

Barbarous Crimes in the 21st Century in Nigeria: The Position of Nigerian Legal Constitution on the Menace

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Abstract

The rate by which crimes and atrocities are committed by the Nigerians especially since the inception of the 21st century is soundly alarming and gradually affecting the peaceful coexistence in Nigeria. It is pathetic that the menace is almost put the youths into misbehavior in the attempt at pursuing their livelihood or become rich in life. Based on this background, this paper attempts at dilating the issue of criminals being committed which having to do barbarous crimes that are rampant among Nigerians. Crimes such as homicide, banditry/kidnappings, human trafficking, human rituals/sacrifices, armed robbery, cybercrimes/yahoo, are discussed in this paper. Equally, we dilate on the position Nigerian legal constitution on these crimes. In the course of findings, there is discovery that the menace or crime is increasing in Nigeria society, and the major problem that constitute to it in Nigeria has to do poverty, unemployment, drug abuse, avarice, as well as improper implementation of law etc.. The method applied in this research is quantitative research design. This method deals with discussing the issue in convergent reasoning in a spontaneous way and free flowing manner rather than divergent reasoning. The research makes use of law books, journals, and some other materials on crimes. The paper concludes that a lot of factors are contributed to the felony in Nigeria, such as poverty, unemployment etc. Nevertheless, if proper implementation of law of criminal matters are taken care in Nigerian legal system, the problem of crimes would drastically reduce or totally ameliorated and the nation would achieve emancipation and liberation from the current tragedies.

Keywords: *Barbarous Crimes, the 21st Century in Nigeria, Nigerian Legal Constitution.*

Introduction

Nigeria in the 21st century witnesses the high level of crimes and atrocities. The rate by which menace generates across the country as a result of dissolution of peaceful coexistence, accumulation of wealth and power, and some other reasons cannot be over-emphasized. Although by the coming of the said century, crimes are committed almost everywhere in the nation. Thus, the escalation of constant crimes has bewildered the peaceful atmosphere of the nation. Consequently, it turns the country into insecurity that influences of some Nigeria citizens negatively into the menace, youths and adults, men and women, low and high personalities. As a matter of fact, different crimes are fashioned and committed almost every-day. For example, crimes such as homicide, cybercrimes (yahoo gangs), ritual murder and human sacrifice, human and child trafficking, kidnapping and abduction, and armed-robbery, banditry, herders' tragedy, and many more are experiencing in Nigeria, and thus affecting the populace peaceful coexistence. However, this paper aims at looking judiciously into some of these some immoral attitudes in a legal system, some paradigms of such occurrences and the causes of it in our society. The major objective of this research is to dilate on the position of Nigerian criminal constitution on these crimes as well as biblical and Shariah laws. The rationale behind the research is to expose to what extent the rule of law is implemented in Nigeria. It equally serves as a kind of modification in the implementation of law in Nigeria. The primary objective of this research work is to explore the rule of law in Nigeria, identify its status and how implement it to safeguard ritual killing in society. In a specific term, this study examines the rule of law in Nigeria on homicide and some other related crimes. To accomplish this, the study makes is of quantitative research design. Quantitative research deals in numbers, logic and an objective stance. It also focuses in numeric and unchanging data and detailed, convergent reasoning rather than divergent reasoning. The generation of a variety of ideas about a research problem in a spontaneous free flowing manner. The system by which data is collected is using of library works that is the use of journal, law books on penal code, Nigerian constitution on legal matters, holy scriptures, online information, and some other materials on crime particularly homicide. The data is analyzed by assessing, studying and analyzing the information gathered

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in a logic way and giving of recommendations. In the research, we discovered that a lot of crimes are committed in Nigeria, homicide, armed robbery, banditry, human trafficking, embezzlement of public and or private funds, etc. Our major focus in this work is that of the crimes that are deadly or much related to killings, such as homicide, ritual killings, kidnapping/banditry, Boko-haram insurgency, etc. Equally, there is a discovery of some major factors that constitute to committing of crimes in Nigeria. These are lack of proper implementation of law which is invariably known as rule of law, poverty, politics, unemployment inflation, religious factors, illiteracy and others. The way by which factors intimidate Nigerians into crimes cannot be over-emphasized. As a result of this, the situation in Nigeria is difficult and is affecting the citizens' livelihood. The study concludes that if the rule of law i.e. implementation of law in Nigeria is uncompromisingly enforced on people by the laws makers, judges, law enforcement agency, etc. by prosecuting the culprit, avoidance of delay judgment, jailing or imprisonment of the criminals or infliction of the necessary punishment, or even total execution in Nigeria, there is tendency for the eradication or drastic reduction of homicide in Nigeria.

Literature Review and Theoretical Framework

Crime, Homicide, Ritual Killing, Rule of Law

Karibi-Whyte (1986) in his book titled "Groundwork of Nigerian Criminal Law" defines crime as 'any anti-social behavior which falls within the general disapproval of the community'. Or " It is an act or omission that is criminalized by law and punishable by a criminal penalty or precautionary measures" (Channak,2024).

He further says that the word crime is varied from one society to another, and thus this make the definition of crime to be difficult in a precise way. According to him, the word "crime" has been described as "one protean and portentous meaning..." The reasons for the semantic and substantive difficulties involved in the connotation of the word. To him, crime is not *strict sensu* a term of art, and cannot therefore be rigidly restricted to a particular set of notions. Based on the foregoing notion, we observe that crime is used for any acceptable act of immorality by individual or group of people in a community (Channak,2024). Technically, as posited by the author, it is difficult to state crime, all the crimes, because what is anti-behavior to a community may be acceptable to another community. For example, Lesbian, bisexual and transgender are much practiced in United States and some other countries, while it is unacceptable constitutionally in Nigeria. However, the author gives the definition of crime and sheds more light on state of crime, he does not give an insight of the law and or penalty that guides crimes as focused in this research work.

As for ritual killing, Oyewole (2016) in his work titled "Kidnapping for Rituals: Article of Faith and Insecurity in Nigeria". The author expresses that ritual killing is traceable among Africans to the pre-colonial era where human beings were used as sacrifice. Philosophically, Africans believe that using of an individual as sacrifice is suitable for communal good and is better than to allow the whole community to perish. Nevertheless, hardly we see other African traditions allow using of human being as sacrifice for the benefit of private individual or group of people which much rampant nowadays. The author further says that two major reasons are responsible for ritual killing; faith and materialism. Faith has to do with religious belief as said earlier while materialism has to do with fame, wealth etc. Another authors Salami and Dauda (2019) enumerate some causes of ritual killings such as unemployment, poverty, politics, overzealous quest for quick wealth and power. However, these authors do not give the legal implication of this crime which is focused in this research, but their works is useful as conceptual framework of defining and explaining the causes of ritual killings in Nigeria.

The rule of law in Encyclopedia Britannica defines it as the mechanism, process, institution, practice, or norm that supports the equality of all citizens before the law, secures the monarchical forms of government, and more importantly prevents the arbitrary use of power. In outline the place of rule of power, Aristotle says: "It is more proper that law should govern than any one of the citizens upon the same principle, if it advantageous to place the supreme power in some particular persons, they should be appointed to be only

guardians and the servants of the law. In nutshell, rule of law implies that every person is subject to the law including persons who are lawmakers, law enforcement officials, and judges.

We can understand from the above that law is superior to every citizen, and that every citizen must respect the law, even those who are the subjects of the law implementation. The above analysis gives the outlook of the rule of law and it's significant in the modification of ethics in society, as well as avoidance of tyranny among the people of the same community. Thus this notion is much relevant to this research when discussing rule of law but not specifically consider the rule of law on homicide/killings as focused in this research

Homicide in Nigeria: Causations, Related Cases and Legal Implications

According to Okonkwo, homicide is the killing of a human being by another human being. Relating the displeasure of the law on the issue homicide in Nigeria, he further says that: "the early common law regarded such a killing as so serious that it was scarcely excusable once a person was shown to have caused the death of a human being, he was (except in a few cases) guilty of a crime even though he did not intend or foresee the death as the result of his conduct" (Okonkwo, 1980). It is glaring from this assertion that homicide is a criminal offense, and that Nigerian law right from the past frowns at killing of human-being, especially the innocent victims.

Causations

Homicide has earlier explained is the killing of human-being. In Nigerian criminal law however, killing can be caused in different ways according the state of the killer and the killed. Okonkwo expresses that in Nigerian law death may be caused directly or indirectly, and by any means whatever. For example, if 'A' shoots at 'B' and kills him, A has caused B's death directly. If A procures C an innocent agent to kill B, A has caused B's death indirectly. He further says that, section 310 of the Nigerian constitution expressly provides that "a person is deemed to have killed another if by threats or intimidation or by deceit he causes that other person to do an act or make an omission which results in his death (Okonkwo, 1980). It is obvious from the submission that whatever method or form one adopts to kill his fellow being directly or indirectly, such culprit is guilty of homicide.

However, another area of discussion is the ingredients to prove a charge of homicide. Aliyu posits that in a charge of homicide, therefore, the cause of death of the deceased must be established, admittedly beyond any reasonable doubt, and the onus lies on prosecution to discharge this burden of proof. It must be established that it was the act of the deceased person that caused such death of the deceased. Where however, the deceased died in circumstances which leave no doubt as to the cause or manner of the death, medical evidence can be dispensed with (Aliyu, 2007). He further quotes section 318 of the Criminal Codes that:

"... when a person unlawfully kills another in circumstances which, but for the provisions of this section, would constitute murder, does the act which causes death in the heat of passion caused by sudden provocation, and before there is time for his passion to cool, he is guilty of manslaughter only (Aliyu, 2007).

Our understanding is that any established proof that the accused is guilty of the offense, such evidence is enough to pronounce the criminal penalty of the culprit. Also, in a situation where the cause of the death is obvious there is no need for the medical evidence as an element of practical legal necessity (Aliyu, 2007). As a matter of fact, a lot of reasonable evidences can be proved to substantiate allegation against the accused of murder. If for example, a child is died as a result of the omission of the necessary duty by any person before or during its birth, the person who did or omitted to do such act is deemed to have killed the child (Okonkwo. 1980).

Equally, on the issue of death resulting from wounds, treatments, etc., for example, if Mr. A inflicted wounds on Mr. B, and such wound caused the death of Mr. B, the accused may be a contributory cause of Mr. B's death. Again if A inflicts a grievous wound on B and subsequently other causes occur which

aggravate the wound and cause B's death A will be liable to cause B's death provided the wound inflicted by him is a contributory cause of the death (Okonkwo. 1980).²¹³. Another section is failure or omission to perform a duty. For example, if the head of the family failed to provide for his child under 14 years of age. For instance, with respect to medical attention, it may happen that a child has a severe attack of malaria. The father instead of taking him to the hospital takes him to a witch-doctor against the advice of the neighbors and in mistaken belief that the child is bewitched by an enemy. The child dies. The father is probably guilty of manslaughter for having caused the death of the child, because he failed to provide for him one of the necessities of life, despite he took him to where he assumed as the best place (Okonkwo. 1980).

In a nutshell, murder which is the most grievous kind of homicide is defined in section 316 of the code which provides as follows:

Except as hereinafter set forth, a person who unlawfully kills another under any of the following circumstances, that is to say:

- if the offender intends to cause the death of the person killed, or that of some other person;
- if the offender intends to do to the person killed or to some other person some grievous harm;
- if death is caused by means of an act done in the prosecution of an unlawful purpose, which act is of such nature as to be likely to endanger human life;
- if the offender intends to do grievous harm to some person for the purpose of facilitating the commission of an offence which is such that the offender may be arrested without warrant, or for the purpose of facilitating the flight of an offender who has committed or attempted to commit any such offence;
- if death is caused by administering any stupefying or overpowering things for either of the purposes last aforesaid;
- and if death is caused by willfully stopping the breath of any person for either of such purposes; is a guilty of murder (Okonkwo,1980).

In lieu of the above, it is glaring that the legal constitution on the criminal law especially homicide/ killing has been discussed. However, we shall be looking into some other common criminal activities in Nigeria which are deadly and or mostly related to homicide or act of killing.

Armed Robbery

Larceny or thievery is one of the oldest crimes in the history of life. It is a way of taking another man's property illegally and committing it into one's property. The phenomenon of theft is of different methods. It can be stealing of something at the absence of the owner, or in his presence by way of intimidating him or forcing him without having any charisma or power for self-defense against oppression. Another category is armed robbery, in Islamic Law, this is known as the of haraba which is one of the God's hudud (God's Right) and the punishment is enforceable and cannot be waived or reconciled (Channak,2024).

This is more severe than theft. Although, both of them have common objective (illegal taking of another person's property), nevertheless, the wildness of armed robbery is that the oppressors (armed robbers) usually use some sophisticated weapons (ammunitions), such gun, sword, axes, etc. in their operations.

They are no or less concern about the life of the oppressed (victims). They can kill, injure and inflict severe punishment on the victims, even if the latter cooperates with them. Therefore, snatching properties, killing or injuring the owner of such property are their common practice. Nigeria as a country has some notorious armed robbers, among them are; Shina Rambo, Derico Nwanmama, Oyenusi Ishola, Lawrence Anini, Isiaka Bushari a.k.a. Mighty Joe, and many others (Fakunle, 2022). In Nigerian constitution under the Decree, No.47 of (1970) the penalty for robbery is the imprisonment of not less than 21 years. But any robbery with firearms or any offensive weapons or in a company with any person so armed, and thus the victim is wound the punishment is death which is executed by hanging or by firing squad. However, any robbery attempt is punishable for not less than 14years imprisonment but not more than 21 years (Okonkwo. 1980).

However, Islam has totally forbidden this menace, and thus provided penal law for the culprits. Both acts of theft and killing are unambiguously explained in the Glorious Quran and the Prophetic Sunnah. For example, the penalty for larceny is aptly elucidated as follows: "Cut off (from the wrist joint) the (right) hand of the thief, male or female, as a recompense for that which they committed... (Q5:38).

In the Hadith reported by Imam Muslim, a woman was caught of theft and was referred to the Prophet for execution of penalty. The Hadith reads as thus:

‘Aisha reported that the Quraysh had been anxious about the *Makhzumiyah* woman who had committed theft, and said: Who will speak to Allah’s Messenger about her? They said: Who dare it, but Osama, the loved one of Allah’s Messenger: So Osama spoke to him. Thereupon, Allah’s Messenger said: Do you intercede regarding one of the punishments prescribed by Allah? He then stood up and addressed (people) saying: O people, those who have gone before you were destroyed because if any one of high rank committed theft amongst them, they spared him, and if anyone of low rank committed theft, they inflicted the prescribed punishment upon him. By Allah, if Fatimah, daughter of Muhammad were to steal, I would have her hand cut off (Bukhari, 6788).

It is glaring from the foregoing that Islam is not lenient whatsoever with penalty inflicting on the culprits of theft. However, both the Qur’an and Prophetic Sunnah are rigid with the punishment of thievery. In addition, the Prophet was reported to have fixed that the quantity of property stolen must be up to ¼ of *Dinar* which is currently equivalent to N35, 000 before the culprit can be punished accordingly. As for the issue of armed robbery two different criminal offenses are attached to it, that is theft and killing unjustly. Actually, assassination in Islam is totally forbidden and punishable before Allah. The Qur’an gives the verdict as follows:

And whoever kills a believer intentionally, his recompense is Hell to abide therein, and the wrath and the curse of Allah are upon him, and a great punishment is prepared for him (Q4: 93).

Killing in Islam and Christianity is a very brutal offense, though the Qur’an gives optional discretionary judgment to whoever mistakenly kills another person. He must either set free a believing slave and give compensation of blood–money (*Diya*) to the deceased family or fasting for two months consecutively and also pay *Diya* as compensation. (Q4:92). But whoever killed intentionally should be killed. Allah says: “And we ordained therein for them; life for life ...” (Q5:45). It is obvious that neither of the two crimes is pardonable in Islam. Also, in the biblical law, whoever kills should be killed. For example, the Bible says:

Whoever sheds the blood of man; by man shall his blood be shed, for God made man in his own image (Genesis, 9:6). A man or a woman who is a medium or a necromancer shall surely be put to death. They shall be stoned with stones, their blood shall be upon them (Leviticus, 20:27).

Based on the analysis, it is glaring that any armed robbery than involved killing is punishable to death penalty in both the scriptures; the Qur’an and Bible and the conventional criminal laws of Nigeria.

Kidnapping / Abduction

Like that of the theft, kidnapping is also a global crime committed by people. Indeed, the rate by which abduction is escalating in Nigeria, especially in the 21st century is unimaginable. It has become a means of sustaining livelihood by some criminals. Kidnapping is a process by which a person is unlawfully captured and carried away against his will and also surmounted into imprisonment of unknown destination. The kidnappers usually demand for ransom of exorbitant amount from the relatives of the captives. Besides common kidnapping, another group of kidnappers have emerged in Nigeria. These are *Boko-haram* insurgents, bandits and herders. These *Boko-haram* insurgence and banditry groups operate by abducting people but with different mission. For example, *Boko-haram* operatives are mainly on killing of people irrespective of religious affiliations or ethnicity. They also abduct youths in order to initiate them into their group, otherwise get their lives wasted. They even marry some ladies among the captives. For instance, in April, 2014, about 276, Chibok schoolgirls between the age of 16-18 were kidnapped in Borno State by them (Wikipedia, 2022). They kept them in *Sambisa* forest, while some were initiated into the group as members. According to them, their mission is to eradicate western education in Nigeria and to fight the government of Nigeria.

As for the banditry, their major target is abduction to enrich their purse but unfortunately many lives have been lost in their custody as a result of one reason or the other. Many innocent captives have been killed, if his or her family did not do the needful of giving ransom on time, or the amount released is lower than their demand. Some captives have died as a result of their health challenge that is no more being given medical care. Also, the abductors have killed many people intentionally, even with payment of ransom. They equally involve in raping captives women. For example, in 2015, one Khadijah Omar, a Niger State resident and a business woman was evaded by the bandits, and all his belongings (money) were taken away. Also in 2021, a senior lecturer of the University of Abuja, Ferguson Tobin was abducted. One female farmer from Kaure in Niger State, Faith Mobadi was raped five times by the abductors (the cable, 2022)

As for the herders, their encounters with the farmers have claimed many lives in Nigeria. They also kill many innocent people among the farmers and others. In 2015, about 800 deaths were recorded, while in 2018, ten people were killed from the attack between herders and farmers in Adamawa State. In the same year, June, 2018, over 200 people were killed and 50 houses were burnt in the clashes between farmers and Fulanis in Plateau State (Aljazeera, 2021).

It is revealed from the illustrations that some brutal offenses featured in the operation of the kidnappers and their co-operatives. The cases of killing, raping, taking illegal money, infliction of punishment on the innocents, and among others are peculiar to them. Bye and large, the penalty of killing has been discussed in the foregoing. And our position is that whoever killed should be killed. As for snatching or demanding for illegal money as ransom, it is the same as that of the theft in the parameter. In addition, the Prophet made the clarification on the wealth-snatcher as thus:

Messenger of Allah said, “Do you know the bankrupt?” They said: “The bankrupt among us is the one who has neither money with him nor any property.” He said, “The real bankrupt of my Ummah would be he who would come on the day of Resurrection with *Salaat*, *Sawm* and *Sadaqat* (charity), (but) he will find himself bankrupt on that day as he will have exhausted the good deeds) because he reviled others, brought calumny against others, unlawfully devoured the wealth of others, shed the blood of others and beat others; so his good deeds would be credited to the account of those (who suffered at his hand). If his good deeds fall short to clear the account their sins would be entered in his account and he would be thrown in the (Hell) Fire (Riyadu's-Saaliheen, 218)

Equally, Raping is a kind of committing adultery and sexual-abuse. Islam prescribes the penalty of one hundred lashes for whoever commits fornication among the bachelors or spinsters. Allah says: "The woman and the man guilty of illegal sexual intercourse (fornication), flog each of them with a hundred stripes. Let not pity withhold you in their case, in a punishment prescribed by Allah". Q24:2. Coupled with this is the punishment of the banishment for one year after being given one hundred slashes of cane. As for the married man or woman, one hundred lashes are also prescribed for them, and will be stoned to death. The following Hadith makes the declaration:

‘Ubadah Bn As-Saamit reported Allah’s Messenger as saying: Receive teaching from me, receive teaching from me. Allah has ordained a way for those (women). When an unmarried male commits adultery with an unmarried female, (they should receive) one hundred lashes and banishment for one year. And in case of married male committing adultery with a married female, they shall receive one hundred lashes and be stoned to death. (Muslim, 4191).

However, we can deduce from the verdict that the penalty for raping is that the affliction of punishment should be executed on the male culprit who intimidated (forced) a woman to have sex with her. The victim (woman) is exempted because she was forced, not by her mutual consent. From this point of view, the biblical law says that “if a man commits adultery with another man’s wife ...with the wife of his neighbor....both the adulterer and the adulteress must be put to death” (Leviticus, 20:10). The bible relates the penalty of the banditry as follows: “Anyone who strikes a man and kills him shall surely be put to death.”(Exodus21:16). By inference however, we can submit that the punishment for raping, banditry, *Boko-haram* insurgency and herders is not but death penalty.

Human/ Child Trafficking

Before the advent of independence in Nigeria, slavery was one of the ugly situations faced by the Nigerians from the colonial masters. Some Nigerians were taken to other foreign countries as slaves. For example, a great bishop, Ajayi Crowther (1809-1891) was among the slaves captured in 1821 by the Transatlantic Slave Trade era (Lawrence, 2103). Thus, the prohibition of slavery by the colonials put an end to it in Nigeria. However, it is unfortunate in Nigeria that new approach of the menace mostly related to slavery emerged and that is human trafficking. Ironically, men, women, children and adult are trafficked, exploited and subjected to involuntary servitude. (Dearnley, 2022) observed that about 2.4 million people have been trafficked into force labour worldwide. Out of the number about 600,000 to 800,000 are trafficked across the borders every year, and 12,000 children are working as slaves on cocoa plantations in West Africa. This is an indication that the new approach of slavery is a worldwide practice, especially in West Africa. As a fact, human trafficking in Nigeria especially in the 21st century is becoming uncontrollable. People (victims) are taken to different parts of the world, while many of the victims have lost their lives in the process.

Another methods adopt by the traffickers to boost their accursed business is the selling of the selling of children to customer for adoption or use for ritual process. Another one is luring people particularly the youths of securing job for them outside the country. Consequently, some of them later become prostitutes if female, or selling them as slaves if male/female. It is pathetic to say that many people have died in their struggle to liberate themselves from the bondage, while some were used as rituals. In 2015, about 21,000 Nigerian women and girls have been trafficked to Italy, while about 18,000 migrants arrived in Italy through the Mediterranean in 2016 (Wikipedia, 2010). Islam in all entity however frowns at human trafficking, and thus prescribes punishment for the culprits. This is known as illegal transactions. This is obvious from the following verse as Allah says:

O you believe! Eat not your property among yourselves unjustly except it be a trade amongst you, by mutual consent. And do not kill yourselves (nor kill one another) (Q4:29)

Based on the verse, it is obvious that human trafficking is barbarous offense from Allah. One, it is a way of intimidating people by making dubious and illegal transaction on them without their mutual consent. Many of the victims were lured into the business without knowing the bad consequence of such business. Therefore, eating other’s property or selling him or her or killing him/her is punishable offense. Another form of child trafficking is the selling one’s own biological child or children to the ritualistic person or the barren ones. Whatever be the case, all these all totally forbidden and also are part of human trafficking or child abuse, and thus attract penalty. In the law the death penalty is prescribed for whoever is caught of human trafficking in Nigeria. The law says: “Any person found of guilty of qualified trafficking, the law prescribes a penalty of five years imprisonment for labour trafficking of children for forced begging or hawking and 10 years to life imprisonment for sex trafficking.” In the bible, God says:

“If a man is found stealing one of his brothers of the people of Israel, and if he treats him as a slave or sells him, then that thief shall die. So you shall purge the evil from your midst.” (Deuteronomy, 24:7)

It is understood from the foregoing biblical quotation that any kind of human trafficking is liable to penalty of death. Even if one is the owner of the trafficked child, he/she should be punished accordingly. Therefore, the Nigerian law on human trafficking is feeble and subtle to control the menace of human trafficking in Nigeria.

Rituals and Human Sacrifice

The prevalence of human sacrifice has become a very rampant phenomenon, especially in the 21st century. In Nigeria and some other countries, people believe in the super natural power, the effectiveness and efficacy of rituals. To them, using human flesh for rituals can change adversity to prosperity. For instance, some politicians do patronize the ritualistic people using human-being as a means of boosting their popularity for their political aspiration. As a fact, different people irrespective of religious affiliations and ethnicity are found in this menace. The local herbalists (*Babaláwo* in Yoruba), pseudo-Pastors, pseudo-Alfas, Yahoo boys, politicians, among others are found in the tragedy.

Equally, almost every tribe in Nigeria get involved in the menace, Hausa, Ibo and Yoruba are not exempted from such practice. Some of the targeted personalities used for rituals are hunch-backed, lunatics, youngsters etc. for instance, a case of killing a hunch-backed person was reported in Ondo State in 2012. His hunch was removed for quick-money-making rituals. Also in August, 2107, the lifeless body of a four-year-old girl was found close to a shrine at Ogbe Close in Iwoye area of Lagos. It is understood that ritual is peculiar with killing, of innocent person unjustly, using them for rituals by means of burning them into ashes, or eating their flesh or suckling their blood. In 2009, there was a report published by Agence France-Presse that the kidnapping of children for ritual murder was on the rise in Kano (4 July, 2009).

In the Nigerian constitution of Criminal Code (1990), a person who commits suicide will be sentenced to death (Nigeria, 1990, Sec.319 (1). Also, subjecting a person to a “trial by ordeal” that results in death is also punishable by the death sentence (Nigeria, 1990, Sec. 208). Equally, a person found in possession of a human head or skull within six months of its removal from a body or skeleton can be sentenced to five years imprisonment (Nigeria, 1990, Sec. 329(1).

By inference one can understand that the wages of sin is death, in application to the offence of rituals. Using human as rituals should be unpardonable offense even before the Almighty. The most essential thing in rituals is killing, and whoever killed person should be killed without being negotiable. We can also perceive that Nigerian constitution prescribed death penalty for the culprit of murderer. In addition, in Yoruba land, before the advent of government intervention on civil and criminal matters, people believed that whoever is guilty of killing a person should be killed by sword or other means through the command of the Monarch (*Oba* or the head) of the town. Our position is that the ritualistic people are liable to death penalty, especially those who use human flesh for rituals, because they are wasting lives through their devilish operations.

Yahoo Crimes (Cyber-Crimes)

The introduction of internet brings changes to the economic system in Nigeria. Actually, the internet plays a vital roles in the development of Nigeria and some other countries across the globe, morally, educationally, socially, economically, politically, and many more. It is unfortunate that some Nigerians misuse the opportunity by changing the virtue of internet to dubious transaction and fraud, all in the name of questing for wealth. (Jinane, 2024). Beside that of the yahoo boys, other cybercrimes are also found in some offices, banks, hospitals schools, etc. The surface of the yahoo boys and their operatives has caused a lot of damage to this nation’s economy, and some countries as well. Many people have become hopeless, while many lives and businesses of many people have been ruined as a result of cybercrimes. Some of the features of

cybercrimes are drug abuse, rituals, using of saggy pants, and dating and shopping for the ladies (Omerovic, Albakjaji, Zilić-Ćuric, 2023).

Another way of yahoo boys operation is conspiring with the banks to track the account of the customers and get their account emptied. (Philips, 2022), observes that: “They (yahoo boys) use ATM (Automated Teller Machine) fraud, they may stand at ATM gallery to feign assistance vulnerable users, illiterates, the old and physically challenged. They may later swap their cards to defraud them”. He further says that theft, lottery, social media fraud, and among others are example of internet fraud used by the yahoo boys.

Corruption and Embezzlement of Public or Private Funds

One of the barbaric destructive agents that set Nigeria backward is corruption. This can be mal-appropriation of funds, looting the treasury, smuggling of Nigerian oil to other countries, tapping of Nigerian oil, mining Nigerian resources illegally, and selling of government properties. Others are personalization of public properties, laundering of civil servants' salaries, wages or entitlements, embezzlement of funds all in the name of ghost workers from the government and private companies or ministries, etc. In fact, Nigeria faces a lot of challenges having to do with corruption, especially among the leaders, the politicians and the government workers. Corruption seems to have put Nigerian economy into jeopardy (Elmaghrabi and Diab, 2023).

Corruption is an anti-social attitude awarding improper privileges contrary to legal and moral norms and impairs the authorities' capacity to secure the welfare of all citizens. Corruption in Nigeria is a constant phenomenon.” Based on this definition, it is understood that corruption is a destructive to socio-economic and welfare of human being in the society. And it seems to have been uncontrollable in Nigeria because is almost fund everywhere, and from one generation to another. For example, in 2012, Nigeria was estimated to have lost over \$400billion to corruption since its independence. In 2021, Nigeria was ranked 154th in the 180 countries listed in Transparency International's Corruption (with South Sudan, at 180th being the most corrupt, and Denmark the least).

In Nigerian constitution, it says: “Official corruption is a felony punishable by a 7- year jail imprisonment – Section 98 of the Criminal Code Act”. It further says that: ”Giving bribes to public officials is part of corruption and it is punishable with 7years imprisonment. Section 98A forbids anyone from giving any property or benefit or the likes to any public official to influence some favors. Equally, under Section 99 of the Criminal Code Act, extortion by a public official is a felony which attracts a 3 year jail term.” It is obvious based on this Nigerian constitution that corruption is a menace destructing the livelihood of people and subjecting many citizens and nation into bankruptcy.

The bible in giving verdict on the penalty for corruption reads as thus: “Woe to the sinful nation, a people whose guilt is great, a brood of evil-doers, children given to corruption! They have forsaken the Lord; they have spurned the Holy One of Israel and turned their backs on him.” (Isaiah1:4).The Qur'an elucidates the bad consequence of the corruption which is known as *Fasaad* in Arabic language. The Qur'an says:

But those who break the law covenant of Allah after contracting it and sever that which Allah has ordered to be joined and spread corruption on earth- for them is the curse, and they have the worst home (Q16:88).

Bye and large, we can understand that corruption attracts punishment from both common and religious law. However, having familiar with some common crimes in Nigeria, we can now dilate on the causes of some of these menace in Nigeria, and we equally propose some prospective solutions to the crimes in Nigeria.

Causes of Crimes in Nigeria and Prospective Solution to it

Abject Poverty

The level of poverty in Nigeria is very high. The maximum of the populace are living below average. For example, (Eleshin, 2020) observes that “Nigerian has been afflicted by evil trials and tribulations”. This is caused as a result of nonchalant attitude of the ruling class. Many people could not afford three square meals in a day. As a result of this, those who could not endure the situation eventually get involved in monetary atrocity. From the Federal Office of Statistics in Nigeria indicate that “majority of the poor are located in the rural areas of Nigeria. For instance, in 1985, 49.9% of the populations of rural areas were poor, declining to 46.1% in 1992 only to rise to 67.8% in 1996” (Daniel and Emmanuel, 2019). A lot of reasons are related to poverty in Nigeria. These are marginalization, overpopulation, insufficient resources, corruption, bad governance, unfocused government policies, unemployment, etc. (Ibeanu, 2008)

All in all, Islam suggests many ways by which poverty can be alleviated if not totally eradicated. For example the institution of *Zakat*, *Sadaqat* (charity), *Waqf* (endowment), etc. are set up to liberate people from poverty and to enhance their livelihood. For instance, two and half percent ($2\frac{1}{2}\%$) of the total estate or property should be given to the poor annually, while *Sadaqat* is voluntary charity given to the needy with being quantified. *Waqf* is also known as *hubus* which is charitable endowments. It is a system by which donation of a building, land, asset and other valuable materials are donated for religious purpose. For instance, ‘Othman ‘Affan donated a well of water for the Muslims during the time of the Prophet. (Burton, 4657) It was also reported that ‘Omar Bn Khattab donated piece of land for Islam as narrated by Ibn ‘Omar (May Allah be pleased with both) that ‘Omar Bn Khattab got a portion of land at Khaybar, he went to the Prophet (SAW) seeking his guiding directives while saying, ‘Oh Messenger of Allah! Surely, I got a portion of land at Khaybar and I have never got a property that is more precious than it, what is your directive order on it? He (SAW) said: “*If you like, you may withhold its origin and give it out as charity*”. Ibn ‘Omar said: “Then ‘Omar gave it out in charity with the condition that its origin can neither be sold nor purchased nor inherited nor awarded’.(Muslim,1246). It is obvious that when talking of the financial status of the community the government cannot take care of the populace, except with the intervention of well-to-do among people. Bible also emphasizes on the importance of charity as it says: “Do not neglect to do good and to share what you have for such sacrifices are pleasing to God” (Proverbs13:16). As a fact, these prescribed financial institutions can be used to replace the compromised tax or levy in Nigerian system of generating funds.

Unemployment and Underemployment in Nigeria

Unemployment is the situation whereby there is lack of employment for the masses despite of their qualifications and or experiences. Underemployment is referred to a circumstance where people are engaged or employed with casual or part-time work instead of full employment. It is admissible that the two theories are applied in Nigeria. Hundreds out of millions graduating students hardly secure job for their living. Thus the frustration of poverty forces people into menace. In the Bible, it says: “God put man in the Garden of Eden to work it and take care of it” (Genesis2:15). The illustration gives us the impression that vocational training should be the watchword irrespective of one’s educational level in Nigeria. This will make white collar’s job which has become very scarce will be available for those who have passion for it.

In addition, it was reported that the Prophet engaged in the business, and was once a herder. The impression is that both merchandise and agriculture should be the priority in the economic potential of the nation. Therefore, government and wellbeing in Nigeria should every possibility to make sure that skill’s work, business transaction and agriculture are consolidated. For instance, training of skills right from primary level of education to the tertiary institutions would yield positive result. Secondly, financing or empowering skillful people to establish their career is another factor. Thirdly, sponsoring students to other countries for training is another prospective development. Fourthly, the local products should be used by the citizens instead of capitalizing on foreign one. This would build the economic potential of the nation.

Bad Governance in Nigeria

One of the challenging phenomena in Nigeria is bad governance. It simply means where the ruler or head of a certain community does not consider the welfare of his community; socially, economically, morally and educationally. It is pathetic that some rulers in Nigeria are guilty of embezzling Nigerian public funds. Misappropriation of funds, looting of public treasury, privatization of government property, wasteful

spending, and many more have turned this nation to misfortune which have negative impact on the populace. Islam teaches the virtue of leadership, and Prophet Muhammad and his companions led by example vis-à-vis their respective administrations. For example, ‘Omar Bn Khattab made sure everyone enjoyed his administration. He made the policy that land belonged to the public ownership, not private. This enabled the travelers, farmers, traders, and other to facilitate their respective career successfully.

It is glaring from this system of administration that there was a restriction to the accumulation of wealth. It will be proper if such policy can be adopted in Nigeria. This will give every individual sense of belongings, and the wealth will be judiciously circulated. This will reduce at consequence the over-accumulation of wealth. However, the adoption of principles of accountability and transparency as displayed by ‘Omar Bn Khattab and others under Islamic system of government will definitely reduce criminality experienced in Nigeria today (Khelil, Khilf, and Amara, 2022).

Futility of Rule of Law

Nigeria is a nation where her rule of law is manipulated. Both the judiciary and law enforcement agencies have a long way to go on the issue of law in Nigeria. Islam creates transparency and sincerity in the judgment. For example, in the forgoing, the Prophet was addressed to manipulate the judgment about the theft. But, he insisted to carry out the verdict and the made the execution without being compromised. Nigerians are suffering of truthful judgment, especially on the cases of theft, killings, banditry, kidnappings and among others. However, if right judgment and non-delayed cases are practiced in Nigeria as well as the enforcement of punishments of the culprits accordingly, the case of monetary menace would reduce. In addition, Nigerian constitution needs amendment because some laws such as embezzlement of funds, killings and others do neither require any delayed judgment nor manipulation.

Avarice in Nigerian

The problem which is created by avarice in Nigeria is unquantifiable. Avarice is to have an extreme passion for worldly materials and to accumulate it in multitude with do and die affairs. Some Nigerians are very wild in the possession of wealth. A single Nigerian can build thousands of houses, has thousands of cars, has billions in his account or keeps it in other places. Unfortunately, his friends, family, relatives, community, and the likes may die of hunger and adversity. Avarice is more peculiar to the politicians, political holders, political appointees, civil servants, and among others. Islam prescribes *Zuhd* (asceticism) as a panacea for the extreme avarice of people especially Muslims. According Ibn Qayyim, “*Zuhd* (known as asceticism) is abandoning materials, while disposing it and while belittling its significance so that one will exchange it for what is significant”.

As a matter of fact, Islam does kick against accumulation of wealth in a lawful way (Halaal), but it modifies the way wealth should be possessed and spent. Also Islam condemns totally extravagance and stinginess. The balance between the two is directly and indirectly thwarts the occurrence of menace in the society. *Zuhd* gives room for charity, which is invariably resolves problem of monetary atrocities as a result of poverty in Nigeria.

Drug Abuse

The damage caused by drug abuse in Nigeria is unimaginable. Many Nigerians, especially the youths have being trapped of drug abuse one way or the other. Some drugs such as cigarette, Marijuana, alcohol, tramadol, cocaine, heroin, etc. have bewildered some people. The addicts prefer to look for money from any source than to lose his addicted drug abuser can do an undo after he has committed into it. Ironically, government of Nigeria jettisons rigid rule of law on the culprits of drug abuse. Islam with utmost rejects drug abuse and pronounce punishments for the abuser. Eighty stripes of cane is prescribed for whoever took alcohol. Allah says:

O you who believe! Intoxicants (any kinds of alcohol drink), gambling, *al-Ansaab* and *al-Azlaam* (arrows for seeking luck or decision) are an abomination of *Shaytan*. So, avoid (strictly any that abomination) in order that you may be successful. Q5:90

In the Hadith narrated by As-Said Bn Yazeed, he said: We used to strike the drunks with our hands, shoes, clothes (by twisting it into the shape of lashes) during the life of the Prophet, Abu Bakr and the early part of ‘Omar’s caliphate, he used to give the drunk forty lashes, and when drunks became mischievous and disobedient, he used to scourge them with eighty lashes (Bukhari, bk86, Hadith,6)

Inflation in Nigeria

The inflation in Nigeria has bewildered the opportunity of meeting up with the standard of living by many Nigerians. It has also weakened the economic potential of Nigeria. Inflation is the uncontrollable and abnormal rising in price of commodity that is influenced through the devaluation of currency and over-profit that the merchant imposes on their commodities. Monopoly is another factor that causes inflation. In the struggle to meet up with the standard of living, and to compete with other people in society, many people eventually join bad gangs to make money. Islam as a perfect religion modifies how business should be handled in lawful way. Buying and selling are modified in Islam. This means that a certain percent should be fixed as profit for the merchant on his commodities. Also, monopoly of goods, hoarding, adulteration of product, devaluing of currency in the name of making profit is unacceptable.

Conclusion

Our journey so far has ex-rayed some common barbarous crimes in Nigeria. The penalty of these menaces from the conventional laws of Nigerian constitution was discussed. Some crimes such as homicide, ritual killings, yahoo or cybercrimes, armed robbery, corruption, kidnapping, banditry and *Boko-haram* insurgency, had been discussed in reference to the Nigerian criminal laws. We equally have a glimpse about the Quranic and Biblical laws on some of these crimes in Nigeria. In addition, the causes of these crimes are discussed, while solutions that can serve as alleviating factors, if not totally eradicating, are suggested. It is undisputed that many of these crimes have claimed lives of many innocent people and have seriously affected the livelihood and peaceful coexistence in Nigeria. The foreigners are afraid of coming to the nation, while the Nigerians who are sojourners in other countries are unwilling to come home. It is also pathetic that the socio-economic and educational systems of Nigeria have been negatively affected and thus deteriorating all in the name of crimes. Some of new generations in Nigeria seems to have been adapted and exposed to these crimes, and thus find it difficult for them to behave positively in society. However, if some of these crimes are punishable of death penalty, especially the brutal ones among them, and when Nigerian law is well executed with transparency on the culprits without fear or favor, it will curb crimes and would make Nigeria to move forward in all ramifications of life.

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