tribal areas were composed of fifteen separate districts made up of other tribes.<sup>40</sup> These fifteen districts had no representative in the Berom Native Authority.<sup>41</sup>

The administrative policies of the British in Beromland came within the general pattern that was obtained in Nigeria.<sup>42</sup> The administration in this area like in other parts of Nigeria was not static, rather it was dynamic as new institutions, ideas, and policies were introduced which to a great extent, modified the indigenous

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<sup>37</sup>For details on this, see NAK/SNP/15/1 Acc.29; NAK/SNP/15/1 Acc.39; NAK/SNP/15/1 Acc.40; NAK/SNP6c.140/1907.

<sup>38</sup>Pwajok Lilian Lyop, 'The Impact of Colonial Domination on Berom Traditional Judicial System' (B.A Project, University of Jos, 1992), 31.

<sup>39</sup>Pwajok Lilian Lyop 'The Impact of Colonial Domination on Berom Traditional Judicial System' (B.A Project, University of Jos, 1992), 31.

<sup>40</sup>Three Alkali Courts were established for pockets of Muslims Settlement among the Berom. For more on this, see Morrison, James 'Jos Plateau Societies: Internal Change and External Influences, 1800-1935' (Ph.D. Thesis, University of Ibadan, 1976), 68.

<sup>41</sup>Pwajok Lilian Lyop 'The Impact of Colonial Domination on Berom Traditional Judicial System' (B.A Project, University of Jos, 1992), 31.

<sup>42</sup> It is a historical fact that after 1914, the British adopted the Indirect Rule System of government throughout Nigeria and that the system underwent series of reforms until Nigeria gained its independence in 1960.

polity.<sup>43</sup> British administration in the area was based on the Native authority System.<sup>44</sup> This system, until 1954, was subjected to changes geared towards achieving the actual traditional polity on which the indirect rule system of administration was based. Thus, three systems of administration were introduced between 1906-1935 comprising Direct Rule (1906), the Muslim Model of indirect rule (1927), and the Pagan Administration (1935).<sup>45</sup> By 1920, Native Courts were built in Foron, Kuru, Gashish, Heipang, Ropp, Vom, Rim, and taxes were collected from indigenes.<sup>46</sup>

In 1927, the first reorganization took place and the Jos Division was divided into eleven districts of which were purely Berom. There was a council in each district with the *Begwom* as the senior chief. Courts were built in every district of grade "D" status headed by a Local Chief appointed by the colonial government and supervised by the District Head, who in most cases were white men. There was also the Alkali Court for the pocket of Muslim settlement among the Berom.<sup>47</sup>

In 1935, a further step was taken when the Resident in charge of the Province, Mr. Synge, approved the restructuring of the seventy-three Berom villages into fifteen native courts. One of the courts graded 'C' was situated in Riyom acted as an Appeal Court for the other fourteen grades 'D'. The grade 'D' courts had the power to sentence an offender for three months' imprisonment or fines for offenses such as theft, adultery, and divorce.<sup>48</sup>

The British established courts in Berom tribal areas as part of the pacification process since the courts were to settle disputes thereby ensuring order in the

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<sup>43</sup>Pwajok Lilian Lyop, 'The Impact of Colonial Domination on Berom Traditional Judicial System' (B.A Project, University of Jos, 1992), 31.

<sup>44</sup> For more on this, see Kirk-Greene, Anthony Hamilton Millard, *The Principles of Native Administration in Nigeria Selected Documents, 1900-1947* (London: Oxford University Press, 1965), 78.

<sup>45</sup>For more on this, See Mangvwat Monday Yakibat 'A History of Class Formation in the Plateau Province, 1902-1960: The Genesis of a Ruling Class'(Ph.D. Thesis, Ahmadu Bello University Zaria, 1984),88, Jonah Emmanuel Changwak, 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University Markurdi, 2018),150.

<sup>46</sup> NAK/JOS PROF/283/1934/172 Report on the reorganization of the Berom Tribal area by Mr. E.S Pembleton

<sup>47</sup>Morrison James 'Jos Plateau Societies: Internal Change and External Influences, 1800-1935' (Ph.D. Thesis, University of Ibadan, 1976), 70.

<sup>48</sup> NAK/JOS PROF/2831/1934/172: Report on the reorganization of the Berom Tribal area by E.S Pauleton to SNP 30 October, 1935.

area.<sup>49</sup> The earliest courts established by the British in Beromland were put in place to handle cases from different segments of the people. The first of such courts were established in Faron in 1919.<sup>50</sup> By 1920, courts that were already operating in Beromland included the Gashish native court, Kuru, Rim, Vom, Heipang, and Ropp courts. The membership of these courts was based on appointments of village heads and District Heads by the British administrators. In the selection and subsequent appointment of the court members, there was no strict adherence to traditional determinants of who could participate in judging cases.<sup>51</sup> There are few instances where members possessed natural positions of authority in their clans. Early heads of these courts in Beromland includes *Arando* (the Village Head of Foron), *Gwok* (Ritual head of Gashish), *Pwajok* (Village Head of Kuru), *Daribiyo* (Ritual Head of Rim), *Rado* (Village Head of Vom), *Chollom* (Village Head of Heipang) and *Dung* (Village Head of Ropp) for Foron, Gashish, Kuru, Rim, Vom, Heipang and Ropp Native courts respectively.<sup>52</sup>

### **Operations of Native and Provincial Courts**

In the operation of Native Courts, cases were expected to be tried according to Native Laws and Customs, but this was more in theory than practice. For as it was in other parts of Nigeria, “the law administered was native law modified to suit British conscience, that is a *corpus jurist* which, from the point of view of the people, was far from traditional and customary. The laws were those “not opposed to natural morality and humanity”, and the courts, by the 1933 Native Authority Ordinances No. 43, had powers to make bye-laws, orders, and rules with the British Administrator. Contravention of these laws was tried by the courts. Offenders who contravened the laws introduced by the British were tried by the colonial officers.

The cases which were tried by these courts still covered traditional issues such as marriage, theft, debt, and assault. In addition to tax evasion is the contravention of mining ordinances. Of the 2964 civil cases tried in the Jos Division between 1926

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<sup>49</sup>This factor of bringing order to the “chaotic” situation in Africa was one of the main reasons given for European intervention in Africa. For more on this see Robinson, Ronald and Gallagher, Jack with Denny, Alice *Africa, and the Victorians: The Official Mind of Imperialism*, (London: Macmillan, 1961), for a discussion of the “peripheral theory”, of European Imperialism in Africa.

<sup>50</sup>NAK/JOSPROF/60/14/1934: Plateau Province Annual Report

<sup>51</sup>Jonah Emmanuel Changwak ‘A History of the Judiciary in the Former Plateau Province, 1926-1960’ (Ph.D Thesis, Benue State University Makurdi, 2018), 211.

<sup>52</sup>NAK/JOSPROF/60/14/1934: Plateau Province Annual Report.

and 1927; 784 of such cases emanated from the various native courts within the Berom tribal areas. These cases bordered around domestic and matrimonial issues. It is also important to state that out of the 784 civil cases, 286 were from the Alkali Courts with the assessor coming from Bauchi to attend Court's sessions. The civil cases tried in the various native courts increased from 3954 to 4955 in 1939 and 1940 respectively. Although statistics of cases between 1929 and 1936 were higher in Jos Division, the economic depression created artificial hardship which saw a surge in criminal cases and decreased in civil cases. Most of these criminal cases were tried by the District Officer as they were beyond the purview of the native courts. These statistics, as of 1930, stood at 2879 as against 2057 and 1772 as at 1939 and 1940 respectively.

All the native courts apart from that in Riyom had "D" status with limited powers.<sup>53</sup> In the distribution of the powers of the courts, those with grade "B" had powers to impose a prison sentence of two years or a fine of £50 or twenty-four lashes in criminal cases and could deal with civil cases where the claim was not more than £50. Those with a "C" grade had powers to imprison for six months or impose fines not exceeding £10 or twenty-four lashes in criminal cases and could only decide on civil cases in which the claims did not exceed £25. In the case of courts with a "D" grade, they could imprison criminals for only three months, give twelve lashes or a fine of £5 and handle civil cases where claims did not exceed £15.<sup>54</sup>

Appeals from these native courts first went to the Riyom Native court and thence to the Administrative officer. The officer could nullify or amend the judgments of the lower courts. The provincial court, which later became the Magistrate Court following the 1933 reforms initiated by Governor Cameron, existed side by side with the Native courts.<sup>55</sup> In the provincial court, people were tried for offenses against the "Laws of Nigeria" introduced by the British. The Resident or the

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<sup>53</sup>The Riyom Native Court was the only "C" grade court in the Berom tribal area which also served as a Native Court of appeal for the Berom area until the 1930s when a separate Court of appeal was known as the Berom Native Court of appeal grade "C" was established. For more on this, see Pwajok Lilian Lyop 'The Impact of Colonial Domination on Berom Traditional Judicial System' (B.A Project, University of Jos, 1992), 35-36.

<sup>54</sup>Erhagbe Edward 'The Nigerian Traditional Judiciary and the Colonial Stress: The Case of Etsako Clans, 1919-1960' *Nsukka Journal of Humanities*, No.15, (2005): 9.

<sup>55</sup> Cameron's judicial reforms of 1933 brought a lot of changes in the judicial process in Nigeria. Besides the changes in the Native courts, the Provincial courts became Magistrate courts. A name they maintain up to date.

Divisional Officer was responsible for adjudicating matters brought to the Provincial court.<sup>56</sup>

Each native court had a clerk or scribe who took down records of its proceedings and issued summonses to those involved in cases in the court. Like the case was in other parts of Nigeria, these clerks or scribes and other members of the judicial council, exploited their situation by amassing illegal wealth through bribes which they collected from those charged in their courts,<sup>57</sup> and in the process altered the course of justice. Thus, the provincial reports adumbrated this concerning the Berom tribal area:

...among the Berom court, the worst was perhaps that at Vwang (Vom) of which the president and one member were convicted in the High Court on charges of stealing, unlawful deprivation of liberty, and judicial corruption.<sup>58</sup>

This situation continued unabated until after Governor Cameron's reform that the system of issuing receipts for payments made out of court by the court clerks was introduced.<sup>59</sup> Another notable issue associated with the operation of the native and provincial courts in Berom land was supervision. The colonial officers placed more priority on the collection of taxes and thus, spend most of their time on tours than administering justice in these courts. These actions by the administrative officers had two effects; the first was that the courts were not given much attention in the area of supervision and secondly, the courts were left unattended to, with many suits begging for attention. On the former, the colonial officer had this to say on the courts in Beromland:

...On the area of supervision, the Berom area has received somewhat closer supervision than was possible in the northern districts but that supervision was, unfortunately,

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<sup>56</sup>For more on this see Erhagbe, Edward 'The Nigerian Traditional Judiciary and the Colonial Stress: The Case of Etsako Clans, 1919-1960' *Nsukka Journal of Humanities*, No.15, (2005): 10.

<sup>57</sup> See Jonah Emmanuel Changwak 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University Makurdi, 2018), 194-195 and Adewoye, Omoniyi *The Judiciary System in Southern Nigeria, 1884-1954: Law and Justice in a Dependency* (London: Longman; 1977), 74.

<sup>58</sup>NAK/JOS PROF/ 2890: Plateau Province Annual Report.

<sup>59</sup>NAK/JOSPROF/2230/1936 Native Court Receipt.

not close enough to prevent the commission of offenses by certain village headmen and court members.<sup>60</sup>

On the area of negligence of suits occasioned by irregular sittings, which resulted in the delay in suits, the colonial report opined that:

...the fault of the courts in more remote and less sophisticated parts of the province are still irregular sittings; failure to enforce the attendance of parties, failure to enforce court judgments, and collect fines and fees (sic).<sup>61</sup>

To cushion the above, continual efforts were directed towards the improvement of the Native court's records in Plateau Province in general and the Beromland in particular. But in general, records were poor, a clear reflection of the scribes' educational attainment. Although efforts were made throughout the colonial period to improve the educational status of the scribes, the effort did not meet with success in Beromland.<sup>62</sup>

In the 1950s, and in line with the general re-organization of the native courts, a judicial committee was established in Beromland, as the case was with other parts of the Plateau province. The reorganization of the judiciary was chiefly informed by the fact that the judiciary was becoming more and more involved in the political activities that characterized the Province in the 1950s. Thus, the Provincial Report:

...another important change has been the establishment of a small judicial committee of the tribal council to break away from the endless and ineffectual argument that has clogged all court work; this, it is hoped, maybe the first step in the process of divorcing the judiciary from executive which is always a problem in non-Muslim areas (sic).<sup>63</sup>

### **Colonial Transformation of Berom Justice System**

The general appraisal on colonialism in the plateau area has attracted a myriad of opinions.<sup>64</sup> But the point of convergence is that the impact was far-reaching as it

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<sup>60</sup>NAK/JOS PROF/ 2890: Plateau Province Annual Report.

<sup>61</sup> SNP/19/2.A.R.14: Provincial Annual Report of Northern Nigeria, 1958.

<sup>62</sup>NAK/JOSPROF/2890/Plateau Province Annual Report.

<sup>63</sup>SNP/19/2/A.R: Provincial Annual Report of Northern Nigeria, 1954.

<sup>64</sup>See Mangvwat, Monday Yakibat. 'A History of Class Formation in the Plateau Province, 1902-1960: The Genesis of a Ruling Class' (Ph.D. Thesis, ABU Zaria, 1984), Nengel John Garah,

affected the future contour of the area development since 1960 was grossly affected by the colonial experience. Colonialism transformed, and in some cases, sustained the Berom Justice System. It is these changes or transformations that this section is set to examine.

One of the major areas of transformation in the justice system of the Berom as occasioned by colonialism was in the area of the operation of both the Native and Provincial courts. The activities of these courts challenged some of the previous customs and usages of the Berom people and thus, served as mediums through which Western ideas were introduced to the people. This was achieved through the combined application of the "Criminal Sanctions and Repugnancy doctrine enforced by both the Native and Provincial Courts left essential imprints in the culture of the Berom people.<sup>65</sup> The people were forced to adapt and adopt new justice ideas hitherto unknown to them, but as approved by the colonial administrators.

Colonialism also brought about modification in the body of laws that were administered in Berom land. This harmed the procedures involved in adjudicating in cases; the types of punishment that offenders now received and the people's attitude to the new judicial apparatus. The experience of the Berom was in most cases similar to that of other groups on the Plateau during the period under review, but with ethnic peculiarities.<sup>66</sup>

Another area of transformation in the Berom justice system was in the role of the *Damajeji*, *Dalo*, and the Council of Elders who approbated the laws. Their roles as adjudicators in the affairs of the people later changed and were replaced by the District officers as appointed by the Colonial Authority. These new sets of

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'Intergroup Relations in the Pre-colonial Polities of Kauru and Pengana Highlands' (Ph.D. Thesis, University of Jos, 1989), Fwatshak Sati Umaru 'A History of Private Indigenous Entrepreneurship in Jos Metropolis, 1902-1985' (Ph.D. Thesis, University of Jos, 2002), Kudu Amango Achidik 'The Rukuba and their Neighbours: A Study on Intergroup Relations' (Ph.D. Thesis, University of Jos, 2002), Jonah Emmanuel Changwak 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University Makurdi, 2018).

<sup>65</sup> It is a fact that both the Native and Provincial Courts helped to entrenched western customs and values in the people of the colonies. For details on this, see Adewoye Omoniyi *The Judiciary System in Southern Nigeria, 1884-1954: Law and Justice in a Dependency* (London: Longman; 1977); 97, Jonah Emmanuel Changwak 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University, 2018), 204-205.

<sup>66</sup> Jonah Emmanuel Changwak, 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D Thesis, Benue State University, 2018), 205.

individuals were placed on monthly salaries ranging from \$2 to \$3 pending the status of the local chiefs. These new statuses of the local chiefs are succinctly captured in the following lines:

...the establishment of the new judicial institutions, whatever the quality of justice administered, was bound to undermine the position of the indigenous elders' authorities. The ultimate power to redress grievances and maintain peace and order was indivisible. By and large, the new courts were to operate outside the control of the elders (rulers), thus, representing the source of justice alternative to what they could offer.<sup>67</sup>

There were also changes in both the corpus of laws and penalties meted on the offenders under the new justice system. In the traditional setting, the attitude of the adjudicators was mainly benign and fines imposed were usually geared towards compensating offended parties. In the pre-colonial Berom jurisprudence, as the case was with other traditional Nigerian societies, punishments were to serve as deterrence and were based on the psychological disposition of the society. Under the colonial justice system in Beromland, the above features were greatly modified. Since the Native Authority relied heavily on fines paid in courts, a situation now arose where fines were imposed mainly with the motive of raising such funds.<sup>68</sup> In addition to this, individuals were now imprisoned for offenses, a practice which in itself helped to minimize the psychological destabilization effect that punishment under the traditional system had on a culprit.<sup>69</sup> The fact that fines could now 'easily' be paid tended to destroy the restraint that regulated certain actions in erstwhile society. The fact that the new legal system recognized the payment of monies as fines in cases such as adultery and other marital issues weakened the sanctity of the marriage institution and the family unit among the Berom.<sup>70</sup>

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<sup>67</sup>Sarbah John Mensah, *Fanti Law Report*, 1904 (London), 19.

<sup>68</sup>Part of what Lugard referred to as progress in the Native Courts System was to take care of "Principle of distributing among vary primitive (SIC) chiefs a portion of the court receipts, gives rise to fear lest heavier fines may be imposed". Lord Fredrick Lugard, *The Dual Mandate in British Tropical Africa* (London: Frank Cass and Co, 1965), 549-559.

<sup>69</sup>Lugard discussed how the prison system helped to undermine the deterrent effect of the traditional system of punishment. See Lord Fredrick Lugard, *The Dual Mandate in British Tropical Africa* (London: Frank Cass and Co, 1965), 559-556.

<sup>70</sup>Interview Joseph Dalyop, aged 49, Du Village Jos.16<sup>th</sup> June, 2015.



Closely related to the above was that the courts were also used as means of revenue generation for the colonial government. Besides the introduction of direct taxation on the Berom people, cases and suits reported in the new courts' system attracted fees or fines, not only as substitutes for punishments but as the fee to registered suits in the courts. In these areas, the fees varied based on the intensities of the case brought before the courts.<sup>71</sup> But in most instances, the fee charged was up to five (5) pence.<sup>72</sup> This was a clear variation from the pre-colonial justice system where courts fee were not paid, and when it became necessary, it was paid in livestock.<sup>73</sup>

In furtherance with the set objective of colonialism in Beromland, the British also introduced new laws to safeguard their interests. Thus new laws were introduced to regulate some social and economic behaviors of the people. Laws relating to mining, sanitation, land acquisitions, and payment of taxes were introduced.<sup>74</sup> Those that flouted these laws were tried by the courts that either imposed fines or imprisoned the offenders. Many Berom people were convicted based on the Mining Laws or Ordinances.<sup>75</sup> To safeguard its interest in the area of mining, and to alienate the indigenous Berom people from mining activities, the colonial government through the promulgated laws, made prospecting illegal. For instance, Section 4, Sub-Section 1 of the 1900 ordinance decreed that:

It shall be unlawful for any person... to prospect for minerals or precious stones without having first applied and obtained a prospecting right in the prescribed form.<sup>76</sup>

Obtaining a prospecting right (PR) as stipulated in section 4, sub-section 2 of the Mineral Proclamation was not sufficient. One had to obtain a prospecting license (PL) and payment of fees of about £5 annually, which could be revised at the

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<sup>71</sup>Interview with Davou Bot, aged 69, Bassa LGA, 6<sup>th</sup> April 2014.

<sup>72</sup>Pwajok Lilian Lyop 'The Impact of Colonial Domination on Berom Traditional Judicial System' (B.A Project, University of Jos, 1992), 49.

<sup>73</sup>Interview with Davou Bot, aged 69, Bassa LGA, 6<sup>th</sup> April 2014.

<sup>74</sup>NAK/JOSPROF/4032/Annual Report No.15, 1941.

<sup>75</sup>Alahira Hannatu, 'Colonial Mineral Ordinances and the Penetration of Mining Capital into Jos Plateau, 1900-1960: An Analysis' (M.A Dissertation, Ahmadu Bello University Zaria, 1988), 64.

<sup>76</sup>Alahira Hannatu, 'Colonial Mineral Ordinances and the Penetration of Mining Capital into Jos Plateau, 1900-1960: An Analysis' (M.A Dissertation, Ahmadu Bello University Zaria, 1988), 66-67.

discretion of the Governor. Through this ordinance, the colonial government alienated the indigenous Berom Miners from mining activities.<sup>77</sup>

Having created legal, bureaucratic, and financial obstacles, which undermined the continual survival of these indigenous tin prospectors, the Colonial Government stipulated favorable conditions for the European prospectors and protected their interest as stipulated in section 7 of the Mining Ordinance thus:

A prospecting right and exclusive license to prospect shall...entitle the holder thereof to enter upon any land prospect for mineral, and any person interfering with or obstructing such holder in the exercise of any rights thereby conferred upon him shall be guilty of an offense and shall be liable to a penalty not exceeding £25 or to imprisonment not exceeding three months.<sup>78</sup>

It was in reaction to some of these new laws and with the rise in political awareness among the Berom that led to the formation of the Berom Progressive Union in 1946. The Union (BPU) challenged colonial policies concerning Mining in Beromland and also fought for their political and economic rights and also to promote education.<sup>79</sup>The union further observed that through the Mining Laws and Ordinances, people were continually being subjected to fines in open courts and other indescribable methods of exploitation.<sup>80</sup>

Besides the fact that the new courts redefined most of the offenses and punishments associated with the Berom Justice system in the period before Pax-Britannica. It reduced the place of witchcraft as a serious offense against the gods and people of the land for lack of evidence (For evidence in the Colonial Justice System differed from that of the Pre-colonial societies). This harmed the instrument and institution of dictating witchcraft in the Berom traditional system (i.e Trial by Ordeal), which practice, under the new system, was considered

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<sup>77</sup>Jonah Emmanuel Changwak 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University Makurdi, 2018), 238-239.

<sup>78</sup>Alahira Hannatu, 'Colonial Mineral Ordinances and the Penetration of Mining Capital into Jos Plateau, 1900-1960: An Analysis' (M.A Dissertation, Ahmadu Bello University Zaria, 1988), 66-67.

<sup>79</sup>Nyango IshayaYop, 'Imperialism: Exploitation and Popular Unrest in Beromland, 1900-1960' (B.A Project, University of Jos, 1992), 84-85.

<sup>80</sup>Nyango IshayaYop 'Imperialism: Exploitation and Popular Unrest in Beromland, 1900-1960' (B.A Project, University of Jos, 1992), 84-85.

barbaric and repugnant to natural justice and a good conscience and thus, proscribed.

Politically, with the transformation of the Berom justice system under colonial rule, the place of the *Da Gwom* in the traditional setup became irrelevant to the process of justice. With this, the heads of the courts under the colonial system changed. The role and the position of the *Da-Gwom* were relegated to the background and such remained so throughout the colonial period.<sup>81</sup>

The role of the judges in the colonial judicial process also differed slightly from what was obtained in the pre-colonial Berom judicial system. Like in most other parts of the plateau in particular, and Nigeria in general, those who administered justice in the traditional setting settled disputes to assuage injured feelings, restore peace, and reaching a compromise that was acceptable by the disputants.<sup>82</sup> Under the new dispensation, what were now sought in a dispute were the strict legal rights of one party. The judge's former role as benign arbitrators, working for the unity of the geopolitical unit in question now suffered. Since the new judicial system was also involved in dispensing laws that had no traditional anchorage, the judges could afford to adjudicate in cases without any concern for the need for cohesion within the society.<sup>83</sup>

Closely allied to the above was the position assumed by the appointed members of the courts who used their position as a jurist in the courts to oppress and in most cases exploit the people. Opposition to the activities of the courts among the Berom led to open confrontation and demonstration as exemplified in the establishment of the Berom People Union in 1946.<sup>84</sup>

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<sup>81</sup> Changwak Emmanuel Jonah 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University Makurdi, 2018), 105, Pwajok Lilian Lyop 'The Impact of Colonial Domination on Berom Traditional Judicial System' (B.A Project, University of Jos, 1992), 49.

<sup>82</sup>Matson John 'The Supreme Court and Customary Judicial Process in Gold Coast' *International and Comparative Law Quarterly*, 11 Part 1:48.

<sup>83</sup>Jonah Emmanuel Changwak, 'A History of the Judiciary in the former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University Makurdi, 2018), 159.

<sup>84</sup>Changwak Emmanuel Jonah 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University Makurdi, 2018); Pwajok, Lilian Lyop 'The Impact of Colonial Domination on Berom Traditional Judicial System' (B.A Project, University of Jos, 1992), 48.

During the colonial dispensation, there was a change in the corpus of laws that were administered among the Berom people. Similar to other parts of the Plateau, those laws or customs considered not to meet British ideals of morality and humanity were now abolished. In addition to traditional laws, the courts under the supervision of British administrative officers made rules- usually backed by criminal sanction. The courts had judicial jurisdiction over breaches in connection with such laws.

The Native Courts in Beromland in particular and the plateau province, in general, contributed to the effective administration of the area and thereby helped to strengthen the colonial regime. The courts were also used to promote the economic interest of the colonial power, and "to import into the society and enforce new notions of law and personal relations that were not quite keeping with the traditional ideas of the people.

### **Conclusion**

In the final analysis, it is evident from the preceding discussion that the erstwhile judicial system evolved by the Berom was successful to the extent of maintaining decency, law, and order in the society it was meant to serve. Its efficiency and efficacy were partly responsible for why the British left it greatly unaltered. In reforming it, however, certain aspects of it were obliterated. In order to deal with some of the new complexities occasioned by the interaction with western society, new laws were put in place. Many Berom people fell short of these new laws and over time, protested against its applications, especially the Mining Ordinances, which birthed the Berom Progressive Union in 1946. Despite all these, the colonial judiciary brought about a transformation in some aspects of the people's laws. It affects both the agents and process of justice as shown in the various discussions above. Despite these changes or transformations, the traditional system of adjudication was and still is a viable one and the fact that there have been conscious efforts over the years to reinstate the traditional system via the 'new customary courts' is a testimony of the accomplishments of the traditional apparatus in Nigeria.

### **References**

Adeleye Rolland Adebayo, *Power and Diplomacy in Northern Nigeria* (London: Longman, 1971).

- Adewoye, Omoniyi *The Judiciary System in Southern Nigeria, 1884-1954: Law and Justice in a Dependency* (London: Longman, 1977).
- Afigbo, Eberechukwu Aliele, *The Warrant Chiefs: Indirect Rule in South-Eastern Nigeria, 1891-1929*, (Longman, London, 1972).
- Alahira Hannatu, 'Colonial Mineral Ordinances and the Penetration of Mining Capital into Jos Plateau, 1900-1960: An Analysis' (M.A Dissertation, Ahmadu Bello University Zaria, 1988).
- Alahira Hannatu, 'The Role of Women in the Colonial Economy of Northern Nigeria: A Case Study of the Berom of Jos Plateau, 1900-1960' (Ph.D. Thesis, Ahmadu Bello University Zaria, 2001).
- Asiwaju Anthony *Western Yoruba land Under European Rule, 1889-1945: A Comparative Analysis of French and British Colonialism*, (Longman, London, 1976).
- Atanda Joseph Adebowale, *The New Oyo Empire: Indirect Rule and Change in Western Nigeria, 1894 – 1934* (Longman, London, 1973).
- Ayandele Adekunle Emmanuel "External Relations with Europeans: Explorers, Missionaries and Traders," In Ikime Obaro (ed.) *Groundwork of Nigerian History* (Heinemann Educational Books, Ibadan, 1980).
- Baker Tanya 'The Social Organisation of Berom' (Ph.D. Thesis, London, 1956)
- Charles Creswell Jacobs 'The Berom Pre-Colonial Economy: An Overview' (Presentation, *Nzem Berom Festival*, Jos, 1994).
- Crozier David and Roger Marsh Blench, *An Index of Nigerian Languages* (Dallas: Summer Institute of Linguistic, 1992).
- Cukwurah, Anthony Okechi 'Reflections on the Crises in Jurisprudence in Nigeria' Elias, T.O and Jegede, M.I (eds.) *Nigerian Essays in Jurisprudence* (Lagos, M.J Publisher, 1983)
- Danfulani Umar Habila Dadem, *Pebbles and Deities: Pa Divination among Ngas, Mupun, and Mwaghavul in Nigeria* (Frankfurt: Am main Peter Leng, 1995).
- Davies John, 'The Berom: The Study of Nigerian Tribe' (Manuscript, National Museum Library Jos, 1949).
- Erhagbe Edward 'The Nigerian Traditional Judiciary and the Colonial Stress: The Case of Etsako Clans, 1919-1960' *Nsukka Journal of Humanities*, No. 15, (2005).
- Fwatshak, Sati Umaru 'A History of Private Indigenous Entrepreneurship in Jos Metropolis, 1902-1985' (Ph.D. Thesis, University of Jos, 2002)
- Ikime, Obaro, 'The British in Bauchi, 1901-1918: An Episode in the British Occupation and Control of Northern Nigeria' *Journal of the Historical Society of Nigeria*, Vol VII, No.2, (1974).

- Jacobs Charles Creswell *Studies in Berom History and Culture Vol 1*, ( Jos: Berom Historical Publication, 1995).
- Jacobs, Charles Creswell, *Studies in Berom History and Culture Vol 2*, (Jos: Berom Historical Publication, 1997).
- Jonah Emmanuel Changwak 'A History of the Judiciary in the Former Plateau Province, 1926-1960' (Ph.D. Thesis, Benue State University, 2018).
- Jonah Emmanuel Changwak 'Crime and the Law in Pre-Colonial Berom Jurisprudence: A Discourse' (Presentation, Department of History and International Studies Seminar, Nigeria Police Academy Wudil, 2019).
- Kirk-Greene, Anthony Hamilton Millard, *The Principles of Native Administration in Nigeria Selected Documents, 1900-1947* (London: Oxford University Press, 1965).
- Kudu Amango Achidik 'The Rukuba and their Neighbours: A Study on Intergroup Relations' (Ph.D. Thesis, University of Jos, 2002).
- Lord Fredrick Lugard, *The Dual Mandate in British Tropical Africa* (London: Frank Cass and Co, 1965).
- Mangwat, Monday Yakibat 'A History of Class Formation in the Plateau Province, 1902-1960: The Genesis of a Ruling Class' (Ph.D. Thesis, Ahmadu Bello University Zaria, 1984).
- Matson, John 'The Supreme Court and Customary Judicial Process in Gold Coast' *International and Comparative Law Quarterly*, 11 Part 1:48.
- Morrison Innocent 'A History of Jos Division' (Ph.D Thesis, University of Ibadan, 1977).
- Mwodkwon Simon Davou, 'Silencing the Spirit of the Shrine: The Impact of Tin Mining on Berom Religion and Ecology' (Ph.D Thesis, University of Jos, 2010).
- Ndeh Martin Sango, 'Traditional Justice System and Conflict Resolution: Exploring the Pre-Colonial Institutional Frameworks in Mamfe and Bakweri Lands of Cameroon' *Global Journal of Politics and Law Research*, Vol.5, (2017).
- Nengel John Garah, 'Intergroup Relations in the Pre-Colonial Polities of Kauru and Pengana Highlands' (Ph.D Thesis, University of Jos, 1989).
- Nyango Ishaya Yop 'Imperialism: Exploitation and Popular Unrest in Beromland, 1900-1960' (B.A Project, University of Jos, 1992).
- Peter Nyem Gai 'The Development and Modernization of Traditional System of Adjudication in Beromland' (LLB Long Essay, University of Jos, 1990).
- Philip Aigbona Igbafe, *Benin under British Administration: The Impact of Colonial Rule on the African Kingdom 1897 – 1938*, (Longman, London, 1979).

Pwajok Lilian Lyop, 'The Impact of Colonial Domination on Berom Traditional Judicial System' (B.A Project, University of Jos, 1992).  
Robinson Ronald and Gallagher, Jack with Denny, Alice *Africa, and the Victorians: The Official Mind of Imperialism*, (London: Macmillan, 1961).  
Sarbah John Mensah, *Fanti Law Report*, 1904 (London).

**Archival Sources:**

NAK/JOS PROF/ 2890: Plateau Province Annual Report.  
NAK/JOS PROF/283/1934/172 Report on the reorganization of the Berom Tribal area by Mr. E.S Pembleton.  
SNP/19/2.A.R.14: Provincial Annual Report of Northern Nigeria, 1958.  
SNP/19/2/A.R: Provincial Annual Report of Northern Nigeria, 1954.  
NAK/SNP/15/1 Acc.29.  
NAK/SNP/15/1 Acc.39.  
NAK/SNP/15/1 Acc.40.  
NAK/SNP6c.140/1907.  
NAK/JOSPROF/2230/1936 Native Court Receipt.  
NAK/JOSPROF/4032/Annual Report No.15, 1941.  
NAK/JOSPROF/60/14/1934: Plateau Province Annual Report.

**List of Oral Interviews:**

Interview with Davou Bot, aged 69 years, Bassa LGA, 6<sup>th</sup> April, 2014.  
Interview with James Pwajok, aged 76 years, Jos North, 26<sup>th</sup> April, 2013.  
Interview with Joseph Dalyop, aged 49, Du Village Jos.16<sup>th</sup> June 2015.  
Interview with Pam Dung, aged 64, Kabong, 16<sup>th</sup> September, 2014.  
Interview with Pwol Dalyop, aged 75, Jos South. 30<sup>th</sup> September, 2014.