

EQUITY IN HANDLING CRIMES IN IGBO LAND AMONG THE COMMUNITIES IN OYI LOCAL GOVERNMENT AREA OF ANAMBRA STATE

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Abstract

This study focuses on the fairness applied in crime cases among the communities in Oyi Local Government Area of Anambra State, Nigeria. Equity entails equal justice for all. People can as well have access to justice as and when due. Crime is when an act that violates the laws of the land is committed. Punishment is required in proportionate to the offence committed. The communities in Oyi Local Government Area of Anambra State are not free from unlawful citizens. Unlawful behaviours bring about instability which can threaten the peaceful co-existence of the members of the community. The study therefore explores the justness applied to crimes that affect human life (murder), freedom (kidnapping), sex (incest) and religion and belief system (masquerade desecration). This can be an avenue of curbing excesses within the communities and the nation at large. In addition, the study also seeks just punishment for crimes to ensure fair and impartial treatment to all. The aim is to discourage crime that will eventually breed a disharmonious society. The research work is descriptive in nature. The population of the study was drawn from the five communities in Oyi Local Government Area of Anambra State, Nteje, Ogbunike, Awkuzu, Nkwelle-Ezunaka and Umunya. The researcher adopts the use of oral interview as a means of data collection. Natural Law Theory was adopted for the study. Findings show that equity brings about unity, love and harmony which go a long way in discouraging bad behaviour. It is therefore pertinent for the members of the communities and the nation at large to embrace the fairness found in the informal justice system among these communities for a better society.

Key Words: Equity, Crime and Community

Introduction

A community is a set of people sharing a general perception of life and, in most cases, tradition, language, and rules of behaviour. When people live together they are certain to quit some of their basic characters for the good and unity of the society. However, not everybody does this; hence unlawful behaviour becomes inevitable when people live together. For this reason, no community in the world can boast of having only law abiding citizens. This is also through for the five communities in Oyi Local Government Area of Anambra State, namely Nteje, Ogbunike, Awkuzu, Nkwelle-Ezunaka and Umunya. In the past, the communities are known for their harmonious living and peaceful co-existence. In those days cases of crime were minimal. Nowadays, partly because of westernization and unemployment, cases of crime such as killing, maiming and kidnapping are manifesting in these communities and the Nigeria at large. Some of these crimes are recorded on the pages of newspapers and some, in online reports. For instance, Okonkwo (2016) asserts, “The arrest of five youths from Uruebo village Nkwelle-Ezunaka... for alleged kidnap have continued to engender palpable tension in the area... some youths who have refused to engage in any meaningful source of livelihood... recently used their forest for kidnapping.” Also, Okoli (2007) state: “At least, four persons have been confirmed dead and many people seriously wounded when the youths of Osile Ogbunike Community renewed their rampage... no fewer than seven houses were said to have been burnt.” These actions are crime against nature and man and cannot be condoned by the society.

Crime is a socially disapproved behaviour. It is any deed or error that contravenes a law which the outcome leads to punishment. The degree of the crime or the seriousness will by and large be put in proportionate to the cruelty of the crime. Therefore, when evil thrives the only solution is to probe and punish the offender; this will go a long way to protect the innocent, and serve as a deterrent to others. That will also achieve justice for all. Thus, the need for equity in human society becomes evident. Equity entails impartiality, fairness and justice.

Among the Oyi communities of Anambra State informal justice system as applied to its members addresses many issues that affect the people significantly. These are security of life and property, land dispute, desecration of masquerade, family dispute, and incest, among others. Braithwaite (2007:691) states that, "Informal justice gives power to ordinary citizens who often feel excluded and incapacitated." Informal justice as practiced by the research communities seeks for equity by delivering justice to everyone; it seeks out the offender and disciplines him or her as well. This will actually help him or her not to rub up the wrong way again and in the same way help to protect the innocent. It is therefore necessary to examine how members of Oyi Local Government Area of Anambra State used their traditional justice system to handle crime issues. This can be a way of limiting extremes. Since crime has the power to endanger the society, it is better to bring it to lowest level.

Crime in Igbo Land

Crime is any unacceptable behaviour, misconduct or any specific act committed in violation of the accepted way of behaviour of a society. According to Baba, Babajo and Namahe (2017) sociologically crime is anti-social conduct or behaviour that disrupts the norms of the society. They state also that in criminal law it is any act or omission which entails sanctions such as imprisonment, fines, or even death. Certainly there are rules and laws that guide behaviours in every society, so any great wickedness done by individuals are seen as a crime. For this reason there are a lot of things that constitute crime in Igbo land. In most cases some of the crimes are in violation of divine laws while some violate human laws. In any case the offender is punished according to the gravity of the offence committed.

Crimes against divine laws are called abomination (ary). According to Eyisi (2006:3), "Abomination is a very serious crime committed against God, humanity and society at large." Abomination causes a severe sense of disgust and abhorrence. The society despises and dislikes any form of abomination and frowns at anyone that commits such acts. An act of abomination desecrates the offender and also the land; it therefore needs purification to appease the gods, cleanse the land and purify the offender. Without such purification, serious calamity will result as a repercussion. For Eyisi (2006) the abominations are: murder, incest, to wilfully set ablaze or pull down someone's house, human trafficking, kidnapping, rape, stealing of yam or to cut or uproot a planted yam seedling, poisoning, witchcraft, and suicide, among others. Isidienu (2018:34) refers to abomination as a "disgusting vice, which has social, economic, political and religious implications." In effect, the act of abomination can affect every aspect of people's life. An act of crime can destabilize the cosmic order and have a negative effect on the offender and jeopardize the peace of the society. It is therefore necessary that the offender is probe and punished accordingly, as regards to the offence committed. Igbo and Ugwuoke (2013) state that "crime in traditional Igbo society consisted of serious violations of standardized ways of behaviours, custom and tradition of the Igbo. Crime was said to be 'abomination', which had far-reaching social consequences not only for the offender but also his immediate family and close relatives." There are do's and don'ts in Igbo society. These are bad behaviours so disgusting that it is abhorred by all. The offender is not covered up in any way. In most cases he or she is shamefully treated or disgraced. Because of the family ties in Igbo society, the offender suffers not alone, the entire relatives suffer also. In most cases it could also affect the whole village or community. For instance where a community is tagged with a particular crime, some people may vow not to associate with such community or marry from the community. This could be an effect of a crime committed by an individual or group of individuals. Onyeozili and Ebbe (2012:34) confirm that "The whole community share a sense of guilt for an individual's

crime, which, must be sanctified. The entire community had to offer a communal sacrifice to propitiate the god, so that the anger of the gods would not fall upon the entire community.”

Crimes of any kind in Igbo land is prohibited and as such attracts punishment to bring sanity in the society. Onyeozili and Ebbe (2012:34) state, “among the Igbo, people who commit abomination such as murder, incest,... offences such as burglary, robbery, stealing, etc., were disposed of, not by imprisonment, but by shaming, restitution, a fine, compensation, a communion feast, or sale into slavery (for a persistent recalcitrant).” Actually, Igbo people have no prison yards where people who commit grievous offences are kept, rather the person, especially in case of murder, is expelled from the community for a period of time depending on the number of years each community in Igbo land stipulates for such an offence. Such punishment usually serves as a lesson to other people with such intent.

Crimes that violate human laws are known as taboos (nsọ) and were varied in Igbo society. Ilogu (1985:27) affirms that, “By their clear cut prescriptions, taboos build up a given society, they do provide for such society structures of social expectations by which norms of social behaviour are generated.” Taboos are extremely prohibited acts or deeds. However, some are serious in some parts of Igbo land while some are not. What is regarded as taboo in one part of Igbo land may not be so in another part of Igbo land. According to Eyisi (2006:4) “Taboos are actions or behaviours that are in disagreement with the culture, tradition and or the belief of a people or community. The community frowns at anyone who commits a taboo, and also spells out proper punishment or fine for the person.” He enumerates some taboos: to wilfully kill a fowl that is incubating egg, to bear false witness, a woman to climb a kola nut tree or palm tree, children abusing their parents, wife oppressing the husband, woman committing adultery, a woman to beat her husband or husband to beat his wife. These taboos are frowned at. Taboos enumerated by Ekwealor (1998:88) include: a husband deliberately breaking or throwing away his wife’s cooking utensils, wilful arson, killing of totem animal, desecrating the secret of a masquerade. There are some disagreements between Eyisi (2006) and Ekwealor (1998) on some of the classifications. While Eyisi regards setting of some one’s house ablaze as an abomination, Ekwealor regards it as a taboo. Anozie (2003:158) does not categorize the offences; although he says that the gravity of the offences is not the same, but fails to state the more grievous offences and the less grievous ones. He enumerates offences: unveiling a masquerade, a woman to climb tree, murder, suicide, incest, a fowl eating or drinking its egg, stealing of yam or deliberate cutting of the succulent tendrils of yam in another man’s farm. From this discussion, we can infer that there may not be a clear cut distinction between abomination and taboo.

It is pertinent to note that in Igbo land, every individual is expected to behave in a morally acceptable manner. For this reason therefore, any lapse in morality is regarded as a crime. Oraegbunam (nd:17) rightly states that “What constitute offences in Igbo traditional society cannot be restricted to a short list. The list is expected to widen as morality, criminality, illegality, religion dovetail into one another.” Ilogu (1985:26) affirms, “Igbo morality is characterised by prohibitions, taboos and customs,” listing such prohibitions as: “do not take the life of the member of the community, do not steal, especially yam, the staple food of the people, do not commit incest, do not defraud strangers, and do not hide abominations.” Certainly crimes in Igbo culture are in most cases not different from abominations, taboos, prohibitions, religious beliefs and other acts that affect morality. For instance, some prohibitions are deep rooted in religious beliefs and in most cases regarded as abominations or taboos. Such acts as, a child that cuts the upper teeth before the lower teeth, a child that cuts teeth before birth, a goat that delivers with rope tied on its neck or a goat that delivers at mid night and hiding abominations such as birth of twins, These acts alter the course of nature; not necessarily that they affect morality, yet in the past people frowned at them.

According to Mbiti (1981:178),

There are many things held to be morally wrong and evil, such as: robbery, murder, rape, telling lies, being cruel, saying bad words, showing disrespect, practicing sorcery, or witchcraft, interfering with public rights, backbiting, being lazy or greedy or selfish, breaking promises and so on. All these and many others are moral vices in the eyes of the community. Whoever does them is considered to be bad or evil person.

In Igbo communities, the above acts are regarded as morally bad. In some communities, some of the acts are regarded as abominations, some taboos, prohibitions and so on. Therefore, the seriousness of each action depends on the type of offence committed and how the community views it. Generally, what is common among all Igbo communities is that the case of suicide and wilful murder are taken so serious because of the value Igbo people attach to life. Since life is the ultimate, we shall at this juncture, explore the Natural Law Theory and how it applies to the study.

Natural Law Theory

The analysis of this paper was based on the precepts of natural law. Natural law is an ethical belief or system of belief which is inherent in human nature and can be discovered by reason. Natural law is divine. It is a law that is believed to have come directly from God. Human beings are rational animals and they use their reasoning to discern these divine laws. They are morally obliged to use their reason to discern these laws and act in conformity with them.

Humans have the natural urge to among other things, procreate, eat, rest and seek for safety. These actions are in line with the natural law for species to survive. Consequently, any action in consonance with this is morally good and those that run counter are morally wrong. Natural law provides guidance for human actions. In line with the above, Houghton (2011) describes natural law as “a body of principles that are considered to be inherent in nature and have universal application in determining whether human conduct is right or wrong, often contrasted with positive law”. Natural law is a body of rules of conduct that are inherent in human nature, and is very essential and binding upon human society.

A leading proponent of natural law was Thomas Aquinas (1227-1274). According to him, the first precept of natural law is that good is to be done and pursued and evil is to be avoided. He states that natural law is common to all the nations. Aquinas also perceives natural law as the philosophy which acclaims that certain rights or values are inherent by virtue of human nature and universally recognizable through human reason. This idea attributes to natural law as that which uses reason to analyse both social and personal human nature to deduce binding rules of moral behaviour. Before the application of this theory, we shall discuss how the communities in Oyi Local Government of Anambra State handle cases of murder, kidnapping, incest and desecration of masquerade. These cases affect human life, freedom, morality and respect for religious objects.

Crimes and Punishments among the Communities in Oyi Local Government Area of Anambra State

Among the research communities, the institution that handle cases include: Town union, Igwe in Council, vigilante, elders, family, kindred, age grade, sisters union (umuada/umuokpu), masquerade group, native doctors, among others. Cases are handled through fair hearing, dialogue, witness, meetings, and consensus. We shall, in turn, discuss how Nteje, Ogbunike, Awkuzu, Nkwelle-Ezunaka and Umunya communities handle crimes. For space constraint, we focus on murder, incest, kidnapping and desecration of masquerade.

a. Nteje Community

i. Murder: In case of a wilful murder, the community apprehends the culprit for justice to take its course, and in order to fulfil the necessary conditions against murder. The community must insist that the person must face hanging after he had married a wife for the murdered. He or she will first of all be brought to the village square for questioning and after that he or she is ostracized or hanged depending on the facts that surround the act.

However, some of the people interviewed state that the murderer runs away from the community for a period of some years, ie *igba osọ ochu*. He or she will perform the cleansing rituals after staying away for some time; that is, rites of purification and a replacement of the murdered with a wife.

In most cases the murderer must leave the community for seven years. The various purification processes will be done, particularly *ikọ mme*, before he returns. Then, he marries a wife for the family of the deceased. However, in recent times the case of murder is treated by the police and the court.

ii. Incest: Those that handle incest cases are the family, elders and also in some cases the sisters union (*umuada/umuokpu*). There must be purification rites for someone who commits incest. It is called *isu mmanu n' isi, ikpu aru*. That is, some rituals, sacrifices will be carried out. The persons involved will meet a diviner who will tell them what to do in order to appease the gods. It is a taboo and the culprits are rejected by the community and severe punishment meted out to them. Incest is a serious crime that no amount of sacrifice may be able to cleanse it. It is an abomination, and purification and sacrifices must be properly done if the persons must survive.

iii. Kidnapping: Kidnapping is an abomination, *alu* an injustice. The kidnapper must provide the kidnapped, or he or she is killed and other properties burnt down. If the kidnapper produces his or her victim, he or she escapes death. In that case, the offender is severely punished, heavily fined, or ostracised. If he is titled, the person will be disrobed. Nowadays, the case of kidnapping is above community intervention. Justice is done by the government according to the law against kidnapping.

iv. Revealing the Secrets of Masquerade: Desecration of masquerade is a serious case and an abomination, it is called *ita mmu*. It will be handed over to the elders and native doctors. Purification exercises must be performed. Also the person's house will be burnt. All the masquerades in the community and beyond will invade the house of the offender if not burnt down for many days with shocking, fearful and dangerous utterances and expositions.

Any other crime apart from the above can be handled by imposing fine on the offender, banned from attending meetings, written or oral apology, and mediation between parties, dialogue and sanctions. *O bulu nwaanyi na-ata amuosu a na- eji mmnwu eduna ya be nna ya*. For all the crimes discussed, if an accused denies all allegations to an offence in Nteje community, the next line of action is for the person to take an oath or native investigation will be done through the native doctors. The actions that will be taken may include one or more of the following:

swearing an oath, *inwu iyi*, consulting a seer, *ije n'ita* or consulting a fortune-teller, *igba afa*.

b. Ogbunike Community

i. Murder: The murderer will be excommunicated from the community, banned, and exiled, (*gbaa osọ ochu*) for at least a period of seven years. On his return purification rites will be done and he or she will be asked to replace the person he murdered by marrying a wife as a replacement. However, in recent times, murderers are handed over to the police for prosecution.

ii. Incest: Incest is an abomination, *alu*. In most cases the deviant is excommunicated from social events, gatherings and membership of certain groups. The cleansing of the land must be done, after which he or she will be in communication again. The culprits have to offer sacrifices to cleanse the land, or face banishment if they fail to provide the needed materials for land cleansing.

iii. **Kidnapping:** Kidnappers are handed over to the police and taken to the law court for trial in the recent times.

iv. **Revealing the Secrets of Masquerade:** It is a very serious offence; the person will undergo a lot of rituals. The victim is fined and he or she has to bring cocks, goat, yams etc in order to restore the land and cleanse the abomination. The person's house will be barricaded with *omu nkwu*. The person will be sent out of the town and in most cases his house is burnt down after he has left the community.

If someone denies all allegations to an offence, the community in a native way will go to diviners or soothsayers, or may be asked to take an oath, *inu iyi* before a shrine or any deity provided. If the person, who took an oath, survives after seven market days, he or she is proved to be innocent. Any other case, apart from the crimes of our focus, can be treated through fair hearing, asking for witnesses, denouncement, it can be handled through *itu alusi*, deliberations, excommunication. Deviant ones are summoned by the relevant authorities. In case of stealing, the person is required to pay back, despite the castigations that will be done. Criminal offence must be reported to the police; thereafter the community may take further actions like excommunication.

c.Awkuzu Community

i. **Murder :** The murderer will be made to leave the community for a period of time. That is, *O ga -agba osọ ochu*. The person will be excommunicated and sent out of the community. He is sent on exile. The murdered must have been buried before amnesty is given to the murderer. The murdered will also be replaced with a wife. However, in recent times the person will be detained in police custody if found culpable, he or she will be tried in the court.

ii. **Incest:** The criminals will be made to undergo certain rituals. There will be purification and cleansing, *isu mmanu n'isi*. The persons will be brought to the community gathering to dance naked after which they will be taken to the chief priest of the community for cleansing.

iii. **Kidnapping:** The Kidnapper will be arrested and made to face the law. The government directive will be followed by referring the case to law enforcement agency.

iv. **Revealing the Secret of Masquerade:** The masquerade group will decisively deal with the individual.

If someone denies all allegations to an offence, the person will take an oath or the two parties will enter into a covenant. The matter can be reported to all the shrines in the community. Through investigation they will seek spiritual assistance through divinities. Some issues might be resolved through conflict resolution or disciplinary committee set by the people. By swearing an oath at the shrine or recently, handled by the court or church.

d.Umunya Community

i. **Murder:** Murder attracts public disgrace. The community will first of all excommunicate, ostracise him or her from the community. *Osọ ochu*. Purification will be done and his or her relations will replace the person murdered with a virgin. In most cases the person is stoned or hanged or ostracised except the killing is done in self-defence.

ii. **Incest:** The sister's union (*umuokpu*) will deal with the persons. They will be excommunicated from every event in the community. They will be tasked to cleanse the land (*ikpu aru*). A ritual must be performed, and if overlooked, it is likely to cause problems that will be unknown to the people in the future.

iii. **Kidnapping:** Kidnapping usually attracts death sentence. The person is judged by the elders. However in the recent times the person is arrested by the community and handed over to the police.

iv. **Revealing the Secret of Masquerade:** The person is excommunicated or suspended from groups and the person is levied. The masquerades will visit the person's house, burn the house and excommunicate him or her.

If however one denies all allegations, deep investigation can still be carried out and the truth will manifest. The person will be compelled to take an oath or he or she will be tortured. Another way is by peace meal, communion called *oriko* or an idol will be used against the person, that is *itu ya n'alusi*. Other crimes can be handled through, *itu alusi* that is oath taking with *alusi*. In case of rape the person will be publicly disgraced and excommunicated. Some crimes mentioned earlier such as kidnapping and murder can no longer be handled by the community in recent times; such cases are taken to the police for redress.

e.Nkwelle-Ezunaka Community

i. **Murder:** The offender will be disgraced publicly, excommunicated or ostracised and, or banish the person from the community for a period of time (seven years). Later, there will be cleansing of the land, and also settle the family of the deceased by marrying a wife for them. The person will be hanged or forced to commit suicide. However such matters are handed over to the Police and law court in the recent times.

ii. **Incest:** *Ha ga-akpu alu* – sacrifice to cleanse the land. The community will ask the person to bring goat, fowl or cow for purification. Both will be called out, each of them will carry a pot of palm oil on their head. The kindred will be dipping their yam inside i.e as their purification. They will be excommunicated until after cleansing. Two of them both the male and the female will be brought out before the public they will carry pot of palm oil on their heads; while all the elders will eat their yams deeping their hands inside the pot of red oil the culprits are carrying on their heads for their purification.

iii. **Kidnapping:** The report will go to the *igwe* and also to the Police. The victim will be sent to law enforcement agents to be prosecuted through adjudicatory processes since in the recent times such cases are above the community.

iv. **Revealing the Secret of the Masquerade:** The person will be penalized. The group of elders' in-charge of the community masquerade will go to the family with anger to tell them the offence committed. All the masquerades will visit the person early in the morning. A heavy fine will be paid; meanwhile the victim will be pleading for mercy. In most cases the victim's house will be burnt down.

If there are denials of allegations, some other ways to handle the situation are: the accused person will be engaged into oath taking at *iyi ojii* shrine. The oracle priest will be consulted. They may be asked to call witnesses. Other ways are: investigations, inviting native doctors to consult their gods, taken to the shrines, cursing the victim, swearing before a deity, consulting oracles, *ije n'afa*, and law court. Some other offences can be handled through litigation, fair hearing, oath taking, investigations, setting up committees, reporting the case to the council of elders, age grades, law courts. In case of rape the accused is excommunicated or brought to the village square to appease the gods.

Discussion and Findings

The communities in Oyi Local Government Area do not play with human life. Life is precious, something that comes only from the creator and cannot be replaced; no one should waste it. It is therefore not surprising the type of punishment which the communities subjected murderers. Murder is against divine law or natural law which indicates that people should not shed innocent blood. No one should commit crime. Therefore, one should be responsible for his or her action. In the same line of thought, the criminal code of Federal Republic of Nigeria, section 315, said that, it is unlawful to kill any person unless such killing is authorized. Any person who commits murder shall be sentenced to death by court of law, unless the person is under the age of seventeen or is a pregnant woman in which case the person is detained under the pleasure of the state governor. It is clear that everyone has a right to his or her life and no one has the right to kill another person. Killing is against human nature. It is against the purpose for which man is created. Man is created by God to live a good and happy life, therefore the act of murder negate this idea and can therefore diminish human

race. In addition, the Constitution of Nigeria (1999), chapter ii, part 1 No:14.2b, states that the security and welfare of the people shall be the primary purpose of government. This sounds so great, as No 17.2a also adds that every citizen shall enjoy equality of rights, obligations and opportunities before the law. This paper is of the view that security of life has not been totally met as was stated in the constitution. There are instances of killing of innocent citizens, and the law has not totally protected the helpless as promised.

The implication is that if there are no punishments or if the laws of the land are not enforced, the human community could be a horror of great disaster. The members of society will be miserable, fearful and a terror of great displeasure. There is a saying *azu ka ibe ya o loo*, meaning literally ‘let the bigger fish swallow the smaller one’. Without adequate punishment for crime, people who feel that they are greater, better off and the only people that are supposed to be dictating for others in the society will then be eliminating the weaker members of the society. Where there is no freedom, people live in bondage and also live at the mercy of others.

However, a murderer may be exonerated if the act of murder is in self-defence, according to some of my respondents. In the same line of thought natural law states that as the kind of animals humans are, they have the right to their lives, property, right to liberty and also to defend themselves against those who want to kill them, or people wanting to take them into slavery or those who want to steal from them, especially using force or violence. One can rightly say that among the communities in Oyi Local Government Area self-defence is not a crime, as Igbo people say *o bialu ga-egbu m gbue onwe ya*, meaning literally that whoever wants to kill me should kill himself or herself. In addition 1999 Constitution of Nigeria chapter iv, part 1 No: 36 on the right to fair hearing states that a person shall be entitled to a fair hearing within a reasonable time by a court or other tribunal established by law and constituted in such manner as to secure its independence and impartiality. In some cases it is obvious that fair hearing is denied. This explains why most of the innocent citizens are languishing in prisons all over the country. Justice delayed, they say, is Justice denied.

Furthermore, in the recent times, murder case is handed over to the police. It was found out that the customary court, which is closer to the people, has no power to handle murder case because it is not in their jurisdiction. Therefore any case of murder must be recorded and be prosecuted by the police, for there to be appropriate punishment given by the court as stipulated by the law. The implication is that some people might consciously indulge in the crime of murder or become hired assassins as the case may be; and still be moving about freely in the society; since the communities have no power to execute a murderer in the recent times. It is obvious that in some cases, some persons that specialized in the act of murder, handed over to the police and later tried in the court of law, got adequate punishment. Some of the people caught in such grievous crime usually use money and connections to close their cases. Thus, many criminals is said to prefer going to modern court of law because they know that they will always be on the “winning” side by getting away through fraudulent means. This could aid in the continuation of crimes in the society and counteract the aim of justice and equity as practiced in the communities.

Concerning incest in our society, Olufemi (2016) has this to say, “Incest relations has been codified and criminalized in both our customary and statutory laws, e.g. the Nigerian criminal code Cap 77LFN 1990, in which incest is defined as an offence against morality.” He continued, in section 214(3) Criminal code Cap 77 LFN1990; “Any person who has carnal knowledge of any person against the order of nature...is guilty of a felony, and is liable to imprisonment for fourteen years.” Instances of incest usually occur and if the law is applied as it should be, the acts of incest must have been totally eliminated in Nigeria. It seems the crime is on the increase. No wonder Ndaji (2008) “...recently condemned the increasing cases of incest and other forms of violence against women in the country calling on the authority to check the situation.”

Communities in Oyi Local Government Area of Anambra state regard incest as abomination and do not keep calm whenever committed. Abomination can create a serious imbalance in a community if the culprit is not identified, punished and necessary rituals performed. Natural law avers that humans should use their common sense to know what is good. According to Kottak (2009: 275) “The incest taboo is universal because incest horror is instinctive. Humans have a genetically programmed disgust towards incest. Because of this feeling early humans banned it.” It is therefore wrong for people who have blood relations among the communities in Oyi Local Government Area and the nation at large to have sexual intercourse. This is against the laws of the land and members of our research communities and Nigeria as a whole should know it and avoid it. They are not animals who have no rules on mating; so the grievous punishment which the research communities gave the offenders will go a long way in discouraging anyone who has an eye on one of his or her relations, thus, fostering peace and social stability.

On kidnapping, natural law asserts that individuals have a right to liberty and so the act of kidnapping goes against this right. It is wrong to kidnap another person since every individual has a right to his or her life; and also have a right to freedom. The implication is that the agonizing nature of kidnapping which creates suffering, restrictions, pains and panic and retards human resources and manpower development is a crime against natural law. According to Theoharis (2019) “A kidnapping occurs when someone intentionally takes, abducts, restrains, or confines someone else.” Obiezu (2019) states that “Section 273 of the penal code Act provides that whoever kidnaps or abducts a person shall be punished with imprisonment for a term which may extend to ten years and shall also be liable to fine.” However, when the crime of kidnap became commonplace for kidnappers, “The Nigerian Senate passed into law the Kidnapping, Abduction Act, which particularly specified a 30 year jail term for anyone caught colluding with an abductor.” (Theoharis, 2019).

Our discussion so far confirms that kidnapping nowadays is Government issue. The researcher discovered that in Anambra State anyone caught in the act of kidnapping must be prosecuted. The building on which the kidnapped person was kept will also be pulled down. This is a wonderful effort made in order to put crime to a stop. This however affects only those cases that were reported and verified and acknowledged as complete and true. But there could be some cases where the communities could not report because of security purposes and the kidnapper will continue to terrify the members of the community. In some cases any one that reports a kidnap case is identified as the next target because of security lapses. If the research communities could be allowed to handle kidnapping cases as in the olden days; they will be able to eliminate any one that is terrifying their community, matching punishment with the offence committed; and the communities will have peace. This may not be possible unless it is discussed and passed into law by the government.

Revealing the secret of a masquerade is a very grievous offence which attracts ritual cleansing with other punishments in the research communities. It is a violation against traditional religion. Based on this, Sulaiman (2016) asserts that, “The basic issue about violence is that somebody is violated... This includes violence against religious institutions, people, objects,...” It is obvious that sometimes sacred objects in various religions in Nigeria are been violated. This includes the killing of the clergy and laity and burning down of places of worship. Yet in the 1999 Constitution part 11 No:10, Prohibition of State Religion made it clear that the government shall not adopt any religion as state religion. Also, by Section 204 of Criminal Code entitled “Insult to Religion” states that,

Any person who does an act which any class of person consider as a public insult on their religion, with the intention that they should consider the act such an insult, and any person who does an unlawful act with the knowledge that any class of person will consider it such an insult, is guilty of a misdemeanour, and is liable to imprisonment for two years.
www.en.mwikisource

The above act is so wonderful but sometimes lack proper implementation. Most religions, especially the Christianity, are being insulted time without number without any punishment for the offenders, yet there are laws against religious insult. In Igbo land generally and Oyi communities in particular, masquerade represents the spirit of the ancestors and is held in high reverence. The masquerade performs different functions in the society such as committing the young boys to be moral and conscious especially during their initiation period, help in maintaining peace and order in the society, collection of levies from disobedient persons who refuse to pay for community development, and serving as corrective institution in different occasions. The implication is that if masquerade is reduced to nothing and seen to be irrelevant, these functions will be relegated to the background. Everyone in the community must try his or her best to be the best they can without creating problems in the society. One should also pay his or her levies because of the benefits he or she is receiving in his community. However, some people despite all persuasion tend to refuse to pay for community development. In most cases it is the masquerade that the community uses to collect such levies. The person or persons involved will not react to the situation as he would have done if it were ordinary people in the community.

Concerning the denial of an offence in the research communities, the community will demand the person to take an oath. They may consult a diviner, a seer, to make investigations etc. The entire process is carried out in a bid to find out the truth so that an innocent person should not be punished. According to Ukaegbu, (2002:271), "The Igbo, with their inquisitorial system, do not judge anyone. The highest they do is to carry out basic investigations, mediate, negotiate, resolve and reconcile matters within their human limits." Equity seeks that the innocent should be set free and the guilty punished. The implication is that if all these decisive measures are not taken, the community or the people involved might do the wrong thing which does not follow the order of nature. It could therefore be calamitous and disastrous. However, after doing the right thing the rest is left for God to judge.

Recommendations on Crime Prevention and Control in the Nigerian Society

It is important to define our value system in our communities and Nigeria at large. Human life should be made supreme above every other thing. Any nation that values animals or inanimate objects more than human life can destroy life without remorse. The law protecting people's life should be enforced no matter who is involved. A wide range campaign should be carried out, especially on the social media on the value of life. This can effect a great change on the attitude of people, especially those who are prone to committing crimes.

Government should create awareness programmes that will focus on sex abuse, sex-related crimes, especially emphasizing the evils of incest. Laws enacted against incestuous act should also be made known to people. Enforcing the law will go a long way in reducing incest in our communities.

The vigilante groups in all communities should increase their efforts in eradicating crime in their various communities. Police and other law enforcement agencies should collaborate with them to make sure that they discover all the hideouts for criminals, especially the hiding places of kidnappers and their victims. Government should make sure that there are functional street lights in all communities; since crimes thrive better in darkness than in light.

Equity found in handling crimes among the communities in Oyi Local Government Area of Anambra State should be emulated by the state and Federal Governments. Prompt and fair hearing should be given to everyone. Appropriate punishment should be given to offenders not minding who is involved and efforts made to ensure that criminals do not bribe their way out. This will serve as a deterrent to intending criminals, as well as protection for the innocent.

Conclusion

Crime negates the law of nature. It should be punished greatly to deter people prone to crimes. It is pertinent for Igbo people and the Nigerian nation at large to embrace the fairness found in the informal justice system among the research communities of Oyi Local Government Area of Anambra State, for a better society. Also, everyone must try their best to be the best they can without creating problems in the society. However, if someone chooses the path of crime, he must be made to face the full weight of the law. This will contribute in reducing crime and criminality in Nigeria to the barest minimum.

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