

THE ROLE OF NATIVE ADMINISTRATIVE COURTS IN CONFLICT RESOLUTION AND SUSTAINABLE PEACE AND DEVELOPMENT IN JAWEI CHIEFDOM, EASTERN SIERRA LEONE

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ABSTRACT

This study examined the role of Native Administrative Courts in conflict resolution and the maintenance of sustainable peace and development in Jawei Chiefdom, Kailahun District, Eastern Sierra Leone. The publication focuses on three key objectives: examining the specific roles of the courts in conflict resolution, assessing their effects on conflict management and societal stability, and identifying the main challenges affecting their performance. The study used data collected from 80 participants through semi-structured questionnaires, interviews, observations and documentary sources. Descriptive statistics, including frequencies and percentages, were used to present the quantitative findings, while qualitative information supported interpretation. The findings show that the courts remain important in settling disputes connected with customs and traditions, while respondents also demonstrated awareness that the courts have limits to their jurisdiction. The courts were further perceived as contributing to crime reduction, and most respondents knew that their decisions could be appealed. However, bribery and corruption and problems surrounding the appointment of court chairpersons emerged as important challenges. The study concludes that Native Administrative Courts continue to provide an accessible customary justice mechanism in Jawei Chiefdom, but their contribution to sustainable peace depends on fair procedures, clear jurisdiction, accountability and protection from improper influence.

Keywords: Native Administrative Court; conflict resolution; customary justice; sustainable peace; Jawei Chiefdom;

1.0 INTRODUCTION

Native Administrative Courts form an important part of the customary justice system in Sierra Leone. Their development is closely connected with the country's colonial system of indirect rule, under which traditional authorities were given administrative and judicial responsibilities within the Protectorate. Over time, these courts became a recognised means of handling disputes arising from customary law, particularly matters connected with land, marriage, inheritance, family relations and other disputes occurring within chiefdom communities.

The original study explains that the Native Administrative Court operates within a dual justice system in which formal courts apply the general law while local or Native Administrative Courts deal mainly with customary law. The courts are composed of officials such as a chairperson, vice-chairperson, assessors or elders, clerks and bailiffs. Their importance is particularly visible in rural communities where customary institutions are familiar and accessible to local people. At the same time, the effectiveness of the courts depends on whether they administer justice fairly, remain within their lawful jurisdiction and avoid practices that may create further conflict.

1.1 Statement of the Problem

Native Administrative Courts were established to provide justice within the cultural, social and traditional settings of local communities. In Jawei Chiefdom, their expected role is to settle disputes, punish wrongdoing within their lawful jurisdiction, compensate aggrieved parties where appropriate, and contribute to peaceful relations in matters such as land, marriage, inheritance and other customary disputes. In principle, therefore, the courts should provide a locally accessible mechanism through which disagreements can be resolved before they develop into wider community conflicts.

The problem, however, is that the existence of these courts does not automatically guarantee fair conflict resolution or sustainable peace. The original study identified concerns about the administration of justice in the Native Administrative Courts, including an unfriendly court atmosphere, intimidation, excessive or inconsistent financial demands, interference by local authorities, weak knowledge of legal limits, and other practices capable of creating dissatisfaction among court users. Instead of ending disputes, such weaknesses may deepen mistrust and hostility between individuals, families and communities.

This creates a practical concern for Jawei Chiefdom. Native Administrative Courts remain relevant to local dispute settlement, yet the same institutions may undermine confidence in customary justice when their authority is poorly exercised. There was therefore a need to examine what the courts actually do in resolving conflicts, whether their activities contribute to peace and social stability, and the main challenges that prevent them from performing effectively. The study addresses this gap by focusing directly on the roles, effects and challenges of Native Administrative Courts in Jawei Chiefdom.

2.0 LITERATURE REVIEW

2.1 Roles of Native Administrative Courts in Conflict Resolution

Native Administrative Courts operate within Sierra Leone's plural justice environment, where customary and state institutions coexist and citizens may use different forums depending on the nature of a dispute, accessibility and their understanding of justice. Recent scholarship shows that customary and other non-state justice mechanisms remain significant because formal justice institutions are often concentrated in urban centres and can involve costs and procedures that are difficult for poorer or rural litigants to navigate. Koroma (2024), for example, demonstrates that people's choice of justice forum in Sierra Leone is shaped not simply by whether a forum is formal or customary, but also by the financial and social realities

surrounding dispute resolution. This makes customary institutions relevant to any analysis of local access to justice.

Recent national evidence reinforces this position. The Justice and Security Coordination Office (JSCO, 2024) found that citizens continue to rely substantially on informal justice providers and that customary pathways are among the spaces through which legal problems can be resolved. The report argues that institutional and customary justice pathways require stronger capacity because of their importance in the actual justice-seeking behaviour of citizens. In the context of Jawei Chiefdom, the implication is that Native Administrative Courts should be understood as practical community-level justice institutions whose contribution depends on their ability to resolve disputes in ways that are accessible, legitimate and consistent with their jurisdiction.

The contemporary literature also clarifies the kinds of matters associated with customary justice. The United States Department of State (2023) reports that customary or local chieftaincy courts continue to operate primarily in rural Sierra Leone and that traditional justice mechanisms deal particularly with minor civil matters such as family and inheritance disputes and land tenure, while criminal matters are expected to be referred to the police. This distinction is important because the conflict-resolution role of Native Administrative Courts is not unlimited. Their relevance lies mainly in resolving disputes rooted in customary relationships and local social life while respecting the boundaries between customary and formal criminal jurisdiction.

2.2 Effects of Native Administrative Courts on Conflict Management and Sustainable Peace

The contribution of customary justice to peace should be assessed in terms of whether disputes are resolved in ways that restore social relationships, reduce grievances and provide outcomes that parties can accept. The JSCO (2024) national assessment of justice and security service delivery found that customary and institutional justice pathways were important for complete resolution of legal problems and recommended strengthening their capacity. This is particularly relevant to rural chiefdoms, where effective local dispute settlement can reduce the need for unresolved grievances to escalate and can strengthen confidence in community institutions.

At the same time, recent literature cautions against assuming that the mere presence of customary courts automatically produces peace. Koroma (2024) shows that justice-seeking in Sierra Leone involves choices among different forums and that financial considerations can shape those choices. This suggests that legitimacy, affordability and the perceived fairness of a forum are central to its effectiveness. Similarly, the United Nations Common Country Analysis update for Sierra Leone (2021) identified physical access to courts, excessive fines and limited institutional capacity as continuing justice concerns, especially in remote chiefdoms where people rely heavily on local and traditional systems. Sustainable peace therefore depends not only on the availability of Native Administrative Courts but also on whether their procedures and outcomes are trusted.

Sierra Leone has also continued to expand formal access to justice. The country's revised National Security Policy (Office of National Security, 2024) notes the deployment of resident

judges and magistrates to additional districts, including Kailahun, and describes measures intended to reduce the financial burden of travelling for justice. These reforms do not remove the importance of customary justice; rather, they highlight the need for constructive relationships between local customary mechanisms and formal justice institutions. Where Native Administrative Courts resolve appropriate disputes fairly and refer matters outside their jurisdiction, they can complement the formal system and contribute to local stability.

2.3 Challenges Affecting Native Administrative Courts

Recent evidence identifies integrity, jurisdiction and equality as major concerns in customary justice. The 2023 Sierra Leone Human Rights Report states that local chieftaincy courts continue to administer customary law in rural areas, but it also reports credible concerns that corruption can influence cases and that traditional authorities may sometimes deal with offences outside their jurisdiction. These problems are particularly serious because confidence in customary justice depends on the perception that decisions are impartial and that court officials do not use their positions for private or political advantage (U.S. Department of State, 2023).

Gender equality is another continuing concern. International IDEA's State of Democracy in Sierra Leone Assessment 2025 observes that customary courts under chieftaincy rule have wide coverage and are heavily relied upon in rural areas, but that they are less inclined to support gender equality and women's rights. This suggests that accessibility alone is not sufficient to make a justice mechanism effective. Native Administrative Courts must also apply customary justice in ways that are compatible with constitutional protections, human rights and the changing legal environment in Sierra Leone (International IDEA, 2025).

The unwritten and locally variable nature of customary law can further complicate consistency. Weilenmann (2022) argues that Sierra Leone's legal pluralism continues to present challenges because customary law differs across chiefdoms and operates alongside codified state law. In addition, the U.S. Department of State (2023) notes concerns about authorities exceeding jurisdictional limits. These issues point to the need for continuing training, supervision, transparent procedures and clearer understanding of jurisdiction. They also provide an important framework for interpreting challenges identified in Jawei Chiefdom, particularly bribery and corruption, appointment problems and interference by influential local actors.

2.4 Research Gap

Recent studies and national assessments provide useful evidence on customary justice, legal pluralism, and access to justice, corruption, gender equality and the relationship between formal and informal justice systems in Sierra Leone. However, much of this literature is national in scope or concentrates on broader justice pathways and urban or cross-country experiences. It provides limited empirical attention to how Native Administrative Courts function within Jawei Chiefdom specifically. There remains a local evidence gap concerning the courts' actual conflict-resolution roles, their perceived effects on conflict management and sustainable peace, and the challenges that shape their performance. The present study addresses this gap using evidence from Jawei Chiefdom.

3.0 METHODOLOGY

3.1 Research Design

The study adopted a descriptive research design using a mixed-methods approach. The descriptive design was appropriate because the study sought to describe the existing roles of Native Administrative Courts in conflict resolution, assess their effects on conflict management and sustainable peace, and identify the challenges affecting their operations in Jawei Chiefdom without manipulating any variables. The mixed-methods approach enabled the study to collect and use both quantitative and qualitative data. Quantitative data were obtained mainly through the structured components of the questionnaire and were analysed using frequencies and percentages. Qualitative information was obtained through semi-structured questions, interviews, focus group discussions and observation to provide deeper explanations of participants' experiences and views. Combining the two forms of data made it possible to present measurable patterns while also explaining how participants understood the operation, effectiveness and challenges of the Native Administrative Courts. The design was therefore suitable for providing a broader understanding of the courts' contribution to conflict resolution and sustainable peace in Jawei Chiefdom.

3.2 Study Area, Population and Sample

The study was conducted in Jawei Chiefdom, Kailahun District, Eastern Province of Sierra Leone. The target population was 100, from which a sample of 80 participants was selected. Participants were drawn from groups connected with community life and the Native Administrative Court system, including local chiefs, Native Administrative Court officials, religious leaders, councillors, male and female youths, Legal Aid Board officials, NGO representatives and media practitioners.

3.3 Data Collection and Analysis

Primary data were collected through semi-structured questionnaires, interviews, focus group discussions and observation, while documentary materials provided secondary information. The questionnaire data were collated and analysed using descriptive statistics, particularly frequencies and percentages, with tables used to present the findings. Qualitative information from interviews, observations and documentary sources was used to enrich the interpretation of the quantitative results. For this publication, only findings directly related to the three selected objectives are presented.

4.0 RESULTS AND DISCUSSION

4.1 Roles of Native Administrative Courts in Conflict Resolution

Two findings were selected to show the central conflict-resolution role of the courts: their responsibility for settling disputes related to customs and traditions and respondents' awareness that the courts have limits to the matters they can adjudicate.

Key indicator	Response	AF	RF (%)
Court settles disputes related to customs and traditions	To no extent	2	2.5

	To some extent	24	30.0
	To great extent	44	55.0
	To greater extent	10	12.5
Awareness that some matters cannot be adjudicated by the court	Yes	75	93.5
	No	5	6.25

Source: Field Survey, 2026.

The first finding shows that 44 respondents (55%) believed to a great extent that the Native Administrative Court settles disputes related to customs and traditions, while another 10 respondents (12.5%) indicated a greater extent. Taken together, 67.5% expressed a strong recognition of this customary dispute-settlement role. The second finding shows that 75 respondents (93.5%) knew that there are matters the court cannot adjudicate. This suggests that the court is understood not as an unlimited authority, but as a customary justice institution with a defined area of responsibility.

These findings are consistent with recent literature on customary justice in Sierra Leone. The U.S. Department of State (2023) reports that local chieftaincy courts continue to administer customary law primarily in rural areas and deal with matters such as family and inheritance disputes and land tenure, while serious criminal matters fall outside their proper customary jurisdiction. The finding that respondents recognise both the dispute-settlement function and jurisdictional limits of the Native Administrative Court therefore reflects the contemporary literature: customary courts remain relevant because they deal with locally grounded disputes, but their legitimacy depends on staying within the authority assigned to them. Koroma (2024) similarly shows that customary forums remain part of the practical justice landscape in Sierra Leone, particularly where citizens weigh accessibility, costs and the nature of the dispute when choosing where to seek redress.

4.2 Effects of Native Administrative Courts on Conflict Management and Sustainable Peace

Two findings were retained under this objective: respondents' assessment of crime reduction since the establishment of the Native Administrative Court system and their awareness that decisions of the court can be appealed.

Key indicator	Response	AF	RF (%)
Extent to which crime has reduced	No extent	15	18.75
	Some extent	30	37.5
	Great extent	14	17.5
	Greater extent	21	26.25
Awareness that court decisions can be appealed	Yes	70	87.5
	No	10	12.5

Source: Field Survey, 2026.

The findings indicate that 65 of the 80 respondents (81.25%) believed that crime had reduced to at least some extent since the establishment of the Native Administrative Court system. Within this group, 35 respondents (43.75%) rated the reduction at either a great or greater extent. In addition, 70 respondents (87.5%) were aware that decisions of the Native Administrative Court could be appealed. These results suggest that respondents associated the court with some contribution to local order while also recognising an avenue for challenging decisions.

The findings align with recent evidence on justice pathways in Sierra Leone. The JSCO (2024) found that customary and institutional pathways are important spaces for the complete resolution of legal problems and recommended strengthening their capacity. This supports the study's finding that respondents associate the Native Administrative Court with some reduction in crime and local disorder. At the same time, the high level of awareness that decisions can be appealed is important because effective conflict management requires mechanisms for review and accountability. The United Nations (2021) also notes that remote chiefdoms rely heavily on local and traditional justice systems because physical access to formal courts remains difficult. Taken together, the literature and the present findings suggest that Native Administrative Courts can contribute to sustainable peace when they are accessible, trusted and connected to appropriate appeal and referral mechanisms.

4.3 Challenges Affecting Native Administrative Courts

The study identified several challenges, but this publication focuses on the two most frequently reported individual challenges: bribery and corruption and problems relating to the appointment of court chairpersons.

Key challenge	AF	RF (%)
Bribery and corruption	15	18.75
Problems with the appointment of court chairpersons	12	15.0

Source: Field Survey, 2026.

Bribery and corruption was the most frequently identified individual challenge, reported by 15 respondents (18.75%). Problems surrounding the appointment of court chairpersons followed, with 12 respondents (15%). Although other challenges were also recorded in the original study, these two findings show that concerns about integrity and institutional leadership were particularly important to respondents.

The findings are strongly supported by recent literature. The U.S. Department of State (2023) reports credible concerns that corruption influences some customary justice cases and that traditional authorities may sometimes act beyond their jurisdiction. International IDEA (2025) likewise highlights continuing weaknesses in customary courts, particularly in relation to gender equality and women's rights. These national concerns give wider context to the Jawei Chiefdom findings on bribery and corruption and problems surrounding the appointment of court chairpersons. The consistency between the field evidence and recent literature suggests

that strengthening transparency, appointment procedures, supervision and legal training is essential if Native Administrative Courts are to maintain public confidence and contribute effectively to sustainable peace.

5.0 DISCUSSION OF FINDINGS

5.1 Roles of Native Administrative Courts in Conflict Resolution

The first objective examined the specific roles of Native Administrative Courts in conflict resolution in Jawei Chiefdom. The findings showed that 55% of the respondents believed to a great extent that the courts settle disputes related to customs and traditions, while 12.5% indicated a greater extent. Together, 67.5% of respondents therefore expressed a strong view that the courts perform an important customary dispute-resolution function. In addition, 93.5% of respondents were aware that there are matters the Native Administrative Court cannot adjudicate. This demonstrates that respondents generally understood both the relevance of the court and the limits of its jurisdiction.

These findings are consistent with recent literature on customary justice in Sierra Leone. Koroma (2024) shows that customary forums remain part of the practical justice landscape because people choose justice institutions according to factors such as accessibility, cost and the nature of the dispute. Similarly, the 2023 Sierra Leone Human Rights Report notes that local chieftaincy courts continue to administer customary law primarily in rural communities and that appeals from these courts are heard by magistrate courts. The present finding therefore supports the literature by showing that Native Administrative Courts remain relevant at community level, particularly for disputes rooted in customs and traditions. At the same time, the very high awareness of jurisdictional limits is important because recent reports have raised concerns about traditional authorities dealing with matters outside their lawful powers. The findings suggest that the court's conflict-resolution role is most likely to command legitimacy when it remains within its recognised customary jurisdiction.

5.2 Effects of Native Administrative Courts on Conflict Management and Sustainable Peace

The second objective assessed the effects of Native Administrative Courts on conflict management and sustainable peace. The findings revealed that 81.25% of respondents believed that crime had reduced to at least some extent since the establishment of the Native Administrative Court system, although only 43.75% rated the reduction at a great or greater extent. This indicates a generally positive perception of the court's contribution to local order, but it also shows that respondents did not regard the effect as equally strong. Furthermore, 87.5% of respondents knew that decisions of the Native Administrative Court could be appealed. Awareness of appeal procedures is important because it provides an opportunity for dissatisfied parties to seek review rather than allowing unresolved grievances to develop into further conflict.

The findings correspond with recent evidence showing the continuing importance of customary justice to rural populations. International IDEA (2025) reports that people in many rural areas of Sierra Leone continue to prefer customary justice because of familiarity with the process, easier access, lower perceived costs and more expedited procedures. The United Nations

Common Country Analysis (2023) similarly reports that local courts administering customary law deliver justice services to a large proportion of the population. These observations help explain why respondents in Jawei Chiefdom perceived Native Administrative Courts as contributing to conflict management. However, recent literature also shows that accessibility by itself does not guarantee fair or sustainable outcomes. Sustainable peace is more likely when dispute settlement is accompanied by fairness, accountability, respect for rights and appropriate avenues for appeal. The present findings therefore suggest that Native Administrative Courts can contribute to local stability, but the quality and legitimacy of their procedures remain central to that contribution.

5.3 Challenges Affecting Native Administrative Courts

The third objective examined the challenges affecting Native Administrative Courts in conflict management. Among the challenges identified in the original field data, bribery and corruption recorded the highest individual response at 18.75%, followed by problems surrounding the appointment of court chairpersons at 15%. Other challenges identified in the wider findings included pressure from chiefs and local officers, interference by the Paramount Chief, delays in the payment of court staff, illiteracy and incompetent court officials. The two leading findings retained for this publication point particularly to problems of integrity and institutional independence.

These findings are strongly supported by recent literature. The 2023 Sierra Leone Human Rights Report records credible concerns that corruption influences some customary justice cases and that traditional authorities may sometimes act beyond their jurisdiction. The United Nations Common Country Analysis (2023) also identifies the influence of local chiefdom authorities and politicians in the appointment of local court chairpersons as a factor that may interfere with the administration of justice. More recently, the Anti-Corruption Commission of Sierra Leone participated in stakeholder consultations in Bo and Kenema in 2025 concerning proposed changes to the administration of local courts, showing that governance and institutional arrangements around local courts remain active policy concerns. International IDEA (2025) further identifies human-rights and gender-equality concerns within customary justice mechanisms. The consistency between these recent sources and the Jawei Chiefdom findings suggests that bribery, corruption and appointment-related influence are not merely isolated local concerns; they reflect wider governance challenges affecting customary justice in Sierra Leone.

5.4 Overall Interpretation of the Findings

Taken together, the findings present Native Administrative Courts as institutions with both significant local value and important operational weaknesses. Their value lies in their closeness to the community, familiarity with customary norms and recognised role in resolving disputes that arise from local social relationships. These characteristics can make them useful mechanisms for preventing minor disagreements from escalating and for maintaining community order. The findings on customary dispute settlement and perceived crime reduction support this positive role.

At the same time, the study shows that the peacebuilding potential of Native Administrative Courts cannot be separated from the quality of justice they provide. Bribery and corruption, weaknesses in appointment processes and interference from influential local actors can undermine impartiality and reduce public confidence. Recent national literature reaches a similar conclusion: customary justice remains widely used and accessible, particularly in rural communities, but concerns about corruption, jurisdiction, human rights, gender equality and institutional influence continue to affect its legitimacy. The central implication of the study is therefore that strengthening Native Administrative Courts should not mean abandoning customary justice; rather, it should involve improving accountability, training, supervision, transparency and respect for jurisdiction so that the courts can perform their conflict-resolution role in a manner that genuinely supports sustainable peace and development in Jawei Chiefdom.

6.0 CONCLUSION

The study shows that Native Administrative Courts continue to occupy an important position in conflict resolution in Jawei Chiefdom. Their strongest recognised role is the settlement of disputes connected with customs and traditions, and respondents also demonstrated substantial awareness that the courts have limits to their jurisdiction. This is important because effective customary justice depends on courts dealing with matters that properly fall within their authority.

The findings further suggest that the courts contribute to local conflict management and social stability. Most respondents perceived some crime reduction, and a large majority knew that court decisions could be appealed. At the same time, the effectiveness and legitimacy of the system are threatened by challenges such as bribery and corruption and difficulties surrounding the appointment of court chairpersons. The overall implication is that Native Administrative Courts can contribute to sustainable peace and development when their customary role is supported by fairness, accountability, clear jurisdiction and institutional independence.

7.0 RECOMMENDATIONS

- Native Administrative Courts should receive adequate institutional attention and support as part of the justice system because they remain important to dispute settlement in rural communities.
- Regular training should be provided to court officials on the limits of their jurisdiction, legal procedures, human rights and contemporary approaches to justice.
- Measures should be strengthened to reduce bribery and corruption and to improve transparency in the handling of fees, fines and court decisions.
- The appointment of court chairpersons should follow clear and accountable procedures that reduce improper influence from local power holders.
- Public sensitisation should be strengthened so that community members understand court procedures, their rights and the available appeal mechanisms.
- Justice-sector stakeholders should regularly monitor Native Administrative Courts to ensure that they operate within their lawful responsibilities and contribute to peaceful conflict resolution.

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