

A comparative analysis of African traditional method of curbing crime and the EndSARS protest in Nigeria

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ABSTRACT: The Nigerian police as a law enforcement agency is saddled with the responsibilities of protecting lives and property and maintenance of law and order in Nigeria. It is noteworthy that the Nigerian Police set up Special Anti-Robbery Squad (SARS) to fight the high rate of Armed Robbery and other criminality in the country. Consequently, the manner in which it carried out its duties resulted in the Nigerian youths protesting for the squad to be disbanded with the slogan 'EndSARS'. It is observed that during the protest, Nigeria became restive that finally led to the loss of lives and property. The paper focused on how religion, particularly African Traditional Religion has provided a fulcrum on which social and moral control of the youths revolve with the aim of forestalling future occurrence of EndSARS protest in Nigeria. The work used a phenomenological approach. It was descriptive and analytical. The writer collected data from primary and secondary sources. It was discovered that social control in the traditional societies randomly selected by the writer was religiously inclined and moral laxity was frowned at owing to its attraction of the wrath of the gods on the offenders and the entire village and community if the culprits were not given appropriate punishment. While in a secular country like Nigeria where enforcement of morality has no link with religion, the contrary is always the case. The writer recommended that police brutality should be abolished in this country; rather the police and the youths should apply their African traditional religious tenets in all their doings which will not only checkmate crime but also help in forestalling future occurrence of EndSARS protest. To ensure justice and peace, victims of police brutality have to be compensated.

Keywords: EndSars, Nigeria, sanction, social control, youth.

INTRODUCTION

In traditional societies, there are mechanisms put in place to exert social control on the moral conduct of the people. Prior to the introduction of the police in Nigeria by the British in 1861, the Africans had no need for police due to their belief that the gods were their policemen. Apart from that, the customs and traditions of the people were sanctioned by the ancestors and the gods, which made it difficult for the youths or any other person to protest against the gods and ancestors that were the policemen of the people (Kudadjie, 1983). The emergence of modern police has led to the decline of traditional policing and has promoted police brutality and other inhuman treatments that are the major causes of EndSARS protest. According

to Effoduh (2020), between 2017 and 2020, Special Anti Robbery Squad (SARS) operatives perpetrated 82 cases of torture of which their victims were mostly between 18 and 35 years.

The paper focused on the youths on the account that the youths were mostly the victims as well as the architect of EndSARS protest which was a reaction by the youths against what they claimed to be police brutality. Prior to the protest, there was a massive complaint by the youths against SARS whom they accused of brutality, harassment, incessant detention, frequent arrests, beating, seizure of personal property, extortion and even unwarranted allegations against their perceived suspects

that were mainly the youths. This led to national youths' protest against police brutality popularly known as EndSARS protest. It is true that EndSARS protest has come and gone but the scars it left on Nigerians are unimaginable. The political leaders, the police, civil servants, businessmen and women and even a common man on the street are still counting the losses and woes. Some people are pessimistic based on the hopeless situation, high rate of insecurity, wanton destruction of property, reckless killings of policemen and soldiers on duty as well as senseless carting away of ammunition from police and military to say that this country cannot recover from the huge losses occasioned by the EndSARS protest. The EndSARS protest is attributed to bad leadership while the leaders pointed accusing fingers at their perceived political enemies as sponsors of the nationwide protest and also blamed the high rate of unemployment of the youths as one of the remote causes. However, no matter how true the above hypothetical statements may be, no one should neglect religion as a force for change. Therefore, the writer examined EndSARS protest from the African traditional religious perspective with the aim of finding how religious belief has checkmated youths' tendencies to commit crimes in order to avert future occurrences of EndSARS protest.

Conceptual clarification

Youth is a state of being young which means that youths are not advanced in age, growth, experience and development (Tsado, 2018). Akam (1995) notes those youths are naturally ambitious and impatient, these make them vulnerable to crime, violation of rules and regulations, breaking of norms and disregard for law and order. Youths belong to vulnerable groups that are crying for justice. The term youths in this context are young adults that have reached the age of maturity. They are people that have attained the age of taking responsibility for any action they have taken.

Nwala (1985) avers that "sanctions are the means whereby the customs are protected by making sure that any infringement of them is punished". It is a means of checkmating reckless human conduct by ensuring that everybody complies with the rules and regulations that govern society. Anyacho (2005) says that sanction is a deterrent to offenders and others that will likely commit the same offence. It is a disciplinary measure that is meted out to an offender with the aim of discouraging further perpetration of the same crime. Sanctions are denial of food, clearing a portion of the grass, uprooting of trees, flogging, ostracism, and stoning. Sanction is used in this paper to describe the reward and punishment given to a person for doing good and committing offence respectively. It is an action aimed at encouraging good deeds and discouraging bad actions.

The grammatical expression known as EndSARS is a combination of an English word End and an acronym SARS. The English verb End means to eradicate, terminate and abolish something that is undesirable while SARS is an acronym for Special Anti-Robbery Squad. The word EndSars literally means to eradicate, abolish, proscribe and terminate SARS. Uwazuruike (2020) states that EndSARS is "a call for the disbandment of Nigeria's Special Anti-Robbery Squad (SARS), a unit of the Nigerian Police Force that has earned notoriety for its brutality and human rights violations". It is a demand for law enforcement agencies to respect the rule of law, respect for human rights, provision of democratic dividends, revival of educational and health systems and creation of job opportunities (Ojewale, 2020). EndSARS protest is a means by which the Nigeria youths drive home their disaffection on a nation that is marred by dysfunctional police force, corruption, bad leadership, joblessness, nonchalant attitude to the welfare of the masses, poverty, inflation, lack of social justice, lack of respect for human rights and selfishness among some members of political class in this country. The term EndSARS is an arm of the police that has deviated from the lofty aim for which it was set up to engage in violating the rights of the youths as well as subjecting them into various inhuman treatments.

Uche (2011) maintains that social control is the mechanism in which society controls the behaviour of its members. Suprasocial control is the power of religion to exercise control over the behaviour of its adherents. Social control covers every aspect of human behaviour. Okwueze (2003) affirms that social control is a "traditional means of maintaining, protecting, rewarding morality and punishing immorality...." Social control is a mechanism put in place in traditional societies to check crime and promote the observance of law and order among the people.

Theoretical framework

This section will examine theories propounded by people on the power the state has to maintain peace and order in society. The state created the police for the enforcement of law and maintenance of order (Ezeibe and Eze, 2012). However, based on the social conflict theory propounded by Karl Marx, the police were created to serve the rich at the expense of the poor. The police are not only interested in repressing the poor and the powerless but also in protecting the rich and the rulers. For Izibili (2004), the second school of thought holds that the state is justified in its power to enforce law and order so that the state will not degenerate into anarchy. Based on Thomas Hobbes state of nature where might is right, state without power in restraining the behaviour of its citizens, enforce law and maintain order will soon be in state of nature that is insecure, nasty and brutish. Perhaps, this prompted Agha (2003) to argue that God ordains the state for sanctioning

of social life and human conduct whether good or bad.

Omeregbe (1993) notes that the retributive and utilitarian theories influence the administration of punishment to offenders in society. The retributive theory maintains that offenders must be punished as compensation for the order that has been broken and the utilitarian theory is not concerned with the punishment of offenders for the sake of punishment, rather it is interested in the usefulness of the punishment to the offenders and the public. The utilitarian theory consists of reformatory and deterrent theories. The reformatory theory insists that reformatory punishment is geared toward reforming the character of the offender with the intention of making him a better person and the deterrent theory argues that punishment is designed to serve as a deterrent to those that will commit similar offences. The paper made use of the deterrent theory which is suitable for this work considering the fact that in traditional societies, punishment is not meant to reform character, rather punishment is aimed at serving as a deterrent to people that will want to commit the same offence.

BACKGROUND TO “EndSARS PROTEST” IN NIGERIA

The modern police system in Nigeria owes its origin to the Colonial Government that annexed Lagos and in a bid to protect the European occupied city from the aggrieved indigenous rulers formed armed police force in 1861 that comprised 25 Hausa men whose loyalty to the British was more than their loyalty to the local rulers. The British used the police in subduing perceived stubborn communities to accept British rule. It was common among the police force to use force in suppressing dissent voices. For instance, the Aba Women’s War of 1929, the General Strike of 1945 and the Enugu Colliery Strike in 1949 were resisted by the Colonial Government (George, 2020).

The Special Anti-Robbery Squad was formed in Lagos in 1992 with the mandate to combat Armed Robbery in Lagos. Members of SARS carried out their operations on plain clothes and plain vehicles without arms. Their duty was to facilitate arrests of criminals and armed robbers. It was pertinent to note that it was from Lagos that SARS spread to other states in 2002 with the mission of arresting, investigating and prosecuting suspected armed robbers, murderers, kidnappers, hired assassins, and other violent criminals. However, the unit began to abuse office by setting up roadblocks where they extorted money from people. The SARS’ officers started to carry weapons which they used in extrajudicial killings, torture, arbitrary arrests and unlawful detention (Amnesty International, 2021). The SARS as a unit in the Nigeria Police (NP) were influenced by the challenges that hampered the effective discharge of duties expected of the Nigeria Police which are corruption, brutality, poor relationship between the communities and the police, poor recruitment strategy, inadequate training

of recruits, poor working conditions and inadequate welfare package (Dambo *et al.*, 2022). Apart from that, there is an outcry by Nigerians that the federation is under policed due to the number of police is grossly below what it should be in a populous country like Nigeria coupled with the large geographical area called Nigeria makes it difficult for the police to handle crime at the grassroots, this has necessitated the campaign for decentralization of the police. In addition, the Police lack adequate arms that will compete with the sophisticated arms used by the hoodlums in carrying out criminal acts. However, these factors may be behind the alleged brutality by Special Anti-Robbery Squad on the youths.

The Nigerian youths and EndSARS protest

The EndSARS protest started after the angry youths saw the video of a young man who was shot by the police officers suspected to be members of the disbanded SARS in Delta State. It was on 8th October, 2020 that EndSARS protest was executed by the youths on the grounds that they had been unfairly brutalized by SARS. They carried out nationwide protest against SARS and demanded its disbandment. The slogan EndSARS came on board in 2017 which was used by the youths to share their experiences of assaults and violence by SARS before the actual protest (Haynes, 2020). However, based on the fact that EndSARS protest started in Southern Nigeria, Northern Politicians and Pro-Muhammadu Buhari’s group interpreted the EndSARS protest as a strategy by the Southerners to topple the administration of President Muhammadu Buhari (a Northerner). This political propaganda discredited the EndSARS protest that took place in Northern Nigeria like Kano and Sokoto and other parts of the north (Reliefweb, 2021).

Factors that are responsible for the EndSARS protest

Perhaps the high rate of unemployment as of the second quarter of 2020 indicated that the majority of youths were idle looking for an opportunity to openly showcase their anger against the political leaders that were unable to provide employment for the teeming unemployed youths. The Bureau of statistics revealed that out of 21.7 million unemployed youths, 34.9 per cent were young people between the age of 15 to 34 and they occupied 28.2 per cent of 22.9 million underemployed Nigerians (Ojewale, 2020). Unfortunately, the youths have passed through two consecutive global recessions, protracted military rule that lasted till May 29, 1999, corruption, Covid-19 and ASUU’s (Academic Staff Union of Universities) strike that inflicted trauma on the youths (Effoduh, 2020). This sorry state of affairs in the country made the country looks like a person

who was sitting on a keg of gun powder waiting for the time it will explode and there was no better time than the time EndSARS protest kicked off. There is a connection between unemployment and crime; following the adage that the idle mind is a devil's workshop. More often than not, some youths between the age of 15 to 34 are notorious for committing one crime or the other like armed robbery, stealing, internet fraud (yahoo boys), ritual killings, cultism, kidnapping, banditry, insurgency and other criminal acts which exposed them to incessant encounter with the Special Anti-Robbery Squad, hence the protest for its disbandment. This accounts for the dominant role played by the youths in EndSARS protest in Nigeria. However, it does not mean that every unemployed youth must be a criminal as thought by some officials of SARS which prompted them to brutalize the innocent youths which was seen by the youths as injustice. The EndSARS protest was similar to the Aba women's riots (Women War) in 1929 that was caused by colonial masters' unjust imposition of tax on Southern market women which lasted for over two months. The protesters that were mainly women attacked colonial shops, banks and razed courts (Olaoluwa, 2020). This protest shares things in common with EndSARS protest, for example the injustices meted out to both groups are injustices against the vulnerable groups of society. Adegoke (2020) claims "Young Nigerians, particularly anyone with signs of wealth but no obvious links to power, are regularly targeted and "arrested," and their only hope of release is paying an extortionate amount of cash".

CURBING CRIME IN NIGERIAN TRADITIONAL SOCIETIES

Religion is a powerful force for social and moral control. Adherents of a given religion are expected to refrain from deviant behaviour and obey norms given their connection to the respective creed. Consequently, divine judgment on evildoers deters some believers from committing crimes. Religious social control may be in form of informal sanctions: ostracizing, shaming, shunning the offender, confession, exclusion or ex-communication. Nevertheless, in modern society, the means of executing formal sanctions lie within the law and religious courts (McGuire, 1997). Religion legitimizes norms and laws of society by conferring supernatural powers on them, thereby authenticating them as means of social control on the citizens (Adamu and Victor 2013).

In primal societies, there was no distinction between the sacred and the mundane which underscores the interrelatedness between social sanctions and religion. The traditional rulers are not only political rulers but also the custodians of the people's culture, customs and tradition. They maintain peace and order in their communities by coercing their subjects to obey their

culture, customs and tradition (Ogungbile and Awoniyi, 2015). They are the chief security officers of their kingdoms; this is why the security of lives and property revolves around the traditional rulers. The principal items that are prerequisites for peace and order to be realized are culture, customs and tradition. Culture in this context is the way of life of the people that are held in the highest esteem. Custom is the unwritten law from which the negative commandments are derived. The negative commandments are the taboos that play a key role in social sanctions. Taboos are the negative commandments that should be avoided by members of the community (Abanuka, 1994). Taboos are the do's and don'ts of society which are holistic and cover every aspect of social relationships and religious practice; they are used to strengthen the unity of society (Onyeidu, 2001). Every rural community has taboos which is a prohibition people are forbidden from breaking (Quarcoopome, 1987). In the past, people observed taboos and kept the covenant made in order to avoid being treated as criminals (Iwuagwu, 1996).

Among the people of Ibibio, *Abasi* (God) punishes sinners for every sin committed. Sinners are those that have deviated from the moral code (Offiong, 1991). The divine sanctions that are imposed on evil doers by the deities and ancestors are epidemics, death, famine, drought, floods and accidents. There are offences that require atonement and confession. Atonement is the sacrifice of animals for the remission of sins (Turaki, 2001). They demand sacrificial items that are difficult to provide with the intention of discouraging people from committing offences, particularly abominable offences. Confession of sins especially public and open confession is another kind of punishment that attracts public disgrace and ridicule. It is pertinent to note here that confession is a sanction imposed on sinners before they can be forgiven by God. However, it reveals the penitent and remorseful disposition of the sinners in need of forgiveness and also it is a strategy for escaping from the wrath of God (Ubani, 2017). Community sanctions are selling into slavery, banishment, ostracism and refusal to sell and buy from notorious thieves, witches and "poisoners", propitiatory and cleansing rites, fines, replacement of damages and apology (Nwala 1985). The offender is fined which is restitution and substitution for the offence committed.

Okwueze (2003) asserts that "age grade" is another instrument of social sanction that punishes members that are guilty of stealing, disrespecting elders, beating up one's parents, drunkenness, laziness and disobedience to constituted authorities. The sanctions against such offences range from beating, fine, and warning to ex-communication. Imaekhai (2010) observes that secret societies like *Ekpe* society (leopard) among the Efik and some parts of Igbo land are respected for being agents of social control. The *Ekpe* during their performances make caricatures of evil people and warn them to desist from evil

acts or face the wrath of the spirits and ancestors whom they are their mouthpiece. Among the Yoruba, the *ogboni* and *egungun* (masquerade) are reputable for carrying out disciplinary measures against offenders. Yoruba people respect people that possess good character. A person who has good character is addressed as *Omoluwabi* given his possession of good character that are but not limited to honesty, truthfulness, faithfulness, loyalty, fidelity, probity, sincerity, commitment, dedication, peacefulness and kindness. It is held by the people that for a person to have a good character he must listen to his *eri* – okan (conscience) that is responsible for rendering moral judgment (Dzurgba, 2014).

Stealing is the greatest sin in Igbo land. It is an abomination for a person to steal; this underscores the grave sanction given to a thief. In Igbo land, youths that are found guilty of stealing are treated with contempt and can be isolated. Heads of families used to sell their family members that were notorious thieves into slavery and if the thieves were married women, their husbands and their families will send them back to their maiden homes and reclaim their bride price (Nwadike, 1997). Magic is a powerful means of catching a thief, particularly on the farm. There are cases in Igbo land where thieves that came to steal farm crops were caught by magical objects buried or hung at the entrance of the farms. The thieves under the influence of the spell started weeding the farm for three days or more before the owners of the farm were persuaded to remove the spell which they did before the thieves could be allowed to go. However, if the culprits are not caught the owners of the stolen items can invoke the gods that will arrest the culprits and force them to confess (Kudadjie, 1983). If the thieves are not caught, victims of stealing can lay curses on them using magical act which are capable of inflicting punishment on them; where they are caught, they can be paraded in the village with stolen items hung around their necks and passers-by curse them, ridicule and spit on them as a way of expressing their anger against the hoodlums. Thieves are stripped and paraded at the public square, on the roads and in the markets as a deterrent to others (Anyanwu, 2004, Uka, 1999).

Similarly, the Tiv people of Benue State have various means of enforcing morality which also serve as a mechanism for social control in the pre-colonial and post-colonial periods. The sacred pot (*swem*) is employed for the purpose of subjecting the offender to confess to the crime or risk the penalty of the *swem* which is revered as an embodiment of justice, truthfulness and honesty. It is believed that if an offender swore falsely with *swem* (object of oath-taking), the person will suffer from swelling of legs, swelling of stomach, severe headache which are capable of causing instant death (Gbenda 2002). The people of Tiv, Benue State of Nigeria have value for good character that is expressed in their local language as *inia i dedoo*. They frown at bad character and regard those that have bad

character as anti-social elements of society (Dzurgba, 2014).

This style of gleaning truth out of the mouth of the person who is guilty of an offence is popularly known as trial by ordeal which is common in most of the traditional societies in the country. The ancestors or the living dead are not left out in the enforcement of peace, order and protection of lives and property in Urhobo land, Delta State. Some of the acts that are punishable by the ancestors are adultery, incest, acts of brigandage, embezzlement, especially of family funds, and dispossession of another person's property like land. When any of these offences are committed, the ancestors punish the offender by inflicting sickness on his son which is unravelled by the help of *Oboepha* (Diviner). This serves as a deterrent to future offenders (Eriwwo, 1985). They also believe that evil doers are arrested by the gods and the ancestors known as *erivwi*. The person who is arrested by the gods or ancestors is identified by mysterious swelling of the body, especially if the person is guilty of committing incest, but if it is a woman who has committed adultery, the ancestors will punish her by making her husband and children fall sick. In a situation where the woman is pregnant, she will experience difficulty in child birth until she confesses her sin of involvement in adultery (Akpotor, 2015). More so, among the Owhe community in Isoko, in present Delta State, Nigeria, the *eto* – an instrument of retributive justice is believed to be an effective instrument of detecting witches, sorcerers, murderers and thieves by sending it against them to cause harm until they confess and plead for forgiveness (Onibere, 2015).

In *Mumuye* group (mumuye are presently located in Taraba State), there was a *vabo* cult that was responsible for the settlement of inter-village disputes. Later, *dogarai* that developed from *vabo* cult became the traditional police of the people. Also, in Kagoro, (Kagoro/Ogok people are located in Southern Kaduna), a group of people that are referred to as the ritual head priests (*nienci*) intervene in the settlement of disputes over land, hunting and rituals. The village priest is also responsible for settling disputes and restoration of peace among the *Gwari* people (the *Gwari*/Gbagi people are predominantly located in Kaduna. Others are indigenes of Niger State and Abuja) in Northern Nigeria (Tamuno, 1983).

CONCLUSION

There is a correlation between social control in traditional societies and modern society in the sense that both hate breaking of law which is considered a threat to the security of lives and property. It also causes a breach of order that is regarded as paramount for the growth and development of a given society. Law breakers are not allowed to go scot-free and they must be forced to suffer for the wrongs they have committed by the security agents. Those that have

violated the law are seen as people that have sinned against the State and may not attract any supra social sanction. This is why anybody who is not apprehended by the police is believed to have escaped justice. It is not so in traditional societies where gods, divinities and ancestors are the moral watch dogs of society and any offender that has escaped from being caught by humans cannot escape from the all-seeing and all-knowing gods and their messengers. One thing that is peculiar to the enforcement of law in traditional societies is that the agents of moral enforcement are not corrupt. They are believed to be gods' mercenaries and if they engaged in sharp practices they will attract gods' wrath upon themselves. Punishment served as a deterrent to others and there might not be any room for reformation on the grounds that if offenders were allowed to continue in crime as bad eggs they might pollute others, hence their banishment. In pre-literate society, not many people were educated which made massive mobilization of the youths through social media to protest against brutality by the traditional enforcement agents impossible.

Recommendations

The Ministry of Youths and Sports at both the federal and state levels have to partner with law enforcement agencies in sensitizing the youths on how to refrain from crime and be law abiding citizens. They should establish skill acquisition centres where the youths can acquire one skill or the other and some of them that have acquired skills already but have no money to establish businesses should be assisted financially.

The Federal Government is expected to decentralize the Nigeria Police (NP) and empower state governments to set up the State Police (SP) that will work concurrently with the Nigerian Police (NP) in addressing under-policing of the country, thereby avoiding setting up of Special Squads. The provision of good working environment and good welfare package for the Nigerian Police by the Federal Government cannot be over emphasized. This will help them to avoid the temptation of brutality, extortion and harassment of innocent youths. Political leaders are expected to be proactive and responsive to the cries of the youths in order to nip youths' protests in the bud. Again, the youths are not expected to rush to the streets at the slightest provocation without exhausting available means of resolving whatever difference they have with the Federal Government considering the huge loss that is associated with youths' protest.

The units of the Nigeria Police should shun brutality against the citizens on the grounds that a suspect is innocent until he is proven guilty. The police should arraign suspects and stop brutalizing them. Federal Government can enforce the law religiously by involving African traditional methods of social control in the maintenance of

order.

Federal Government needs to look inwardly by addressing the challenges raised by the youths such as lack of employment, bad leadership, lack of accountability, lack of democratic dividends, social injustice, lack of respect for rule of law, lack of respect for human rights, training and retraining of policemen, revitalization of educational and health systems in the country.

CONFLICT OF INTERESTS

The authors declare that they have no conflict of interest.

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