Sam O.
SMAH

CONTEMPORARY NIGERIAN CULTIST GROUPS: DEMYSTIFYING THE 'INVISIBILITIES'

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Prof. Sam O. Smah

ABSTRACT

This paper is based on a study designed using social survey methods (personal focused interviews and documentary survey) to investigate the nature, consequences and control of contemporary cultism in Nigeria. Major findings include the proliferation and politicization of cultism; heightened use of violence and coercion, resulting in fear; cultism is connected with human trafficking and prostitution for economic or financial gains and other illegitimate advantages; etc. The societal acceptance and perception of cultism, nature and role of constituent legislations affects the prosecutorial powers and dispositional outcomes of the police and courts in the prevention and control of cultism.

INTRODUCTION

Since the creation of Pyrates confraternity[1] (also known as National Association of Sea Dogs) by a group of six students of the now University of Ibadan in 1952, cults and cultist organisations have remained an important social-cultural reality and occupied a major issue in public discourse, among people in contemporary Nigeria, with varied ways and means of manifestation. In the course of time, the characters of cultist groups have been taking newer and newer dimensions with increasing complexity and implications on human rights (forced prostitution, sexual exploitation, human trafficking), criminality (armed robberies and thefts) and political instability (political thuggery, politically-motivated assassination, electoral fraud) as well as other forms of delinquency and social nuisance. Cultists have tragically challenged the constituent elements of criminal law and the prosecutorial powers of the police and the judiciary, with membership cutting across ethnic, religious, social, educational, economic and political classes; various forms of

[1] This does not in any way suggest that there were no organizations formed by local populations that served political or religious functions across different societies. For example, the Ogboni society is a fraternal institution indigenous to the Yoruba language-speaking polities of Nigeria, Republic of Bénin and Togo, as well as among the Edo people, which performs a range of political and religious functions, including exercising a profound influence on monarchs and serving as high courts of jurisprudence in capital offenses. Its members are generally considered to constitute the nobility of the various Yoruba kingdoms of West Africa.

consciousness and inclinations or leanings. Whereas in pre-colonial times, cult practices which possibly associated with witchcraft or other forms of occultism were regarded as part of the cultures of the people in communities, their proscription by the British colonialists brought a new perception and instrumentality to them. The value of cultism has therefore, transformed from social to socio-economic and political in nature, and mediated by violence, force, deceit and abuse (Tamuno, 1989).

The elevation of cultism from being a form of cultural practice to one of a weapon for economic banditry and political witch hunting of opponents similarly moved from the communities, streets and creeks to institutions of modern society: universities, colleges and schools as well as courts/judiciary, law enforcement and other parastatal organisations of government and private establishments - and simultaneously unmasks them from being 'secret societies' to sprawling criminal syndicates. In the same vein, cultism has taken international shape, scope and dimension by aiding and abetting human trafficking, sexual exploitation and slavery. From the 2000s onwards, cultist groups began to actively engage in human trafficking and associated human rights abuses in Nigeria (Fatunde, 2011, IRB, 2016). Today, on school campuses, streets, neighborhoods and especially universities, cult and cultist groups hold everyone to ransom and engage opponents, governments and law-abiding citizens alike, in wars of attrition over the control and domination of social, economic and political resources and spaces that benefit them.

Modern and more visible cults have proliferated in response to state's failure to effectively prosecute perpetrators or for her not providing enough and useful opportunities to citizens (ANCHOR, 2006). However, a number of these modern cult societies in Nigeria have incorporated references and insignia from the original Ogboni, and combine political, judicial, and sacred duties, which exist/existed among the various ethnic nationalities of Nigeria. Initiatory secret societies are however, a common feature of pre-colonial government across much of West and Central Africa till date. In traditional times, membership was by initiation from one age grade to another, while in modern times, recruitment is most frequently by force, deceit or manipulation. However, once a member, cultist activities supposedly remain within the domain of secrecy as a demonstration of maturity, discipline and a fulfillment of the oaths sworn to. This is the basis on which every form of criminal violence committed by the group is hidden from public scrutiny. Their principal *modus operandi* range from deceptive engagements to fraudulent contracts and the use of force to engage in criminal activities which result in physical injuries, loss of property and even death should their victims refuse to comply with given directives. All too often, attempts are made by group members to screen off cases of rape, human trafficking and forms of blood initiations from public glare which they engage in. Cultist groups therefore, claim the characterized of secrecy and blood-related rituals made to seal the allegiance of members. However, the claim of secrecy or 'invisibilities' of cultism is a façade over the criminal entity that it is.

This paper attempts to investigate the question of whether the nature and structure of cultist groups are so problematic as to render ineffective the control strategies structured for the law enforcement

apparatuses of the Nigerian state. In doing this, the limitative factors confronting the fight against cultism would be identified.

A THEORETICAL PERSPECTIVE ON CULTISM CAUSATION

According to Eister (1972) culture crises promote the growth of cult movements. Culture crises are characterized by dislocations in the communicational and orientational institutions of society, i.e. the failure of those institutions that normally create and standardize symbols. Many of the ideological and organizational characteristics typically associated with cult movements can therefore, be interpreted as responses to culture crises. Thus, this work's concern is with the position that attributes cultism to the society and the functioning of its structures, including society's ideological and sub-cultural crises. The cultists with their "group norms" formed sub-groups of the entire population and can be described as sub-cultures. Their behavior is viewed as negating the conventional value system and highly detrimental and a hitch to the peaceful co-existence of the society. The "Differential Illegitimate Opportunity Structure Theory" of Cloward and Ohlin (1960) has discussed at great length the attitude and behavior of the cultists under sub-culture theory. Although the authors drew their argument from various researches, they noted that the illegitimate goals in the city slums and ghetto are seen as leading to the three types of criminals and their sub-types- the "conflict", the "criminal" and the "retreatist" types. Cultists can be put into the criminal types who use illegitimate means to get material gains (wealth, prestige, social status and power). The popular assumption of the theory goes as "people are socialized into the norms and values of the immediate group to which they belong". In a way, all the group members (sub-culture) are "conformists".

Authors such as Bell (1973), Onyechere (2006) and Ogunbemeru (1997) argued that cultism can be seen as a product of societal pressure and for this reason it is entirely viewed from a cultural context. Unlike Merton's (1958) position Cohen (1955) holds that it is not the inability to achieve materials gain or success in life that makes the cultist to violate the means to goals but rather the cultist's inability to gain status acceptable in conventional society. That produces the strain and frustration (status frustration). Cohen (1955) went on to say that the sub-culture of criminals is a disadvantage and culturally deprives them in their background. The cultists therefore lack skill to cope with their status deprivation and may not be able to gauge with the conformist members of the society. Cultism is thus a learning behavior, just like learning how to be a mechanic or carpenter. Learning the behavior also includes learning the techniques through the influence of peer group. Contact with intimate group preference to violation of law rather than conforming to the law makes people to partake in cultism.

Also, the nature of the place where a person lives also tells people more about the kind of personality they are. People who join cults may be products of disorganized environment where norms and values are confused (high crime rate) (Shaw and Mckay, 1942). The product of this

kind of society may join secret cult for it is a product of culture of negative values, the value of backwardness, gambling, stealing and prostitution. Children in this 'ecological zone' may tend to join cult groups when they grow up. The outcomes of this study are therefore informed by the notion of cultists as byproducts of the society where they live and operate. Their persistence in society over generations is explained by environmental factors, such as laws, attitude and adaptability to cultist ways.

In this study, the sociological notions of cult are employed. In the words of Scott & Marshall (2005);

> "In sociology, it is a small group of religious activists, whose beliefs are typically syncretic, esoteric, and individualistic. Although it is related to the concept of sect, the cult is not in Western society associated with mainstream Christianity. As a scientific term, it is often difficult to dissociate the idea of a cult from its commonsense pejorative significance, and it does not have a precise scientific meaning. Cult practices appear to satisfy the needs of alienated sections of urban, middle-class youth. Cultic membership among young people is typically transitory, spasmodic, and irregular."[2]

In Nigeria, and Africa generally, cultic membership can be for life, depending on the significance and benefits of the group to the individual. Seen this way, cultists are not invincible nor are they invisible.

METHODOLOGY: PROBLEMATISING AND CONDUCTING SOCIAL SCIENCE RESEARCH ON THE SO-CALLED "INVISIBLES"

Several questions arise when it comes to cultism research, especially when it relates directly to scientific data collection and analysis- for which there may not be an answer acceptable to all. One of such questions is whether a phenomenon regarded secret/invisible is amenable to scientific, objective inquiry. This question is at the heart of the objective-subjective nexus of Sociology's subject-matter itself, which holds its history to mainly the 19th century French scholarship[3]. The issue is one of practical existentialism, which in this context should raise the claim of 'objective science' on cultism as a needful replacement to the claims of invisibility of cultism. As a matter of fact, the claim of the 'secrecy' or invisibility of cultism is dismissed as a farce considering its manifest externalities of violence, death and other forms of criminality and human rights abuses.

[2] Scott & Marshall (2005). Oxford Dictionary of Sociology, Oxford: University of Oxford Press, p.129, emphases added by me

[3] Auguste Comte (1798-1857) is best known today as the father of French positivist thought. He was the first to develop the concept of "sociology." He defined sociology as a positive science. But even at that, science was not necessarily concerned with only visible objective realities.

In a 1906 article, Georg Simmel[4] argues on the sociology of secrecy and secret societies by stating that:

> "But there is within the sphere of objective knowledge, where there is room for truth and illusion, a definite segment in which both truth and illusion may take on a character nowhere else observed. The subjective, internal facts of the person with whom we are in contact present this area of knowledge. Our fellow- man either may voluntarily reveal to us the truth about himself, or by dissimulation he may deceive us as to the truth. No other object of knowledge can thus of its own initiative, either enlighten us with reference to itself or conceal itself, as a human being can. No other knowable object modifies its conduct from consideration of its being understood or misunderstood. 'This modification does not, of course, take place throughout the whole range of human relations. In many ways our fellow-man is also in principle only like a fragment of nature, which our apprehension, so to speak, holds fast in its grasp. In many respects, however, the situation is different, and our fellow-man of his own motion gives forth truth or error with reference to himself…Primitive man, living in communities of restricted extent, providing for his needs by his own production or by direct co-operation, limiting his spiritual interests to personal experience or to simple tradition, surveys and controls the material of his existence more easily and completely than the man of higher culture. In the latter case life rests upon a thousand presuppositions which the individual can never trace back to their origins, and verify; but which he must accept upon faith and belief." (Simmel, 1906:445).

Consequently, the task of collecting cult-related data does not diminish as the conduct of the fieldwork was premised on the substantiation of cults as having external characterizations in one way or the other, which fall within the classification of objective realities amenable to scientific investigation.

For this reason and in the frame of this research, two main scientific approaches were adopted to collect data. The first is documentary survey; this entailed the collection of information from

[4] This content downloaded from 105.112.121.23 on Wed, 26 Dec 2018 13:04:24 UTC. All use subject to https://about.jstor.org/terms The Sociology of Secrecy 445.

libraries, web sites and especially IFRA's *NigeriaWatch*database[5]. The Researcher engaged in extensive fieldwork involving travels during the months of March and July, 2017.

The second method was personal focused interviews[6]-[7]. A number of personalities who had or were holding public office at the time of the study were randomly selected to participate in the interviews which were aimed at ascertaining their levels of knowledge and scope of cult-related crises the country was facing. This was to provide insights into the magnitude, implications and control of the cult phenomenon.

Qualitative approaches were employed in the analysis of information generated for the study, some of which were transformed into tables and pictorials (see the Main Report of this study). The interpretation was based on the narrative approach.

THE ORIGIN OF CONTEMPORARY CULTISM IN NIGERIA: WHAT IS NOT KNOWN?

Sea and land-bounded cult organizations have stifled legitimate social, political and economic activities around the world. In Nigeria, the formation of Pyrates Confraternity by the now Nobel laureate, Professor Wole Soyinka and five other students then at the University College Ibadan (UCI) in 1952 has crystallized and metamorphosed into myriads of dreaded, hydra-headed and criminal groups wreaking havoc in the creeks, sea and land. The Pyrates Confraternity was allegedly formed to abolish convention, revive the age of chilvary and end tribalism and elitism (although the use of a skull in their logo does not stand for nothing and whether the objectives of the group was not a mere ignorant tall order to end elitism). The group's actions were ostensibly targeted at the newly formed and fledging middle class with values that promoted the display of wealth and affluence on campus. The group's ideological pursuit was in vast contrast to the ideals of modernization, of which the latter unconsciously or consciously elevated cultural practices inherent in indigenous communities. The explicit 'modernization' of indigenous beliefs into the campus did affirm the existence of cults in traditional society. As a matter of fact, traditional cults controlled social life at community local life (Tamuno, 1989). With the formation of the Pyrates Confraternity, there was therefore, a town and gown nexus in explaining the occurrence, existence

[5] *NigeriaWatch* (NW) is a database that monitors and compiles violent deaths, including accidents, crimes, conflicts, natural disasters, occurring in Nigeria since 1 June 2006. Access to the database is at www.nsrp-nigeria.org.

[6] The trips took this Researcher to Benin City (Edo State, twice- High Court of Criminal Justice, Magistrate Court, State Ministry of Justice Headquarters), Karu (Nasarawa State- High Court 4 of Nasarawa State Judiciary), Ekpoma (Edo State- Ambrose Alli University), Abuja (Federal Capital Territory- National Assembly Complex and a private (NGO) location), Jos (Plateau State- University of Jos)- to source relevant information from former Vice-Chancellors, Magistrates, Judges and Judiciary Officials on how they had handled the incidences of cultism.

[7]The interviewees were former/serving high court judges, vice-chancellors, magistrates and court officials. For the vice-chancellors- two of them were interviewed in Jos; one in Ekpoma, one in Benin City and one in Abuja. For court officials- four were interviewed in Benin City. For judges/magistrates- one high court judge in Nasarawa and one Magistrate in Benin City were interviewed. One interviewee was from the civil society organization. A list of the interviewees is contained in the Main Report.

and persistence of modern-day cultism as captured by an interviewee during fieldwork for the study, as follows:

> "(…) But I think the founders of the National Sea Dogs as they are called, have to an extent defended themselves to say that theirs was not a secretive society. They were meeting in the open. They were regarded as a pressure or dialogue group. They were not involved in criminal activities as we see in today's cultist groups. A deeper reflection however shows that cultism is a case of *town coming to gown*. Town cultist groups have now found a large space in the universities…Those secret societies in town go to universities to recruit members in broad day light-seeking membership from fresh students while on their registration lines." (Smah 2017)[8].

The transposition of cultism into the complex, modern-day monster in recent times manifests in almost all the social institutions and strata of society. For instance, promotion in civil service, businesses, religious bodies, political parties and governmental and non-governmental organizations, including military formations, and living and learning on university campuses, among others, suffer from the negative influences of cultism, even though this claim is denied in official cycles. Indeed, the practice of cultism includes behaviors viewed as not in conformity with the conventional value system, which contradicts the reality of everyday life. Cultism is regarded as a part of the Nigerian society and became widespread after the oil boom of the 1970s (Fadipe, 1970; Ogunsanya, 2000), a claim that explains its utility as a vehicle for elite formation. Unemployed youths, artisans and persons pursuing criminal agendas in order to rise to stardom choose to channel their energies through cultism as the social structure of opportunities in legitimate ways close against the significant proportions of citizens. For some, it is not a choice they made but were coerced into it by force as several victims are 'innocent' except for the opportunities their 'resources' present to those who intend to use them for their own gains. For example, girls who turn down love advances by cultists are raped or forcefully initiated as members. Those who turn down invitation to join them are intimidated, harassed and even get killed. Whole communities or neighbourhoods that resist cultist membership and activities may be burnt down and persons killed or their lives and property rendered useless (Smah, 2017).

In the early 1970s, several confraternities emerged. In 1972, a member of the Pyrates Confraternity, Dr. Bolaji Carew (code-named "Late Ahoy Rica Ricardo"), and other members were accused of not following the teachings of the confraternity and were unexpectedly expelled. As a result of this incident and other problems, the Pyrates pulled out of Nigeria's universities. They then registered themselves in Nigeria under the name of the National Association of Seadogs (NAS). Dr. Carew later founded the Buccaneers Confraternity (also called the National Associations of Sea Lords). In the formation of the new confraternity, Dr. Carew took with him

[8] Report of interview held with a former Vice-Chancellor of the University of Ibadan at RockView Hotel, Abuja on July 14th, 2017

many elements of the Pyrates, including similar attire and symbols of the cult as well as its highly regimented and hierarchical structure. The origin of confraternity violence dates back to Carew's 1972 saga and the birth of the Buccaneers. After the Buccaneers, the Neo-Black Movement of Africa, also called Black Axe, was founded at the University of Benin in Edo State. After its creation, another confraternity, called the Supreme Eiye Confraternity (SEC), was founded at the University of Ibadan in 1963. During this time, the splintered cult groups introduced a new dimension into confraternity tradition: before carrying out any activities, they would practice rituals.

In 1983, the Eternal Fraternal Order of the Legion Consortium, also called the Klansmen Konfraternity (KK), was started by five students at the University of Calabar in Cross River State. In 1984, the Supreme Vikings Confraternity (SVC), also called the Adventurers or the De Norsemen Club of Nigeria, was founded by a former member of the Buccaneers. Several notorious cult groups also came into being under the military rule of General Ibrahim Babangida. During the early 1990s, Nigeria experienced an explosion of confraternity activities in Nigerian schools, colleges, streets and creeks of the energy-rich delta region. The extreme hooliganism, violence and bloody struggle for supremacy among rival confraternities peaked around this time. During the late 1990s, female confraternities such as the Black Brazier (also known as Black Bra), the Viqueens, Daughters of Jezebel, White Angels and the Damsel, among others, emerged; they generally acted as spies for the male confraternities and operated as prostitution syndicates. At the secondary school level, Umukoro (2018) reports that female student members, especially from the south-south region of the country are exposed to drugs, sexual abuse and other social vices from peer pressure.

The fore-going illustrates that cultism is a response to the conditions of living where access to opportunities and resources are limited to a few members of the ruling elite classes. The generality of those left outside the opportunity structures (legitimate and illegitimate) have little choices than to device ways and means of coping with their seclusion from life-enhancing opportunities. To a number of individuals, cultism with all its entrapments serves as a veritable form of maladaptation.

THE NATURE AND SOCIAL STRUCTURE OF CONTEMPORARY CULTISM: THE MANIFESTATION OF SYMBOLISMS

There is no society without crime; as such legislating against particular social problems is an attestation to the seriousness that they pose to the society. There are federal penal and criminal codes as well as Acts of the National Assembly specifically targeted at cult societies. However, they remain ineffective in addressing cult-related problems, such as human trafficking and prostitution. Arising from its very antithetical nature and how cult activities pose a serious danger to public decency and morality, the 1999 Constitution of the Federal Republic of Nigeria (FRN, 1999) forbids public officers from holding membership of societies deemed to operate

against the ideals of such public office. For example, Part 1 s.10 states that "A public officer shall not be a member of, belong to, or take part in any society the membership of which is incompatible with the functions or dignity of his office". The federal Penal Code (FGN, 1990a), commonly referred to as Laws of Northern states of Nigeria CAP89, Northern states Federal Provisions Act CAP345 or Laws of the Federation of Nigeria 1990) in sections 97A and 97B provides on unlawful society as follows:

> "A society is an unlawful society if declared by an order of the Governor in Council to be a society dangerous to the good government of Northern Nigeria or any part thereof; Whoever manages or is a member of an unlawful society shall be punished with imprisonment for a term which may extend to seven years or with fine or with both."[9]

Similarly, Chapter 9 of the federal Criminal Code Act CAP77 (FGN, 1990b), titled "unlawful societies" is applicable to the Southern states of the country. It has seven sections (62-68), dedicated to definitional, management and membership issues, as well as prosecutorial and dispositional powers of courts relating to secret societies. It also made provisions on forfeiture of properties belonging to societies declared to be unlawful societies. Section 62 defines society and unlawful society as follows:

> (1) "A society includes any combination of ten or more persons whether the society be known by name or not. (2) A society is an unlawful society- (i) if formed for any of the following purposes- (a) levying war or encouraging or assisting any person to levy war on the Government or inhabitants of any part of Nigeria; or (b) killing or injuring or encouraging the killing or injuring of any person; or (c) destroying or injuring or encouraging the destruction or injuring of any property; or (d) subverting or promoting the subversion of the Government or of its officials; or (e) committing or inciting to acts of violence or intimidation; or (f) interfering with, or resisting, or encouraging interference with or resistance to the administration of the law; or (g)disturbing or encouraging the disturbance of peace and order in any part of Nigeria; or (ii) if declared by an order of the President to be a society dangerous to the good government of Nigeria or any part thereof (this is the same with the provision of Penal Code, section 7A cited above, the only difference being

[9] See FGN, 1990a: 50

that the Criminal Code Act uses President, whereas the Penal Code Act uses Governor in Council)".[10]

In addition, under military rule, federal authorities regulated the involvement of all and sundry in secret society organisations and their activities (which we understand this term as being the same as cultist society in this study). The Ibrahim Babangida administration (1985-1993), Decree no. 47 of 1989, called *Students Union Activities (Control and Regulations) Decree* was promulgated, which among other things, empowered Vice-Chancellors and heads of institutions to ban/eradicate societies whose activities were not in the interest of the country or public, suspend students identified as *secret* cultists for an indefinite term and established a Special Tribunal (the Miscellaneous Offences Decree no. 20 of 1984 as amended). Penalties prescribed under s.5(4) of the Miscellaneous Offences Decree no. 20 of 1984, for aiding and abetting the commission of cult-related offences included a fine of fifty thousand (N50,000) naira or a five-year term of imprisonment or both (Smah, 2001; Smah, 2006)). However, no person was convicted on account of this decree. Also, media coverage of anti-cult activities does not seem to deter or reduce the proliferation and propensity of youths and other 'beneficiaries' of cultist activities, such as politicians and other rulers to promote cult activities.

Some State Governments in the country are reported to have enacted laws to prohibit cultism in those jurisdictions. Edo and Rivers are good examples. The Edo State House of Assembly, for example, enacted a "Bill for a Law to Prohibit the Existence, Membership and Activities of Secret Cults in Educational Institutions and Within Public Service of Edo State and for Other Purposes Connected Therewith" in year 2000. During the same year, the Bill was assented to, by the Executive Governor of the state to become "Edo State Government of Nigeria Secret Cult (Prevention) Law 2000. The Law commenced on 6th December, 2000 as Law No 18 of 2000 (EDSG, 2000). The law addresses two sets of people: students in schools and public servants. A student and a public officer are not expected to have anything to do with cultism- in any form, such as being a member; being present at or being initiated; being in possession of any dress, costume, uniform, regalia, identity card, insignia, certificate, symbol, book, register, staff, or article belonging to or connected with any secret cult; engage in any activity which is inimical to public morality or that is illegal, destructive or dangerous; to assault, threaten, use or actual threat to use violence to any other person or property in furtherance of the activities of any secret cult. A person guilty of such an offence is liable to 21 years imprisonment. A police officer may arrest without warrant any person reasonably suspected of having committed or is about to commit an offence under the Law.

While some of these criminal provisions have their origin in colonial rule in Nigeria, efforts in recent years support the suspicion that the politicisation of cultism provides a veritable source of

[10] See FGN, 1990b: 59, emphases added by me.

protection, advantage and security for some people. For example, the Federal House of Representatives, that is the Lower Legislative House, passed a Bill, the 'Secret Cult and Secret Society Prohibition Bill 2001, which made it an offence for any person to form, join, or take part in any so-called secret cult activity. The Bill imposed a fine of N250, 000 on violators or a prison term of 2-5 years or both. In like manner, a Bill at the Senate (Upper Legislative Chamber) of the Federal Republic of Nigeria, sponsored by Senator Julius Aliucha (PDP, Ebonyi Central) titled "Bill for an Act to Prohibit the Existence, Membership and Activities of Secret Cults in Educational Institutions and Within Public Service of the Federal Republic of Nigeria and for Other Purposes Connected Therewith" 2001, failed to pass. However, it provided a term of between 5 and 10 years imprisonment for violators without any option of fine. These so-called secret cult prohibition Bills, which emanated from both Chambers of the National Assembly during the 1st National Assembly (1999-2003) of the 4th Republic failed to pass at both Chambers. And so, they could not even get to the Joint Conference level, let be sent to the President for assent.

The above constitute the only reference to this issue in the legislative chambers of the National Assembly to date. Is that not acquiescence? However, in 2001, the Federal Executive Council through an Executive Memo titled, "Approved Federal Government Blueprint on the Control of Secret Cults on Campus" instead approved and released the sum of three hundred million Naira (N300, 000, 000) to Vice-Chancellors of Federal universities, with a mandate to them to stamp out cultism on university campuses following the death of five students at the Obafemi Awolowo University, Ile-Ife in 1999. Mixed results were received judging from apparent massive renunciations and yet with newer waves of cult violence on campuses leading to rustications, injuries and deaths of students (Onyechere, 2006). This was precipitated by the fact that those who renounced cultism on campus were not protected by Law from the anger of those who still held tenaciously to cult beliefs and values on campus and in town. The Blueprint did not establish a clear framework to include the protection and security of those who renounced cult membership.

Further to this, the fifth Schedule to the 1999 Constitution of the Federal Republic of Nigeria (FRN 1999) states that "A public officer should not be a member of, belong to, or take part in any secret society, the membership of which is incompatible with the functions and dignity of his office"(see section 10)[11]. The law of the Federation is clear on the position of the practice of cultism. The violation of this is both a civil and criminal offence punishable by government action. Crime as any act or omission prohibited by public law, for the protection of the public and made punishable by the state in a judicial proceeding in its own name or in the name of the people or of the sovereign" (Wolfgang et a1,1979: 1-16) applies directly to facets of cultism. Cultism therefore, would not be an exception to the definition and the provision of the supreme document of the land. The behavior of the cultist is a threat prohibited by the public law both in military and civilian

[11] Also see (FRN, 2006) *Public Service Rules 2006* document (Numbers 020210 & 020211), which prohibits secret society membership and also spells out disciplinary measures, including dismissal from the service if found guilty

regimes in Nigeria. Whereas 'settled' cult members in various sectors of the political society and economy may not sanction the criminality of young, struggling members, they may not be able to do anything against the actions of the latter. The frustration that younger cultists are exposed to make them the needed fuels in the political campaign missions of aggrieved/struggling politicians who use them to inflict injuries, losses or even death on their opponents. This premises the failure of laws enacted against cultism.

Social structurally, cultists are organised in hierarchical order of ranks and importance in their groups. Their internal structure is akin to what Thrasher (1927) describes as delinquent group structured with:

> " (…) leader/and follower, a definite meeting place, defined operation territory, prescribed initiation procedures, secret signs or codes, fixed membership and the existence of a gang tradition which was handed down from...generation to generation".[12]

Cultism perpetuates its practices, values and norms unless the state actively addresses associated causative factors using appropriate instruments and systems. In fact, a former Vice-Chancellor who was interviewed during this research's fieldwork observed that cultism is a fact of life in Nigeria. He noted that its perpetrators teach themselves or individuals who oppose them and conventional institutions of society, including universities and organizations bitter lessons. In his words:

> "They have alumni who further concretize the practices in their *alma maters* in the wider society. Vulnerable students fall prey to their deceit, for example when they promise them protection against lecturers' exploitation. Universities harbor cult cells which facilitate collective actions against perceived exploiters or enemies. They engage in inter-university visitations. The principal actors know themselves and are very influential in Student Union Government politics. They often get what they want, and assume very uncompromising stands on issues requiring debate or public discourse". (Smah 2017)[13]

The internal dynamics and coherence of cultism are sustained by strict observance of regulations and rules of conduct for members, of which severe punishment is meted out to defaulters, if by all means their criminalities can be covered and losses mitigated.

[12] Thrasher, 1927: 277; Smah, 2001:8

[13] Report of Interview held with a former Vice-Chancellor of the University of Jos at the Faculty of Arts Building, University of Jos on June 12th, 2017

THE BURDENS OF CULTISM: SOCIETY OR INDIVIDUALS?

Cultists carry out murderous campaigns against their opponents or enemies and captives. Thus, since the 1980s, whenever confraternities have murdered people who are thought to have offended them, especially groups operating prostitution rings, they have usually been very barbaric, using such methods as disembowelment, decapitation, rape and killing or burning alive[14]. Most times, the parents of the victims, especially those forced to join a cult hardly are aware of what has happened to their children or wards because they may not be able to disclose what they are going through secretly.

Cultists also engage in political thuggery to get money from politicians, who wish to intimidate their opponents. They are paid to assassinate political opponents- following which there cannot be any trace of evidence as to who committed the offence. They are used to snatch or destroy ballot boxes and other sensitive materials on Election Day; they whisk away/kidnap/abduct opponent candidates, stuff ballot boxes with finger-printed voter papers and a host of other politically-related and motivated offences (Kupoluyi, 2015).

One estimate in 2002 was that 250 people had been killed in campus cult-related murders in the previous decade, while the Exam Ethics Project, a lobby group estimated that 115 students and teachers were killed between 1993 and 2003. As at 1998, it was estimated that 50 students were killed on a yearly average. As at 2006, Onyechere (2006) also estimated that 215 students had been killed due to cultism; 1117 injured, 2004 arrested and 5724 expelled from schools. Other forms of illegalities perpetrated by cultists include the collection of protection fees of between 5,000 and 20,000 naira in some universities or communities (Smah, 1998). Also, according to police authorities in Edo State, by April, 2017 about 16 university students had been beheaded in the state. In Lagos State, especially Ikorodu area, the newest cult group "Badoo", had killed or kidnapped over a hundred people, including women and children in their homes, forests and neighborhoods by the end of 2017. According to *NigeriaWatch*database, between January 2013 and August 2017, a total of 1881cult-related deaths occurred in the following states: Rivers (600), Lagos (420), Nasarawa (310), Edo (211), Delta (180), Ogun (160). The trend has not decreased as there reports of incidents of cultism around the country.

Student cultists unhappy with school calendars always seek ways and means of disrupting the calendar and demanding that everything should suit them. This agrees with one of interviewees who pointed out that they are generally uncompromising in their attitudes to authorities and always seem to have their way. Communities where important leaders are cultists and residents resist cult

[14] In addition to *NigeriaWatch*database cited earlier, Kupoluyi (2015) used the following in his report to describe the harrowing experiences of victims of deadly cult activities: injuries, maiming, removal of vital organs, slitting of throats, cutting of stomachs open with knives, tying of victims on trees in the bush, stabbing and hacking.

presence are severely punished by way of burning down houses or properties, raping of their women and girls and wanton destruction of businesses (Smah, 2017).

As a result of cult violence in affected communities, schools, streets and neighborhoods children, parents and authorities live in fear and anxiety (Smah, 2001). The onsets of general insecurity in those areas might affect their development. Apart from physical damage and loss of life, cult activities may also have devastating effect on the quality of the learning process itself. Opaluwah (2000) and Onyechere (2006) stated that cult clashes lead to the incarceration, rustication, expulsion or hospitalization of both innocent and guilty students thereby suspending learning for some period of time. In addition to the physical damage and quality of the learning process, life on university campuses where cultist activities prevail can be very unpleasant and insecure for those who are not directly involved with them. The feeling of insecurity and fear of cultism are high in Nigerian tertiary education campuses (Smah 2001). One worrying development is that the activities of cults in institutions of higher learning are now influencing groups in other institutions including secondary schools.

Recent reports also show that the new cultist group "Badoo" was wreaking havoc in the Ikorodu area of Lagos (Smah, 2017; Adewale, 2017). The "Badoo" members were said to have first been heard of in 2016, when suspected members of the gang struck at the Oke-Ota community; allegedly raping and eventually killing a Ghanaian lady before returning to Ibeshe, where its members attacked a 60-year-old woman and blinded her daughter. Another horrific experience was relayed with the breaking of a pastor's head with mortar, a killing pattern unique to the notorious group.

According to Adewale (2017), the recurring and protected incidence of cult groups is a worrisome reflection of what is obtained in the larger society in terms of lawlessness, hatred and the use of extrajudicial means to settle personal scores. Before the advent of "Badoo", certain groups had unleashed one form of terror or the other on Nigerians, although many people have argued that the initial rationale for the emergence of cultism, especially on campuses, was to bring about social justice and a sane society. While sociologists and social scientists are still unable to fully understand the primary reasons for nature of violence and criminality associated with cultism, some writers (Smah, 2003; Usman, 2008; Onyechere, 1998, 2011) believe that the desperate quest for fame, power, wealth, authority and prestigious affiliation in society are responsible for cult membership belongings. Today, the negative influences of cultism remain a source of worry to researchers, social workers, policy formulators and implementers, parents, etc. In their branding, ritual cult groups commit nefarious activities under the influence of drugs while brandishing dangerous weapons such as guns, cutlasses, axes, knives, swords and other sophisticated weapons from which some of them derived their names or tattoos. Many of them are armed with fetish objects like animal horns tied with red ribbons, chanting of war songs and rendering of incantations. With the series of atrocities being committed on an increasing level by the day, there is the need to discuss how sustainable relief can come to the society to free residents and passers-by from the reign of cultist terror.

From the fore-going, while it can be argued that society suffers the consequences of cultism by way of the retardation it introduces in the processes of development, communities and institutions are also affected negatively due to the negative impact cultism produces in them. Families and community dominated by serving or past cultists lose their respect in the eyes of the 'other publics'. Institutions, such as the universities and courts headed or influenced by cult members experience public loss of support and patronage and a loss of faith and confidence.

At the individual level, however, even among cultists who witness 'deaths in cult chambers', the implications of cultism are dire where the supreme price is paid by individual victims and perpetrators. Indeed, cult members consider themselves as heroes and heroines of a just cause. If anyone of them gets killed by law enforcement agents or through clashes with rival cults, they are considered fallen heroes and heroines. In such cases, members take the responsibility of burying their colleague and dress in full regalia, insignia and colors of the cult group. Indeed, there are many cases of inter-cult and intra-cult fights that result in the supreme price being paid. For example, the Edo State Police Command noted with cult activities in Benin City, the state capital in 2008 and 2009 that over 40 cult-related deaths allegedly recorded monthly, mostly among suspected cult members. Several members of the society who may have nothing to with cultists are killed in cross-fire or specifically targeted and hacked down.

The open association of cult members with their dead colleagues suggests that they are neither afraid of the law nor of any law enforcement officers who represent the state. This in itself questions the claim that they are secret societies. Furthermore, this also means that the legal system does not have much effect; that the laws prohibiting cultism do not have real deterrence impact. According to Human Rights watch (2007), Nigeria was mired in a crisis of governance. Since the end of military rule, the country's longest-ever stretch of uninterrupted civilian government, the conduct of many public officials and government institutions was so pervasively marked by violence and corruption as to more resemble criminal activity than democratic governance. That report documented what was considered to be the most important human rights dimensions of this crisis: first, systemic violence openly fomented by politicians and other political elites that undermines the rights of Nigerians to freely choose their leaders and enjoy basic security; second, the corruption that both fuels and rewards Nigeria's violent brand of politics at the expense of the general populace; and third, the impunity enjoyed by those responsible for these abuses that both denies justice to its victims and obstructs reform. That trend has not abated and therefore explains the context to properly situate and understand the deepening crises that determine police response to cult activities in the country. It is what explains the links between police inability and unwillingness to steer the hornets' nests. They simply let the sleeping dog lie.

THE JUDICIARY IN THE CONTROL AND PREVENTION OF CULTISM: WAITING ON AN UNWILLING UMPIRE

The judiciary constitutes an important integral part of the cultism control and prevention mechanism in society. But as important as that is, the next important issue is whether there exists a legal framework that deals exclusively or particularly with cultism. Another consideration is whether the enforcement of anti-cult laws has produced the desired results. In the preceding years, there were no clearly formulated laws within a defined control framework (i.e. a criminal justice sub-system that has a life of its own) to deal with cult-related cases in the courts. There had been little or no judicial precedence to serve as a guide light or reference to prosecute and dispose cult-related cases filed by complainants. In some instances, interviewees report court disruption by suspected cultists where their colleagues were under trial.

In this regard above, both state power and alleged victims of cult violence have been challenged and criminal justice pushed at bay while criminal suspects often go off the hook particularly due to the disconnect between the constituent elements of the drafted laws and the interests that some judges serve in the value-chain as well as the politico-judicial interest-begotten nature of the criminal justice system. In respect of cult criminality, this study shows that at the Magistrate Courts, there was no conviction during 2011-2017 periods in Edo State. However, one case was pending in 2011, one case was discharged in 2013, two cases were discharged in 2015, while five cases were discharged in 2016 and 11 were pending in 2016. One case was discharged and three pending in May 2017 when fieldwork ended in the state. Magistrate Courts handled a total of 25 cases between 2011 and 2017. It is believed that since this was a transition period marked by heightened electoral activities, the gradual upsurge in cases of cultism between 2015 and 2016 as processed by the Magistrates' Courts may therefore, be explained within the context of political power struggles in the state. It was observed that the High Court of Criminal Justice Division had one pending case each in 2013 and 2014. One case of conviction was secured in 2015 and four in 2016. The year 2017 (up to May) recorded the highest number of convictions (14) in the state. Between the period, 19 convictions were secured and two pending cases were recorded, bringing the total number of cases handled to twenty-one. In spite of this apparent 'progress' in the prosecution of cultists, none of the convicts was in jail at the time of the fieldwork as all such cases were subject to appeal. They all appealed against the judgement and were released on bail (since cult offences are bailable) (Smah (2017). This trivialises the law prohibiting cultism.

In Nasarawa State, Case No CR125/2016 (Commissioner of Police vs. John Oteikwu and 4 others) was also decided in favour of the accused. The Magistrate ruled at the end of the case as follows:

> "I have listened to the application of the prosecutor and the responses of the defence Counsels. I do know that ordinarily I would have ruled on the evidence already before me, however since I cannot force myself on an unwilling prosecutions, I hereby grant the application and the matter is struck out and accused persons

discharged (Case decided on 20th December, 2016 at Chief Magistrate Nasarawa, Nasarawa State, Nigeria)".[15]

Most cult-related complaints filed in court usually end up being disposed of without conviction, mainly for lack of 'evidence' or merit. This suggests that the investigating police officers need thorough knowledge of the *modus operandi* and nature of cult operations to be able to undertake the required search for evidences that would lead to convictions. The implication of cult members or former cult members being in the circles of power, particularly within political spheres and among high-level officials means there will be political, judicial, investigative and administrative interferences or intimidations not only in drafting appropriate legal frameworks but also in the enforcement of the laws against cultism. In this case, approaching the courts to solve cult-related complaints would amount to 'abuse' of court processes. The role of legal draftsmanship is to fine-tune provisions for specific issues and strategies of cultists to make prosecution more fruitful considering the fact that secret cult, secret society or unlawful society as it may variously be called is an ubiquitous social phenomenon in society.

In spite of these fore-going facts, the judiciary is limited in its fight against cultism in Nigeria. The judiciary as an institution of society derives its *locus standi* to handle, process or dispose any social issue from the same society that sets it. In this circumstance the same society that cherishes cultism as a way of living, imposes limitations so that there is little or nothing that judges, lawyers or complainants would do to deal decisively with cult-violence or deviance. In this case, the judiciary is a reluctant umpire. People in the circle of power, authority and privilege would only like the persistence of judicial-legal lacunae on any matter relating to cultism because they directly or indirectly benefit from them personally, politically or by any means that confers advantage and opportunity to them.

THE INTERSECTION OF NIGERIAN CULTISM AND HUMAN TRAFFICKING: CONNECTING "AUTHENTIC BROTHERS" IN CRIME?

Human/people trafficking is a predicate crime, which involves cycles and chains of other offences perpetrated mainly by men. According to Ellis (2016), Nigeria and Nigerians have acquired a notorious reputation for involvement in drug-trafficking, fraud, cyber-crime and other types of serious crime. Successful Nigerian criminal networks have a global reach, interacting with their Italian, Latin American and Russian counterparts. Cults intermediate in the whole chain of trafficking in humans for the purposes of sexual exploitation, slavery and prostitution, especially cross-border prostitution or sex network. Ellis (2016) in his book treats the issues of shrines, cults, corruption, drugs and sex work, among others; and traces the origins of Nigerian organized crime to the last years of colonial rule, when nationalist politicians acquired power at a regional level. In need of funds for campaigning, they offered government contracts to foreign businesses in

[15] A text of the judgment was retrieved on July 20, 2017 at High Court 4, Karu, Nasarawa State and attached to the Main Report

return for kickbacks, in a pattern that recurs to this day. Political corruption encouraged a wider disrespect for the law that spread throughout Nigerian society. When the country's oil boom came to an end in the early 1980s, young Nigerian college graduates headed abroad, eager to make money by any means. Nigerian crime went global at the very moment new criminal markets were emerging all over the world. In other words, Nigerians' criminal tendencies were there right through the struggles for independence (Smah, 2015).

As noted earlier, the 2000s and beyond have witnessed tremendous implosions in the phenomenon of cultists engaging in people trafficking across borders from Nigeria. The trend has been going on for several decades prior to this time. Literature on human trafficking do has spatial correlation with cultism (at points of origin and destination), as such human trafficking is directly seen as the by-product of inequality (Truong, 2006), from which arise the desperation to escape it. With wide-ranging inequality in access to quality education and employment opportunities in Nigeria, several families and individuals easily fall prey to the promise of the 'good life' abroad flaunted by human traffickers. In sub-Saharan Africa, therefore, human trafficking thrives largely on poverty, which even has a feminine face. It is important to therefore, situate these as the precursors of human trafficking in the sub-region, particularly Nigeria.

In a UNAIDS (2002) Nigeria case study, sex work is not necessarily associated with the lazy, cheap way out for living. Many sex workers have witnessed seismic shift in their circumstances, such as the loss of a relative who supports them, divorce, the need to escape a forced marriage or change in circumstances which leads to economic hardship. For child sex workers, it is more of the situation in which they are best described as at the brink (UNAIDS & UNICEF, 2002). In the same vein, the need to escape certain circumstances of life may drive such children to expose themselves to human traffickers who will take advantage and subject them to child labor abroad (FRN, 2013).

The National Migration Policy (NMP, 2015) is very clear in its categorization of trafficking in persons/human trafficking when it states it to mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits, to achieve the result of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at the minimum, the exploitation or prostitution of others, or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.[16]

At present, research is rather slowly paced in documenting and analyzing the incidences and severities of trafficking in humans in Nigeria. However, UNICEF & NAPTIP (2005) undertook a situation assessment of child trafficking in 11 southern Nigerian states in 2004 and came up with staggering revelations. Essentially, out-flow trafficking (to other countries) and in-flow

[16] This is taken from the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime

trafficking (from other countries) showed worrisome trends, particularly in Akwa Ibom and Cross River States. The purpose of these irregular migration flows were mainly for domestic labor and prostitution (both were highest for females and males) between 2000 and 2003.

There are two discernible levels of analyzing the intersects between cultism and human trafficking, writes Linnell (2018). It is not appropriate to stand outside the victims and wonder why it took them (survivors) too long to get out. Sometimes it is not so easily manifest that one is under the influence of a cultist. But it starts from being in a 'new relationship' with a teacher, a friend or someone familiar. Linnell (2018) notes that when this first happens it will be as if one has just won a lottery, but gradually one is asked by the 'friend' to disconnect from friends and family, destroy properties and be promised better ones, etc. At the time that self-doubts starts to set in it may be very late to retrace backward. The joining into this relationship is hardly violent or by force. Linnell (2018:2) writes:

> "Anytime your intuition tells you to run, to get away from the teacher, to get away from the group, you're told it is occult forces trying to knock you off the path, or it's the devil trying to make you fall. You start to see everyone outside the group as the enemy. Friends and family become the enemy. You believe they want to knock you off the path, they don't understand, or they are trying to steal your energy". (Linnell 2018:2)

Some scenarios are not the same or similar to this. However, the traps set by traffickers come in the form of promises of jobs and other opportunities which victims know that they do not have at the moment. There is no gainsaying the fact that cultism, in whatsoever form, has impacted negatively on the lives of the youths in Nigeria by causing incalculable damage to their psyche, morale and aspirations. For real or otherwise, a lot of them have fled the country through many legal or illegal routes. Often times the threats of insecurity posed by cultism is real. This is the bait that human traffickers use to lure Nigerian youths (boys, women and girls) into slavery abroad. For example, the Canadian Immigration and Refugee Board (IRB, 2016) often requests information from Nigeria to confirm asylum seekers who tender the claims of cultism at home.

The trial of the "Authentic Sisters" in Paris between May and June, 2018 threw up a veritable link between cultism and human trafficking. Even though the report writer (Jocard, 2018) used the terminology voodoo, it is significant to note that cultism forms, at least for the purposes of securing compliance to the oath of secrecy, a part of it. The women plaintiffs said to the court that before leaving Nigeria they were taken to voodoo priests, some of whom used body scarification in a ritual to "seal" the women's contracts with their traffickers. Other women were told they were haunted by "bad spirits" and must pay their traffickers upwards of €70,000 for protection. Plaintiffs testified that both the voodoo priests and their traffickers warned them not to tell anyone about the payments. They would face extreme punishment for talking to the police, and family members might be killed. As a result, cultism has conveniently been transposed into international

frontier of human trafficking as a necessary chain of securing compliances to oaths sworn to by trafficking victims abroad.

Whatsoever circumstances (peer pressure, parental pressure, and deception by traffickers or outright force by cultists) that led Nigerian girls and women into Europe, human trafficking provides the link to sexual exploitation and prostitution and to a lesser or larger extent, cultism intermediates in the process. And invariably, trafficked women and young girls are complicit in the prostitution rings that operate between Nigeria as a point of origin and European destinations because they would not claim to not have an inkling of prostitution while travelling abroad. While abroad, the chances are high for falling out of favors with madams or things twisting the fate. A vicious cycle may set in because they know they cannot work in France without papers. They know that all people like them will end up in the street. For example, a defense attorney to one of the members of the "Authentic Sisters" organization claimed that his client was a prostitute for five years because her family said they could not eat, so she had to go to Europe and engage in prostitution. But after five years she became pregnant and stopped sex work, so the family sent two of her sisters to France to replace the lost income. Soon after, other families from Benin City asked for her to organize travel for their own daughters to join her. And that was how it became a form of business for her.

The prostitution business organized and run by madams between Nigeria and European countries is exemplified by the facts that emerged from the trial and sentencing of the 'Authentic Sisters' in France. According to Jocard's (2018) report released and carried in national news media in Nigeria on 21stMay, 2018, sixteen members of a mostly female network of Nigerian human traffickers known as the "Authentic Sisters", operating forced prostitution rings in France went on trial the previous week in Paris, facing their accusers as the trafficked women testified to being lied to, beaten and raped. The report has it that plaintiffs at the High Court of Paris began giving testimony on May 14 saying they were trafficked from Nigeria, abused and forced into prostitution. While eight women were testifying in the case, a total of 49 victims went forward. The defendants were tried for procuring and trafficking in human beings, crimes committed against the Republic of France. A social worker from a non-governmental organization (NGO), *le Bus Des Femme*, based in Paris was quoted as saying that "It is rare to get these many women to testify…These girls are often incredibly traumatized and terrified to speak out". Beneduce (2016) and Taliani (2012) present elucidations of the traumatic experiences of African migrant women and girls abroad, including coercion, fetishism and suffering.

Recognizing its wide-ranging effects on the Africa continent, the African Union Convention on Combating Corruption and Related Offences (Muna, 2004) includes prostitution is an example of criminal activities facilitated by corruption. The Act establishing the National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP) classifies the exportation from and importation of persons under eighteen years into Nigeria to be forced or seduced into

prostitution as a crime punishable on conviction to imprisonment for life (s.11(a, b)). The use of deception, coercion, debt bondage or any means whatsoever, inducing any person under the age of eighteen years to go from one place to another to do any act with intent that such person may be, or knowing that it is likely that the person will be forced or seduced into illicit intercourse with another person, or in order to gratify the passions of another person, procuring, enticing or leading away, even with such a person's consent, as long as that person is under the age of eighteen, is an offence liable on conviction to imprisonment for ten years without an option of fine (s. 12(a, b)). For arranging foreign travel which promotes prostitution, the Act provides for a term of imprisonment of ten years without an option of fine for any person who organizes or promotes foreign travel, which promotes prostitution of any person or encourage such activity (s. 16). When procuring for defilement of any person under eighteen years by threats, fraud or administration of drugs, the Act penalizes any person who causes another to take any drug or "another thing"[17] with intent to, stupefy or over-power such a person in order to enable any man, whether a particular man or not, to have carnal knowledge of such person commits an offence liable on conviction to imprisonment for ten years or a fine not exceeding N200, 000.00 (s.18 (d)). The Act makes additional provisions on kidnapping and abducting in order to commit culpable homicide; buying or selling a person for a purpose; unlawful forced labor; trafficking in slaves; slave dealing; conviction abroad; offences by aliens, etc. (ss. 20-26).

While sentencing the defendants in the trial of the "Authentic Sisters" in France to various terms of imprisonment on June 1, 2018 the president of the court in her ruling held that the 'Authentic Sisters' was an organization of great international delinquency, where victims are trapped in a "cycle of misfortune" and denouncing facts "of exceptional gravity", "which violate the fundamental principles of the Republic". The court sentenced fifteen of the sixteen defendants, including ten "madams" pimps, and seven men to prison up to 11 years in some case, for aggravated procuring and trafficking in human beings. All the men were in a relationship with the women. But it is important to note that prostitution is an international criminal activitiy.

In Nigeria, the response to and impact of the arrest, trial and sentencing of the 'Authentic Sisters' was cold. The attitude of the media, particularly their silence on the reported case could indicate a feeling of unbelief and embarrassment on the part of Nigerians and the authorities. As a result of this, the response in the media on the trial of the "Authentic Sisters", a cartel of human and sex traffickers was very sketchy. In response to Jocard's (May 20, 2018) report of the trial, only the News Agency of Nigeria (NAN), a federal government international media outfit, reproduced the report. It was almost verbatim. Next was the Punch Newspaper, which carried an Evening Newsletter headline, "We were raped and abused, Nigerian prostitutes testify against their traffickers in Paris", which was published on 22nd May, 2018. The contents were the same as those in the original media report presented by Jocard (2018) on 21st May in Paris at the next hearing in the case. An online news source (nan.ng), which is suspected to be the internet-based version of

[17] Since the Act is not explicit on what 'another thing' is, it is suspected that it may have contemplated the use of juju, voodoo, magic, sorcery, etc., which are commonly believed in from this part of the world to commit the crime.

the News Agency of Nigeria (NAN) already cited, also recycled the report of the trial on 24th May, 2018.

A careful search of most respected media outfits in Nigeria, such as The Guardian, Sun News, THISDAY, Daily Trust, etc., including the web site of the National Agency for the Prohibition of Traffic in Persons and Related Matters (NAPTIP), did not report any press articles, briefs, analysis, reports or any documentation on the reported trial of the sex traffickers. There was also a total silence on the court session that sentenced the 'Authentic Sisters' and Nigerian pimps to up to 11 years in prison. This silence could be explained from the sometimes complicit relationship between Nigeria media owners, journalists and authorities to kill stories considered injurious to persons or authorities. Skjerdal (2010) and Nwabueze (2010), among other researchers argued that there is a link between the phenomena of brown envelopes, bribery, corruption and journalism in Africa.

DISCUSSION & CONCLUSION

The significance of this study to policy, safety and structural challenges associated with cultism (e.g. unabated killings, violence, insecurity and fundamental human rights abuses due to lack of political will on the part of the state to prosecute cultists, human traffickers, etc) lies in the very nature and ubiquity of cultist values and structures that have been allowed to permeate every strata of society. Those in the positions of authority to fight cultist groups, such as politicians, lawyers, law makers, administrators and the civil society appear to be complicit in the promotion of cultism. Thus, cultism has mushroomed and settled in the operations of many parastatal/workplace organizations, homes, schools, colleges, universities, the judiciary, streets/communities, political arenas and creeks. The elevation of cultism in Nigerian society is evident therefore, in the inability of law enforcement agencies to fight against it in spite of its implications on peace, security and stability of the social order. Otherwise, it should be easy for the security agents to beam searchlights into the membership registers of cult groups to ascertain those involved and begin the enforcement of extant laws from there.

The nature of the subject-matter of this research could have initially elicited doubts as to whether what is secret can actually be scientifically verified using objective criteria. The study has however, provided answers to this nagging ontological concern. In doing so, the study has adequately recognised issues associated with the appellation 'secret cult' and argues that cultist groups are invariably criminal groups engaged in criminal enterprises.

Cultist groups have existed in Nigeria since pre-colonial times and have mushroomed from being part of providing security to the people of the communities to being violent criminal entities. From being community-owned and operated they were first introduced into the university campuses, whose ideology was well stated but interpretations of same have become

contentious against the various splinter groups that subsequently emerged. Internal strife within the Pyrates Confraternity in the early 1970s (because though fighting elitism yet it became elitist with a clear line of authority and perquisites) gave birth to several other 'secret societies' that have continued to torment citizens to date.

It can also be concluded that the reinforcements given to secret cults were mainly from alumni associations of ex-cultists and cult groups as well as community cults which play a more or less 'grand jury' role in cultism fights. Cults became instruments of state oppression against real and perceived enemies of those who control state power. The instrumentality of cultism became a veritable source of bad politics on campus, communities and public institutions through which to access undeserved positions and other opportunities as well as the governance of resources. Various forms of crime, such as cultism are a development challenge (Shelley, 1981). Thus, the claim of secrecy of cultism is irredeemably questionable as evidences of their covert and overt criminality are obvious which invalidate their claims of invisibilities. That they carry out nefarious criminal activities in secret places- forests, dark alleys and other relatively obscure locations is an objective fact verifiable by their own testimonies and/or confessions as well as police reports of these. They also engage in bizarre, occultic rituals in which they use blood, incantations and force in order to coerce their victims to submit to their demands. In the process, their victims are scared and become fearful. Beneath all these pretentious appearances lie the financial profit motives, which form parts of economic crimes.

The modernization of cultism[18] in schools, colleges, universities, creeks and communities and the tendency by cultists to 'spiritualise' their operations should be understood in the context of deepening poverty, unemployment, avarice or greed among the teeming youths of Nigeria. Otherwise, how does one explain the place of dangerous weapons, such as guns, firearms and ammunitions, bombs and other elements such as machetes, axes, arrows, knives, clubs, etc. in executing inter- and intra-cult wars, violent conflicts with law enforcement agencies or the instances of rape, maiming and killing of opponents or their victims?

There are two levels of understanding cultism- first, psycho-spiritual, which involves what Linnell (2018), explains as a gradual, persuasive engagement and appeal by cultists to get one into their web. Ultimately, it constitutes deceit. The second has to do with the use of force, which by this time an individual is already a captive. Threats that something bad is going to happen to the victims if they reveal the secret or they fail to keep to the terms of the contract are employed to keep them in their stronghold- mentally and physically. The prodding process instills fear in the desperate victim.

Cultism is conceived as a direct bad by-product of mismanagement, corruption and inequality. Governments' planning frameworks have not responded to crime and cultism as cross-cutting

[18] Though cultism should be viewed as a distinct practice, it rarely can be distinguished from elements of voodoo, witchcraft, magic, sorcery or other forms of spiritism.

issues that require consistent inter-sectoral thematic attention. Cultism therefore, constitutes the many fall outs of the dislocations in the opportunity structure of society. Its internal disorder, disorganization or incoherence, observed in inter- and intra-cult conflicts/rivalries depicts the illegitimacy of the criminal sub-culture based on unequal illegitimate opportunity structure (Cloward & Ohlin, 1960 and Shaw & Mckay, 1942) within the groups. The organization and management of illegitimate criminal opportunity structures by criminal gangs is by and large premised on a Lord-Serf relationship, where mentoring relationships are developed between newly recruited and older members. Cult gang groups are located within and control specific ecologies (turfs). Cult membership belongings at university, creek, community or occupational levels in spite of all the rigors associated with the rites-de-passage processes facilitates in some instances, the needed access to jobs, contracts or promotions- in the long-run. This explains the somewhat complex webs of relationships in the community or workplace in terms of the distribution of opportunities or the rapid 'successes' of certain persons against the others. In effect, if someone gets a job by riding on the back of a cult organization, there is the tendency for them to also control the person's income as well.

In particular, Cloward & Ohlin (1960) sought to explain the different kinds of criminal subcultures they identified in contemporary America as 'illegitimate opportunity structure' by looking at the alternative notion of Merton's (1958) work on the 'legitimate opportunity structure', which he meant by the socially acceptable means to achieving the socially defined goals. Just as the legitimate opportunities are blocked for many people, so also are the illegitimate opportunities to rise in the criminal career. The criminal subculture is based on organized crime (e.g. the mafia) where career criminals can socialize youths into their own criminal career that might result in material success. In terms of conflict subculture, gangs are organized by young people themselves, often based on claiming territory from other gangs in so-called "turf wars". Those who are unable to access either legitimate or illegitimate opportunity structures might drop out altogether but might do so as a group rather than individually and form retreatist subcultures based on drugs or other vices, such as cultism.

A community plagued by cultism offers the police investigative and prosecutorial skills a challenge as they are believed to lack the essential skills and morals to engage in thorough assessment of the links between cultism and other crimes, especially novel ones like people trafficking. This thus affects the effective prosecution of suspects before Judges and Magistrates. Like some interested judges, police acceptance and benevolent dispositions towards secret cults questions their ability to justifiably handle cult offences.

On the part of the judiciary, the failure to effectively fight against cultism coupled with the lack of administrative judicial frameworks to ease prosecution question its disposition towards cult-related cases. Extant laws enacted against cultism did not distinguish between cults and violent cults. But that a crime is committed by a cultist does not translate that offence to one of cultism.

The 'circumstances' of the crime, including possession of cult regalia, artefacts and insignias, etc., must be the distinguishing criteria for associating a particular crime with cultism. In criminalising the conducts of cultists, existing laws are however, unable to say when a person is a cultist and when he is a criminal suspect. There are yet to be seen instances in which individuals are convicted for consulting a shrine, temple or any priest who enters into oath-taking agreements with their clients. Thus, the state's representatives are unqualified to investigate cult crimes, except for such as prostitution, rape, arson, murder, human rights abuses and human trafficking.

Furthermore, the prevention or control of cultism cannot be effectively achieved without having a multi-sectorial approach to it. For example, where force is involved, s.11 of the Terrorism (Prevention) Act, 2011 is applicable. It provides that a person who knowingly (a) seizes, detains or attempts to seize or detain; or (b) threatens to kill, injure or continue to detain another person in order to compel a third party to do, abstain from doing any act or gives an explicit or implicit condition for the release of the hostage, commits an offence under the Act and shall on conviction be liable to imprisonment for a maximum of ten years, where a third party means a State, an international organization, a natural or legal person or a group of persons, such as the "Authentic Sisters", operating in France.

Since cultism is now connected to human trafficking as a form of cross-border crime, the place of Mutual Legal Assistance and Extradition becomes more significant. With existing international instruments that Nigeria is signatory to, such as the African Union Convention on Preventing and Combating Corruption, the United Nations Convention Against Corruption, Financial Action Task Force (FATF)'s 40 +9 Recommendations, UN International Convention for the Suppression of the Financing of Terrorism, UN Convention on Transnational Organized Crime, the UN Global Counter- Terrorism Strategy and 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplements the UN Convention against Transnational Organized Crime, Nigeria is better placed to make a request for assistance in the investigation or prosecution and/or even extradition of suspects. This is why the cold-shouldered media and government responses[19], to the conviction in a Paris court of the syndicate of women and men involved in the criminal procurement of Nigerian girls for prostitution abroad, especially in Europe, is worrisome.

The impact of violent cultism on Nigerians is more than psychological or physical. It includes the desperation among many of them to seek asylum abroad. While some of them are coerced into signing accords to repatriate moneys earned abroad to their benefactors- the Madams, patrons, etc., the majority of them could be victims of deception and fraud. Oftentimes, cultism

[19] The web site of NAPTIP, government's frontline agency that fights against human trafficking did not carry the news as at the time was published.

conflicts are exported abroad and re-imported home as the "Ozobulu" massacre of thirteen worshippers at a Catholic Church in Anambra State on the 6th of August 2017 has shown.

To reduce to the barest minimum all forms of cultism, especially when associated with violent criminality, the need to open up the social structure of opportunities is more than urgent. That is, the more equitable the distribution of opportunities and resources to citizens comes without discrimination on the basis of gender, political leaning, religious affiliation, ethnic origin, language, region or socio-economic status, the less the temptation by those left out of the 'wellbeing' structure to create cultism as a platform of negative influence to agitate for opportunities or to even become vulnerable victims in the hands of traffickers.

REFERENCES

Adewale, K (2017, July 18). Taming the Badoo Cultists. Lagos, *The Punch*, p.7

Bell, D. (1973). The Coming of Post-Industrial Society: A Venture in Social Forecasting. New York, USA: Basic Books

Beneduce, R (2016). Traumatic pasts, and the historical imagination: Symptoms of loss, postcolonial suffering, and counter-memories among African migrants. *Transcultural psychiatry* 53, 3: 261-285

Cloward, R.A & L.E. Ohlin (1960). *Illegitimate opportunity structures.* New York: The Free Press

Cohen, A.K (1955). *Delinquent Boys: The Culture of Gang*. Glencoe: Free Press

Denga, D. I. 1993. Student counselling as a major solution to campus unrest in Nigeria. In: O. Animba, D. Denga & P. F. Omoluabi (Eds.). *An Appraisal of Student Unrest in Nigeria*. pp 139 - 148. Enugu, Nigeria: ABIC Publishers.

EDSG (2000). Edo State Government of Nigeria Secret Cult (Prevention) Law, 2000. Law No. 18

Eister, A. w (1972). An outline of a structural theory of cults. *Journal for the scientific study of religion* 11, 4 (December): 319-333

Ellis, S (2016). *This present darkness: A history of Nigerian organized crime*. London: Oxford University Press

Fadipe, N. A. (1970). *The Sociology of the Yoruba*. Ibadan: Ibadan University Press

Fatunde, T (2011). Nigeria: Student cultists arrested for trafficking. *University World News*, Global Edition, September, 11

Federal Government of Nigeria (FGN, 1990a). *Penal Code (CAP 89, 345): Laws of the Federation of Nigeria 1990*. Lagos: Federal Government Printer

Federal Government of Nigeria (FGN, 1990b). *Criminal Code Act(CAP 77): Laws of the Federation of Nigeria 1990*. Lagos: Federal government Printer

FGN (1989). *Students Union Activities (Control and Regulations) Decree No. 47 of 1989* Lagos: Federal Government Printer.

FRN (1999). *The 1999 Constitution of the Federal Republic of Nigeria*. Lagos: Federal Government Printer.

FRN (2006). *Public Service Rules 2006*. Abuja: Federal Government Printer

FRN (2013). *National policy on child labour*. Abuja: Federal Ministry of Labour & Productivity

HRW (2007). Criminal politics: violence, "godfathers" and corruption in Nigeria. NY: *Human Rights Watch* October 11, 2007.

Immigration and Refugee Board (IRB, 2016) Nigeria: The Eiye confraternity, including origin, purpose, structure, membership, recruitment methods, activities and areas of operation; state response (2014-March 2016): *Canada: Immigration and Refugee Board* April 8, 2016

Jocard, A. (May 20, 2018). Nigerian victims face their human traffickers at Paris trial. *The Associated Free Press* (AFP)/France 24 International News 24/7

Jung, C. G. (1957). *The undiscovered self*. London & New York: Rutledge Classics

Kupoluyi, A (August 24, 2018). Curtailing violent cult clashes. Lagos: *Vanguard Newspapers*

Linnell, R (2018). Cults. Why it took me five years to realize I was in a cult. Article originally appeared in *VICE* Canada. August 10

Martin, W (1985). *The kingdom of the cults.* USA: Bethany House Publishers

Merton, R.K (1968). Social structure and anomie. *American Sociological Review* (3): 672-682

Muna, A. T (2004). *Understanding the African Union Convention on Preventing and Combating Corruption and Related Offences*. Berlin: Trasparency International

NMP (2015). National Migration Policy. Abuja: The Presidency

Nwabueze, C. (2010). Brown envelopes and the need for ethical re-orientation: Perceptions of Nigerian journalists. *Bribery and corruption in African journalism,* 3 (3): 497-520

Ogunbameru, O.A (ed., 1997). *Readings on campus secret cults*. Ile – Ife: Kuntel Publishing House.

Ogunsanya, M. (2000). The impact of campus cult organisations on university administration: A case study of the University of Ibadan, Nigeria. In: Lebeau Y & Ogunsanya M (Eds., 2000). *The dilemmas of post-colonial universities*. Ibadan: IFRA/ABB, pp. 75-92

Okoro, U. E (2010). Cultism in Nigerian societies: Causes and effects. Department of Sociology, University of Abuja, Nigeria. *Mimeo.* October

Onyechere, I (2011). Campus sense. Abuja: Exam Ethics Marshalls International

Onyechere, I (Ed, 1998). *Campus cults: The true story*. Abuja: Federal Ministry of Education

Onyechere, I. (Ed., 2006). *Campus sense: Anti-cult information handbook for students*. Abuja: Exam Ethics Project Abuja

Opaluwah, A. B (2000) Cultism and Nigerian Campuses: The Way Out. Abuja atayibabs@yahoo.comAbuja.

Scott J & G. Marshall (Eds., 2005). *Oxford Dictionary of Sociology*. Oxford: University of Oxford Press

Shaw, C.R and H.D Mckay (1942). *Juvenile delinquency and Urban Areas*. Chicago: University of Chicago Press.

Shelley, L. I (1981). Crime and modernization- The impact of industrialization and urbanization on crime. IL, Carbondale: Southern Illinois University Press

Simmel, G (1906). The Sociology of Secrecy and of Secret Societies. *American Journal of Sociology*, 11, 4 (Jan., 1906): 441-498

Skjerdal, T. S. (2010) Research on brown envelope journalism in the African media. *Bribery and corruption in African journalism*, 3 (3): 367-406

Smah, S O (May, 2001). Perception and control of secret cult and gang-induced difficulties for quality living and learning in Nigerian universities: The case of universities in the Middle Belt zone. *A Final Draft Research Report submitted to the Association of African Universities (AAU),* Accra, Ghana. November 2001

Smah, S. O. (2003). Campus cultism and violence: Implications for university management. *Nigerian Sociological Review* 1, 2:17-57

Smah, S. O. (2006). Combating campus cult violence in Nigeria: The essential issues to consider in legislating an effective prevention and control framework. Paper presented at a Stakeholders' Retreat organized by the Senate Committee on Education held at the Rockview Hotel, Wuse II on 20th September, 2006.

Smah, S. O. (October, 2017). Draft Main Report of the Cultist Groups in Nigeria Study, submitted to IFRA Ibadan, October, 2017

Smah, S.O (1998). Campus deviance in Nigeria: Types, extent and control. 'Research Brief'. University of Jos, Nigeria *CDS Newsletter*. 1 (2) April, pp.3-4

Sow, F. (1998). Elite formation and the restructuring of higher education in sub-Saharan Africa. *Report of International Conference*. Ibadan: IFRA

Taliani, S (2012). Coercion, fetishes, and suffering in the daily lives of young Nigerian women in Italy. *Africa* 82, 04 (November): 579-608

Tamuno T. (1989). Nigeria: Its people and its problems. Lagos: *The Panel on Nigeria since Independence History Project*; 1989.

Thrasher, F.M. (1927). *The Chicago Gang*. Chicago: University of Chicago Press.

Truong, T (2006). Poverty, gender and human trafficking in sub-Saharan Africa: Rethinking best practices in migration management. Paris: *UNESCO*

Umukoro, E (November 29, 2018). Cultism: Journalist alerts on increasing involvement of females. Lagos: *Vanguard Newspapers*

UNAIDs & UNICEF (2012). Children on the brink 2002. Washington DC: USAID

UNAIDS (2002). Beyond selling sex for survival: Nigerian research-action case study. NY: *UNAIDS-Uniting the world against AIDS*

UNICEF & NAPTIP (2005). *Situation assessment of child trafficking in eleven southern Nigerian states*. Abuja: United Nations Children Fund

Usman, U. S (2008). Cultism in Nigerian universities: an analysis of etiology and structure. EDNA: *African Journal of Modern Society* 1, 1: 103-112

Wolfgang M.E. & Ferracuti F. (1967). *The Subculture of Violence*. London: Tavistock