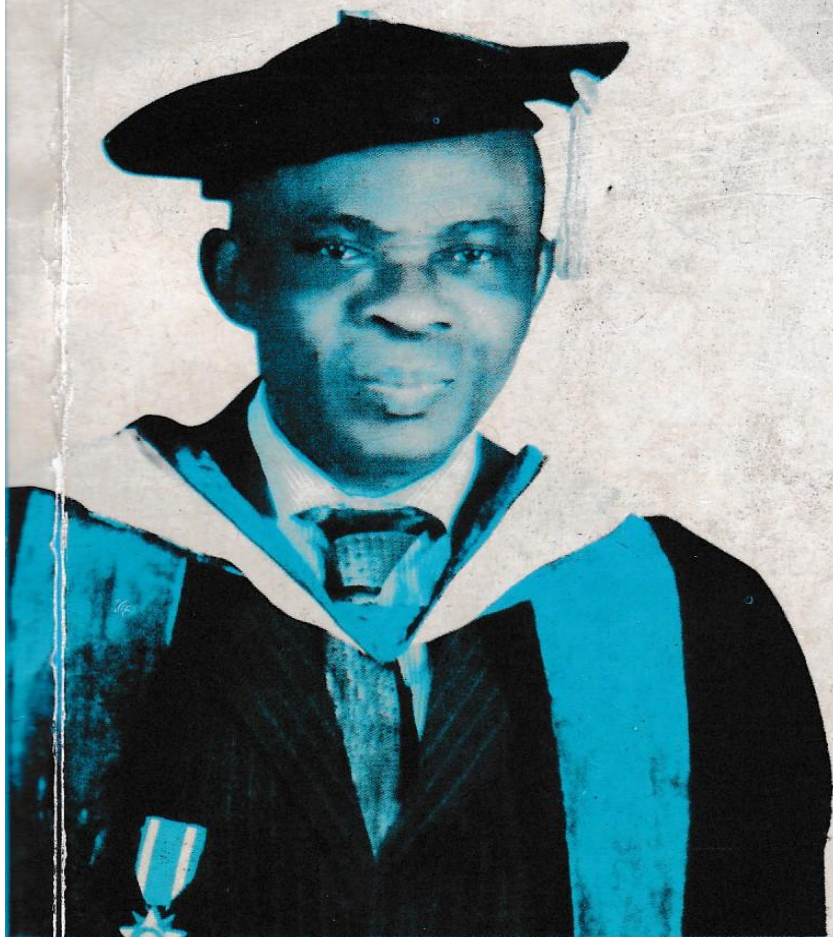


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**A COMPARATIVE ANALYSIS OF THE MECHANISMS OF
CRIME CONTROL FOR PUBLIC ORDER IN TRADITIONAL
AND MODERN SOCIETIES: AKWA IBOM AND CROSS RIVER
(AKWA-CROSS) IN FOCUS.**

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ABSTRACT

This chapter undertook a comprehensive study and analysis of the mechanisms of crime control for public order in the traditional and modern societies as they relate to Nigeria's Akwa Ibom and Cross River States. The study adopted the secondary method of data generation for the analysis based on information obtained. The study pointed at the traditional methods which were oriented specifically to Akwa Ibom and Cross River States with such variables as "Ekprie Akata", "Ekpe Society", "Iban Isong", "Age Grades (groups), etc and for the modern society the study directed its search lights on security agencies such as the Police, the Court, the Prison, the Custom and Immigration etc as well as the Mass Media. After due study, analysis and findings, the study recommended that for effective crime control to take place, there is the need to establish a coalition of key agencies such as schools, job creation, housing and effective law and enforcement agencies. Also, special task forces should be established to checkmate both traditional and modern crime incidences. In addition, crime prevention officers should be equipped with communication gadgets to enhance proper levels of public order and information management at both levels and lastly the orthodox method used in the traditional set up should be complemented with minimum weapons.

Introduction

For years, crime control has always been advocated by different governments and their agencies even when Nigeria as a nation was still under the British colonial control with its indirect rule system of administration. According to Box (2000), for some time now (in the last 3 decades or so), Nigerian society has been plagued with frightening crimes with the attendant consequences considered to be devastating and appalling. This unsavoury development has generated a lot of

concern amongst scholars, religious clerics, Non-governmental organizations and governments alike. According to Clifford (2000), this concern has been expressed in the media (print and electronic), seminars, conferences and symposia, all in an attempt to meet a common ground on its control. It is understood that crime is the act of violating the law and equally a social problem that transcends generation and mankind and characterized all known contemporary societies.

Generally as stated by Colcord (2003), what constitutes crime varies not only from society to society or culture to culture but from time to time as well as from strict enforcement to none. However, the focus of this work is not an exposition on crime strictly per se but analysis of the mechanisms of their control for public order to prevail in traditional and modern societies. Colcord (2003) again notes that before the advent of Western civilization and penal system in Africa and indeed Nigeria, traditional African societies had means of social control, reformation and moral cleansers which served them as instruments to correct and preserve justice. Emmanuel (2000), opined that these traditional methods such as tying palm frond, rubbing or smearing of charcoal on offender's bodies as crime control measures were means the society used to encourage conformity to norms and values.

There were various channels traditionally through which societies controlled crime and criminality different from those of the modern society as this study unravelled. That of the traditional society included Council of Elders, chiefs, village heads in council etc whose functions till date is the interpretation of the code of conduct and behaviour of the subsisting communities. It was and is a fact that traditional societies did not and still do not have written laws or codes to guide conduct as observed in western societies, but it had well established institutions for controlling crime and maintaining social as well as public order.

Akintola (2000) observes that in modern societies, legislative bodies make laws, the executive implements the laws while the judiciary interprets. As of old, there were no clear cut distinction vis-à-vis division of labour as to who should handle what or not. At the same time, no society has ever existed without rules, customs and laws that explain government relationship between individuals and groups (Akintola, 2000). To this extent, as specified by Akak (2000), the traditional methods of crime control, though primitive as it were, were very useful in the true sense of it, but as the society became more

complex via industrialization, modernization and urbanization, the traditional institutions became increasingly disengaged from the process of maintaining law and order and by extension public order.

Since crime has become a complex phenomenon as human nature and the western penal system which is now preferred to controlling crime has done little or nothing to addressing this societal hiatus, it is therefore apt to synergize the two divides in crime control. Depending on the western penal systems in Africa (Nigeria/and given that judgment and convictions are always delayed, the tendency is that justice would not always prevail to the extent that criminals are set free. More again and disturbing is how modern technological advancement and tremendous progress in communication have facilitated crime and most time, the modern methods cannot expressly point to what is criminal.

This has adversely affected our society, by hampering the quality and type of life to be led and threatening human right to freedom. No community has remained unaffected by the negative consequences of crime, although the level and intensity of the problem might vary from community to community, society to society. It is against this background that this study was considered appropriate in order to adequately bring to the fore crime control for public order in traditional and modern societies to take place. We have to consider the fact that in Africa the traditional set up has not been completely upstaged because there are still people residing in these areas and also crime control is a sensitive issue which needs to be addressed. It thus became the focus of this study.

Method of Study

In spite of the existence of various methods usually adopted in social science research methods, this study chose the purposive approach or method in its choice of area of analysis.

The researchers chose the communities in Akwa Ibom and Cross River States with cultural and linguistic commonalities. Thus the Efik speaking communities of Cross River State which are found in Calabar Senatorial District or Southern Senatorial District and all of Ibibio – Uruan Speaking communities of Akwa Ibom State found in all of Uyo Senatorial District (9 LGAs) or Akwa Ibom North-East Senatorial District, Eket Senatorial District or Akwa Ibom South Senatorial District (Mkpat Enin, Ikot Abasi, Eastern Obolo, Onna, Esit Eket, Ibeno, Eket, Okobo) and Akwa Ibom North West Senatorial District or Ikot Ekpene Senatorial District –where core Ibibio communities are

expressed in Ini and Ikono Local Government Areas. These are areas where the traditional mechanisms and machineries of crime control were/are effectively in operation/practiced before the dawn of western mode of crime control. We chose Key Persons Interview (KPI) as well as our participation when offenders were on trial in the community or village square with the communal or village heads in council. We generated our data from those trials, convictions, confessions and consequences for our analysis.

Traditional Methods of Crime Control

Akak (2000) essentially notes that traditional methods of controlling crime and maintaining security is not of universal acceptance as it is culturally relative. These ways to a great extent have to deal with pattern of organization and belief system of the people. When people are bound together by strong cultural ties, community consciousness, well established tribal tradition, transaction, crime could be reduced to the barest minimum. Also Dambazau (2002) as cited in Akak notes that traditional crime control-indeed the prevention and control of criminal behaviour in Nigerian communities has its roots in kinship and extended family system. Within the lineage group, the leader of the group, usually the eldest male person provides the leadership examples as he is the model or point of conduct. Above the lineage group, are the clans in which authority is subordinated to that of a figure, who is not merely a model of conduct, but also conducts ceremonies which affirms the corporateness of the people and moreover armed with the power of sanctions against offenders.

For instance among the Igbo extraction of South-East Nigeria and even amongst the Ibibios of the South-South, each lineage system is made up of a number of territorially kin-based units. Each unit is made up of economically independent households and each household recognizes the authority of the compound head. The compound head has numerous rituals, moral and legal rights and obligation. He offers sacrifices for the welfare of his compound members whom he helps to extricate from the ritual, social and legal problems. The system of organizing the family in the pattern of kinship and extended family is significant in understanding crime prevention and control in the traditional Nigerian setting. Control of members of a family was simple but effective and in most cases democratic. The family which was the source of stability and social control was united under the control of the oldest person. But the herald of modernity has affected the kinship and extended family system and social control is no longer the same.

Religion, most especially – African Traditional Religion - was also regarded as one of the best ways in controlling crime in African society. Religion may be viewed in a narrow sense to refer to a set of theological beliefs held and rituals performed by members of a particular group. In a broad sense, it involves the integral part of culture of the people. The etymological meaning of religion points to its social function of discipline which this study contextualizes. In the same vein, let us consult an old and renowned sociologist Emile Durkheim (1961) who viewed religion as unified system of beliefs and practices relative to sacred things (things set apart and forbidden) beliefs and practices which unite into one single moral community. While Turner (2003) sees religion as the control of men by the establishment of rules which create mutual obligations in order to cement social relationship. Mankind would die in a deplorable state if no principles or precepts of justice veracity and beneficence were not taught privately or publicly opposite vices would steal the shine.

The argument that religion is an important tool for the moral wellbeing of the community has been advanced in many forms. One of such is that, religion is used as a cohesive factor, holding the society and its morality together in such a way that whoever attacks the society's religion is deemed to have attacked the society. Religion has also been seen as a source of strength and consolation and essential for moral education, moral endeavor and moral achievement (Akiba, 2012). Given that African societies are relatively undifferentiated and homogenous and religiously disposed, meaning that religion governs our lineage and family relationship, religion means collectivity and forms the basis of social control. According to Emmanuel (2000), it was the religious ties that created propitious leverage for strong community ties and less crime in African traditional societies. In relation to criminal behaviour, religion has expressedly sought to solve these problems because religion legitimizes our values and provides reasons why certain values should be preferred to others (Essoh, 2004).

For instance, some anonymous author in traditional setting argues that the use of curses to compel people to respect their taboos and laws served as a control mechanism. Curses were generally feared because of the belief that defaulters were to be protracted with sickness, sudden death or other calamities. However, irrespective of the means used, certain agents and means of crime control have come to be commonly identified by this direction. Among the widely used ones in Africa which Ezenobe (2000) ascertains are associations like Age Grades, Social Clubs and Vigilante Groups. Oku (2000) observed that

age grades organizations played very significant roles in the socio-cultural life of the people particularly in our study locale. They performed both social and political functions and inculcated healthy ideas and objectives in their members and further act as a disciplinary body for erring members. This was done by subjecting such members who violated the societal social norms to sanction and punishment and with this, public order was maintained.

In most communities in Nigeria, age grades are very essential in the chain of government and without them the administrative function could hardly be carried out. Specifically, other grades look after road maintenance and other developmental projects. Others act as the police in the community. Another method employed in the traditional aspect is the vigilante groups who act as police in the various communities. They subsist, they are watchmen, guards, members of the communities are organized to suppress and punish crime summarily as when the process of law appears inadequate as the case with Nigeria.

Crime Control Machineries/Agencies in Traditional Society

For the purpose of this study, Akwa Ibom and Cross River States were used as the basis of our study or analysis as indicated in our study method. In these two states, there existed several agencies that played significant roles in maintaining social and public order in their respective domains. These were and are still in vogue, *ekpri akata*, *ekpo society*, *iban isong*, age groups. They assist in no small measures in crime control in these areas involved among the Ibibios and Efik of Akwa Ibom and Cross River States. It becomes expedient to explain or analyse these phenomena.

(a) *Ekpri Akata*

This is male dominant and oriented group whose concern is to maintain moral sanctity of communities. It is still known as one of the strongest forces of correction and moral cleanser in both Efik kingdom and in most communities in Akwa Ibom state. *Ekpri Akata* disposes clairvoyancy to all sorts of crimes and scandals committed in Efik-Ibibio communities. Merton (2000), opines that the primary function of *Ekpri Akata* is the detection of anti-social behaviour, exposing those who commit such anti-social behaviour and ridiculing them into correction. Members usually meet at night to gossip about misbehavior and immoral acts of individuals or groups in the community. With disguised voices and sounds, members move around the village in pursuant of moral crusade and cleansing in order to ensure public order prevails.

Young girls who attempted abortion, those who stole as well as men and women found committing adultery were/and are the greatest targets and victims. They use songs to rebuke, ridicule and method of gossip to expose so many unholy practices of members of their society/communities. In the olden days and of course up till today, *Ekpri Akata* was and is the mouth piece of the public concerning secret happenings in the village. It exposed criminals, witchcraft, theft, immorality, etc. the crusade from *Ekpri Akata* as at then and seldomly now was very necessary and useful as means of getting rid of what society termed immorality, illegality and slander.

(b) ***Ekpe Society***

Ekpe cult was and still remains the highest of all traditional institutions in Efik kingdom, the aristocracy of Uruan and related communities in Akwa Ibom state. Ekpe was and is still an instrument of government and authority which is known as very powerful. Ekpe helps in the formulation and enforcement of traditional policies and authority. This assertion as confirmed by Oku (2000), Udo (1983) and Ekong (1983) that politically, economically, culturally and even in legislative and judicial roles cover the jurisdiction of Ekpe society or cult. Ekpe society settles major conflicts/disputes and cases involving individuals, groups and cases between different clans and other parties and sanctions as stated by Talbott (1912), were enforced in different ways such as:

- i. Preventing the movement or use of culprit's property.
- ii. By confining offenders to their homes.
- iii. Offenders were/are made to swear to *mbiam ekpe* (traditional concoctions) its oath of which can lead to culprit's sudden death by swelling if guilty.

Iban Isong

The 'Iban' group in both Efik and Ibibio were mostly relatively elderly women. Their functions were aimed at sustaining discipline and repudiating immoral acts, irresponsible behaviours and utterances. They serve to protect the integrity of the women by training them in moral and domestic responsibilities and upholding the moral value/virtue of those involved. This group does not tolerate indiscriminate utterances or black mail of the women. In extreme situations, they usually sing and dance before the offenders. They exercise unquestionable authority over affairs of women in the community with the fundamental objective of protecting the decency of womanhood. Omagu (2000) observed that their laws are usually harsh

on women who stole in the market places or farms. When caught, their hands and feet were tied and mouth stuffed with dirt. In extreme cases, the culprit's body would be smeared with charcoal and paraded before the public. The offender could be banned from future participation in the affairs concerning women in the village and community as well. This group played dominant role in what was referred to as The Aba Women Riot of 1929 which forced a reform of the tax law and indirect rule system in Eastern Nigeria. The riot itself was wrongly credited to Aba when in fact it began in Ikot Abasi in 1927 and spread to other localities crystalizing in Aba in 1929 and because Aba was urbanized it "stole" the show with Margaret Ekpo and other fiery anti-colonial elite oriented women resident there in Aba then.

Traditional Measures of Crime Control

We had already taken two areas namely: Akwa Ibom and Cross River States because both States have virtually cultural similarities of almost the same replica of culture. It is necessary to state here that these groups of people have various measures of crime control and these suit the purpose of the time and help in the maintenance of social and public order in their domains. These include according to Ayuk (2012) and our findings:

a. **The Mbiam (Oath)**

This involves oath taking by swearing to "juju". Suspects were made to swear by "mbiam" to ascertain their innocence or guilts. The "mbiam" was and is still so potent and effective that people were scared to commit crime because of its resultant effect of sudden death by swelling. A recent phenomenon in Use Offot, Uyo reveals the potency of this control measure as "young" people who terrorize the community at night were made to undergo this ordeal and those guilty got swollen and eventually crossed the threshold.

b. **Uwang (Tying of palm frond leaves)**

This measure was and is still most effective in the traditional set up because it scares people from stealing and "uwang" is usually hung on trees, fruits or on farm lands to prevent people from trespassing farmlands, steal or harvest any fruit without the owner's consent. Often times also, it serves as scare crow to birds which attack crops in farm lands. A confirmation of this can be found in Ekom Iman where the Asan Ibibio is situated and adjoining community. We are constrained not to dig further in this for obvious reason.

c. ***Uyere Nkang (Rubbing of charcoal)***

A person caught red handed in the act of a crime or deviance from societal or community norm(s) is paraded stark naked with charcoal rubbed or smeared on him/her and made to dance round the whole village. The shame associated with “*uyere nkang*” compels would be criminals to suppress their criminal inclinations. That therefore served as deterrence to delinquents and thereby further the drive for public order.

d. **Public Denouncement**

Public denouncement was and is still a radical measure in crime control in Akwa Ibom and Cross River States. It carries with it some economic sanctions which might prevent the offenders from engaging in any type of economic relationship with any person in the village or community and nobody will buy from the offender or neither sell anything to the offender or talk to the offender in the village. Public denouncement serves as deterrent to people intending to commit crime and make others to abstain from such act, thus contributing to social and public order as defined.

Analysis of the Mechanism of Crime Control for Public Order in Modern Society

Modern society tends to be different from the traditional set up. In modern society, crime control measures has assumed different dimensions because there is competition among interest groups which are in conflict with each other due to unequal distribution of wealth and resources which equally results in inequality in economic and social powers. Security tends to be more practiced than in the traditional set up. The small class of people find themselves as being the dominant class. Various mechanisms of crime control for public order could be analyzed as follows:

Mechanism of Control by Use of Official Government Agencies

Haralambos and Holborn (2000) observe that government agencies involved in crime control for public order in modern societies are the police, court and the prison services. The police are involved in the arrest of criminals and in most cases the criminals are handed over to the court to determine such case or cases. However, beside, the police, it is necessary to mention other agencies involved in crime control in the drive to sustain public order in modern societies. For instance, we have the Custom Service, National Agency for Food, Drug Administration and Control (NAFDAC), the Immigration Services the Civil Defence

Corps, the Federal Road Safety Corps and a few other ones established by the Federal Government of Nigeria since the formulation and control of policies on security agencies fall under exclusive legislation. All these security agencies are saddled with the responsibility to enforce ethical behaviours in modern society. It is also interesting to add that in modern societies as already stated, most agencies regulate the conduct of people in the public space.

Let's take for instance, the Federal Road Safety Corps which deals with erring drivers who are unable to standardize their vehicles and sometimes lack vehicle documentation in terms of road worthiness of such vehicle or where the drivers do not adhere to the traffic regulations. When we went through the traditional society, we discovered that since the dawn of civilization, about two and half million years ago, every society's growth, survival and continuity depended on among other things on a system of communication, through which the traditional media could be said to be of informative value since most of the crimes committed were exposed. Today in modern society, the case is different. Here we emphasize on the mass media. According to Okuna (2006) the mass media could be said to be comprising of the institutions and techniques by which specialized groups employ technological devices such as press, radio, television, films etc to disseminate symbolic contents to large heterogeneous and widely dispersed audience.

In modern society, the mass media could also be said to be one of the mechanisms of crime control because the different members of the audience are fed with relevant information pertaining to crime. It is also necessary to add the new media in which basic news about crime are presented on different platforms. Basically, the mass media carry out important facts about crime by describing the crime trend and giving accurate data about criminal activities. Religious bodies could also be confirmed as mechanisms of crime control. Religious doctrines are taught to members of each congregation. Since at least two of the religions in Nigeria – Christianity and Islam adopt the Bible and the Koran as means of disseminating their belief systems to their adherents, it would be agreed that these tools are used to inculcate discipline among the members and also to explain the resultant effects of crime in modern society which therefore serve as a platform for not only crime control but also social and public order.

Theoretical Framework: Anomie Theory

The cultural relativity of crime and multiplicity of competing explanations of crime have led to series of approaches concerning crime studies, its causes and control. According to Dambazau (2002), some of these approaches have yielded more questions than answers. The lack of consensus and the controversy generated have led sociologists, historians, philosophers, legal pundits, politicians and other policy makers to develop various theories for the explanation of crime causes and control. Most of these ideas are tied to an existing level of knowledge of the period as interest and concern in crime control date back to the earliest traces of human civilization. For instance, when people accepted the existence of witches, wizards and evil spirit, anyone who deviated from such beliefs was said to be possessed and was either stoned to death or left in the forest to die until he or she recanted.

Today, with advances in medical sciences, criminals are now diagnosed and viewed as sick and therefore amendable for treatment. It is for this purpose that The Anomie Theory was chosen to explain the causes of crime and its control in society. According to Haralambos & Holborn (2000) as adapted from Emile Durkheim anomie is a state of lack of social norm which describes the breakdown of social bonds between individuals and amongst groups. It could represent a situation that conjures absence of usual social or ethical standards in individual or group. Anomie as noted by Akak (2000) is a condition of instability and insecurity resulting from the breakdown of standard and values. Simply in our own view anomie is a state of normlessness and generally happens in periods of last paced changes when norms of existing society cannot keep up with the pace of life of normless beings. It is more like cultural lag. In the context of crime control, insecurity and challenges, anomie refers to personal isolation and anxiety resulting from lack of social control and regulation of anti-social behaviour. Anomie in the traditional African society runs rampant today due to several extraneous influences viz, borrowed from Western culture as expressed in what we can see when presenting modern society like build-up court, police, prisons, telecommunication, internets, movies etc which persistently were not seen in African society in the olden days. These injections to a large extent dislodged the originally held beliefs and bonds that defined Africa's tenets.

The major proponents of Anomie Theory are: Emile Durkheim, Herbert Spencer, Talcott Parsons, Robert Merton. Emile Durkheim once posited that in primitive societies, there existed mechanical solidarity where cultural mores and folks laws controlled people's

behaviours. But as society got larger, more expansive and more complex, there was a shift from mechanical to organic solidarity resulting to increase in division of labour and heterogeneity. The result has been that the traditional forms of social control were rendered ineffective. Consequently anomie and normlessness replaced the former state of solidarity. Under this condition, individuals strive to reach their goals by the most effective means readily available to them regardless of the moral prohibitions of society, hence, high rate of deviant behaviour. The theory clearly explains the reason crime has increased, while the police and other security agencies instead of carrying out their constitutional roles have resorted to sharp practices such as receiving gratifications, extra judicial killings and being part of hatching and fronting kidnapping, armed robberies and associated or criminalities which are reported in the news media (TV and print media) – e.g. NTA News at 10.00 am on Tuesday – 4th June, 2019 and the horrible experience which the Akwa Ibom State Police Command made 7 under aged children go through between Tuesday 5th April – Wednesday 15th June, 2016 for a crime the children knew absolutely nothing about. Thanks to an impartial court (Judicial) System that remove the stigma and dirt from the innocent children.

Conclusion

Crime is a broad and pluralistic term used to define specific acts and behaviours which society has legislatively prohibited. The spectrum of prohibited activity ranges from the stealing of property to the harming of another person from a preventing viewpoint. Each crime type requires different strategy of control. The crime statistics of police annual report of the year 2000 states that theft added to other forms of stealing which was the most serious and rampant crime and have accounted for almost one half of the total crimes committed in Nigeria. This shows that crime prevention has not been effective in both rural (or traditional) urban (modern) centres or cities. We would have witnessed a reduction in crime rates if the various mechanisms and machineries of control were effectively put to use. While the primary crime control responsibility may legally be assigned to the police, the primary responsibility still rests functionally with the public. The police cannot control crime if the public does not take prudent precautions. Those who engage in the criminal activities are moved by social, psychological, political and economic conditions around them. The desire to commit crime is controlled by such conditions and the potential criminal with the desire to commit the criminal act, thus putting public or social order in jeopardy. Beside the machineries and mechanisms of control that came under the focus of this analysis in Akwa Ibom and Cross River

States, it is obvious that other traditional settings in Nigeria have had to device theirs in addition to the constitutionally pervasive ones under modernization, urbanization, globalization and heterogeneous settings that post modernity offers contemporary Nigeria and the world.

Recommendations

Crime prevention is the attempt to reduce and deter crime and to succeed the study recommended the following:

1. In both the traditional and modern societies, there is the need to establish a coalition of key agencies such as schools, job creation, housing and effective law maintenance mechanisms.
2. Special task forces should be established and such task force should be vested with powers of criminal investigation.
3. Crime prevention officers should be equipped with adequate tools such as communication gadgets to send emergency signals to the appropriate quarters in respect of crime arrest and minimum arms.
4. In the traditional set up, the orthodox methods of fighting crime should be adequately complemented with modern methods of control with the help of established regulatory and enforcement agencies.

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