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SECRET SOCIETIES, CULTISM AND TERTIARY (EDUCATIONAL) INSTITUTIONS IN NIGERIA: KWARA STATE AS A CASE STUDY

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Abstract

The menace of Secret Societies and Cultism in Tertiary educational institution in Nigeria cannot be over emphasized. There had been cases where lives were lost, some persons maimed, properties destroyed and some Tertiary Educational Institutions closed. This article therefore seeks to discuss Secret Societies, Cultism and Tertiary Educational Institutions with Kwara State of Nigeria as focus. Sometimes in 2004, the Kwara State Government enacted anti Secret Societies and cultism law. This law was amended in 2013 and 2016. The law was to curb, reduce or totally eradicate Secret Societies and Cultism in the State. Fourteen years after, has there been reduction or eradication of this menace in the State? This paper seeks to explore the causes, effects and the adequacy or otherwise of this laws. It will also seek to make a comparative study of what is obtainable in other States in Nigeria.

1. Introduction

In security has for long constituted a major impediment to smooth academic pursuit in Nigeria.¹ It is an understatement to say that the environment devoid of peace cannot enhance a meaningful learning. The threat to human lives and properties has escalated with the spate of violence of all forms vices including assassination, robbery, theft, burglary and murder.² The tertiary institutions in Nigeria have not been left out of this serious threat to the breakdown of law and order. Cultism has become a major social problem in the Nigeria tertiary institutions as its activities and mode of operation are usually shrouded in secrecy and are

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¹ C Oyemwinmina, & S Aibieyi 'Cultism: A Destructive Concept in the Educational Development of Tertiary Institutions in Nigeria'[2015] (9) (4) *African Research Review*, 221.

<<https://www.ajol.info/index.php/afrrrev/article/view/124637>> accessed on 8th January, 2019.

² *ibid*

inimical to the interests of the institutions in particular and the society in general.³ This unfortunately has to do with the menace of secret cults. The greatest and the most embarrassing problem facing tertiary institutions in Nigeria today are the renewal of the menace and aggressiveness of cult activities. Obviously, cultism is said to be the mother of all crimes in tertiary institutions, and this phenomenon has negatively affected the image of our institutions, the learning quality and integrity of the grandaunts.⁴

Campus cults in Nigeria has been traced back to 1952 when Professor Wole Soyinka, winner of the Nobel Price Award for Literature and a group of six friends, namely, Pius Oleghe, Raph Opara, Tunji Tunbi, Daighn Imokhude, Olu Agunlayi and Olumuyiwa Awe formed the pirate confraternity elite of the University College Ibadan, then part of the University of London⁵. It was formed with the aim of producing future Nigerian leaders who should be very proud of their African heritage.⁶ They have skull and cross bones as their logo while members adopted confraternity names as "capon", "blood" and "Long John Silver" the pirates cultivated a style that ridiculed colonial attitude.⁷ They proved popular among student even after the original members moved on. Membership was open to every male student regardless of tribe or race and for almost 20years the pirate, a non-violent body became established in all tertiary institution that emerged in post independent Nigeria as the only confraternity.⁸

In 1972, Bolaji Carew and several others were expelled from the pirate for failing to meet expected standard. In reaction to this and other events, the expelled pirates registered

³ R Adewale 'Violence in the Citadel: The Menace of Secret Cults in the Nigeria Universities'. [2005] (14) (1) *Nordic Journal of African Studies*: 79-98 <<https://nairametrics.com/wp-content/uploads/2013/02/the-menace-of-secret-cult-in-Nig-universities.pdf>> accessed on 8th January, 2019.

⁴ S J A Mgbeken 'Violence in the Citadel: Secret Cults in the Nigerian Universities'. [2004] (14) (1) *Nordic Journal of African Studies* 79-98. <http://www.njas.helsinki.fi/pdf-files/vol14num1/rotimi.pdf> visited 11th January, 2019.

⁵ V C Udoh and J M I Uju, 'Causes Effect, and Strategies for Eradicating Cultism among Students in Tertiary Institutions in Nigeria'-A Case Study of Nnamdi Azikiwe University Awka Anambra State. Nigeria, [2015] (6) (22) *Journal of Education and Practice* <<https://files.eric.ed.gov/fulltext/EJ1079482.pdf>> accessed 11th January, 2018.

⁶ *ibid.*

⁷ *ibid.*

⁸ Oyemwinmina and Aibieyi (n 1).

themselves under the name 'National Association of Seadogs' (NAS), the *Buccaneers of Seadogs* was founded by Carew. In 1980s confraternities spread over the 300 institution of higher education in the country.⁹ The *Neo-Black Movement of Africa (black Axe)* emerged at Edo State University, Ekpoma, while the *Supreme Eiyé Confraternity* (National Association of Air Lords) broke out from the Black Axe in 1983. Students at the University of Calabar in Cross Rivers State founded the *Eternal Fraternal Order of the Legion Consortium* (the *Klansmen's Confraternity*) while former members of *Buccaneers Confraternity* started the *Supreme Vikings Confraternity* (the adventure of the *de Norsemen club of Nigeria*) the following years.¹⁰

In the mid-80s it had become evident that some of the cults had been adopted as element in the intelligence and security services serving the then military government.¹¹ They were used against students union and university staff who were the only organizing group opposing military rules. In 1984, Prof. Wole Soyinka, extracted himself from emerging trend, and initiated the abolition of the pirates confraternity in all tertiary institution, by then the phenomena of violent cults had developed a life of its own.¹² In early 1990s as the end of the Second Republic drew near, confraternity activities expanded drastically in the Niger Delta as they engaged in bloody struggles for supremacy. The *family confraternity* (the campus mafia or the mafia), which modeled itself after the Italian mafia, emerged, shortly after their arrival, several students were expelled from Abia State University for cheating and "cultism" a reference to the voodoo-practicing confraternities, which marked the beginning of a shift of confraternity activities from the university to off campus.¹³

⁹ *ibid.*

¹⁰ *ibid.*

¹¹ A A Jekayinfa 'Cult Activities in the Nigerian Institution of Higher Learning' in Oke CS (ed) *Sociology of Education*

2. Conceptual Clarification

In this study, the term secret cult/secret society and cultism shall be used interchangeably. Cultism can be defined as a ritual practice by a group of people whose membership, admission, policy and initiation formalities as well as their mode of operations, are done in secret and kept secret with their activities having negative effects on both members and non-members alike.¹⁴ Thomas,¹⁵ asserted that confraternities operated at no degree of violence when they emerged in the 1950's.¹⁶ Unfortunately, they were later high jacked by military governments who were anxious to consolidate their holds on University students who might challenge their authorities. For example, virile student unionism was perceived by military authorities as a threat to their power consolidation.¹⁷ Consequently, secret cults were used to neutralise student unions and their "anti-government activities" especially those which questioned or challenged the authorities of military dictatorship. Consequently, what started as club of some socially conscious students, who chose to be "different", has become club of blood thirsty and blood sucking monsters who parade themselves as students.¹⁸

A secret society is a club or an organization whose activities, events, inner functioning, or membership are concealed from non-members.¹⁹ The society may or may not attempt to conceal its existence.²⁰ The term usually excludes covert groups, such as intelligence agencies or guerrilla insurgencies that hide their activities and memberships but maintain a public presence.²¹ The exact qualifications for labeling a group as a secret society are disputed, but definitions generally rely on the degree to which the organization insists on secrecy, and might

¹⁴ I A Ayayi and others 'Menace of Cultism in Nigeria Tertiary Institutions: The Way out'. [2010] (12) (3) *The Anthropologist*. <<https://www.tandfonline.com/doi/abs/10.1080/09720073.2010.11891147>> accessed 11th January, 2019.

¹⁵ Thomas (n 13).

¹⁶ *ibid.*

¹⁷ *ibid.*

¹⁸ *ibid.*

¹⁹ J

Kloosterman, *Secret Societies* (Institute of European History. 2013) <<https://iisg.academia.edu/JaapKloosterman>> accessed 11th January, 2019.

²⁰ *ibid.*

²¹ *ibid.*

involve the retention and transmission of secret knowledge, the denial about membership or knowledge of the group, the creation of personal bonds between members of the organization, and the use of secret rites or rituals which solidify members of the group.²²

In *Registered Trustees of the Rosicrucian Order, (AMORC) Nigeria v Henry Awoniyi & 3 others*,²³ the Supreme Court as far back as 1994 described Secret Society or association according to the Constitution of the Nigeria, 1979, Second Republic to mean:

A society or association not being solely cultural or religious body, that uses secret signs, oaths, rites, or symbols, whose meeting or other activities are held in secret and whose members are under oath, obligation or other threat to promote the interest of its member, or aid one another under all circumstances without due regard to merit, fair play or justice.²⁴

In this case,²⁵ the appellant as plaintiff sued the respondent/cross appellant for libel. The action arose from three articles published in three issues of a Magazine called Today's Challenge of March/April, May/June and July/August Editions in 1984. In the May/June issue, AMORC was projected as satanic and in the July/August issue, the source of the teaching of AMORC H. Spencer Lewis was veiled as a liar, a hypocrite, a swindler, an egotistical, charlatan and a man without humour or integrity. The three articles were written by the 1st respondent, edited by the 2nd respondent, published by the 3rd respondent and printed by the 4th respondent. They were sued over the articles by the Registered Trustees of the Rosicrucian Order (AMORC) a body duly registered under the Land (Perpetual Succession) Act which allows such Registered Trustees. The appellant claimed N10 million as special and general damages. In the above mentioned case, Iguh, JSC stated:

²² *ibid.*

²³ [1994] 7 NWLR (pt 355) 154.

²⁴ *id.* 178

²⁵ Mgbeken (n 4).

It is difficult not to associate AMORC with mysticism, astrology, knowledge or use of the supernatural through scientific studies and experiments and the use of astral projection from what is written in their various publications. If this is so, do these things not appear to non-members to be occultists? Dr. (Mrs) Okpapi said: "AMORC is not an occult organization but it has occult teachings." How can the ordinary man differentiate an occult organization from a body which teaches occult experiments and by implication practices or experiment? The explanations offered by AMORC for the essence of their activities in order not to be misunderstood, may to some knowledgeable people, upon a generous view, appear highly intellectual; otherwise others may regard them, at the very least, as quite strained.²⁶

His lordship continued:

If the defendant describes all the above phenomena as satanic, or wicked or sinister or a subtle command backed by demons, they may be forgiven because probably to them, those things are not apprehensible by the mind or they are imperceptible by the senses, or not compatible with their religious understanding. It must be clearly remembered that it was the source of astral projection that the 1st defendant/appellant described as satanic. There may be aspects of sarcasm here and there introduced by him for good measure. But I dare say, speaking for myself, that he demonstrated some skill in the first two articles under discussion.²⁷

As to whether Jesus Christ is a member of secret societies, Wali JSC said:

From all these and the quotations referred to by the Court of Appeal in Exhibits 26 and 38, its conclusion was

²⁶ at 186.

²⁷ *ibid.*

justified in describing the plaintiff as secret and satanic. It is satanic to say Jesus Christ was a member of the secret societies and advocate of occult teachings. There is nothing secret in the message of Jesus to his people.²⁸

Concurring, Iguh, JSC opined:

It cannot be seriously suggested that there is anything secret in the teachings of Jesus Christ which in my view are entirely public and properly documented in the Scriptures. Clearly to assert, as the plaintiff unequivocally did, that Jesus Christ was a member of secret societies and that he was an advocate of occult teaching is, speaking for myself, satanic, sinister, blasphemous and entirely unacceptable.²⁹

From the above pronouncements a secret cult has the following attributes: mysticism, astrology, astral projection, satanic, wicked or sinister and a subtle command backed by demons. According to Ogunade,³⁰ secret cult is an enclosed organized association of group devoted to the same cause. It is an enclosed group having an exclusive sacred ideology and series of rites centering on their secret symbols. Cultic activities are sometimes laden with blood. It may be the blood of an animal or that of human beings. He claimed that during initiation rites or during rival group clashes within the University settling, blood flows during which many lives are lost in the process.³¹

A purported "family tree of secret societies" has been proposed, although it may not be comprehensive. Axelrod defines a secret society as an organization that:

- is exclusive
- claims to own special secrets

²⁸ at 186.

²⁹ at 193.

³⁰ R Ogunade "Secret Societies and Cults activities in Nigeria Tertiary Institutions" in TejuJolayemi (ed) *The Religious Implications in Leading Issues in General Studies, Humanities and Social Science* (Unilorin General Studies, 2002) 50-60.

³¹ *ibid*.

- Shows a strong inclination to favour its members.³²

Barret has used alternative terms to define what qualifies a secret society. He defined it as any group that possesses the following characteristics:

- It has 'carefully graded and progressed teachings'.
- Teachings are: 'available only to selected individuals'.
- Teachings lead to 'hidden (and 'unique') truths'.
- Truths bring 'personal benefits beyond and even the understanding of the uninitiated'.³³

Barrett goes on to say that 'a further characteristic common to most of them is the practice of rituals which non-members are not permitted to observe,' or even to know the existence of.³⁴ 'Barrett's definition would rule out many organizations called secret societies'; graded teaching is usually not part of the American college fraternities, the Carbonari, or the 19th century knows nothings.³⁵

3. Causes of Cultism

Widespread corruption in high places and epidemic poverty in the society are precursors of cultism in the Nigeria educational institutions.³⁶ Due to poor agricultural planning, leadership ineffectiveness and mismanagement, millions of Nigerians, many children, are starving to death.³⁷ Only about 2% of Nigerians, majority among the present and former ruling classes, control over 60% of the nation's financial assets, while over 70% of the

³² A Axelord, *International Encyclopedia of Secret Societies and Fraternal Orders*(Bruce Publishing Company, 1997) <<https://www.amazon.com/International-Encyclopedia-Secret-Societies-Fraternal/dp/0816038716>> accessed 11th January, 2019.

³³ D V Barret, *Secret Societies: From The Ancient and Arcane to The Modern and Clandestine* <<https://www.amazon.com/Secret-Societies-Ancient-Arcane-Clandestine/dp/0713727721>> accessed 11th January 2018.

³⁴ Ibid.

³⁵ Ibid.

³⁶ B V Oluwasanmi, O L Akande and O E Taiwo 'Social Vices and the Effect of Cultism Activities Among Universities Undergraduates of Ekiti State University, Ado-Ekiti. *American Journal of Innovative Research and Applied Sciences* (2016) pp 33-35. <<http://american-jiras.com/Busiyi%20ManuscriptRef.2-AJIAS040716.pdf>> accessed 19th May, 2020.

³⁷ Ibid.

Nigerian population live below the poverty line.³⁸ Nigeria, with the natural potential to be among the richest countries in the world, a paradise on earth for all, is ranked 55th poorest country in the world as at 2019³⁹ and 146th most corrupt nations in the world wide.⁴⁰ The cultists, mostly the youth, are merely responding to the societal contradictions in national socio-economic development.

Studies by the French political philosopher, Montesquieu, and his successor relate to disorganization and criminal behavior, such as the cultist activities, to the natural and physical environment.⁴¹ Many prominent criminologists attribute crime mainly to the incidence of poverty. The incidence of crime trends to rise especially in time of widespread unemployment.⁴² The living conditions of the poor, particularly of those in slums are characterized by overcrowding, lack of privacy, inadequate play space and recreational facilities, and poor sanitation.⁴³ Such conditions engender feelings of deprivation and hopelessness and are conducive to crime as a means of escape. The feeling is encouraged by the example set by those who have managed to escape through criminal means to what appears to be a better way of life.⁴⁴ The incidence of crime has also been related to the general state of a culture, especially the impact of economic crises, wars and revolutions, and the general sense of insecurity and up rootedness to which these force gives rise.⁴⁵ The crime rate tends to rise, as a society becomes more unsettled and its people more restless and fearful of the future.⁴⁶ This is

³⁸ A D Umar, 'War Against Corruption has Failed' *The Guardian*, (Nigeria) 27 March 2007, p 8.

³⁹ Global Finance, 'Poorest Countries of the World 2019' <<https://www.gfmag.com/global-data/economic-data/the-poorest-countries-in-the-world>> accessed 18th May, 2020.

⁴⁰ Nairametrics, 'Nigeria Rank 146 on Global Corruption Index 2019' <<https://nairametrics.com/2020/01/23/breaking-nigeria-ranks-146-on-global-corruption-index-in-2019/>> accessed 18th May, 2020.

⁴¹ I D A Adeola, 'Secret Cults in Nigerian Higher Institution of Learning: A Periscopal Appraisal' in A.O Ogunbameru (ed), *Readings on Campus Secret Cults* (Kintel Publishing House, 1997) 51-69.

⁴² *ibid.*

⁴³ *ibid.*

⁴⁴ M Omoegan and F F Akanle 'Perceived Causes and Effects of Cultism, in Nigeria Universities: Prevention and Solution with Counseling Implication' [2017] (6) (1) *Journal of Sociology of Education in Africa* <<http://krepublic.com/02-Journals/T-Anth/Anth-12-0-000-10-Web/Anth-12-3-000-10-Abst-PDF/Anth-12-3-155-10-629-Ajayi-I-A/Anth-12-3-155-10-629-Ajayi-I-A-Tt.pdf>> accessed 19th May, 2020.

⁴⁵ *ibid.*

⁴⁶ *ibid.*

particularly true of juvenile crime, as the experience of the United State of America (USA) since World War II has made evident. Studies have also showed that criminal proclivities are psychological and psychiatric. About a quarter of a typical convict population is psychotic and neurotic or emotionally unstable, and another quarter is mentally deficient.⁴⁷

Early 1980s, the Federal Government of Nigeria slammed stringent austerity measures on the nation as part of its response to the recession in the world price for crude petroleum oil.⁴⁸ Which had led to a drastic decline in Nigeria's oil revenue from over US\$20 billion in 1980 to less than US\$10 billion in 1982?⁴⁹ In particular, the catering and hostel service and the food subsidy for the student of tertiary educational institution were withdrawn in 1984 by the government. Consequently, the university cafeterias were close down. Students began to scavenge for food from the unhygienic "bukateria" that soon replaced the cafeteria.⁵⁰ Hostel began to stink. As the number of student increased, the hostel population exploded, with the concomitant stress.⁵¹ Laboratories, libraries, lecture halls and other facilities for effective study and sports got outstretched without maintenance, replacement or addition of new ones. Starvation and stress multiplied on the campuses, changing the culture of sanity to negative tendencies and inclinations. Hungry student abandoned good conduct for manner of misdemeanor on the campus. On their part, the lecture left in their drones for foreign universities with better conditions of service and preferred learning environment. First to leave were the expatriate lecturers, followed by the indigenous ones. This signaled the beginning of the brain drain malaise that has robbed the Nigeria universities of crack academics, leading to much decried production of half-baked and unemployment graduates.⁵²

⁴⁷ *ibid.*

⁴⁸ L Onyekakeyah 'After the ASUU Strike, What Next?' *The Guardian* (Nigeria) 10th July, 2007. 77.
<https://www.researchgate.net/publication/281275497_CULTISM_IN_THE_NIGERIAN_EDUCATIONAL_INSTITUTIONS_INCIDENCE_CAUSES_EFFECTS_AND_SOLUTIONS> accessed 11th January, 2019.

⁴⁹ *ibid.*

⁵⁰ *ibid.*

⁵¹ *ibid.*

⁵² *ibid.*

Graduate unemployment was also peaking this period, when industries began operation below installed capacities and laying off workers, because of the austerity measures that led to sky-rocketing exchange rate and unaffordable importation of foreign machine spare-parts and raw materials.⁵³ Smah, reported that unemployment rate hit 18.01% in year 2000 and that 10.2 million jobs needed to be created annually till 2020, against the backdrop of 5.1 million people churned out from the nation's education system.⁵⁴

The students, whose living conditions and learning environment kept deteriorating on the campuses, were left with little hope for employment after all the hassle. No wonder, frustrated by the ineffectiveness of their nation, they began to daily surrender themselves to new godfathers in cults and secret societies.⁵⁵ By the nineties, the cultism, like a wild fire in harmattan, had spread to all nooks and crannies of the higher educational institutions and penetrated the secondary education system in Nigeria, leaving in its trail disappointments, dashed expectation and bereavement of unprecedented proportion.⁵⁶

The cults, devotees, faithful and loyal are promised power, fames, pleasure, provisions, protection, promotion, freedom, adventure, money, girls, good grades and good life. The appeal usually leads to an alliance between the giver and the taker of these mirages. Even when these gifts come, they are illusory, figments of imaginations.⁵⁷ The cultist's academic performance deteriorates very badly as he abandons burning the midnight oil for night cult's heinous activities.⁵⁸ The cultist soon becomes a belligerent recluse, having been turned into a sadistic and psychopathic human bloodsucker during the initiation ceremony, soon get disillusioned, discouraged, dejected,

⁵³ S O Smah 'Social Deviance on A Nigeria University Campus: The University of Jos, Nigeria' Y. Lebeau and M. Ogunsanya (eds), *The Dilemma of Post-colonial Universities*, Ibadan: IFRA and ABB. Pp 123-143

⁵⁴ *Ibid.*

⁵⁵ S O Smah 'Campus Cultism and Violence: Implications for University Management, [2001] (1) (2) *Nigerian Sociological Review*, 17-25. <file:///C:/Users/user/Downloads/72140-Article%20Text-161492-1-10-20120130%20(2).pdf> accessed 19th May, 2020.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

depressed, empty and wasted.⁵⁹ The provision the cultist gets from false masters are so transitory and ephemeral that they soon fly away, leaving the receiver much worse than when he/she joined the bad group. The power the cultist gets destroys both self and target, thus, ventured into cultism whole, but must come out of it fragmented or dismembered or even dead. Indeed, all that glitters is not gold. The amount of youthful blood spilled in the nineties to illusions of cultism in the institutions of higher learning in Nigeria is too frightening to estimate.⁶⁰

Onah reported that the civil society organizations in Nigeria expressed worry over the increasing level of poverty in the country whereby about 54million Nigerians go to bed hungry.⁶¹ The situation is being worsened by retrenchment and lay-offs. Education is of poor quality with 3 out of 4 joint matriculation examinations (JME) Candidates failing. There is no better collaborations for the described situations in Nigeria than her recent exclusion on the list of Africa countries adjudged by World bank as making notable progress in improving governances and fighting corruption.⁶²

The Nigerian brand of politician identifies societal problems occasioned by the previous usually inept leadership and promise during electioneering campaign to address them. More often than not, leaders get into the office by means of various electoral irregularities, and not the mandate of the electorate. And, during his/her tenure, he/she play down his/her personal manifesto and that of his/her political party and operate governance that can best be described as a farce, a sham, a situation of rhetoric and less action, or worse still, self – serving. As the politicians rig themselves into offices and steal mandate, the youth not only emulate their dishonest in examination and

⁵⁹ *ibid.*

⁶⁰ O C Eneh 'A Tear for Nigerian Child of '1990s' *Welfare and Industrial Promotions International* (2000)

<https://www.researchgate.net/publication/303338046_A_tear_for_Nigerian_child_of_the_1990s> accessed 11th January, 2019.

⁶¹ J Onoh 'The Face of a Looter', *Weekly Details*, April 16, p. 11.

⁶² O Nwachukwu 'World Bank Knocks Nigeria on Good Governance' *Business Day*, 17th July, 2007, 1-2. <<http://www.globalacademicgroup.com/journals/knowledge%20review/Cyprian%20Onyenekenwa%20Eneh.pdf>> accessed 14th January, 2019.

malpractice and certificate forgery, but also react in cult practices.⁶³

In an attempt to even up the score or at least satisfy themselves, by looting the public treasury and exhibiting ostentation and squander mania, the politicians widen and deepen poverty, and the youth respond to this situation by engaging in cult activities to get their own share of the national cake. As the society misplaces emphasis on paper qualifications, the youth seek to acquire it by means of hook or crook, including cultism. As the political ruling class accumulates the nation's wealth to itself and neglects and abuses the workers and the masses, poverty continues to pervade all over the society. These have disastrously impacts on the well-being of the citizenry. The usually impatient youth react to the attendant distress by way of engaging in social vices, including cultism.⁶⁴

4. Menace of cultism

According to Oyegoke, it would amount to stating the obvious if cultism is said to be the mother of crimes in tertiary institutions today.⁶⁵ The problem of cultism has been so overwhelming that nearly every arms of education industry in Nigeria has been infested. What originally was designed to be positive force or pressure group later turned out to be an instrument of intimidation, extortion, undue influence and political brigandage. It is regrettable to note what began in one institution has now spread like a wildfire to another institutions.⁶⁶ The adverse effects to cultism in educational institutions have continued to be source of worry to governments. The most disturbing aspect of cult activities in tertiary institution is the fact that the practice place high premium on violence and total disregard for the sanctity of

⁶³ *ibid.*

⁶⁴ I A Ajayi and others 'Menace of Cultism in Nigeria Tertiary Institutions: The Way Out.' *Anthropologist* (2010) 12(3) 155-160. <<https://www.tandfonline.com/doi/abs/10.1080/09720073.2010.11891147>> accessed 14th January, 2019.

⁶⁵ O A Oyegoke 'Private Security Management in Nigeria.' [2003] Petersam Books (Publisher). Pp. 154-163.

⁶⁶ *ibid.*

lives and property. This ferocity often betrays the false appearance of innocence of most cultists.⁶⁷

The menace and aggressiveness of cult members and cult related activities is the most embracing problem facing tertiary institutions as this has resulted to escalated crime wave in the various Institutions of learning today.⁶⁸ According to Okwuas at September 2003, 5,000 students and lecturers have died on Nigeria campus as a result of cult related violent clashes.⁶⁹ On 8th June 2006, some cults members invaded university of Ado-Ekiti at 12noon where they burnt the cadet's office, killed three students and wounded many students and staff of the university.⁷⁰ Ogidefa reported that Tony Ileogbuna, Acting Head of Geology department at the Enugu State University of Science and Technology was murdered. Yomi Edeki and Vincent Uloho of University of Benin city were murdered in cold blood on 4th February and 9th March, 2004 respectively.⁷¹ The Secretary General of the Student Union of the University of Benin was murdered by cult members during a parliamentary setting in 1997.

5. The Difficulties in Secret Cults Eradications

For some decades now, various efforts have been made to deal with the problem of cultism. Some of the measure includes the enactment of Decree 47 of 1989 that pronounced a number of year jail term for any cultist found guilty. Chief Olusegun Obasanjo, the then president in 2000 issued a three month ultimatum to all vice – chancellors to eradicate cultism from the campus. Despite the Decree and the ultimatum, the eradication becomes an uphill task. Some of the difficulties in exterminating the secret cult and their deadly acts are:

⁶⁷ *ibid.*

⁶⁸ *ibid.*

⁶⁹ J Okwu 'A Critique of Students' Vices and Effect on Quality of Graduates of Nigeria Tertiary Institutions' [2006] (12) (3) *Journal of Social Science* 193-198. <<https://www.tandfonline.com/doi/abs/10.1080/09718923.2006.11978391>> accessed 19th May, 2020.

⁷⁰ *ibid.*

⁷¹ I Ogidefa 'Cultism in Educational Institution in Nigeria: Causes, Possible Solutions and Counselling Implications' [2004] *African Journal Online* <<http://www.derifider.com/>> accessed 18th May, 2020.

- I. Social and moral decadence: the degeneration in social and moral value permeates to every segment of society. Ogunbameru, states that the Nigeria society has willingly or unwillingly provided an enabling environment for all form of crimes among which is the problem of campus secret cult and that Nigerian has replaced honour with dishonor as a standard attitude.⁷²
- II. Lack of the fear of the Supreme Being: lack of the fear of the Almighty make people engages in all forms of evil acts. The consciousness of the Almighty has departed from their heart as wickedness has taken charge.
- III. Godfatherism influence: Most of the student cultists are sponsored by the adults in the society. Highly respected personalities in the society who are cult members give cover to students cultists. Cultists who occupy prominent positions in society thus encourage the young ones to press forward in the evil act. Authority patronage is when cultist group enjoyed subtle support and patronage from both government and school authorities. Cult members were sometimes used by politician for revenge and for settling personal scores. According to Ogidefa that there are allegations that some vice chancellors were sponsoring cult activities in their universities to silence the voice of dissent. This appears not to augur well for a citadel of learning.⁷³
- IV. Lack of parental guidance, have drastic negative impact on the upbringing of the children. Such unguided and unguarded children grow up becoming a ready ingredient for cultism. According to Mgbekem some parent covers their children to the extent of pampering them.⁷⁴ They then grow up with negative habits and consequently imbibe criminally oriented behavior which leads them to joining cult group.

⁷² O A Ogunbameru 'Personality Dimensions to Cultism in Nigeria Tertiary Institutions: A Socio-Biological Perspective' [1979] (16) (2) *Journal of Human Ecology* 91-98
<<https://www.tandfonline.com/doi/abs/10.1080/09709274.2004.11905721>> accessed 18th May, 2020.

⁷³ Ogidefa (n 71).

⁷⁴ S J A Mgbekem, *Management of University Education in Nigeria*, (University of Calabar Press, 2004) 139.

6. Legal Framework for the Control and Elimination of Secret Cults in Nigeria

The Federal Military Government of Nigeria in 1989 Promulgated *Students' Union Activities Decree*, to control Student Unionism.⁷⁵ The Act provides that where any society by whatever name called or known operating within the campus of a University or any institution of higher learning in Nigeria is pursuing activities which are:⁷⁶ not in the interest of national security, public safety, public morality or public health⁷⁷ or illegal, inimical, destructive or unlawful,⁷⁸ the Governing Council, Vice Chancellor or any other authority or person in charge of or in control of the university or institution of higher learning may after conducting investigation with respect thereto, proscribe any such society.⁷⁹ The Act provides that 'it shall constitute an offence punishable much this Act, for any student to engage himself or organize other students to participate in the activities of any society prosecuted punishment to subsection (1) of this Section,'⁸⁰ it further states that:

If the President is satisfied that any student Union or Association (in any University or higher institution in Nigeria) is pursuing certain activities which are:-⁸¹ not in the interest of defence, public safety, public order or public morality or public health, ⁸² illegal, inimical destructive or unlawfully he may by order published in the Federal Gazette prescribe such Student Union or Association and the students Union or Association shall as from the date of the order cease to exist.⁸³

Though the law was made by the Federal Government of Nigeria, it is not on record that the act or that the law was ever utilized as to conviction of offenders under the law.

⁷⁵ Students' Union Activities (Control and Regulation) Act, 1989(Cap S.14 LFN, 2004).

⁷⁶ *ibid* S 2 (1).

⁷⁷ *ibid* 2 (1) (a).

⁷⁸ *ibid* 2. (1) (b).

⁷⁹ *ibid* S 2 (2).

⁸⁰ *ibid* S 2 (3).

⁸¹ *ibid* S 2 (4).

⁸² *ibid* S 4 (1) (a).

7. Kwara State Government's Intervention to Control Secret Cults/Societies

The Kwara State Government due to the prevalence of the Secret Societies and Cultism in tertiary educational institutions in the State, took a proactive step by enacting the *Secret Cults and Secret Societies in Educational Institutions (Prohibition) Law* proscribe it.⁸⁴ The Law noted that the activities of these cults were becoming alarming and that the various Institutions of higher learning has been unable to curb it. It noted further that the cult activities have led to loss of lives, properties and disturbance of public peace on various occasion in the state.

The Law makes far reaching provisions in proscribing membership and operations of secret cults and secret societies in the state. It prohibits membership, operations, activities and existence of secret cults or societies in educational institutions in the state.⁸⁵ It further states that no one shall establish or form a secret cult or society.⁸⁶ It also states that except authorized, Departmental meeting, no society or group of persons shall hold meeting on the Campus without prior permission from the Students Affair Department of such an institution.⁸⁷ In addition, it outlaws the use of signs, password, code, rings, bands, brooch, uniform, oaths, rites, symbols or anything related to or associated to Cult or Secret Society.⁸⁸ Abetment or aiding the establishment, membership or activities of secret cults or societies is also punishable under the Law.⁸⁹

On the penalty, any student tried and found guilty for contravening the provision of this law is liable to be sentenced to a term of ten years imprisonment and fifty thousand naira fine.⁹⁰ In the same vein, anyone who aids or abets whether or not a student and found guilty will be sentenced to six years

⁸⁴ Secret Cults and Secret Societies in Educational Institutions (Prohibition) Law, CAP. S3 Laws of Kwara State, 2004.

⁸⁵ *ibid* S 7 (1).

⁸⁶ *ibid* S 6 (1).

⁸⁷ *ibid* S 8 (1).

⁸⁸ *ibid* S 9 (1).

⁸⁹ *ibid* S 10 (1).

⁹⁰ *ibid* S 11 (1).

imprisonment without an option of fine.⁹¹ And without prejudice to any other disciplinary measure(s) that may be taken by the authority of the institution concerned.⁹² However, if anyone is convicted of any of the provisions of this law, such a person is barred from gaining admission to any higher institution in the State.⁹³ In addition, if such an attack by a cult member results in bodily injury or death of the victim, such accused shall also be charged and tried for such applicable Law in the state.⁹⁴

Possession of firearm or dangerous weapons by any member of a Secret Cult or Society is also an offence and anyone caught shall be charged and tried accordingly.⁹⁵ The State is further granted permission to confiscate any building, kiosk, vehicle or any such receptacle in which a firearm or other dangerous weapon is found and the owner of such building, shop or howsoever called shall be charged and tried under the applicable law in the state.⁹⁶ A State High Court also have the jurisdiction to try the offence.⁹⁷

However, in 2013 the Kwara State Government promulgated a Law titled '*Secret Societies and Cults (Prohibition) Law*'.⁹⁸ This law reduced or whittled down the sentences from what it used to be in the 2004 Law. It reduced the 10 year jail term of membership of Secret Cult/Society to 2 years and not exceeding 10 years.⁹⁹ The 2013 Law also makes provision that anyone that gives financial assistance or material support to a Secret Society/Cult will also be punished the same way.¹⁰⁰ In addition the 2013 Law makes it an offence for anyone that harbours or conceals a person who he knows or has reason to believe to have committed an offence and is liable on conviction to terms of imprisonment not less than two years but not

⁹¹ *ibid* S 11 (2).

⁹² *ibid* S 12 (1).

⁹³ *ibid* S 12 (1) (2) (a) (b).

⁹⁴ *ibid* S 13 (a) (b).

⁹⁵ *ibid* S 14.

⁹⁶ *ibid* S 15.

⁹⁷ *ibid* S 16.

⁹⁸ *Secret Societies and Cults Prohibition Law No. 15, Laws of Kwara State, 2013.*

⁹⁹ *ibid* S 2.

exceeding ten years¹⁰¹. A police officer is also permitted under this law to arrest a suspected cultist without a warrant.¹⁰²

According to the Director of Public Prosecution, Kwara State Ministry of Justice, Mallam Mumuni Jimoh Adebimpe, this 2013 Law led to increase in cultist activities in the State bring it to the pre-2004 level. That is because of the reduction in the punishment, the rate of cultism aggravated and in 2016, and another law: *the Secret Cults and Secret Societies (Prohibition) Law No. 4 of 2016* had to be promulgated to restore as it were the 2004 Law.¹⁰³

Under this 2016 Law, any person that associate with a secret cult or secret society or joins a secret cult or secret society,¹⁰⁴ or join a secret cult or society as a member¹⁰⁵ or give financial or material support to a secret cult or secret society¹⁰⁶ or participate in any activity of a secret cult or secret society,¹⁰⁷ has committed an offence. It goes further to make the establishment of a secret cult/society an offence,¹⁰⁸ the harbouring of a person suspected to be a member of a secret cult/society,¹⁰⁹ actual participation in the cultism is also an offence,¹¹⁰ and all activities of cultism becomes an offence.¹¹¹ The penalty for any of the aforementioned offences is now fixed for a term of imprisonment not less than ten years but not exceeding fourteen years, but also with a fine of ₦50, 000.00.¹¹² With the restoration of this penalty, according to the DPP, the rate of cultism reduced drastically in the State.

Under these laws, some cases have been decided even up to the Supreme Court of Nigeria. One of them is the case of *Gbenga Stephen v. State*.¹¹³ The background to this is that the

¹⁰¹ *ibid* S 10.

¹⁰² *ibid* S 11.

¹⁰³ *Secret Cults and Secret Societies (Prohibition) Law No. 4 of 2016*.

¹⁰⁴ *ibid* S 2(2)(a).

¹⁰⁵ *ibid* 2(2) (b).

¹⁰⁶ *ibid* 2(2)(c).

¹⁰⁷ *ibid* 2(2)(d).

¹⁰⁸ *ibid* S 8(a).

¹⁰⁹ *ibid* S 8(b).

¹¹⁰ *ibid* S 8(c).

¹¹¹ *ibid* S 8(d).

¹¹² *ibid* S 14.

¹¹³ LOR (8/3/2013)SC; SC 256/2010 <<https://lawyersonline.ng/uncategorized/gbenga-stephen-v-the-state/>> accessed 19th May, 2020.

Appellant until his arrest was a student of the Federal Polytechnic Offa, Kwara State as an HND 1 student in the Department of Marketing. The Appellant was charged and tried for the offences of attempted robbery, unlawful possession of firearms and being a member of a secret cult. The prosecution called five (5) witnesses and tendered five (5) exhibits while the Appellant was his only witness. In the course of that trial the PW2 and PW5 testified that the appellant came to their house at Offa and pointed a locally made pistol at PW2 which the PW2 later wrestled from the appellant who escaped only to be later arrested and taken to the Police Station at Offa. A Buccaneer's sticker which was allegedly recovered from the house of the Appellant was tendered and admitted as Exhibit 2. The confessional statement of the Appellant was admitted as Exhibit 5 in which appellant said he was initiated to the Buccaneer cult group along with other persons whose names he stated, and that the initiation took place sometime in 2003 at a bush in Offa by one Wale, Niyi and others. On final appeal to the Supreme Court, the Court affirmed the concurrent judgment of both the Court of Appeal and the trial High Court by sentencing the convict to ten years imprisonment and a fine of Fifty Thousand Naira (N50, 000.00).

In *Abolore Isiaka v The State*,¹¹⁴ the accused person was arraigned in the High Court of Kwara State on a one count charge of belonging to, engaging in and associating with secret cult within and outside institution of learning in the state contrary to section 11 of the *Secret Cult and Secret Societies in Educational Institution (Prohibition) Law, 2004* of Kwara State. The prosecution tendered in evidence a confessional statement made by the accused person. The trial court found the accused guilty and sentenced him to 10 years imprisonment and a fine of N50, 000.00 (fifty thousand naira). The accused person was aggrieved and appealed to the Court of Appeal. The Court of Appeal though set the conviction aside because the Investigating Police Officer (IPO) who tendered the confessional statement was not available for cross-examination at the trial Court. However, the Court of Appeal, per Denton-West, JCA said:

¹¹⁴ (2011) ALL FWLR (pt 583) 1966.

This Court frowns seriously at the menace that cultism has created in our institution of higher learning though it may seem that the accused/appellant is walking away scot free having succeeded in this appeal due to the prosecution's inability to prove one or more elements of the offence. Cultism must be eradicated in our society for it is a cankerworm that is destroying the fabric of our very existence. It has hampered the growth of our nation and destroyed many promising lives. This court uses this medium to warn would be cultist or existing cultist that the long arm of the law would catch up with them one day. A word is enough for the wise. Unless there is cogent evidence before a court of law, it is not permissible under a civilized democracy such as ours as to find the person guilty of criminal offence without ensuring that he had opportunity of confronting his accusers by way of cross-examination of their evidence before a court of law.¹¹⁵

His lordship continued:

It is a great setback for justice, for an accused's extra-judicial statement which was objected to at the earlier time, but which the witness tenders same refuses to make himself available for trial/cross-examination was later relied upon to convict the appellant is absurd and unimaginable. Sometimes I feel upset in instances where it is clear an offence could have been committed by an accused person yet still, the fact before the Court may not warrant the conviction. It is clear that the onus placed on the prosecution is indeed very high and sometimes the law being an ass would allow a criminal to go scot free because of the onus placed on the prosecution to proof of the guilt of accused beyond reasonable doubt. That is our law enshrined even in the constitution and so we are bound by it. Accordingly, I am

¹¹⁵ *ibid*, 1985.

in total agreement with the submission of learned counsel for the appellant that the prosecutor had failed to prove any of the essential ingredients of the offence of engaging in, belonging to, and associating with Cultism as charged. He ought to be discharged and acquitted. It is for this reason and fuller reasons I articulated above, that I shall allow this Appeal and set aside the decision of the lower court convicting and sentencing the appellant to 10 (ten) years imprisonment. I hereby order that the appellant be charged and acquitted.¹¹⁶

In *Maleek Atanda Kazeem v The State*¹¹⁷ The appellant was tried, convicted, and sentenced to ten (10) years imprisonment by the High Court of Justice of Kwara State sitting at Ilorin (the court below) for the offence of belonging to, or engaging in, or associating with a secret cult or society called the Eiye confraternity under sections 7 (1) (2) and 11 (1) of the Secret Cults and Secret Societies in Educational Institutions (Prohibition) Law (CAP. 53), contained in volume 4 of the Laws of Kwara State, with commencement date on 23/4/04; giving rise to the present appeal. The conviction was upheld by the Court of Appeal. Also in *Tajudeen Olalekan and 2 others V The State*,¹¹⁸ His lordship, Honorable Justice S.T. Daibu convicted the three accused persons who were charged with the offences of (a) Criminal Conspiracy punishable under section 97 of the Penal Code belonging to members of Secret Cult or Society punishable under section 1 of the *Secret Societies and Cults (Prohibition) Law, 2013* and unlawful possession of firearms under Section 27 of the Firearms Act. The accused persons at the material time were student of Kwara State Polytechnic, Ilorin. The accused person were found guilty of the offence of conspiracy and being members of Secret Cult/Society and convicted accordingly.

On the adequacy or otherwise of these Laws, there is no perfect Law in any jurisdiction, So the Law will be amended as the situation demand but for now the Law as gone a long way to

¹¹⁶ *ibid*, 1986.

¹¹⁷ (2011) LPER 8810

¹¹⁸ (Unreported) KWS/33C/2015 delivered on 6th of March, 2016

solve the crime of cultism in Kwara State. The three (3) Kwara State Laws though made provisions for the confiscation of the properties of owners of such places where the cultist is arrested, it is interesting that in all the above cases already cited none of the owners of such properties was prosecuted not to talk of been convicted for harbouring a cultist.¹¹⁹

8. Comparison of Kwara State with other States

It should be noted that the Kwara State Laws under consideration were not the first law that seeks to control cultism in Nigeria. The Penal Code Law of the defunct Northern Nigeria also prohibited cultism or unlawful society. It provides:

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 both.¹²⁰

In addition the Criminal Code in the then Southern Nigeria also made provisions to curb cultism. It provides:

Any person who manages or assists in the management of an unlawful society is guilty of a felony and is liable to imprisonment for seven years. Any person who is a member of an unlawful society; or knowingly allows a meeting of an unlawful society, to be held in any house, building, or place belonging to, or occupied by, him or over which he has control, is guilty of a felony and is liable to imprisonment for three years.¹²¹

¹¹⁹ S 15 of the Secret Cult and Secret Societies in Educational Institutions (Prohibition) Law 2013: S 4 of the Secret Society And Cults (Prohibition) Law 2013 and S 12 of the Secret Cults and Secret Societies (Prohibition) Law 2016 all made provisions for the confiscation of the properties where a cultist dwells.

¹²⁰ Ss 97A and 97B of the Penal Code Law Cap. 89 Laws of Northern Nigeria, 1963 <<https://www.worldcat.org/title/notes-on-the-penal-code-law-cap-89-laws-of-northern-nigeria-1963/oclc/19728526/editions?referer=di&editionsView=true>> accessed 18th May, 2020.

¹²¹ Ss 63 and 64 of the Criminal Code Act Laws of the Federation, 2004 <<https://www.lawyard.ng/wp-content/uploads/2015/11/CRIMINAL-CODE-ACT-2004.pdf>> accessed 18th May, 2020

The above mentioned Law and Act has become obsolete due to exigencies of time and as at then it was used when there was only Northern and Southern Nigeria. After the creation of more States, each States now thought it fit to make new laws to meet the current situations at hand. The Bayelsa State Government under her own law also made stiffer penalty. It provides:

Any person is a member of a secret cult, whether or not the person is in possession or control of an offensive or dangerous weapon commits an offence and is liable on conviction for ten years without an option of fine.¹²²

On the other hand, the Cross River State Government Law provides:

Any person who, whether a member of a secret cult or not and who, in any place or gathering-has in his possession or under his control any offensive weapons; or procures or causes to be procured by any other person any offensive weapon; or conspires or in any way makes possible the possession or use of any offensive weapon; or uses an offensive weapon on another person; or threatens the use of an offensive weapon on another person, shall be guilty of an offence.¹²³

On the penalty, for unlawful possession, person (s) who contravenes any of the provisions specified above shall be liable on conviction- in the case of a first offender to imprisonment for not less than seven years without an option of fine; in the case of a second offender to imprisonment for not less than ten years and without an option of fine. The above provisions are in *pari*

¹²² S 4 Bayelsa State Secret Cult/Societies and Similar Activities (Prohibition) Law, 2012 <<https://bayelsapublicinformationmgt.wordpress.com/2013/04/16/bayelsa-state-secret-cultssocieties-and-similar-activities-prohibition-law-2012/>> accessed 18th May, 2020.

¹²³ S 1 (a) – (e) Cross River State Public Order (Prohibition of Secret Cult and Offensive Weapon) Law, 2002. <<https://laws.lawnigeria.com/2018/04/16/public-order-prohibition-of-secret-cult-and-offensive-weapons-law/>> accessed 18th May, 2020.

material with Rivers State Secret Cult and Similar Activities (Prohibition) Law.¹²⁴ The unanimity of the punishment for cultists or membership of secret society in the various States legislation is a departure from the punishment provided in both Criminal and Penal Codes. The harsh or stiffer punishment stipulated in the legislation is meant to tackle the prevalence of the menace and to serve as deterrent to others.¹²⁵

9. Recommendations

In the light of the foregoing, the following recommendations are hereby made. First is that there is a need for sensitization of our young adults especially from Senior Secondary about the damages of being associated with Secret Cult/Society. Our youth need to be better informed to be aware of the types of friends they keep. Non-Governmental Organizations (NGO), Faith Based Organizations (FBO) and Community Based Organization should be in the forefront to educate their subjects of repercussions of being a member of a Secret Cult/Society. FBO have a lot of influence on their subjects and these should be made to bear on them. Parents are to properly bring up their children to know the right from wrong. Parents are to ensure that they know the friends of their children and also monitor their activities.

This work is of the opinion that cultism among students in tertiary institutions in Nigeria could be minimized by introducing programmes in the television, radio and the social media designed to enlightened the students on the implications and the danger of joining secret cults. Institutions guidance and counselors should be posted to every tertiary institution in Nigeria with the duty of counseling the students and staff only. These counselors should report systematically cases of unexplained and unjustified advances of students to female or male lectures, and that of lectures to students. The institution administrators should be forum where the students and lectures should discuss the issues of cultism. Parents should train their

¹²⁴ G Shaba 'An Appraisal of the Legal Mechanisms for Combating the Menace of Secret Societies/Cults in Nigeria' 2016] (3) (2) *Joseph University Law Journal* 37-47.
¹²⁵ *ibid*.

children in moral and try to meet their needs. They should check the company their children keep and counsel them regularly.

10. Conclusion

From this study it has been discovered that the problem of cultism, among others, is a symptom of society, which is embroiled in moral decadence and where institutionalized and personal violence has become a way of life. Realizing the havoc which cultism has wrecked on both members and non-members of the academic community, all hands must be on deck to **combat the menace**. However to curb this menace, government and non-governmental agencies and the media should step up **their campaigns against cultism and its destructive tendencies**. If the **recommendations made above** are implemented a far reaching reduction of the rate of cultism activities will be achieved.