

GLOBAL JOURNAL

OF HUMAN SOCIAL SCIENCE : A

ARTS AND HUMANITIES

DISCOVERING THOUGHTS AND INVENTING FUTURE

HIGHLIGHTS

Anti-Corruption Agencies

Grassroots in Nigeria

Average Allocation Mechanism

Post Colonial Situations

Volume 12

| Issue 11

| Version 1.0

ENG



GLOBAL JOURNAL OF HUMAN SOCIAL SCIENCE : A
ARTS & HUMANITIES

GLOBAL JOURNAL OF HUMAN SOCIAL SCIENCES : A
ARTS & HUMANITIES

VOLUME 12 ISSUE 11 (VER. 1.0)

OPEN ASSOCIATION OF RESEARCH SOCIETY

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Offset Typesetting

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GLOBAL JOURNAL OF HUMAN SOCIAL SCIENCE
ARTS & HUMANITIES

Volume 12 Issue 11 Version 1.0 Year 2012

Type: Double Blind Peer Reviewed International Research Journal

Publisher: Global Journals Inc. (USA)

Online ISSN: 2249-460X & Print ISSN: 0975-587X

Anti-Corruption Agencies and the Search for Good Governance at the Grassroots in NIGERIA

By Dr. Anthony Mayowa Oladoyin (Ip)

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Introduction – At a time like this when the quest for good governance is a global desire of people of different land and clime, most especially in the African region, the discourse of good governance and progress at the grassroots' level in Nigeria could not have been more apposite. This paper examines the concepts of governance, development, progress and corruption within the Nigerian socio-economic and political milieu with the view to showing assessing the governance status and the various efforts of the government in combating the scourge.

The position of Claude Ake is perfectly supported in this paper.

GJHSS - A Classification : FOR Code : 150303, 940203



Strictly as per the compliance and regulations of:



Anti-Corruption Agencies and the Search for Good Governance at the Grassroots in NIGERIA

Dr. Anthony Mayowa Oladoyin (Jp)

I. INTRODUCTION

At a time like this when the quest for good governance is a global desire of people of different land and clime, most especially in the African region, the discourse of good governance and progress at the grassroots' level in Nigeria could not have been more apposite. This paper examines the concepts of governance, development, progress and corruption within the Nigerian socio-economic and political milieu with the view to showing assessing the governance status and the various efforts of the government in combating the scourge.

The position of Claude Ake is perfectly supported in this paper.

Many factors have been offered to explain the apparent failure of the (governance) enterprise[*emphasis mine*] in Africa: the colonial legacy, social pluralism and its centrifugal tendencies, the corruption of leaders, poor labour discipline, the lack of entrepreneurial skills, poor planning and incompetent management, inappropriate policies, the stifling of market mechanisms, low levels of technical assistance, the limited inflow of foreign capital, failing commodity prices and unfavourable terms of trade, and low levels of saving and investment. These factors are not irrelevant to the problem. Alone or in combination, they could be serious impediments to development [and good governance]. However, the assumption so readily made is that there has been a failure of development is misleading. The problem is not so much that development has failed as that it was never really on the agenda in the first place. By all indications, political conditions in Africa are the greatest impediment to development (Claude Ake, 2001:1).

II. SECTION ONE: CONCEPTUAL CLARIFICATIONS

The concepts to be clarified in this section are governance, development and donor agencies.

a) Governance

Governance is a concept that has acquired vast meanings in the past decades. A precise definition of

the concept is undoubtedly elusive. For this reason, attempt shall be made to present definitions by different countries and international agencies. In the final analysis, the commonalities of the different definitions will be extracted and listed as key elements of governance.

The perspective adopted by Olowu and Erero (1997) and Decentralization: Finance and Management Project (DFM) (1991) is very helpful. Olowu and Erero classified governance into three operational categories namely – functional, structural and normative. The functional refers to the process of formulation, legitimation and enforcement of rules in a society; the structural refers to the three composite elements or institutions of governance namely, the rule or law, the ruler, otherwise referred to as the state and the ruled otherwise referred to as the society. DFM on the other hand advances a little further to enunciate the constitutive qualities of governance as including:

- i.) Managerial and organizational efficiency;
- ii.) Accountability;
- iii.) Legitimacy and responsiveness to the public;
- iv.) Transparency in decision making; and
- v.) Pluralism in policy options and choices

In stating the above-enunciated qualities, DFM also emphasizes the need to institutionalize the rule-governed relationship and adopt strategies that will be multi-faceted and balanced. In other words, in ensuring good governance, all the qualities must be taken cognizance of.

The identifying elements of Governance are also contained in a publication of the United Nations Development Programme (UNDP 1995: XII-XIV) namely "political accountability, freedom of association and participation, reliable and equitable legal frameworks, bureaucratic transparency, the availability of valid information and, effective efficient public sector management".

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Focus Areas of Governance Assessment Tools

Focus areas	Elements of assessment
Political	Elections Human rights Conflict Rule of law Decentralization
Public administration	Corruption Public administration Public financial management Public procurement
Social and cross-cutting governance issues	Revenue mobilization Service delivery Gender Environmental sustainability
Market governance	Business/trade environment

Source : OECD (2009), *Donor Approaches to Governance Assessments: 2009 Sourcebook*.

The elements in the table above came from divergent emphases by countries and agencies. From the views of the World Bank, European Commission (EC), Department for International Development (DFID) UK, African Development Bank (AfDB), Federal Ministry for Economic

Cooperation and Development (BMZ), Germany, Asian Development Bank (ADB), Swiss

Agency for Development and Cooperation (SDC), Switzerland, French Development Agency (AFD) France, Millennium Challenge Corporation, United States, United States Agency for International Development (USAID), United States, International Monetary Fund (IMF), Ministry of Foreign Affairs, the Netherlands, United Nations Office on Drugs and Crime (UNODC); the focus of analysis of governance covers the following long list:

Functioning of Political Institutions Law and order	Public Governance Operating Freedom of Markets
Security of Transactions and Contracts Social Cohesion	Openness to the outside World Control of Corruption
Government effectiveness	Voice and Accountability
Economic freedom Policies for social inclusion and equity Public-sector management and institutions (property rights and rule-based governance; quality of budgetary and financial management; efficiency of revenue mobilization; quality of public administration and transparency; accountability, and control of corruption in the public sector). Decentralization Transparency Respect for, protection and fulfillment and all human rights	Investing in people (public expenditure on health/primary education, immunization rate, girls' education completion rate). Political Stability and Absence of Violence Participatory approach to development Regional integration/trade/migration Economic/social policy management capability Revenue mobilization/public financial management. Pro-poor and sustainable policies
Might and right Poverty Sustainability and management of natural resources.	Efficiency and transparency of the state Crisis and conflict
Efficiency	Exclusion and gender HIV/AIDS Non discrimination

Source : *Extracts from OECD (2009), Donor Approaches to Governance Assessments: 2009 Sourcebook*

b) What is governance?

Governance is an ambiguous term for complex social phenomena, related to similar terms like "State", "institutions" and "government" which are equally susceptible to the crisis of universally agreed definitions.

There are many schools of thought stressing different perspectives on governance and with varying suppositions about the nexus between governance on the one hand and 'development' on the other suffering the same fate of elusiveness of definition.

The country by country definitions showing different emphases are presented below.

c) *Australia* :

"Governance is the exercise of authority-political, economic, administrative or otherwise- to manage a country's resources and affairs. It includes institutions, mechanisms and processes, through which citizens and groups state their interest, exercise their legal rights and mediate their differences" (Australian Aid, 2006).

d) *France*:

"Art of governing, articulating the management of public affairs at various levels of territories, regulating relationships within society and coordinating the interactions of the various actors (Ministry of foreign Affairs, 2006).

e) *Germany/GTZ*:

"Good governance implies effective political institutions and the responsible use of political power and management of public reasons by the state. Essentially, it is about the interaction between democracy, social welfare and the rule of law. Good governance thus extends beyond the public sector to include all other actors from the private sector and society. Good governance is guided by human rights and by the principles of the rule of law and democracy, such as equal political participation for all."(GTZ, 2009: 1)

f) *Ireland*:

"Governance is essentially understood as the way in which power is exercised in the management of a country's economic and social resources for development" (IrishAid, 2009:1)

g) *Sweden*:

"On the whole, good governance implies an efficient and predictable public sector incorporating participation and the rule of law, i.e., with the characteristics of democratic governance. In the concept of democratic governance, a stronger emphasis is placed on central democratic institutions like a democratic constitution, a parliament, general elections, participation and an active civil society, as well as human rights" (SIDA, 2002: 6).

h) *Switzerland* :

"By governance, we understand the diverse and complex mechanisms, resources and institutions through which groups and individuals in society articulate their interests, find compromises in a maze of differing interests, and exercise their legitimate rights and obligations. Originally, the term was applied in development co-operation work primarily to governments, but today it includes all actors in a society: government, the private sector, civil society and international organizations." (SDC, 2009:1)

i) *United Kingdom*:

"Governance is about the use of power and authority and how a country manages its affairs. This can be interpreted at many different levels, from the State down to the local community or household. Governance analysis considers all the mechanisms, processes, relationships and institutions through which citizens and groups articulate their interests and exercise their rights and obligations. It concerns the way that people mediate their differences, make decisions and enact policies that affect public life and economic and social development" (DFID, 2007: 7).

j) *United States USAID*:

"Governance issues pertain to the ability of government to develop an efficient, effective, and accountable public management process that is open to citizen participation and that strengthens rather than weakens a democratic system of government." (USAID, 2009:1)

k) *European Commission*:

"Governance concerns the State's ability to serve the citizens. It refers to the rules, processes and behavior by which interests are articulated, resources are managed, and power is exercised in society. The way public functions are carried out, public resources are managed and public regulatory powers are exercised is the major issue to be addressed in that context. Governance is a basic measure of the stability and performance of a society. As the concepts of human rights, democratization and democracy, the rule of law, civil society, decentralized power-sharing and sound public administration gain importance and relevance, a society develops into a more sophisticated political system and governance evolves into good governance" (EC, 2006. Communication COM 2006 421: 3)

l) *IMF*:

"Governance: The process by which decisions are made and implemented (or not implemented). Within government, governance is the process by which public institutions conduct public affairs and manage public resources. Good governance refers to the management of government in a manner that is essentially free of abuse and corruption, and with due regard for the rule of law" (IMF, 2007:128)

m) *UNDP*:

"Governance is the system of values, policies and institutions by which a society manages its economic, political and social affairs through interactions within and among the State, civil society and the private sector. It is the way a society organizes itself to make and implement decisions-achieving mutual understanding, agreement and action. It comprises the mechanisms and processes for citizens

and groups to articulate their interests, mediate their differences and exercise their legal rights and obligations. It is the rules, institutions and practices that set limits and provide incentives for individuals, organizations and firms. Governance, including its social, political and economic dimensions, operates at every level of human enterprises, be it the household, village, municipality, nation region or globe. (UNDP: *Governance Indicators: A User's Handbook*, 2006: 1-2).

n) *World Bank* :

"Governance refers to the manner in which public officials and institutions acquire and exercise the authority to shape public policy and provide public goods and services" (World Bank, Strategic Document March 2007: 1)

III. "DEVELOPMENT" CLARIFIED

Development as a generic concept has acquired various adjectival qualifications in the '80s. The term takes care of the limitations of economic growth measured by such indices as gross national product and per capita income. The term is taken as a synonym of 'Progress'. It makes the concept a more inconclusive one, embracing "wider concerns of the quality of life, educational status, access to basic freedoms and spiritual welfare. The emphasis on sustainability suggests that what is needed is a policy effort aimed at making these development achievement last well into the future. By implication, some at least of past development efforts have achieved only short-lived pains" (Markandya, 1990:1).

'Development is a value-laden word which presupposes a desirable change. A precise definition of the concept also suffers acceptance by consensus. Markandya further argues that

What constitutes development depends on what social goals are being advocated by the development agency, government, analyst or adviser. We take development to be a sector of desirable social objective... The elements of this sector might include:

- i.) Increase in real income per capital;
- ii.) Improvement in health and nutritional status;
- iii.) Educational achievement;
- iv.) Access to resources
- v.) A fairer distribution of income
- vi.) Increase in basic freedoms (Markandya, 1990:1)

IV. WHAT IS DEVELOPMENT/PROGRESS?

The concept of development is one of public administration's contentious academic discourses. It may be said that the conflicting definitions and interpretation of the term are a product of history, authors' discipline, ideological belief and training. A review of extant literature on the subject-matter reveals that the definitional proliferation and divergences may

have prompted the post-development school to argue that the term is unjust and has never really worked and thus it had better be dismantled. The school argues that the term is unjust, has never worked and should be dismantled. However, there are other definitions, which expressed positive opinion about development. For instance, Chambers defines development as "good change". The manifestation of this definition is that development is tantamount to progress. Latent also in this regards is that progress should entail a comprehensive enhancement, building on itself and involving both individuals and social change. However, there are other scholars who have argued that conceptually development should be differentiated from progress. According to Alan Thomas "progress implies continual development reaching higher and higher levels perhaps without limit, whereas development, as an analogy from the development of living organisms, implies moving towards the fulfillment of a potential. Immanent development means a spontaneous and unconscious (natural) process of development from within, which may entail destruction of the old order to achieve the new. International development implies deliberate efforts to achieve higher level in terms of set objectives" (Thomas A. 2000:1)

Historically, the opinion of Cowen and Shenton regarding the modern doctrine of development is that it was invented in the first half of the 19th century to control the social disruption of poverty, unemployment and human misery caused by capitalism. In all, the opinion as expressed by various scholars mean the concept of development to capitalism differently based on ideological orientations.

In this regard, scholars' views are mixed. The neo-liberals have insisted that an independent price-mechanism may occasion a spontaneous process of development. Also the structuralists see development as encompassing changes in social and economic structures. On the other hand, the interventionists argued that unfettered market economy is prone to bring poverty, unemployment and economic oppression of man to man by reasoning that the market is just too germane to be left unregulated.

The case of Nigeria may be situated within this province. Adelegan (2009:4) argued that development would always elude the nation as those who successfully cornered the good chunk of the nation's wealth "have engaged in wanton profligacy and demonstration of affluence, a development which led to a feverish struggle for acquisition of wealth at all cost by the old and the young, male and female." The contemporary view about development is economic development. The view posits that, though under-development was initially universal, every nation willing to break the yoke must float enduring policies and ensure that policies are immune from failure. The essence is to ensure that policies are suitable to the

society in question, rather than some abstract and often dysfunctional development strategies, which though may have succeeded in the North, may not bring about the necessary social engineering because of the peculiar nature of economic and political transformation in Africa.

There are three perspectives from which we can look at the concept of development. The first perspective is to see development as a vision, description or measure of the state of being of a desirable society. However, different people have different visions of what is desirable based on their ideological inclination. Three different views can be delineated. The first vision is the vision of a modern industrial society, which is elaborated by modernization theorists. The second is a society where every individual potential can be realized in conditions characterized by the capacity to obtain physical necessities (particularly food), employment, equality, participation in government, political and economic independence, adequate education, women quality, sustainable development and peace. This vision, which is otherwise referred to as human-centred development, places a lot of emphasis on empowerment of the people. The third vision is the one that sees development as reducing poverty, improving health, mitigating environmental degradation, etc. The second perspective of development is to see it as an historical change in which societies are transformed over a long period of time. Some scholars have argued that the process that produces development in some parts of the world was at the same time responsible for producing under development in other parts. This process has been dominated by the struggle between pro-market and protection movements. The third perspective of development is to see it as consisting of deliberate efforts aimed at improvements on the part of various agencies, including governments and all kinds of organizations and social movements. In this context, the important point to make is that it is crucial for people to be the agencies of their own development (Igbuzor, 2005:22).

From the above perspectives of development, it is clear that development is a very complex concept that defies a single interpretation but it encapsulates the efforts, programmes and policies that can nurture and consolidate democracy, promote human-centred and sustainable development, reduce poverty, improve health and mitigate environmental degradation. For all these to happen, radical changes in the constitution, power relations, gender relations, institutions and governance must take place.

To make matter worse, those who successfully cornered a substantial part of the society's wealth engaged in wanton profligacy and demonstration of affluence, a development which led to a feverish

struggle for acquisition of wealth at all costs by the old and the young, male and female. Here lies the very salient factor that produced armed robbers in a nation which placed great premium on family values, morality and good name (Adelegan, 2009: 4).

What now exists is a simplified view of economic development, which posits that under-development was initially universal and that every country can grow out of it by following policies that are known, tested, and unfailing. This the late starters are saddled with the singular burden of carrying out an abstract and misdealing conception of development that does not reflect the realities of their own history or even the histories of the North. Because Africa, in particular, is guided by fictitious concepts and is working with blunt instruments, its social transformation has been unduly difficult (Ake, 2001:93).

V. SECTION TWO: THE CHARACTER OF GOVERNANCE IN NIGERIA

Politics, as the major defining factor in power and resource sharing in any country, occupies a critical position in the governance configuration of Nigeria in an era where power arenas ought to be diverse and mutually complementing. This anomaly continues to haunt the character of governance in Nigeria. This position comes out clearly when the definitions of governance from across many countries of the world as well as multi-national donor agencies are considered.

A historical exegesis of the character of governance in Nigeria is uncompromisingly needed at this juncture, because the events that culminated into the present character of governance are rooted in history. Nigeria, like most other African countries, is shaped by colonialism. Knowing well that these countries were ill-prepared for independence, coupled with the fact that the necessary institutional framework that could nurture a virile state were not in place, the African nationalists scrambled their respective countries into independence only to be left for post-colonial onslaught. Arising from this fact is that nationalism succeeded in breeding elitism rather than patriotism; guided egocentrism rather than national interest; and tribal/ethnic politics rather than national state-making.

Military rule is another encumbrance to the dented character of governance in Nigeria. Its advent, tenure and activities coalesced into a reshape of the character of governance in Nigeria around violence, arbitrary rule, patrimonialism, clientelism, and warlordism. Fortunate as the military juntas were, they failed to convert their rare opportunity to govern against the backdrop of the mis-match of their rhetorical promises vis-à-vis their actual performances. Their messianic mission oftentimes ended on the bedrock of failure, corruption, high-handedness and gross mismanagement of national resources.

The discovery of oil in commercial quantity at Oloibiri around mid-50s, in the then Rivers but now Bayelsa State, is another germane factor the character-shaping of governance in Nigeria. Really, the stupendous oil wealth blossomed in the 70s, the revenue derivable from it between 1955 and early 70s was too paltry to significantly affect the character of governance. However, with the torrential flow of the revenue from oil, now nomenclatured 'black gold', politics in Nigeria became a different ball game. To make the matter worse, the then Head of State, General Yakubu Gowon uttered an inflammatory statement that "money was not the problem of Nigeria but how to spend it". This singular utterance, coming from the number one citizen of the country, is capable turning politics into a highly competitive arena; where political now engage in fearsome contestation over the abundant national resources. It could also precipitate violence at virtually all levels of politics and perhaps predispose contestation into zero-sum game whereby the winners takes all.

From the foregoing, it is arguable that the present character of governance in Nigeria is a reflection of the historic-political antecedents discussed above. Arising from the foregoing also is that those who were fortunate to attain political positions have been reluctant to leave the political arena. In this regard, a multi-ethnic elite group has emerged across the polity, instituting themselves in key positions of power, reproducing and replicating themselves in various forms. These power elites control vast amount of money, control entrance into politics and determine the rule of political game. The indivisible and formidable interests of the power elites have consistently downplayed serious ethnic conflicts as well as the forces of ethnic struggles. The emergence of the different ethnic militias has not achieved much also because of the impervious interests of the multi-ethnic but united power elites. Once anything is conceived as capable of adversely affecting the accumulation and exploitation of national resources, which sums up the interests of these elites, they are willing to nib the problem in the bud irrespective of its ethnic or personality dimension. It stands to reason, therefore, that the fact that these power elites have been acting as a binding force for the country is completely at variance with good intentions for State-making; rather, they are inwardly driven by personal and parochial interests.

VI. SECTION THREE: THE IDEOLOGY OF DEVELOPMENT/PROGRESS

The ideology of development is a paradigm that came immediately after independence to pacify the citizens of different nations of Africa by the ruling power elites. It has twin goals which are nation building and socio-economic progress. On one side, it appears lofty,

but on the other, it is self-contradictory. For instance, nation building is a conscious way of pooling a great number of people together for the purpose of self-government, unity and social integration towards the realization of community goals. However, on the other side, nation building is a way of isolating a group of people from the rest of the humanity (Heady, 1984).

Nationalism is an off-shoot of the nation building project, which African nationalist like Leopold Senghor of Senegal, Nnamdi Azikwe of Nigeria, Jomo Kenyatta of Kenya and Amicar Cabral of Guinea Bissau could not sustain for so many reasons, particularly, because it creates an intimidating sense of common purposes; hence the need to replace it with a softer and elite-friendly ideology. This is the history of the development paradigm. The ideology of development thus replaces the euphoria of independence. The ideology of development was amenable to and congenial with the political strategy of power-craze and the accumulation syndrome.

This goes further to explain how these African leaders craftily replaced nationalist ideas and the immediate post-independence legacies with non pragmatic development plains, adulterated cum westernized modernization models and semi-dictated slogans. For example, the slogan of "Uhuru", meaning freedom was changed to "Uhuru nakaze" meaning, freedom is equal to hard work. This method facilitated the bastardization of the political process and ultimately led to the emergence of single party system. Claude Ake noted with grief that:

The ideology of development was exploited as a means for reproducing political hegemony; it gets limited attention and served hardly any purpose as a framework for economic transformation. Of course, development plans were written and proclaimed. But what passed for development plans were aggregations of projects and objectives informed by the latest fads of the international development community such as import substitution and export promotion. As these fads changed in the larger world, so they were abandoned in Africa. The ideology of development itself became a problem for development because of the conflict between its manifest and latent functions. The conflict is apparent in the actions of African leaders who proclaimed the need for development and made development the new ideology without necessarily translating it into a program of societal transformation. They did so not because they were uninterested in societal transformation but because their minds were absorbed in the struggle for power and survival. In the end it fell to the West to supply a development paradigm. What was supplied was a more specific form of a broader Western model of social transformation; namely modernization theory. (Ake, 1996:9)

The second aspect of the goal of the development ideology, which is economic progress

relates to the sustained and marked improvement in the material and social welfare of the people. This is expected to include the reduction of poverty and the equitable distribution of the benefits of the wealth of the nation. This is indeed a hard task to accomplish by the quality of leadership in less developed countries. The modernization theory which was the next stage to the ideology of development further compounds the delusion of African leaders of which Nigeria is chief. In this connection, it is important to point out that the modernization theory borrowed to Africa such as W.W Rostow stages of economic growth, Malthus Theory, Keynesian Theory, Adam Smith theory etc do not capture the exigencies and realities of the African situations.

The African leaders contended between the efforts to increase the wealth of the nation and the welfare of the people. Furthermore, there was also the problem by the African leaders to decipher between which area to place emphasis in their development endeavour. Specifically, they did not know whether to emphasize on industrialization or agriculture. Most wait for industrialization to the neglect of agriculture. The implication of the ongoing discussion is that the African state suffered because the development paradigm could not specify the realities of the African environment.

VII. SECTION FOUR

a) *Theoretical Considerations of The Term, Corruption*

The term corruption derives from a Latin verb to break, *rumpere* – meaning something is badly broken (Tanzi, 1994; Hope and Chikulo 2000: 18). The verb to break could refer in this instance to an ethical code or administrative rule or regulation. Furthermore, the breaker of this code is likely to have been motivated by personal tangible benefits for either himself, his family, tribe, party or group, defying the injury or consequences such action might have on public good.

Corruption can also be defined as misuse of public power for private gain. Corruption according to Alatas (1990:1) 'is the abuse of trust in the interest of private gain'. Corruption is deviant behavior having to do with private gain at public expense. The act is more notorious when a public office holder bestowed with public trust and resources sees his office as a convenient opportunity to derive personal gains from such practices as bribery, rent-seeking, forgery, impersonation, falsification of records, misappropriation of public resources and such other related acts. In such situations, the public office holder regards public office as market.

The two theories explain the behavior of the public office holder described above and this is the **Theory of the Market** "where office bearers regard the office as a business through which they must maximize

their income. Thus, the office is the maximizing unit and the size of the income is directly dependent on the market situation and the talents for finding the points of maximal gain". (Osei-Hwedie and Osei-Hwedie, 2000:42 and cf. Heidenheimer, 1977).

Three major theories explain governmental corruption and these theories are credited to Wilson (1977:386-387). They are stated paraphrased as follows:

- i. Any political system that does not extol the ethical values of probity, transparency, accountability, personal efficiency but rather extols favours, individual loyalty and private gain will inevitably breed and promote corruption. The underlying assumption here is that the less privileged may require welfare attention and help, not justice. Embedded in this theory are values that generate unavoidable demands for favouritism, hence corruption.
- ii. Corruption also derives from processes or situations of unusual temptation which confront ordinary people. In this scenario, corruption is seen as a consequence of a social system that rewards persons in political position with power, fame and riches as against the result of defect in character or cultural values. The assumption underlying this theory is that public office holders are like any other human being susceptible to corrupt practices as long as there is no formidable institution or person to check him or her. Moreover, since the act is system-wide, he is not expected to be honest when everyone else is stealing.
- iii. There is also the theory that government is made up such that governmental activities and corruption are inseparable. Politics in this sense employs strategies for political conveniences that entail corruption. For example the strategy of lobbying, public relations and selective negotiations with some groups (trade unions, companies or international organizations) are nothing other than corruption related strategies.

The foregoing shows that corruption stands for anything that is not right; anything that violates the obligation that public agents have to their principals; or any transaction that are against the law of the land. From this point, it is important to progress to examine in a fair detail the various forms and causes of corruption.

b) *Forms and Causes of Corruption*

The forms of corruption are difficult to classify because different scholars adopt different classifications. However, in this paper corruption shall be classified into five major forms (Cooksey, Mullei, Mwabu, 2001: 43-44).

- i. Petty Corruption
- ii. Systemic (routine) Corruption

- iii. Lootocracy
- iv. Grand or Wholesale Corruption
- v. Political or Bureaucratic Corruption

i.) *Petty Corruption*

Petty corruption refers to all practices such as extortion, collusion between citizens and public officials. Petty corruption is committed when state officials bend rules in favour of friends. Those who commit the corruption are usually middle or low level officials. In most cases, they do it to compensate for insufficient salary. For example policemen at check points extorting small money from commercial drivers, gatemen in public institutions extorting money from car owners, clerks extorting money from members of the public seeking service. Petty corruption systematically taxes the informal sector. The unfortunate thing about petty corruption is that the ordinary citizens really have no power to defend themselves against petty corruption when they come in interaction with state officials.

a. *Systemic (routine) Corruption*

Systemic corruption is the pervasive form of corruption in public office where public officials wantonly accept bribes or gifts from the public when they exercise favouritism in official appointment and contract awarding. It is entrenched when wrongdoing is taking to be the norm and standard accepted behavior. It differs from petty corruption in that participant are made to see the corruption as the acceptable way or norm. Un-cooperating citizens who try to stick to the normal norms are punished. This form of corruption is common where bribery on a large scale is regularly experience.

b. *Lootocracy*

Lootocracy refers to government-by-looting of state treasury. It occurs when officials are charged with public responsibilities and trust steal public assets. It can involve embezzlement of public funds when huge public funds and other public properties like cars, furniture, office equipments are carted away from government or state corporation treasuries with the aid of tricks or advances to themselves that are never repaid (draw pay of fictitious "ghost" workers. Lootocracy is prominent among the senior levels of the bureaucracy. During auctioning of state assets for example senior state officials favour themselves friends and family members in the allocation of public assets. A good example was when senior state officials bought land in Abuja and properties in 1004 area of Lagos at ridiculous prices.

c. *Grand or Wholesale Corruption*

This occurs when politicians and senior bureaucrats as well as private sector cooperation collude in sharing profits accruing from bribes and business transaction. This form of corruption involves huge amounts of money running to millions or billions of

Naira. It thrives among senior bureaucrats and politicians as well as prominent business men during auctioning, privatizing or allocating public assets.

d. *Political or Bureaucratic Corruption*

Political corruption involves violation of election laws, use of political power to bend rules for private gains or to favour relations and friends. It may take the form of patronage in the award of contract or the establishment of patrimonial ties with foreign multinationals or powers to siphon state resources from which they get their own cuts. It flourishes where power is highly centralized in a patron base political system. Bureaucratic corruption is related to corruption that takes place among senior career official in the state bureaucracies. This form of corruption is usually perpetrated in conjunction or collusion with political office holders. Nowadays the line demarcation between political and bureaucratic corruption has thinned out as the status of prominent career officials has politicized. For example, the position of a permanent secretary has been politicized; that of the Vice Chancellor has been politicized; that of the Director General, Chief Executive of Parastatal, Agencies and Government Companies, Permanent Secretary, Executive Secretary (e.g. NUC) Auditor General of the Federation, Director General have all been politicized.

ii.) *Causes of Corruption*

The following are the salient causes of corruption regardless of its form. The analysis given by Osie-Hwedie and Osie-Hwedie aptly captures in a comprehensive manner the causes of corruption. The analysis shows that corruption may be cause by any of the following:

1. Political factors, including patronage, patron-client relationships, unequal access to public resources, abuse and misuse of office and political position, and administrative quagmire;
2. Economic factors including the worsening situation of poverty and the desire to be wealthy, and the mismatch between expectations and available resources;
3. Social factors including the cultural basis of socioeconomic and political organizations, pressures from the extended family and friends, and the lack of distinction between personal and private property. (Osei-Hwedie and Osei-Hwedie, 2000:41)
4. Another cause may have to do with "the uncertainties of politics and the absence of insurance schemes to provide for their future when they fall out of office" (Wamalwa 1993:44).
5. The attitude of some politicians who see themselves as the ultimate source of solution to the crises of the country portends danger to a corruption free nation. As we all know that power corrupts and absolute power corrupts absolutely, those politicians who

stay too long in office may abuse the power of that office.

c) *Efforts at Curbing Corruption: An X-ray of Anti-Corruption Agencies in Nigeria*

Every successive government particularly from the time of General Murtala Muhammed had made serious efforts at addressing problem of corruption in the Nigerian State. Various reforms have been set up. Specialized Agencies and Commissions have also been established.

Despite the fact that corruption was one of the reasons given by the military for overthrowing the first civilian government (1960-6), the succeeding military regimes of General J.T.U. Aguiyi-Ironsi and General Yakubu Gowon did nothing to combat corruption. In fact, the Gowon regime itself was seen to be very corrupt. Corruption was one of the reasons given by the coup plotters who flushed him out of power in July 1975. The successor military regime (initially led by General Murtala Muhammed and, following his assassination, by General Olusegun Obasanjo) was, thus, the first actually to make a visible effort to combat corruption. This entailed investigating the sources of wealth of the overthrown regime's state governors. Of the 12 governors in post at that time, only two were found not guilty of using their positions to acquire wealth illegally. Those civilian governors who were found guilty were forced to forfeit their illegally acquired wealth to the Nigerian state while the military ones were also dismissed from the armed forces.

A second major effort at combating corruption was a mass purge of about 11000 public officers on the grounds of corruption, misappropriation of public funds, divided loyalty, abuse of office, and so on. Though the exercise later degenerated into a witch-hunt, the government to a large extent succeeded in sanitizing the use of public funds and the management of public affairs. The regime also established some anti-corruption agencies before they left office in 1979. The details regarding the agencies established are discussed later.

The successor civilian government of President Shehu Shagari (1979-83), in response to the popular mood and the record of its military predecessor, launched an ethical revolution, which only existed in the pages of the policy document of the revolution, as unbridled corruption soon became synonymous with the regime. It was no surprise, therefore, that the military intervened again on the last day of 1983 to overthrow Shagari's government (Falola and Ihonvbere, 1985; Osala, 1996). The military government of General Muhammadu Buhari (1984-85) immediately launched a programme tagged 'War Against Indiscipline' to, among other things, combat corruption. In fact, the programme was aimed at bringing some sanity into the every day behavior of Nigerians and, to a large extent, the regime

recorded remarkable success in making Nigerians more disciplined in both their private and public lives.

As part of its crusade, a special military tribunal was set up to recover public properties from the erstwhile politicians and those found guilty were usually handed stiff prison sentences. Some politicians were actually sent to prison for periods longer than the normal life-span of a human being. No sooner had Nigerians started blending towards the new disciplinary order than the regime was over-thrown in 1985 by its Chief of Army Staff, General Ibrahim Babangida, on the grounds that the regime was too rigid, uncompromising and highhanded. As Babangida gradually consolidated his powers as a military programme and, by design or default, presided over the most corrupt regime that Nigeria has ever had.

The administration of General Ibrahim Babangida did not have a specific popular programme for combating corruption. During this regime, the highest incidence of corruption was recorded. As Lewis (1994:330) has observed: 'Corruption has long been endemic to Nigerian politics, but the levels of malfeasance in the waning years of the Babangida regime eclipsed those of preceding governments'. The regime even facilitated corruption in the private sector. For instance, it was during this regime that various decrees (No. 49 of 1991; No. 70 of 1992; and No. 24 of 1993) were promulgated which directed that various properties earlier seized from past government officials be returned (*African Concord*, 7th March 1994:29). The obvious reason for this benevolent act was to lure the beneficiaries into supporting him to extend his tenure in office.

After the exit of Babangida in August 1993, an interim national governmental headed by Chief Ernest Shonekan took over. However, Shonekan's tenure was too short for him to make any credible contribution towards combating corruption other than to forward a proposal to the National Assembly. To his credit, Shonekan acknowledged the prevalence of corruption in government, but his intentions never translated into visible action. The administration of General Sani Abacha, who came into power through a palace coup in 1994, made some efforts to curb corruption. The most popular programme credited to the General is the 'War Against Indiscipline and Corruption' (WAIC). He had also reconstituted the National Orientation Agency (NOA) and many probe panels were set up to investigate several government agencies and parastatals, for example, Nigerian Customs, Nigeria Airways, and Nigeria Telecommunications (NITEL). The activities of the 'Failed Banks Tribunal' are also credited to the Abacha administration. Nevertheless, the administration's crusade against corruption is not seen as credible because some members of the Cabinet have been indicted by some probe panels in the past. In addition, top government functionaries did not declare

their assets as required by the Code of Conduct Bureau (CCB). All of these lapses tend to cast aspersions on the integrity of the government and thus diminish its legitimacy.

Apart from the popular programmes with which specific regimes are associated, we also examine below some specialized institutional strategies as well as *ad hoc* bodies that have been put in place by various Nigerian governments to fight corruption.

i. *Code of Conduct Bureau*

The Code of Conduct Bureau (CCB) emanated from the popular reform of 1974. It was entrenched in the 1979 constitution in a clear and explicit form. The content of the code is, no doubt, lofty and commendable but the extent to which public officials accepted it in good faith is debatable. The code seemed to be merely cosmetic. During the Second Republic, for example, only the President and his deputy declared their assets. Members of the present military junta did not declare their assets. How then do we judge these regimes as serving the public? Perhaps the better judgement would be to say that they are serving themselves.

ii. *Code of Conduct Tribunal*

This body is saddled with the responsibility of adjudicating on matters arising from the CCB and, in difficult cases, the file appeals to the Federal High Courts. The unfortunate thing about this body also is that there was never a time, even during the Second Republic, when the Code of CCB gained prominence. The crises of corruption that rocked the CCB itself adversely affected its legitimacy.

iii. *Public Complaints Commission (PCC)*

This commission is a constitutional body established in 1975 and charged with the responsibility of looking into complaints concerned with the administrative activities of public officials or private agencies which the citizens consider to be irregular, unlawful, oppressive, unfair and inordinate in motivation. The Commission maintains offices at federal, state and local levels. However, the Commission is limited in responsibility in view of several exemptions to its scope. In the final analysis its success is confined to petty cases. Its performance is also limited because it does not have police powers of its own (Olowu, 1993).

iv. *Public Accounts Committee (PAC)*

The Public Accounts Committee (PAC) was established to provide assistance to the legislative arm of the government by performing oversight functions over all executive offices in relation to the expenditure of public funds. When the Auditor General submits his annual report and comments on government accounts to the legislature, it is the function of the PAC to scrutinize and vet the submission.

Since PACs only thrive effectively in democratic regimes, there have been problems regarding its efficiency in the governance of Nigeria. During military regimes, it is usually the first committee to be suspended. Similarly, during corrupt civilian regimes, the committee is usually neglected. Nevertheless, records indicate that between 1966 and 1979, which was dominated by the military, the committee convened a few times. About four months prior to General Obasanjo's departure from office, he reconstituted the PAC which speedily considered all outstanding accounts of ministries, departments and parastatals for the past 13 years. One wonders what level of thoroughness such an exercise entailed.

However, the Babangida administration gave some teeth to the PAC when it promulgated Degree No. 7 of 1987 where it is stated that the PAC has constitutional powers to examine federal government accounts and accounts of its parastatals. The take-off of the committee sparked off chains of resentment, disaffection, and outright crimes. For instance, some documents and buildings were deliberately set on fire to cover up fraud.

v. *Quasi-Judicial Bodies*

The use of quasi-judicial bodies has been a popular strategy which several regimes have adopted. Such bodies are used on an *ad hoc* basis to handle cases swiftly and secure judgement within a specified time frame. The emphasis is on speed, avoidance of legal technicalities, and results. A good illustration would be the Special Military Tribunal which some regimes have used in trying cases of corruption and where the evidence used is not likely to be admissible before a normal court.

Two major problems are identifiable with regard to this approach. The first is that such quasi-judicial bodies are prone to abuse by the regime which established them. When this happens, people tend to lose confidence in such bodies and this leads to the second problem, that since the bodies are not institutionalized, there is a tendency for their verdicts to be overturned by the regular courts, especially when a military regime leaves office and a democratic government is installed. This is seen in the fact that virtually all the persons jailed by previous military regimes, on the grounds of corruption, are free men today and some of them even became members of successor governments.

vi. *Independent Corrupt Practices and other related offences Commission (ICPC) and Economic and Financial Crime Commission (EFCC)*

ICPC and EFCC are commissions that were specifically established to combat corruption. The commission directed its operations against fraudsters, and indeed recorded a huge success. While ICPC was a

product of Obasanjo's first term, the Economic and Financial Crimes Commission came during his second term in office. The reason generally adduced for the statutory duplication of anti-corruption crusade which led to the establishment of EFCC was that the level of bureaucracy needed for prosecution of corruption cases under the ICPC is cumbersome, whereas the EFCC can easily circumvent such bureaucracy. The headship of the two institutions is another contentious issue. While the ICPC was headed by a retired senior judge the EFCC was headed by a serving senior police officer.

d) *Assessing Corruption in Public Institutions in the Nigeria of Today*

From the foregoing, it can be safely affirmed that corruption is still very much with us in Nigeria. Even

though the rating by Transparency International (TI) shows an improvement in Nigeria's disposition to corruption, the position is not still good enough. Nigeria presently occupies 59th position out of 180 most corrupt nations. According to Adamolekun (2008:28), "it is incontrovertible that EFCC under Nuhu Ribadu (2003-2007) took the fight against corruption to a high level with some impressive results: the recovery of about \$5billion from financial criminals and rogue public officials and the conviction of over 120 offenders, including a former Inspector General of Police and a former state governor." The table below aptly shows the trend of the position Nigeria in the group of corrupt nations.

Table 1: Nigeria's Score on the Corruption Perception Index (CPI) 1996-2008

Year	CPI Score	Nigeria's	Remarks
1996	0.69	54/54	Most corrupt
1997	1.78	52/52	Most corrupt
1998	1.9	81/85	2 nd most corrupt
1999	1.6	98/99	2 nd most corrupt
2000	1.2	90/90	Most corrupt
2001	1.0	90/91	2 nd most corrupt
2002	1.6	101/102	2 nd most corrupt
2003	1.4	132/133	2 nd most corrupt
2004	1.6	144/146	2 nd most corrupt
2005	1.9	152/159	3 rd most corrupt
2006	2.0	142/163	5 th most corrupt
2007	2.2	147/180	9 th most corrupt
2008	2.7	121/180	59 th most corrupt

L. Adamolekun, 2008:27 (based on data extracted from the website of Transparency International)

Nigeria's Human Development Index (HDI) and Ranking between 1990 and 2007 has also shown signs of improvement the table below attests to this fact. The reading of the HDI will be such that the higher the number the better the result. The total value of HDI stands between 0-5 and any value below 0.5 would be taking to represent low development while from 0.5 and above will be taking to represent high development.

Table 2: Nigeria's Human Development Index and Ranking – Selected Years between 1990 and 2007

Year	HDI	Ranking
1990	0.43	112/134
1995	0.45	118/144
1998	0.44	151/174
2000	0.46	N/A
2002	0.46	125/151
2004	0.45	159/177
2006	0.45	159/177
2007	0.47	158/177

L. Adamolekun, 2008:33 (*The Governors and the Governed: towards improved accountability for*

achieving good development performance, Ibadan: Spectrum Books Limited)

The huge number of cases of corruption and other related offences in the court of law; with ICPC and EFCC as well as reports in newspapers and magazines about political systemic and bureaucratic corruption, all confirm the seriousness of the phenomenon of corruption in Nigeria. Moreover, the ostensible revelation of serving senior bureaucrats and politicians leaving above their income calls for interrogation. These officials cannot pretend that people in their respective communities do not have access to their statutory incomes. Within one year in public office, these officials gathered so much wealth that if the Code of Conduct bureau were to investigate them, they would never be extricated from corrupt practices. In spite of the good effort of ICPC and EFCC, fresh cases of corruption keep emerging. For instance, a good number of political office holders, both past and present have been fingered to be involved in the complicity of embezzlement and sharp practices in some commercial banks and public institutions in Nigeria. The former Director-General of the Board of Public Enterprises in

Nigeria, a body responsible for disposing, commercializing and privatizing public enterprises, as it may be, is also currently being indicted for corruption-related cases, which he allegedly perpetuated while in office. He is also large. He however claims to be enjoying political asylum accorded him as a student of Law in one university in the United State of America.

e) *Ethical Decorum: The Panacea for Development and Progress at Grassroots in Nigeria*

Ethical decorum is a situation of ethical sanity, where political and career officers live/abide by the rules and regulations guiding official conduct. In such situation, the public officer puts the public concern above his own desires. It is therefore apposite at this juncture to be acquainted with some key ethics for political and career officers in government establishments.

i. *Integrity:*

This is all about moral excellence. An officer with integrity matches his words with action. He does not lie; he does not bend rules for the benefits of relatives or friends or pecuniary gains. He faithfully follows rules and procedures and charges his subordinates to do so. This officer places a very high value on his name and would not allow anything to tarnish it. He is content with what he legitimately earns.

ii. *Public Accountability:*

For the political officer, this goes with the expectation that public office is like an agency, and the public officer, an agent, who must render account of his stewardship to the owners, which in this case are the electorates. Herein lies the principle of sovereignty and representative democracy. Where public accountability holds, corruption is an anathema. **Bureaucratic accountability** derives from the principle of hierarchy. Every officer is answerable to the officer directly above him. This prevents insubordination and arbitrariness. It reinforces the principles of unity of purpose and unity of direction. Answerability is the underlying factor here.

iii. *Transparency:*

This is a moral virtue that stresses openness in the conduct of public business. The political and career officer is expected to operate based on sincerity of purpose, truthfulness, faithfulness and honesty.

iv. *Responsibility:*

This is about the preparedness to serve with heart and might as the national anthem demands. It does not permit laziness at all. It also requires that the officer can be relied upon based on professional competence, moral pedigree, and rare sacrifice.

v. *Non-maleficance/Fairness:*

Some officers use their voffice to oppress people. This is not proper. Public officers are expected

to be fair to all without inflicting physical injury on subordinates or members of the public.

vi. *Discipline:*

Every public officer is expected to exhibit high level of self-comportment and discipline. They are expected to exhibit discipline in their language, official duties, financial transactions and in their interaction with members of the public. They are expected to relate with everybody in the work environment with courtesy and respect. They are not to divulge confidential information to forbidden sources.

vii. *Loyalty/patriotism:*

Public official must be loyal to their organization and bosses. Political and career officers on the other hand must be patriotic. They must not be sectional or tribalistic. They must think well; say well; and act well so that Nigeria can go well. Like an average American, public officers must set precedents by professing that – God bless Nigeria.

viii. *Responsiveness to public interests/needs:*

Good governance is concerned with prompt response to the welfare, security and social needs of the people. Therefore, public officials must not be plastic to the concerns, worries and aspirations of the people. Senior civil servants must employ dynamic and transformatory leadership and conflict resolution approach to delicate and burning issues in their institutions.

VIII. SECTION FIVE

a) *Concluding Remarks and Recommendations*

As it were, Nigeria is blessed with natural and human resources in abundance. The major problem with the governance of Nigeria; why it has been difficult to achieve development and progress at the grassroots in mainly attitudinal. Hence, a change of attitude in the right direction is all that Nigeria needs to achieve progress. In specific terms the following recommendations may be considered very helpful.

- i.) The emergence of a transparent and honest leadership class that has vision, mission and passion for the people;
- ii.) Institutional mechanism that would enable citizens to expose public officials who are corrupt, without any fear of persecution is put in place;
- iii.) Credible election and legitimate rule;
- iv.) Strengthening of accountability institutions;
- v.) Extermination of Poverty from the social and economic fabrics of the nation;
- vi.) Existence of congenial policy environment that will facilitate productive activities in all sectors;
- vii.) Existence of favourable political climate for the operation of civil society organizations.

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GLOBAL JOURNAL OF HUMAN SOCIAL SCIENCE
ARTS & HUMANITIES

Volume 12 Issue 11 Version 1.0 Year 2012

Type: Double Blind Peer Reviewed International Research Journal

Publisher: Global Journals Inc. (USA)

Online ISSN: 2249-460X & Print ISSN: 0975-587X

Criticism of the Average Allocation Mechanism and the Criticism of "The Criticism"

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Abstract – At the beginning of reform and opening up, Chinese society, for the accounting unit of the average distribution of the internal criticism of the theory and in practice, reflects the very good results, due to the existence of this concept to be sure the field is not correct, combined with the average distribution of the old barrier development of productive forces, in the "angrily denounced "the average allocation process, people seem to be intentionally or unintentionally, this criticism of the excessive expansion of the range, resulting in practice at the macro level, the distribution of income redistribution and, ultimately, was "efficiency first" cover look after the contrast between the different levels is too large, the amount of public interest from the material strength of the different evolved into distinct groups or classes. In the final analysis is due to a general criticism of the average distribution of the reasons, it must be evenly distributed in the critical resources through the definition of the property of the resource scientifically, for "equal distribution" under the cover of the income gap is too poor, or in the relevant areas of the distribution range of the average distribution of the concept of recovery to achieved through the scientific development goal of building a harmonious society.

Keywords : *Average distribution, equally, criticism, public system.*

GJHSS - A Classification : *FOR Code : 190101*



Strictly as per the compliance and regulations of:



Criticism of the Average Allocation Mechanism and the Criticism of "The Criticism"

平均分配机制批判及其“批判”的批判*

He Xiang Zhou

改革开放之初中国社会对核算单位内部平均分配进行了理论上的批评并在实践上体现了很好的效果，由于对这里理念所应存在的领域把握不正确，加之旧的平均分配障碍了生产力的发展，在“愤怒声讨”平均分配过程中，人们似乎将这种批评的范围有意无意地过于扩大，致使在实践中处于宏观层面的国民收入再分配以及最终分配也被“效率优先”掩盖后在不同阶层之间显得反差过大，社会公众从物质利益多寡的不同演化成了强弱分明的群体或阶层。归根结底是由于笼统地批评平均分配的原因，因此必须在批判平均分配时通过科学界定资源性质，针对“平均分配”掩盖下过于悬殊的收入差距，在相关的分配领域或范围恢复平均分配理念，以达到通过科学发展建设和谐社会的目的。

关键词-平均分配 公平 批判 公共制度

Abstract - At the beginning of reform and opening up, Chinese society, for the accounting unit of the average distribution of the internal criticism of the theory and in practice, reflects the very good results, due to the existence of this concept to be sure the field is not correct, combined with the average distribution of the old barrier development of productive forces, in the "angrily denounced" the average allocation process, people seem to be intentionally or unintentionally, this criticism of the excessive expansion of the range, resulting in practice at the macro level, the distribution of income redistribution and, ultimately, was "efficiency first" cover look after the contrast between the different levels is too large, the amount of public interest from the material strength of the different evolved into distinct groups or classes. In the final analysis is due to a general criticism of the average distribution of the reasons, it must be evenly distributed in the critical resources through the definition of the property of the resource scientifically, for "equal distribution" under the cover of the income gap is too poor, or in the relevant areas of the distribution range of the average distribution of the concept of recovery to achieved through the scientific development goal of building a harmonious society.

Keywords: Average distribution, equally, criticism, public system.

I. 引言

般地讲，分配指按一定的标准或规定分（东西）、安排；分派。具体指把生产资料分给生产单位或把消费资料分给消费者。分配的方式决定于社会制度。包括社会总产品的分配、国民收入的分配、个人消费品的分配等。它是社会再生产的一个重要环节。有时还指生产资料的分配，即所有制关系。生产资料的分配决定着社会成员在社会各类生产之间的分配的性质，决定着社会成员在生产过程中所处的地位。在中国，分配政策基本上可以分为两个阶段，即改革开放以前的平均分配和改革开放之后的效率优先分配

。改革开放以来，人们针对核算单位内部普遍存在的“大锅饭”所造成的低效率现象，就平均分配问题进行了批判和全面否定。所建立的新的核算单位内部的分配制度是，按照劳动者的基本贡献进行有差别的分配，分配方式与参考依据也多样化²。这种对平均分配的批判，直接产生的作用是，充分调动了劳动者积极性，最大限度地挖掘了潜在的生产力，从而提高了生产效率。但是随着对平均分配批判所产生作用的认可，这种在核算单位内部具有积极意义的办法被延伸到不同行业了，甚至于发展到谁有资源的支配权谁就可以分配，以至于出现了现实

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* 本文系何翔舟主持的国家自然科学基金项目“公共产品政府垄断的高成本机理与治理研究”（71073144）的阶段性成果。前湘潭大学党委书记、现浏阳市委书记彭国甫教授提出了很好的意见，在此表示谢忱。

¹ 实事求是地讲，改革开放之前在很大程度上也是效率优先的分配，按劳分配历来是中国社会主义分配制度的基本原则。

² 例如，不仅有劳动分配，而且有资本分配；不仅有体力劳动分配，而且有脑力劳动分配，管理也作为生产力参与了分配，等等。

的政府部门、垄断行业与产业工人、竞争性行业之间的分配差距，这种分配差距演变成了不同的社会群体，产业大军被沦落为低收入阶层，公务员和其他垄断行业的人上升到“绅士”阶层，对科学发展以及和谐社会建设都是很大的障碍。

II. 平均分配的本质及其涉及的范围

所谓平均分配，亦称“绝对平均分配”，一般指小生产者要求平均享有一切社会财富的思想，是手工业和小农经济的产物。其表现为主张消灭一切差别，要求人与人之间在工作条件、生活条件、物质分配与个人需要方面绝对平均。这是一种无法实现的幻想。在社会主义制度下，他与各尽所能、按劳分配原则直接相违背，具有落后性和对生产资料的破坏性

³。作为建立在手工业和小农经济理念下的平均分配确实不适应现代社会发展的分配方式，必须有能够体现现代社会经济和公共事业发展的新的分配方式所替代。于是，改革开放初期，人们探讨了符合中国社会发展的新的分配方式，即公平分配。现代意义上的公平分配，其精髓是公平与效率的有机结合，体现的是关于如何协调公平与效率直接的关系。

“公平”一词的本意，是不“偏袒”，即不袒护参与分配群体中的任何一方。多年了，研究公平与效率之间关系的学者，一般是在平等意义上使用公平，将公平视为标志着收入分配程度的范畴。由于使用不同的价值判断标准，因而对公平会有不同的理解，公平也就表现为一个定性的范畴；而效率一词和价值判断标准相对来说没有大的关系，他只是从数量角度关系出发说明经济运行的成就或成就，因而其主要体现的是一个定量的范畴。计划经济时期人们认为，公平与效率之间的矛盾只存在与资本主义社会，社会主义经济和公众活动中不会产生这种矛盾。但是，随着改革开放的深入和社会经济发展以及公众分配关系的复杂化，一些深层次的矛盾逐渐表面化，公平与效率问题也凸显，中国学者着力研究如何协调公平与效率之间的关系问题，并提出了不同的观点，直至如今，一种意见认为，两者的关系应该是“效率优先，兼顾公平”，另一种观点则认为，“以公平促进效率，以效率实现公平”⁴。从现在来看，如果结合中国现实来分析，我们认为微观分配（即核算单位）要注重效率问题，而宏观分配，例如不同行业、事业以及政府部门、管理者、产业大军，等等，所要解决的问题是公平。公平和平均是两个完全不同的概念，平均问题是一个历史型问题，而公平则是永久性问题，社会经济越发展，公平问题越严重。

从表象上看，平均分配与公平分配是两个不同的概念，平均分配指的是对于社会一切资源（包括物质和货币形态的）要绝对地平均到每个人，不仅幻想色彩特别浓厚，而且局限于物质财富非常匮乏，生产力水平非常低下的原始社会或者非常封闭的封建社会。因此，平均分配是原始社会或者封建社会初期的历史性理念，当生产力发展了，社会财富相对丰富的情况下，平均分配的理念就会制约社会经济发展和公共资源配置的帕累托改善效应。公平分配则是从宏观上把握公共资源的综合配置，无论是社会的任何群体，都享有公平的权利，假定分配上的不公平现象相对严重，就可能出现某些领域劳动者非常拥挤，而某些领域没有人去工作的状况，被动就业现象非常突出的状况。例如，时下人们在政府部门数百人升至数千人竞争同一个岗位就是如此。与公平分配相对应的就是不公平分配，不公平的分配直接破坏生产力和生产关系，和垄断的低效率有异曲同工之意。由此，公平分配是任何社会都必须注重的，其重点的通过公共管理来调节公共资源的优化配置。这样，我们就可以看出，平均分配是和效率相关或者对应的概念，平均分配是低效率的根源之一，亦即低效率现象很可能是平均分配造成的。而公平分配则主要考虑的是行业之间的

³ 见辞海，上海辞书出版社1979年版（缩印本）第44页。

⁴ 参见严兰坤主编，当代中国改革大辞典，中国社会科学出版社1992年版，第91页。

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⁵ 见辞海，上海辞书出版社1979年版（缩印本）第44页。

⁶ 参见严兰绅主编，当代中国改革大辞典，中国社会科学出版社1992年版，第91页。

平分配则主要考虑的是行业之间的问题，和效率几乎不相关，亦即公平分配不会影响效率优先。之所以公平分配与效率优先之间没有关系，是因为效率问题存在与微观单位（或者核算单位）内部，而公平问题往往或者本来体现在不同行业之间，试想同一社区的农民与农民之间、同一建筑公司的建筑工人与建筑工人之间的效率问题本来存在，但其根本不存在公平分配公平问题，假定确实存在不公平分配问题，是其单位的管理问题，不属于社会共同注重的的问题。

平均分配应该是有其存在的范围的，在现代社会里同一个核算单位固然不能提倡平均主义去执行平均分配，但在国民收入分配范围还必须考虑平均分配，如果宏观上不掌握平均分配，就会失去社会群体之间的公允。从平均分配理念的指导范围来看，平均分配与公平分配之间是有相关性质的，因为就宏观层面的国民收入分配而言，如果不考虑平均分配，公平分配是无法操作的，例如，国民收入再分配中许许多多的有形的公共产品，对任何人是公平存在的，这种绝对意义上的公平实际上就是平均分配，实践中的公共产品由于其无法分割体现了平均与公平的特点，但是那些能够分摊到个人的国民收入的分配则背离了公平原则，例如，公务员与老百姓之间、垄断行业与竞争行业之间在诸如医疗卫生、福利分房、养老保险等出现的过大差距，这恰恰是受到“平均主义”批判所导致的。现在我们要问，中国改革开放初期所批判的平均主义究竟是什么。回顾20世纪80年代时期的改革，成效最为突出的是农村联产承包责任制度，之所以当时的农村发展如此迅速，其原因是消除了集体生产中的大锅饭和平均主义的分配方式。不仅农村批判平均主义的分配方式，而且城市、工厂、商店也批判平均主义的分配方式。对于平均主义的批判，极大地释放了社会生产力，调动了劳动者的积极性。随着社会经济的发展，平均主义分配被彻底批判了，而公平分配被掩盖或者忽略了，一些行业借助批判平均主义来搞不公平分配，这是一个值得批判的现实问题。

IV. 效率优先掩盖下公共资源不公平分配

随着效率理念的建立和发展，收入分配逐渐从计划走向市场化。在理论上从事生产、交换以及其他经济活动的当事人的经济收入由传统的静态形式过度到动态的市场过程来评价和确定⁷。具体体现为企业的收入、个人劳动所得和各种非劳动收入，都由市场机制调节，通过市场过程来实现⁸。这一理念彻底打破了传统的行政手段控制收入的状况，从而从真正意义上使一部分人通过合法的劳动或非劳动所得率先富起来了。收入分配市场化的精髓是从真正意义上贯彻按劳分配、体现奖金制度，全面引入市场机制，使税收、价格、工资、利息、租金和经营利润等市场化。从理论上讲，收入分配的市场化有利于推动竞争和激发进取心，使经营与收益，劳动贡献与劳动所得有机结合起来，真正调动各经济活动当事人的积极性。在产业领域或者竞争性领域，这一理念真正意义上指导收入分配市场化，也充分体现了效率优先。但是，在政府部门、垄断行业还存在着由政府或者垄断行业自己制定收入分配的权限，尽管在垄断行业内部也可能是市场化的收入分配，但是这些垄断行业本身与其他竞争性行业或产业之间又是不同的竞争平台，形成了收入分配上的“国中之国”。从现象上看，大家似乎都是市场化的分配机制，但从根本上看，这部分是属于曲解了的市场化分配，垄断利益在这里充分体现，等量劳动并不

⁷ 传统的计划经济时期，人们的收入分配基本上是多年一贯制的静态形式，即使有时候偶尔改变工资，也还是固定的，工人为八级工资制，干部也是28级制，与市场没有关系。

⁸ 见严兰坤主编，当代中国改革大辞典，中国社会科学出版社1992年版，第161页。

能转化为等量价值，不同收入的群体或不同的社会阶层就这样被分隔出来了。因此，效率优先既要在微观上体现，但首先也在宏观上公平，否则，就会在效率优先掩盖下出现公共资源不合理的分配。

之所以等量劳动无法体现等量价值，是因为行业之间的分配不公并不符合广义上的效率优先理念。如果不考虑社会分工，不考虑现代社会的公共服务，就某一企业、某一公共单位来说，效率优先绝对是人们无可辩驳的。问题是整个社会似乎并非一个行业或单位那么简单，我们假定政府公务员与农业劳动者之间、电力工人与建筑工人之间、管理人员与业务人员之间，等等，其效率优先怎么界定。在现实中，主要你在公务员群体，就和一般的产业工人之间形成了不同收益阶层的群体。由此，一般意义上的效率优先在行业之间就根本无法体现，只有政府的宏观调节才是体现社会公平分配基本手段。是否可以考虑公共资源在行业之间平均分配，再考虑行业内部的效率优先，如果宏观上已经形成了不同的收入群体，社会不公问题是无法避免的。

从现实社会收入状况来分析，既往的对平均分配批判并没有从真正意义上批判“绝对平均”，而是批判了公平分配，这从严格意义上说他掩盖了多年来的行业不公。公平分配的本意是永久性的正确，和效率优先之间没有任何矛盾。从资源流向理论来解释，资源始终向利润最丰厚的领域流动，时下人们选择就业中的在政府部门或垄断行业的“占位”现象，充分说明了分配的不公平问题。中国在上世纪7080年代，劳动者首先选择的职业是产业工人，其次才是政府干部以及现在的垄断行业，原因是当时的收入整体是公平的。在整个社会，只有在行业之间公平的前提下，才能体现效率优先，如果行业之间或者宏观上已经不公平，在整体上并不符合整个社会的效率优先。之所以说对平均分配的批评掩盖了行业不公，是因为平均分配确实是一种落后的阻碍生产力发展的分配方式，必须摒弃，而废除平均分配对于任何行业、任何有分配的群体都是最大最直接的激励。特别是在20世纪的80年代，行业分配不公的矛盾并不突出，在当时是一种潜在的矛盾，但是到了社会经济发 展的今天，行业分配不公的问题演变为主要问题之一，仔细分析，废除平均分配问题根本与行业分配的公平之间没有联系。假定是批评平均分配掩盖了当今的行业公平问题，就应当及时纠正。

当前行业分配不公平的问题，在理论上可以概括为国民收入三次分配不合理所导致的公共资源流向不合理。可以从两个渠道梳理，首先体制性弊端是形成现有收入分配格局的根本原因，初次分配过于“亲资本”、“弱劳动”，二次分配中存在负福利效应和政府职能的错位⁹。同时，劳动力市场不完善，劳资集体谈判制度缺失，劳动力价值被严重低估。另外，经济社会管理体制中存在的问题也导致分配不公，如相关制度安排的不完善导致行业、城乡差距，非法非正常收入、行业垄断及权利寻租行为的存在也加剧了收入差距。此外，我国的经济 发展方式不合理、二元经济结构的存在和产业结构有待升级也是造成收入差距的原因。

其次，国民收入分配无形贬低了人力资本价值。生产决定分配，不同的所有制关系决定不同的收入分配制度，只有在生产资料社会占有的基础上，才能形成按劳分配为主体的分配关系。城乡差异扩大、地区不平衡加剧、行业垄断、腐败、公共产品供应不均、再分配措施落后等等，

⁹ 徐玉立，中国收入分配问题研究述评，中国社会科学院马克思主义研究院红旗文稿，<http://my.cass.cn/news/380984.htm>，

都加剧了收入差距扩大，但这些不是主要原因。收入差距扩大的主要原因在于初次分配不公，而初次分配的核心问题在于劳动收入与资本收入的关系，这涉及生产关系和财产关系问题。财产占有上的差别往往是收入差别最重大的影响因素。所有制会直接影响百姓收入，所有制结构变动是劳动收入下降的主因。过去人们可以在平均理念下获得相应的收入，如今在批评平均的理念下贬低劳动价值，这样，由于不公平问题所造成的收入群体结构更加复杂，网络化的高收入阶层和网络化的低收入阶层并存，因此，民间呼唤“公平”的力量显得不足。

行业之间以及人力资本与货币资本之间的分配不公，最终导致了社会群体的强弱分明。早在上世纪90年代初期，著名作家贾平凹在其作品《废都》中把公众分十等，虽然有些许彩化的成分，但是确实一定程度上反映了些许现实问题。据中国科学院的一份研究报告，中国政府投入的医疗费用中，80%是为了850万以党政干部为主的群体服务的（<http://www.39.net/focus/yw/200718.html>）。另据监察部、人事部的数据，有40万名干部长期占据了干部病房、干部招待所、度假村，一年开支约为500亿元（<http://baike.baidu.com/view/281380.htm>）。据2005年两会透露的数据，在我国卫生总费用中，居民自费占60%，集体负担占25%，居民投入占15%。44.8%的城镇人口没有医疗保障，79.1%的农村人口没有医疗保障，48.9%的居民有病不就医。王小鲁等人的研究表明，2008年我国隐性收入总计有9.3万亿元人民币，其中63%的部分集中在10%的家庭；而2008年“灰色收入”的金额是5.4万亿元人民币。灰色收入主要来自制度不健全导致的腐败、寻租行为、公共资金流失和垄断性收入的不合理分配。2008年城镇最高收入家庭与最低收入家庭的实际人均收入分别是5350元和13.9万元，差距是26倍。用城镇最高收入20%的家庭和农村最低收入20%的家庭来近似地代表全国最高和最低收入10%家庭，全国最高10%家庭的人均收入是9.7万元，而最低10%家庭的人均收入是1500元，两者在2008年相差65倍¹⁰。由此可见，分配不公已经是一个综合性表现，并以此划分成了社会公众之间的强弱群体。

V. 公共资源不公的机理是政府及其垄断的高成本

从机理上分析，公共资源分配不公根源于政府内部及其政府对公共产品的垄断提供。公共资源从来都是由政府垄断性经营与管理的，在市场经济发展到一定阶段，社会公共产品逐步向私人产品特征转化的情况下，这种政府垄断经营就被演变为部分人的寻租源泉，由此，越来越反映出政府在公共资源经营管理方面的不经济或高成本现象。其根本原因是，公共资源与其他企业提供的私人产品一样，在整个经营管理活动中存在着内部人争夺利益的问题¹¹。

公共资源政府垄断经营是社会分配不公的源泉，对于普遍意义上没有得到相应回报的弱势群体来说，几乎都是搭便车思想，这里我们所研究的虽然是公共资源，但由于制度原因，同样存在着“公地悲剧”现象（尽管这种悲剧没有纯公共产品领域“公地悲剧”那么严重），不仅对政府直接支出的成本构成了很大的膨胀率，而且也反映在社会及其纳税人日益加重的负担上，同时也体现在公众应有的福祉被间接地减少。社会或纳税人不仅要承担各级政府机关的各种支出成本，同时承担更大的公共资源管理的成本，特别是在政府直接管理这些公共资源的活动中增加了理性范围以外的成本，这对社会或纳税人不能不说是一种悲剧。

¹⁰ 孙立平，当前中国的贫富格局，<http://www.sina.com.cn> 2011年04月01日 22:11 经济观察报。

¹¹ 迈克尔·麦金尼斯主编，毛寿译，多中心治道与发展，上海三联书店，2000年版，第20-21页。

，因为他们承担许多不必要支付的成本并失去了一些不该失去的福祉。公共资源存在公共悲剧的原因是政府垄断经营公共资源的内部掠夺博弈的结果。类似于“公地悲剧”的现象之所以同样在公共事物的经营与管理活动中存在

，是因为政府经营管理公共资源的根本特征决定的。对此，我们仍然首先进行经济人假设或理性人的假设，可以发现内部人存在各种情况的博弈。

一是政府经营公共资源内部人偷懒的博弈 (主要是待遇一样的 Nash 均衡¹²) 与民营化内部人偷懒博弈的比较。这是一个完全信息情况下的内部人博弈，我们假定同样一项公共资源，即一所大学二级学院的办公室，这所大学在政府管理与私人管理都有两个工作人员甲与乙。甲、乙都知道在政府管理公共资源的情况下，不论谁偷懒都没有被开除的风险，只是两人的收入有所不同(但收入不论多少，仍然是平均的)；而这所大学一旦在私人管理的情况下，不论甲与乙偷懒都会有被开除的风险，同时随着偷懒与勤奋的程度不同使两人的收入也拉开差距。这种政府管理与私人管理公共资源的局内人不同态度可以用表1、表2反映其博弈活动。

我们先对表1的情况作一分析。可以看出，在政府管理公共资源时，无论甲乙两人谁偷懒，所得的收入是相同的，所不同的是，两人中间有一人偷懒而另一人不偷懒时，两人的收入为9，而两人都偷懒时，两人的收入为8；当两人都不偷懒时，两人的收入为10。由于两人的收入总是平均的，同时偷懒与不偷懒之间的收入差距也不大，因此，两人都偷懒就成了博弈的纳什均衡，即两人都是偷懒的态度。这也符合中国的现实情况，在政府管理的公共事务内部大家都提倡按劳取酬，但谁也没有严格的定量执行，这不是内部人偷懒的问题，而是产权不到位所引起的管理机制问题。

表1 政府管理公共资源内部人偷懒的博弈
(表列数字为个人收入)

工作人员 (甲)	工作人员 (乙)	
	偷懒	不偷懒
偷懒	(8, 8)	(9, 9)
不偷懒	(9, 9)	(10, 10)

¹² 1994 年诺贝尔经济学奖得主之一的博弈论专家纳什(Nash)在1950年和1951年的两篇论文中定义了非合作博弈及其均衡解，并证明了均衡解的存在，纳什所定义的均衡称为“纳什均衡”。具体讲，纳什均衡就是：假设有 n 个人参与博弈，给定其他人战略的条件下，每个人选择自己的最优战略(个人最优战略可能依赖于也可能不依赖于其他人的战略)，所有参与人选择的战略一起构成一个战略组合(strategy profile)。纳什均衡指的是这样一种战略组合，这种战略组合由所有参与人的最优战略组成，也就是说，给定别人战略的情况下，没有任何单个参与人有积极性选择其他战略，从而没有任何人有积极性打破这种均衡。也就是说，纳什均衡是一种“僵局”：给定别人不动的情况下，没有人有有兴趣动。

表2 私人管理公共资源内部人偷懒的博弈

(表列数字为个人收入)

工作人员 (甲)	工作人员 (乙)	
	偷懒	不偷懒
偷懒	(2, 2)	(2, 10)
不偷懒	(1, 2)	(6, 6)

在表2中，私人管理公共资源是非常讲究管理效率的。当两人都偷懒时，两人的收入可能均为 2；当其中一人偷懒而一人不偷懒时(偷懒者的收入可能为 2，不偷懒者的收入可能为 10)，两人的收入差距非常明显；同时，

在两人都不偷懒的情况下两人的收入都为6，这样，也可以明显地看出纳什均衡为都不偷懒。在私人管理下，由于产权到位，私人非常关心绩效和成本，他们考虑如果两个人都不偷懒，而且给予他们都是6的收入，既调动了工作人员的积极性，也节省了管理成本。这种与政府管理绩效截然不同的原因是在私人管理的情况下，产权到位，在管理机制上消除了“公地悲剧”。

上述博弈结果表明，政府管理公共资源的制度无法避免内部人偷懒现象，同时，公共资源由私人管理经营时，可以消除内部人偷懒。

二是政府经营与私人经营人员在编制方面的博弈(主要是帕金森定律的 Nash 均衡)

的比较。人员的多少是构成成本的重要因素，特别是当公共产品已经形成时，人员几乎成了经营管理成本的关键因素，在这方面政府管理公共产品与私人管理公共产品的意识也有很大区别，特别是在许多事业单位由财政全额拨款制度下，政府管理公共产品的主要负责人与政府机关的领导具有同样的“帕金森综合症”¹³

.他们觉得单位越大越好，所管理的人员越多越能显示领导的控制权及个人权威，于是不大注重人员增加的管理成本，而是想办法扩充机构，增加后勤服务功能。然而，在私人管理公共资源的情况下，其一切管理费用都由经营者来支付，并且支付越小越对管理者有利。因为他们知道，没有任何人替他 拨款来弥补经营管理公共资源的成本。于是他们像私人领域一样，绩效意识非常强，非常注重增加工作人员的成本问题，当增加人员的边际效应为零时，再不会考虑增加人员了。由此，在两种不同的管理体制内，当工作人员达到边际效应为零的情况下，同样有两种不同的增加工作人员的博弈。其不同的博弈活动可由表3、表4所示。

表3 政府管理公共资源的拨款博弈

政府	管理者	
	控制工作人员	不控制工作人员
增加预算	(-3, 5)	(-3, 5)
不增加预算	(0, 2)	(0, -3)

表4 私人管理公共资源拨款的博弈

政府	管理者	
	控制工作人员	不控制工作人员
增加拨款	(-3, 10)	(-3, 5)
不增加拨款	(0, 5)	(0, 0)

从表3、表4可以看出，无论是政府经营还是由私人经营公共资源，都存在一个纳什均衡。当由政府经营时，纳什均衡出现在管理者不控制工作人员与政府增加拨款。管理者在控制工作人员与不控制工作人员的情况下，所获得的利益是不同的，即在控制工作人员时，假定政府增加预算，管理者可以获得 5 个单位的利益；而当政府不增加预算时可以节约获得效益为 2 个单位。同时，在管理者不控制工作人员编制的情况下，由于然元编制增加政府当然要增加财政预算，管理者可以获得 5 个单位的利益；在政府不增加预算时，就会有 3 个单位的损失。但现行政策是，在政府管理的公共资源单位，只要增加工作人员就同时增加预算拨款。因此，管理者是会想办法以各种理由来增加工作人员的，政府也选择增加预算，纳什均衡出现在这样的区域内。当公共资源由私人经营时，纳什均衡出现在管理者控制工作人员与政府不增加拨款上。因为管理者控制工作人员与不控制工作人员和政府增加拨款没有任何意义上的联系，即就是政府选择不增加拨款的战略，而管理者理所当然地选择控制工作人员的战略，因此，在私人服务于公共资源情况下，政府拨款与内部增加人员的纳什均衡非常简单，即为政府不拨款，管理者决定不增加人员，人员成本必然体现在增加一个工作人员的边际成本为零。

公共资源表面上管理的高即为实质上的各阶层之间的不公平，主要问题不在于管理者水平的高低，而是管理的体制与管理制度问题。这是因为，从现实情况来看，政府一直对公共资

¹³ 谢庆奎，98中国政府机构改革论，天津人民出版社，1999年版，第20-26页。

源是一种垄断经营，从政府本身的角度来讲，公共资源的高成本运作并不可怕。因为从公共管理的角度讲，在现行的税收与公共支出体制下，政府管理公共资源的成本虽然是通过政府财政渠道支出的，但其来源是纳税人的贡献，是全体公民提供的，政府集团本身是没有能力支付公共资源成本的。公共资源在传统的计划经济时期由政府垄断经营，与国有企业一样尽管是低效率的，但人们并没有高成本运转的感受。随着现代公共管理或公共行政的发展，公共管理主体的多元化出现，政府公共资源的成本逐渐扩大化的现象已经不仅仅是内部管理的成本问题了，而是垄断公共资源经营管理权限的公共组织相对于社会公众的租金¹⁴。因为，高成本支出不是公共资源生产经营活动中所必须支出的，很大部分是政府借助于公共资源来安排人员以及内部按照政府机关的运营模式缺乏经营管理观念所造成的。对此，我们不能简单地认为公共资源的高成本就是那些自私的、有操作权限的人所造成的。可以说，经营管理公共资源的所有人相对于其他公众来说都是得到好处的，这就是政府及其垄断行业与其他领域之间不公平的本质。例如，在公共资源内部，工作人员A可以设法获得100元的好处，而工作人员B可以通过其他途径获得

120元的好处，管理者可以获得更多的好处，这样在体制内部大家都是高成本的制造者，也都是得益者，形成了一个得益者阶层。

由此看来，公共资源的国家垄断，实际上就是政府通过财政、税收途径把其他地方的资源不断地注入公共资源领域，公共资金只要进入这个领域，经营管理公共资源的这一阶层就可以分享一部分资源，这部分资源实际上是这一阶层对社会的租金，而且是通过政府渠道分享的，似乎是非常合情合理而且也是合法的，在现阶段仍具有传统的铁饭碗性质或者说具有“准政府”性质。

从这一意义来讲，建立公共政府不仅是改革传统政府体制问题，而且是推动社会经济发展，实现社会资源优化配置的需要。

VI. 公共资源公平才能体现分配的社会公平

1. 公平的前提是群体之间的公平

从上述论证中可以看出，无法在同一个组织中的个体之间求得公共资源的公平配置，诸如政府、企业、个人之间分配的不公平，垄断行业与竞争性行业之间分配的不公平，城市与农村之间分配的不公平，等等，不可能通过批判平均分配或者“效率优先”来解决。实践证明，无论是在东部还是中西部，建筑工人之间、中小学教师之间、大学老师之间，等等，都没有过于悬殊的收入差距。但是，群体之间的差距是不言而喻的，产业工人与公务员之间、竞争性行业与垄断行业之间强弱分明，即使中西部的公务员或垄断行业的工作人员与东部地区的产业工人之间，也存在着巨大的收入差距¹⁵。从人力资本的流向分析，在上世纪80年代以前，无论是大学生毕业分配也好，还是其他途径工作，相互之间被安排到各级政府与企业工作，似乎并没有什么心理落差，主要原因是无论在哪个行业工作，收入大体相当，如今人们可以从上千人走华山一条路竞争公务员岗位明晰，公平分配问题的严重性，我们假定，产业工人与公务员之间

¹⁴ 张五常，经济解释—张五常经济论文选，商务印书馆，2000年版，第28-30页。

的收入基本持平，公众就业的心态就不会出现当今的畸形状况，人们的创业意识也会大大增强，社会的就业压力也会大大减轻，社会经济和谐发展也会达到一个新的境界。

2. 群体之间公平的重点是公平隐性收益

随着中国经济社会学的发展，人们的收入越来越复杂化。形形色色的隐性收入在总收入中比重逐渐上升，在群体之间差别非常大，以2010年为标志，其分布格局如图1所示¹⁶。这些隐性收入可以分为两类，其一是民间炒股、炒房地产以及其他方式的收入，还有一类是通过国民收入分配产生的隐性收入，如政府官员的灰色收入，垄断行业、大型国有企业的高福利、高保障等所产生的。

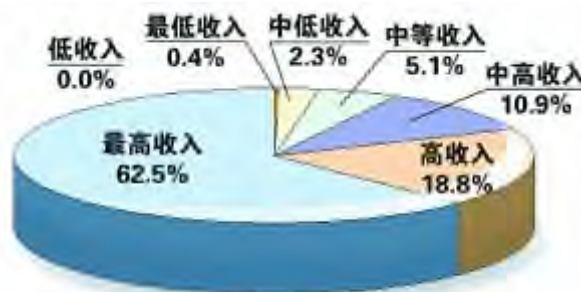


图1 中国隐性收入分布格局

如果说在现行制度下对前一类隐性收入无可厚非的话，那么后一类隐性收入是宏观上造成的不公平，其本质是对公共产品占有的不公平，这种在一定程度上被“合理化”了不公平应当受到社会各界的高度重视。既往的调节收入差距的举措是“长工资”，即通过对劳动者长工资抑制不公平现象。从当前的群体之间的收入差距剖析，用长工资的办法抑制不公平现象的措施在很大程度上是在扩大不公平，因为长工资的劳动者范围在全社会非常有限，基本上都是公务员、垄断行业、国有大中型企业的职工，更加广义上的产业工人并不在列。因此，群体间的公平，重点要从公平隐性收入着手。

3. 公平隐性收益的关键是调节国民收入分配

可以看出，在当前社会制度情境下，如何公平不同群体之间的隐性收益，是社会各个群体之间公平分配的关键问题。隐性收入的公平是一个公共资源优化配置的举措，也是建立科学发展观以及和谐社会的理想之举，我们这里姑且不论诸如炒股票之类的隐性收入，就行业不公、灰色收入等产生的隐性收入，一般都属于国民收入分配的范畴。因此，可否考虑在调节国民收入分配上下功夫以公平全社会的隐性收入。假定调节国民收入分配对于公平分配这个命题成立，可以说找到了公平隐性收益的钥匙，这是因为国民收入分配确实在很大程度上偏向于部分阶层而对于更加广泛意义上的阶层是一种利益伤害。例如，公务员阶层、垄断行业部门等感觉到一辈子的生活“旱涝保收”，而广大的农民和产业工人可能始终要与未来着急，为当丧失劳动力时的养老奔波。当国民收入在分配中出现不平均，公平问题便潜伏下来了，最终是一些阶层剥削其他阶层。之所以说是一些阶层剥削其他阶层，是因为国民收入本身就是全体公众所创

¹⁵ 其差距不仅体现为工资性收入，更体现在包括医疗卫生、福利分房、退休养老、隐形收入，等等。很多情况下，账面收入已经无法真实反应群体之间的收入。

¹⁶ 张荣，中国社会隐性收入九万亿 最富的人拿走最多的钱，见北京晚报，2010年08月12日。

造的，无法分清或者说根本不需要考虑分析究竟谁贡献了多少，和一个家庭一样，任何人都不会因为在一个家庭夫妻双方对其经济收入贡献大小的不一样而考虑谁应该多占一间住房，其配偶应该少占一间或者根本就根本不能占有。国民收入的不平均分配其实也是一些阶层剥削其他阶层。已成为当下中国必须认真去解决的一个重大问题，而要解决这个问题，首先要弄清导致国民收入分配失衡的原因到底是什么，进而找出解决方法。现在可以认为，国民收入的不平均分配是造成隐性收益不公平的重要因素，一些学者称其为公共服务的非均等化，这种隐性收益的不平均是导致我国国民收入分配失衡的重要原因。而要解决国民收入差距过大的问题，就应该从数量上和种类上保证低收入阶层的实际公共服务需求得到满足，并使得这些公共服务供给能接近低收入群体，使他们能真正利用到这些公共服务，缩小他们与高收入群体之间的差距¹⁷。所以说，公平隐性收益的关键是调节国民收入分配。

4. 群体公平的标志是公共资源在宏观上的平均分配

我们过去对于平均分配的批评现在看来有点过于笼统，如果针对的范围不同，其概念所存在的意义就不同。在同一个核算单位内部，平均分配固然是不合理的，如果在国民收入的分配活动中不考虑针对某一项目所涵盖的群体的平均分配，就是变相的制造不公平。例如，每个公务员的医疗卫生投入和每个农民的医疗卫生投入之间不平均的理由究竟是什么，既然是国民收入，就应该是全体公民平均占有的。我们知道，国民收入是一个国家一定时期内新创造的价值总和，是社会总产品的价值扣除用于补偿消耗掉的生产资料价值的余额¹⁸。他是全体劳动者所创造的共有财富，为什么不能平均分配呢？这个问题从表象上看，似乎是国民收入的二次、三次分配问题，但是实际上如果不调整国民收入的初次分配，即国民收入在国民经济各部门、各生产单位和非生产单位以及居民中的分配过程，群体公平问题也很难解决，其操作虽然在核算单位，但制度却来自于宏观政策。由于公共资源在现行的分配制度下不能平均分配，致使公共服务不均等。在城乡之间、国有单位与非国有单位之间，不同地域、不同身份的人们在教育、医疗卫生、社保、就业等方面执行不同的政策，享受不均等的公共服务，不仅拉大了当前的收入分配差距，还造成了起点不公平、机会不公平的问题，成为今后群体收入差距扩大的起因。从根本上讲，公共资源在宏观上的平均分配和社会保障共同追求公平正义的价值目标具有异曲同工之处。公益性、福利性是公共资源和社会保障共有的特点，而宏观上的平均分配是社会保障公平的基础，二者具有同一的价值目标¹⁹。因此，群体公平的基本标志是公共资源在宏观上的平均分配。

VII 结论

一个国家要充分体现科学发展，建设和谐社会，首先要充分体现公共资源的优化配置。社会的科学发展与和谐社会的建设是一个辩证统一的关系，只有坚持科学发展观，就能够实现和谐社会，反之也只有瞄准和谐社会的建设，才能正确走科学发展之路，公平分配以及国民收入再分配与最终分配的平均分配是走科学发展之路的前提，更是实现和谐社会基础，和谐社会的理念是落实科学发展观的基本保证。从这一思路出发，要体现科学发展观必须建设和谐社会

¹⁷ 唐海生，公共服务均等化对调节国民收入分配的作用，咸宁学院学报，2010年第7期。

¹⁸ 引自中国大百科全书（简明版）第三卷第1774页，中国大百科全书出版社1995年版。

，而实现和谐社会必须以消除公众中的强弱群体为前提，当强弱群体客观上存在时，无论是物质生活多寡，人们总要相互比较，在比较中落差就必然产生了，落差本身就是不和谐，这应该是自然规律，因此修理落差或者消除落差本身就是和谐。这就是只有消除了强弱群体，让公众在物质资源的占有上觉得体现相对平均²⁰，公众才能感到真正意义上的公平，无论是物质差距还是精神差距，都会随着物质差距的消除而消除，和谐社会必然出现了。实际上，群体之间的公平并不排挤效率优先，因为效率优先体现在具体生产过程，其所分配的范围是国民收入的初次分配，这种初次分配之间的差距仅仅是同一核算单位的同一工种之间由于贡献不同而存在的差距，因此宏观上的公平或者说国民收入的再分配并最终分配的平均理念，或者说群体之间的平均或公平与效率优先之间的理念是一致的，并没有本质上的矛盾。

¹⁹ □自□，社会保障一体化建□中的公共□源配置，□Copyright © 1996 - 2011 SINA Corporation, All Rights Reserved

²⁰ 这里所谓的物质资源占有的相对平均，是指政府在国民收入分配中的宏观理念的相对平均以及国民收入再分配和最终分配的平均。



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GLOBAL JOURNAL OF HUMAN SOCIAL SCIENCE
ARTS & HUMANITIES

Volume 12 Issue 11 Version 1.0 Year 2012

Type: Double Blind Peer Reviewed International Research Journal

Publisher: Global Journals Inc. (USA)

Online ISSN: 2249-460X & Print ISSN: 0975-587X

Implications of Human Trafficking for Human Rights: The Case of Nigeria

By Samuel Olushola Ajagun

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Abstract – This paper examined the implications of Human Trafficking for Human Rights in Nigeria. The phenomenon of human trafficking has taken an alarming dimension in Nigeria, such that it had become a big illegal criminal business. Human trafficking is now a daily occurrence in Edo and Delta States of Nigeria. Also, the spread of human trafficking to other States of the country is believed to be the fallout of massive unemployment and high level of poverty. Human trafficking is a major National problem for been a threat to fundamental human rights of the Nigerian citizenry. For an already crestfallen nation the added burden of crime of human trafficking which are infringements on the fundamental human rights of Nigeria, now transcend subliminal trauma. For most parents in Nigeria, the fear of sudden disappearances of their sons, daughters and wards of being trafficker victims are real and palpable. This paper examined the nature of human trafficking, how does it affect the human rights of Nigerians, and how to manage it with a view of preserving human rights in Nigeria. It was discovered that human trafficking is a crime against humanity. Recommendations were made on how it could be managed in order not to infringe on fundamental human rights of Nigerians.

Keywords : *Trafficking, Human trafficking, Human rights, Child labour, Sex trafficking, Forced labour, Child, Bonded labour.*

GJHSS - A Classification : *FOR Code : 160507,160509,160512*



Strictly as per the compliance and regulations of:



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INTRODUCTION

I. BACKGROUND TO THE STUDY

When Nigeria attained independence in 1960, there were very hopes of its potential for sustainable development perhaps the hopes were based on a robust, endowment of the nation, both in human and natural resources in the country. Unfortunately, contemporary evidence shows that these expectations have not materialized even after decades the nation independence one possible explanation is that the expectations become lost on alter of national economic difficulties and series of political failures due to bad governance being experienced at the different levels of government (Oromareghake and Akpotor, 2007:310).

There seems to be agreement amongst both academic and practitioners' administrators that at the center of all Nigeria's problem is the problem of leadership (Bello-Imam and Robert, 1995:1-2). The problem of bad governance resulting from poor leadership in Nigeria comes to the force and its given

credence by both historical and contemporaneous evidence. For instance, at independence in 1960 and shortly afterwards, and especially with the ascendancy of oil as the dominant source of state revenue, Nigeria was blessed with the requisite human and material resources to ensure its development. Unfortunately, the dynamic of the country's history has imposed on it a succession of leaders who ruled in such a way that sharply contradicts "good governance"

It is pertinent to know that, our past and present leaders failed the nation. Bad governance in Nigeria has resulted to a high of corruption, lack of transparency, lack of accountability, total disregards to laws of the land, lack of respect for human lives. The negatives trends have had and continue to have system-wide effects in Nigeria, which ported uncertainty in the provision of these basic needs to the citizenry. The citizens' perception of their benefit in the social exchange between then and government begins to wane and turn negative. They begins to loose faith and confidence in a government that constitutionally promised the citizens "equality of right, obligations and opportunities before the law" and that "the security and welfare of the people shall be the primary purpose of the government" without providing access able and affordable health care and food, education, roads, shelter, employment and poverty etc. In reaction to these inclement conditions the people felt maligned and marginalized with consequent effects of being unpatriotic to the country.

The question is: Are Nigerians justified for this evil and unpatriotic act? Yes, to those Nigerians without conscience. The fact that high rate of unemployment and poverty ravaging the lives of majority of Nigerians are not tenable reasons.

II. HUMAN TRAFFICKING IN NIGERIA

Human trafficking had become a major source of concern to all societies in recent time. Human trafficking is often presented as a major social problem that is seen as undermining the morality of the societies.

Also, human trafficking has put Nigeria on the map of the notorious. The problem has assumed wider dimensions not only to the individual traffickers but also to the country and societies at large. This problem of human trafficking among Nigerians has called for a search of immediate solution as the traffickers have destroyed the image of the nation

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(Nigeria) among comity of nation. Human trafficking of course leads to shade business which is a crime against humanity.

The problem of human trafficking is on the increase and the street following the increase is reverberating on the lives of the citizens, this therefore prompt many people in the society to ask why these human trades? Why Nigerians export human cargo abused in Europe, and other West African countries? Why Nigerians participate heavily in export of human cargo mostly the female (girl) as sex worker to Italy, Belgium, Spain and Togo, Benin Republic, Liberia, Ghana, Cote d'Ivoire, Mali, Mauritania, Morocco, Burkina-Faso, as well as extending its frontiers to Gabon, Cameroon, Equatorial Guinea for monetary gains.

Nigeria has continued to defy solution. Recent media reports tend to portray Nigeria as the major hub for the illicit human trade (trafficking). Daily busts at the nation's seaports, airports and borders give the impression that human trafficking is an insolvable problem. Unfortunately, nothing has changed. This paper is intended to examine human trafficking nexus of crimes of abuse on human rights and thus, design possible therapeutic options to addressing this problem.

a) Objectives of the study

As a result of the increasing wave of human trafficking in Nigeria, it has become very important to find out what is responsible for the crime.

Other specific objectives are:

1. To find out the nature of Human trafficking in Nigeria
2. To find out how does the human trafficking affects human rights in Nigeria
3. To find out how to manage human trafficking with a view of preserving human rights

b) Conceptual Clasifications Human Trafficking

Human trafficking is the illegal trade of human beings for the purpose of reproductive slavery, commercial sexual exploitation, forced labour, or a modern-day form of slavery.

c) Child

Child shall mean any person under the eighteen (18) years of age.

d) Forced Labour

Forced labour is a situation in which victims are forced to work against their own will, under the threat of violence or some other forms of punishment, their freedom is restricted and a degree of ownership is exerted. In Nigeria, able-bodied and healthy men are victims of those who stand the risk of being trafficked for unskilled work.

e) Traffickers

Traffickers are also known as Pimps or Madams. The trafficker victims are those who lack

opportunities in the Nigerian society and exploit vulnerabilities on those down trodden people (victims) in the Nigerian society by deceit and lies. In-fact, most of the victims are cajoled by promises of marriage, employment, education, and or an overall better life, at the end, the traffickers force the victims to become prostitutes or work in the sex industry as: prostitutes, dancing in strip clubs, performing in pornographic films, pornographic, and other forms of involuntary servitude

f) Sex Trafficking

The victims caught in this web are those socially disadvantaged persons in the Nigerian society. The victims (persons) who easily fall prey to the traffickers are the people in dire circumstance in the society. The easily targeted in individuals, circumstances, and situation vulnerable to traffickers include: the homeless individual, runaway teenagers, displayed home makers, refugees and drug addicts.

In-fact, it has been observed that in the Nigeria society the people that are most vulnerable are those from poverty stricken home, powerless ethnic minorities with low socio-economic background. These are victims that are consistently exploited in various communities, villages, towns in Nigeria.

g) Trafficking of Child

This is the recruitment, transportation, transfer, harbouring, or receipt of children for the purpose of exploitation.

h) Child Labour

Child labour is a form of work that is likely to be hazardous to the physically, mental, spiritual, moral, or social development of children which also can interfere with their education.

i) Bonded Labour (Debt bondage)

Bonded labour or debt bondage, is the least known or debt bondage, is the least known form of labour trafficking today, and yet it is the most widely used method of enslaving people. Victims become bonded labourers when their is demanded as a means of repayment for a loan or service in which its terms and conditions have not been defined or in which the value of the victims' services as reasonably assessed is not applied towards the liquidation of the debt. The value of their work is greater than the original sum of money "borrowed"

j) Trafficking

The word trafficking includes the word "traffic", which means transportation or travel.

k) Human Rights

Human rights are basically those rights that are inherent in the human being. The whole idea of human rights acknowledges that every single human being is entitled to enjoy these rights without distinction is torace,

colour, gender, language, religion, political affliction, property or birth (Odion-Akhaine, 2004:36).

III. LITERATURE REVIEW

The word "trafficking includes the word "traffic" which means transportation or travel. Trafficking is a lucrative industry. It has been identified as the fastest growing criminal industry in the world (<http://www.wakepeopleup.com/pdfs/sex-trafficking-slide5.pdf>). It is second only to drug trafficking as the most profitable illegal industry in the world (<http://www.gfinterity.org/storage/gfip/documents/report-s/transcrime/gfi-transnational-crime-web.pdf>). In 2004, the total annual revenue for trafficking in persons were estimated to be between USD\$5billion and \$9 billion (<http://www.unece.org/press/pr/pr2004/04/genn03e.htm>)

In 2005, Patrick Belser of International Labour Organization (ILO) estimated a global annual profit of \$31.6 (<http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article>). In 2008, United Nations estimated nearly 2.5million people from 127 different countries are being trafficked into 137 countries around the world (<http://www.un.org/apps/news/story.asp?NewsID=25524&Cr=trafficking&CrI>) into forced labour which include: domestic servitudes; agricultural labour; sweatshop factory labour; food service and other service industry labour; janitorial; fuel (petrol) selling attendants (as known in Nigeria) and begging etc which globally generates \$31billion according to International Labour Organization (ILO, 2005).

Human trafficking does not require travel or transport from one location to another, but one form of sex trafficking involves international agents and brokers who arrange travel and job placement for women from one country to another. According to a 2009 U.S. Department of Justice report, there were 1,229 suspected human trafficking incidents in the United State from 2007 to September 2008. Of these, 83 percent were sex trafficking cases, though only 9% of all cases could be confirmed as examples of human trafficking (<http://content.news14.com/humantrafficking.pdf>.)

Also, the International Labour Organization (ILO) has estimated worldwide that there are 246 million exploited children aged between 5 and 17 involved in child labour (debt bondage), forced recruitment for armed conflict, prostitution, phonograph, the illegal drug trade, the illegal arms trade, and other illicit activities around the world. In 2010, it was reported that Thailand and Brazil were considered to have the worst child sex trafficking records in the world (<http://www.libertadlatina.org/LA-Brazils-Child-Prostitution-Crisis.htm>).

Furthermore, trafficking in children often involves exploitation of the parents' extreme poverty. Parents may sell children to trafficker in-order to pay off

debts or gain income, or they may be deceived concerning the prospects of training and a better life for their children. They may sell their children for labour, sex trafficking or illegal adoptions. These adoption processes legal and illegal, when abused can sometimes result in cases of trafficking of babies and pregnant women between the West and the developing world(<http://news.theage.com.au/breaking-news-technology/china>).

In David M. Smolin's paper on Child trafficking and adoption scandals between India and the United States, (Smolin, 2005), he (Smolin) presents the systematic vulnerabilities in the inter-country adoption system that makes adoption scandals predictable. Thousand of children from Asia, African and South American are sold into the global sex trade every year. Often they are kidnapped or orphaned, and sometimes they are actually sold by their own families (UNICEF, 2010). In the U.S. Department of Justices 07-08 study, more than 30 percent of the total number of trafficking cases in 2010 was children coerced into the sex industry (<http://content.news14.com/human-trafficking.pdf>.)

IV. NATURE OF HUMAN TRAFFICKING IN NIGERIA

- I. Human trafficking does not require travel or transport from one location to another. According to US Department of Justice Report in 2009, there were 1,229 suspected human trafficking incidents in the United States of America from January 2007 through September 2008. Of these, 83 percent were sex trafficking cases, though only 9% of all cases could be confirmed as cases of human trafficking (<http://content.news14.com/human-trafficking.pdf>)
- II. Sex trafficking involves international agents and brokers who arranged travel and job placement for women from Nigeria. In-fact, these women who are the victims are lured to accompany traffickers based on promises of lucrative opportunities unachievable in Nigeria. They fell as victims to these deceits because of high level of inflationary trends in the society, acute unemployment, and high poverty rate in the country which majorities of Nigerians found themselves which the leaders both at the Federal and State levels had never been conscious enough to address the issue.
- III. It is disheartening to know that once these women (victims) reached their destinations, the women discover that they have been deceived and learn the true nature of work that they will be expected to do. To some extent, many of the women were deceived with lies regarding the financial arrangements and conditions of their employment, later to find themselves in coercive or abusive situation from which escape is both difficult and dangerous to these women (Kara, 2009)

V. HUMAN RIGHTS ARE INALIENABLE RIGHTS OF ALL PEOPLES, WITH PARTICULAR REFERENCE TO NIGERIA

Human rights are basically those rights that are inherent in the human being. The whole idea of human rights acknowledges that every single human being is entitled to enjoy these rights without distinction is to race, colour, gender, language, religion, political affliction, property or birth.

According to Cass Sustain in the book *The 2nd Bill of Right: The great speech of Franklin Delano Roosevelt on American's pursuit of Freedom and the Universal Declaration of Human Rights*, civil and political rights is equal to the rights to food, housing, education, and social security.

The places of human rights of an individual are so important that they are recognized by all international laws. The obligation to protect and promote human rights is usually contained in various paragraphs of the UN charter, the Universal Declaration of Human Rights (1948) and the various UN covenants on human rights.

Here in Africa, we have the Africa, we have the African Charter on Human and Peoples Rights which incidentally has been included as part of the local laws in Nigeria. The 1999 Constitution in chapter 4, section 30 specifically spelt out in various sections what these rights are, how to enjoy them, and how they can be promoted and protected.

Human rights are concerned with the most immediate and basic needs of all human beings and Nigerians are no exception. These rights are:

- i. The right to life;
- ii. The right to dignify the human person;
- iii. The right to personal liberty;
- iv. The right to fair hearing;
- v. The right to private and family life;
- vi. The right to freedom of thought, conscience, and religion;
- vii. The right to freedom of expression and the press;
- viii. The right to peaceful assembly and association;
- ix. The to freedom of movement; and
- x. The to right to freedom from discrimination and right to property (FGN,1999).

There is an obligation placed on the government of Nigeria by the law to act in a way that does not infringe on the Human Right of citizens. But we must state here that the law does not establish human rights, human rights are founded on respect for dignity of man; they are universal, they are inalienable (meaning that no one can take them away) and they are indivisible (the government cannot respect some and ignore some)

VI. HUMAN TRAFFICKING AND HUMAN RIGHTS VIOLATION IN NIGERIA

a) *Human Trafficking*

It has been observed that the victims of human trafficking are not permitted to leave upon arrival at their destination. They are held against their will through acts of coercion and forced to work or provide, services to the traffickers (pimps/madams) whose services may be by bonded, forced labour to commercialized sexual exploitation.

In addition, the arrangement may be structured as a work contract, but with no or low payment or on terms which are highly exploitative. Also, in some cases the arrangement is structured as debt bondage, with the victim not being permitted or able to pay off the debt.

All the acts above are infringements to human rights of persons as spelt out in Nigeria Constitution of 1999, chapter 4, section 30 which states that: every Nigerian have the right to life which the traffickers violates by the use of physical coercion that sometimes leads to death; persons rights to personal liberty which the traffickers deprived victims from enjoying through the forced labour and the rights to freedom of movement which are been deprived, except approved to do so by their pimps/madams.

b) *Sex trafficking*

In sexual trafficking, the pimps or madams uses physical coercion, deception and bondage incurred through forced debt. Trafficked women and children, for instance, are often promised work in the domestic or services industry, but instead are usually taken to brothels where their passports and other identification papers are confiscated in Italy by the Nigerian pimps or madams.

More-so, the victims may be beaten or locked up an promised their freedom only after earning through prostitution – their purchase price, as well as their travel and visa costs (<http://web.archive.org/web/20080626234542/http://www.prostitutie.nl/studie/documente.pdf>) That not enough, the victims are made to swear "Juju" (an African supernatural power) for failure to pay the cost of traveling and visa smelt instant death in shrines. By these threats the rights to life have been violated by the traffickers.

The above shows that the rights to life of these women and children have been violated by threats to life with the use of 'Juju' (African mystical power) for failure to pay debts leads to death. Likewise, the traffickers used violence to infringe on the rights of women; freedom of movement; rights to dignify the human persons; the rights to personal liberty; the rights to private and family life of the victims. In fact, it has been observed that all these acts are breaches to the human rights of the victim because their right has been trampled on.

c) *Child labour*

Child labour which is hazardous to the physical, mental, spiritual, moral, or social development of children in Nigeria can interfere with their education. These are infringements to human rights of the Nigerian children who are expected to acquire free and compulsory primary education at the expense of various Federal/ State Governments in Nigeria.

d) *Trafficking victims*

Trafficking victims from Nigeria are exposed to psychological problems such as: social alienation both in home and host countries, stigmatization, social exclusion, and intolerance to make reintegration into their local communities difficult. The above are infringements to human rights of Nigerians which violates 1999 constitution, chapter 4 section 30 that: Nigerians must have the rights to freedom of thought, conscience; rights to freedom of movement; rights to freedom of expression; rights to property; rights to private and family life which the victims cannot enjoy both at homes and abroad.

Child slavery is the sale of any person under the age of 18 for monetary gains by the traffickers. This act violates 1999 constitution of Federal Republic of Nigeria, chapter 4, section 30 which states that: every Nigerian child has the right to life; right to freedom and access to education.

VII. SANCTION FOR CHILD RIGHTS VIOLATION IN NIGERIA

- a) Child labour attracts 5 years imprisonment;
- b) Child trafficking attracts 7-20 years imprisonment;
- c) Child abuse attracts 10-14 years imprisonment;
- d) Female circumcision attracts 6 months imprisonment; and
- e) Child exposure to drugs attracts life imprisonment (Edo State Ministry of Women Affairs, 2012).

VIII. MEASURES TO CHECK HUMAN TRAFFICKING IN NIGERIA

Nigeria became one of the 117 countries signatories to the Trafficking Protocol that came into force on December 25, 2003 by United Nations at Palermo, Italy. The Protocol is to prevent, suppress and punish "trafficking in persons, especially women and children".

- a) In Nigeria public service announcements have proven useful for different governments and non-governmental organizations in combating human trafficking.
- b) In addition, the UN office on Drugs and Crime (UNODC) has assisted many non-governmental organizations in Nigeria in their fight against human trafficking.

- c) The UNDOC broadcast Human Trafficking announcements on local television and radio stations across the world, by providing regular access to information on human trafficking. Public and individuals are educated on how to protect themselves and their families from the evils of human trafficking. Also, UNDOC has presented the anti-trafficking policy index which measures the effectiveness of government policies to fight human trafficking in 2009, Nigeria was ranked the 2nd best nation with seven other countries – France, Norway, South Korea, Croatia, Canada, Austria, Slovenia which shows Nigeria's improvement in checking human trafficking (Agustin, 2009).

- d) Nigeria governments made effort by making public campaigns to fight human trafficking with a focus on sex trafficking of children.
- e) Governments establishing Skills Acquisition Centres to rehabilitate victims of human trafficking in Edo and Delta States
- f) Nigeria governments received aids from International bodies or organizations such as: the United Nations Global Initiative (UNGIFT) who believed that the fight against human trafficking cannot be fought by any government alone.
- g) The Global Initiative Co-ordinate assisted Nigeria governments by increasing knowledge and awareness, provide technical assistance, build capacity for state and non-state stakeholders, foster partnerships for joint action, and above all, ensure that everybody takes responsibility for human trafficking fight in Nigeria.
- h) Both at national and state levels government through the offices of wife of President and wives of State governors embarked on various programmes that aimed to mobilized state and non-state actors to eradicate human trafficking by reducing both the vulnerability of potential victims and the demand for exploitation in all its forms, ensuring adequate protection and support to those who fall victim, and supporting the efficient prosecution of the criminals involved, to respect the fundamental human rights of all persons in Nigeria.
- i) It has been observed that the UN. GIFT, UNODC released data from global report on trafficking of persons in 155 countries about National responses to trafficking in persons worldwide. This publication exercise has encouraged Nigeria governments to know the number of Nigerians trafficked across the globe and the devastating effect it has on the national image, this have geared up the fight against human trafficking.
- j) Furthermore, UNODC has launched a blue heart campaign against human trafficking in March 6, 2009 which has affected all the 155 countries involved in human trafficking including Nigeria. The

campaign was a motivate action which encouraged people to show solidarity with human trafficking victims by wearing blue heart T-shirt.

- k) In addition, on November 4, 2010, U.N. Secretary-General Ban Ki-moon launched the United Nations Voluntary Trust Fund for victims of trafficking in persons by providing humanitarian, legal and financial aids to victims of human trafficking with the aim of increasing the number of those rescued and supported, and broadening the extent of assistance they received.
- l) Nigeria governments have introduced legislation that was specifically aimed at making human trafficking illegal and prosecute offenders.
- m) Nigeria governments have developed systems of co-operation between different nations' law enforcement agencies and with non-governmental organizations (NGOs) to tackle human trafficking.
- n) Another actions taken by the governments are:
 1. Raising awareness amongst potential victims in the States (Edo and Delta) where human traffickers are active
 2. Raising awareness among police, social welfare workers and immigration officers to equip them to deal appropriately with the problem
 3. Creating awareness through the use of films or through posters.

IX. CONCLUSION

This paper has outlined the various ways of human trafficking in Nigeria which has violated the human rights of the citizens. The paper also highlights the various measures that can check this menace both by international organization globally and locally by Nigeria governments.

X. RECOMMENDATIONS

Based on the foregoing, the following, recommendations are proffered:

- a. Nigeria governments should create enabling environments for entrepreneurship for the citizens.
- b. The legislations on human trafficking should be made severe and drastic to offenders.
- c. The governments should educate the citizens by creating more awareness to the evils of human trafficking in Nigeria.
- d. The governments should address the issue of massive unemployment and poverty in Nigeria
- e. Human trafficking victims should be encouraged and equipped with skills to enable them settled when deported back to Nigeria
- f. Nigerians should not stigmatized human trafficking victims in the society.

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GLOBAL JOURNAL OF HUMAN SOCIAL SCIENCE
ARTS & HUMANITIES

Volume 12 Issue 11 Version 1.0 Year 2012

Type: Double Blind Peer Reviewed International Research Journal

Publisher: Global Journals Inc. (USA)

Online ISSN: 2249-460X & Print ISSN: 0975-587X

Drumcommunication: The Trado-Indigenous Art of Communicating with Talking Drums in Yorubaland

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Abstract - The talking drums of the Yoruba people of the South West of Nigeria are like many other types of drums found in other parts of the world in that they are melody producing/enhancing musical instruments accompanying song and dance performances made of hollow round frame with tightly fixed plastic or skin membrane on the surface(s) beaten with the hand(s), stick(s) or other materials. However, the Yoruba talking drums of the South West people of Nigeria are unlike the many other types of drums found in other parts of the world in that they are not just mere melody producing/enhancing musical instruments. This is basically because they can be used to disseminate vital messages and to respond to disseminated information. This paper introduces the term drumcommunication to explain the use of Yoruba talking drums to send and receive messages or information. The paper attempts a taxonomy of the Yoruba drums to establish the real talking drums. It explicates the functions of effective drumcommunication and barriers to effective drumcommunication. Most importantly, it suggests steps that can be taken to enhance the effectiveness of drumcommunication.

Keywords : *Drumcommunication, Communication, Talking Drums, Trado-Indigenous Art, Yorubaland.*

GJHSS - A Classification : *FOR Code : 160503, 160502*



Strictly as per the compliance and regulations of:



Drumcommunication: The Trado-Indigenous Art of Communicating with Talking Drums in Yorubaland

Samson Olasunkanmi Oluga^α & Halira Abeni Litini Babalola^σ

Abstract - The talking drums of the Yoruba people of the South West of Nigeria are like many other types of drums found in other parts of the world in that they are melody producing/enhancing musical instruments accompanying song and dance performances made of hollow round frame with tightly fixed plastic or skin membrane on the surface(s) beaten with the hand(s), stick(s) or other materials. However, the Yoruba talking drums of the South West people of Nigeria are unlike the many other types of drums found in other parts of the world in that they are not just mere melody producing/enhancing musical instruments. This is basically because they can be used to disseminate vital messages and to respond to disseminated information. This paper introduces the term *drumcommunication* to explain the use of Yoruba talking drums to send and receive messages or information. The paper attempts a taxonomy of the Yoruba drums to establish the real talking drums. It explicates the functions of effective *drumcommunication* and barriers to effective *drumcommunication*. Most importantly, it suggests steps that can be taken to enhance the effectiveness of *drumcommunication*.

Keywords: *Drumcommunication, Communication, Talking Drums, Trado-Indigenous Art, Yorubaland.*

1. WHAT IS DRUMCOMMUNICATION

The term *drumcommunication* as can be seen is newly coined or derived from two existing words namely “drum” and “communication”. It is therefore a product of linguistic *fabrication*. Specifically, the word has been *manufactured* through a morphological process called blending. Morphology is a branch or an aspect of linguistics (the science or study of language or languages) that has to do with the formation or derivation of words from words. Denham & Lobeck (2010: 517) defines it as “the study of the system of rules underlying our knowledge of the structure of words”. To Gianico & Altarriba (2008:77) it is “the system of word –forming elements and processes in language”. Blending simply has to do with mixing, merging or mingling two words harmoniously to realise another word hence, the New Lexicon Encyclopedic Dictionary of English Language simply describes it as telescoping of two words into one. The derivation of the new term is therefore in accordance with that of words

like “televangelism”, “docudrama”, “infomercial” etc, which are relatively new words that have become part of English lexicon or vocabulary via the same morphological blending. However, the semantic interpretation of this new term or concept *drumcommunication* will be based on the meaning of each of the two component words i.e. “drum” and “communication” which represent the linguistic source of the term or concept.

The word “drum” according to the Oxford Advanced Learners Dictionary of Current English refers to a musical instrument made of a hollow round frame with plastic or skin stretched tightly across one end or both ends, which is played by hitting it with stick(s) called drumstick(s) or simply with the hands. The New Lexicon Webster Encyclopedic Dictionary of English Language similarly describes a drum as any of the various types of percussive musical instruments consisting of a hollow cylinder or hemisphere of wood, metal etc usually with a skin stretched tightly over the end or ends struck to produce a sound. Akpabio (2003) points out that drums made of skin are common all over the continent of Africa where they are used as musical instruments accompanying song and dance performances but also confirms that some are capable of “talking”. Various types of drums with various types of names can be identified in Africa in general and Nigeria in particular (Carrington 1949 and Raffray, 1992). We have pot drums which have the shapes of pots beaten with foam-like objects peculiar to those in the Eastern part of Nigeria which Doob (1996:100) describes as “drums like water pots made of baked clay”. We have other drums of various shapes and sizes like the *dundun* and *bata* of South West Yoruba people of Nigeria. We have the *jebi*, *kalangu* and *kanzangi* of the Hausas in the Northern part of Nigeria. We also have the *eka ibit* and *etok ibit* of the South-South people of Nigeria to mention just a few.

The word communication has attracted myriad of definitions and/or interpretations, which is evident in the one hundred and twenty six (126) published definitions of communication listed by Dance and Larson (1976). It is against this background that Little (1983) has described Communication as a chameleon of a word that changes the colour of its meaning with a change of speaker or listener. He however, defines

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communication as the process by which information is passed between individuals and/or organisations by means of previously agreed symbols. Communication according to Wood (2009) is the systemic process that facilitates human/people's interaction with the aid of interpretable and meaningful symbols. Devito (2012) identifies some basic communication elements in his definition. He defines communication as a situation where one person (or more) sends and receives messages (or information) that can be distorted by noise (physical, linguistic, or psychological) which occurs within a context (physical, socio-psychological, temporal or cultural) with some possible effect and opportunity for feedback. In a similar vein Oluga, Adewusi and Babalola (2001) point out that effective communication is that which does not fail neither to pass meaningful information nor to attract a desired response.

The term *drumcommunication* going by the semantic interpretations of its constituent parts will then refer to the process which involves the use of drums or drumbeats to disseminate properly conceived ideas, appropriately coded or articulated via meaningful and comprehensible drumbeats that can be decoded or understood or interpreted by the target listeners or intended audience who respond to the message of the drumbeat with the aid of appropriate, desired or expected feedback. It is important to point out at the juncture that while most African/Yoruba drums can be used to say one thing or the other, the "speech ability or competence" of the drums are not the same. While some have limited speech ability or competence some have unlimited speech competence. The *dundun* can be regarded as the straightforward Yoruba talking drum that uses a kind of surrogate language while the *bata* is a stammering talking drum that uses more or less a dialect of the language it imitates. So these are the drums that come to mind when the phrase or expression "talking drum" is mentioned.

II. TAXONOMY OF THE YORUBA DRUMS

Various types of drums/drumsets can be identified among the Yoruba people of South Western part of Nigeria used for various purposes. We have the straight forward real talking drumset called the *dundun* set or *dundun* talking drum family. We have the dialect speaking stammering talking drum called *bata*. We have other Yoruba talking drums like *sakara*, *apinti*, *batakoto*, *ipese*, *agere*, *gbedu*, *igbin* etc which are discussed below in line with Laoye's (2005) classification:

III. DUNDUN DRUMSET

This according to Laoye (2005) is the real talking drum of the Yoruba people with very high "speech competence or capability". It is made of a piece of carefully carved 'apa' wood to form a

hourglass-like frame with two ends covered with membranes of kid's skin which are also carefully joined by some strings made of goat skin. It is usually beaten with a curved stick called drum stick. The *dundun* drums according to Omo (1978) para-phrasing the idea of Laoye (1954 and 1959) can possibly imitate the tones and gibes in the Yoruba speech hence, apart from being able to produce music for dancing can be used to communicate insults, praises, admonition and even proverbs. Ngozi (2001) also states that the *dundun* in addition to its ability to produce music for dancing can also announce the arrival and departure of eminent personalities at a social gathering, can be used to recite peoples' praise names, can be used to rain abuses when the need arises to the extent that it can be said that the *dundun* drums among all others enjoy some "freedom of drumcommunication". Daramola and Jeje (1995) state that the *dundun* drumset consists of six slightly different types of beautiful looking talking drums which are discussed below:

IV. LYA ILU DUNDUN

This is mother *dundun* drum and the first among the *dundun* talking drumset. The *lya-ilu dundun* is also the longest in size compared to all other members of this family. It is usually beaten with the curved stick, in one hand while the second hand is used to grip its leather strings so that by tightening or loosening the grip the pitch tone of the drumbeat can be heightened or lowered respectively. This will then produce different tones by which various messages can be communicated just as in Yoruba, which is a tonal language. The *lya-ilu dundun* is the only *dundun* drum that has small bells fixed round its surface, which jingle as the drum is beaten thereby adding to the melody of the *lya-ilu dundun* drum beats.

V. THE KERIKERI

This is the *dundun* drum that is next in size to the already discussed *lya-ilu dundun*. Its shape is also similar to that of the *Tya-ilu dundun* but it does not have the jingling small bells fixed round the surface of the *lya-ilu dundun*.

VI. THE GANGAN

This is the *dundun* that is next in size to the above discussed *kerikeri* and both are similar in shape hence, it has virtually everything that the above discussed *kerikeri dundun* drum has. It does not have the jingling bells as well.

VII. THE ISAAJU

This is the *dundun* drum whose wooden frame is smaller than that of the above discussed *gangan* and which can guide or lead other drums in terms of whether

the beat will be fast or slow hence, its name meaning 'the lead'.

VIII. THE KANNANGO

This is another drum in the *dundun* family whose wooden frame is still smaller than that of the above discussed *Isaaju* but which still has everything that the *Isaaju dundun* drum has hence, when beaten sounds also like *Isaaju*.

IX. THE GUDUGUDU

This is otherwise called *emele dundun* and it is the last and probably the least of the *dundun* talking drumset. One wonders why it is included in this category or family considering its round shape that is different from others, its single face beaten with a pair of leather straps and not curved stick like others, its being hung on the neck with a long leather strap and not on the shoulder and most importantly its very limited 'speech competence'.

X. BATA DRUMSET

This originally, is the drum of the *Sango* worshipers and *eleegun* traditional masqueraders hence, the worshipers of Sango, the god of thunder and the traditional masquerades people/adherents were those who usually danced to the drum beats of date especially during their annual worships/ritual festivals and burial ceremonies of aged ones among them. But with modernization and the need for cultural promotion, development and preservation we now have culture promoting musical groups and other traditional performing artistes using the *bata* drums. The shape of the wooden frame with which the *bata* drum is made is usually conical unlike the hourglass-like shape of the *dundun* with the exception of *gudugudu*. The wooden frame of *bata* is also made from the *apa* wood just like the *dundun*. However, about four main types of drum that make the *bata* set can be identified:

The *bata* drums, whether the long conical ones or the three round ones tied together, are usually hung on the neck of the *bata* drummers (*alubata*) when beaten and they are usually played with a stiff leather strap on hand and the palm of the second hand of the *alubata* simultaneously. But in the case of the round face three in one *bata*, two leather straps are usually used just like that of *gudugudu*. There are four types of drums that make the *bata* drumset namely: *Iya-ilu bata*, *emele-abo bata*, *omele-ako bata* and *kudi*, which are briefly discussed below:

XI. IYA-ILU BATA

This is the biggest of all the *bata* drumset hence, its name which literally means or can be directly translated as the "mother *bata*" drum". This drum just

like the mother *dundun* drum usually has jingling small bells fixed round its surface.

XII. EMELE-ABO BATA

This is the *bata* drum that is next in size to the above discussed *Iya-ilu bata* but which does not have small jingling bells fixed to its round surface. Its name can literally mean the female *emele bata*.

XIII. EMELE-AKO BATA

This is the third in the *bata* drum family and this drum whose name literally means the male *emele bata* is smaller in size to the female *emele bata*. It has no small bells fixed to its round face but has a tone higher than those of the *Iya-ilu bata* and *emele abo bata*.

XIV. KUDI BATA

This is the fourth type of the *bata* drum which is very short and which is not thin below like the *emele ako bata* and does not have a high sounding tone of the *emele ako bata*.

Different tones can be realized by beating the different part of the skin membrane on the surface of the *bata* drum separated by a dark substance stuck on the face of the drum to produce varying sounds. The language of the *bata* drum is not as easily comprehensible as that of the *dundun* drum hence, some believe the *bata* drum speaks a dialect of the general language, which the *dundun* speaks. Some believe the *bata* drum is just a stammerer hence, it is regarded as a stammering talking drum. However, the *bata* drum is also capable of communicating proverbs and praise names or chants or poems of people and places.

XV. OTHER YORUBA DRUMS

Apart from above discussed drums in the *dundun* and *bata* talking drum families, we still have some other traditional Yoruba drums which though may not be as "linguistically competent" but which have recognized indigenous values and cultural uses. Some of such drums as identified by Olatunji (1984:5) are *apinti*, *batakoto*, *ipese*, *afere*, *gbedu* and *igbin* discussed below:

XVI. THE APINTI

This is used at major ceremonies. It has *Iya ilu* with a hollow in the wood with which it is made and with just one face. Its hollow opens to the other side not covered by any membrane. It also has *omele*, which is similar in shape to the *Iya ilu apinti*. Both the *Iya-ilu apinti* (mother apinti) and the *Omele apinti* are hung on the shoulder, usually the left, with a rope when beaten.

XVII. THE BATA KOTO

This is a form of *bata* with members of its family smaller than the real *bata* drums but made of calabash and soft skin. It has an *lya-ilu* that is not quite big, an *omele ako* made of a smaller calabash and with a high sounding tone like its name and an *emele abo* also made of a calabash that is not smaller than the *emele ako* but with a wider breath.

XVIII. THE IPESE

This is the drum of the *Ifa* Priests/worshippers beaten during their festival or during the burial of an *Ifa* Priest or leader. It has various types like those already discussed. We, *ipse* proper that is six feet tall beaten with stick. We have '*afere*' that is next in size to *ipse* which is not as tall but with a wider breath and three stands. We have *aran* that is not as big or tall as the *afere* and also with three stands. The surface of the drum can be stiffened by pressing down the wood on the edge of the drum.

XIX. THE AGERE

This is the drum of the hunters beaten during their festival and also beaten when leading hunters or other members die. We have three drums making this set namely, the *agere* proper, *feere* and *afere*. The *agere* is the biggest, made of a wooden frame with two equal faces. The *feere* is smaller in size to the *agere* while the *afere* is the smallest of the three drums.

XX. THE GBEDU

This is a traditional Yoruba drum otherwise called *agba-iyangede*. The set has *afere* a four foot drum that is long, big and heavy. It also has *apere* that is next in size to *afere* hence, it is not as tall and with a surface that is not as wide.

XXI. THE IGBIN

This is the drum of the *Obatala* worshippers hence, it is not meant for everyday drumming/use. It has *lya-ilu*, *lyadun*, that is next to the *lya-ilu*, *keke* that is next in size to *lya-dun* and the *afere* which is the smallest of them all.

XXII. THE PROCESS OF EFFECTIVE DRUMMUNICATION

There are five basic elements of the process of *drummunication* just as five good stages of the process of effective *drummunication* can also be identified. The elements are more or less the bedrock of the stages and these five elements are the *drummunicator*, the drumbeat message, the drumbeat channel, drumbeat audience and the drumbeat feedback. The five stages are the conception/initiation of ideas by the

drummunicator, selection of appropriate channel, encoding of the ideas into meaningful drumbeat message, decoding of the coded drumbeat message by the audience and sending of appropriate feed back. These are discussed stage by stage below:

XXIII. THE DRUMMUNICATOR CONCEIVES AN IDEA

This is the first stage of *drummunication* which involves the initiation of an idea by the *drummunicator aludundun*, or *alubata* (*dundun* or *bata* drummer) as the case may be hence, the equivalent of this stage in general communication is called the ideation stage by experts. The *drummunicator* who uses the *dundun* drum to communicate or the one who uses the *bata* to communicate i.e. the *aludundun* or *alubata* can initiate the idea of welcoming some people to a given occasion or ceremony, passing vital messages to those in the neighbourhood, greeting the king who is just coming from his bedroom, reciting the *oriki* of important people or places or reminding subjects of the supremacy of the monarch within a kingdom. Whichever be the case, the conception of a good idea makes/marks the beginning of effective *drummunication*. The Drummunicator Selects Appropriate Channel.

This second stage of *drummunication* has to do with the choice of ideal means of disseminating the *drummunicator's* message, that is, the specific talking drum that will be used to pass the intended message. The *drummunicator* can choose the use of the very eloquent *dundun* talking drum, which is believed to be more comprehensible than others especially when he does not want the listener to have too much difficulties in interpreting his message. The *drummunicator* can use the *bata* talking drum if his intended audience or listeners are also experts in *bata drummunication* or if he wants them to rack their brains a little before grasping his intended message.

XXIV. THE DRUMMUNICATOR'S IDEA IS CODED INTO DRUMBEAT MESSAGES

This third stage of *drummunication* process has to do with the choice of appropriate language or style of drumbeats with which the intended message will be coded. For example, straightforward drum language can be used which virtually everybody who understands the tonal language imitated by the talking drum can easily comprehend. Similar expressions that listeners or audience are already familiar with can also be used to achieve the same easy-to-comprehend *drummunication*. However, the use of proverbs, historical allusion or esoteric language can be adopted or employed when the intended audience of the *drummunicator's* message as versatile in indigenous communication like elders with rich knowledge of culture and tradition.

XXV. THE DRUMMUNICATOR'S AUDIENCE DECODE(S) THE DRUMBEAT MESSAGE

This fourth stage of communication has to do with the interpretation of the *drumunicator's* coded drumbeat message by his/her audience or listeners. The audience expected to decipher the drumbeat message may be a single person like the king welcomed back to his palace from a trip by palace talking drummers. The audience can be important dignitaries or eminent personalities at an important occasion. The audience can even be supernatural beings like the masquerades or spirit being appeased by spiritual drumbeat message. The audience can also be a group of listeners like members of a family whose family praise song/poem is played by the *drumunicator*. Whichever be the case, there will be effective *drumunication* if both the *drumunicator* and the audience understand the code of the drumbeat so that the latter easily decipher and understand the message.

XXVI. THE AUDIENCE/LISTENERS SENDS A FEEDBACK

This is the final stage of the process of *drumunication*, which is basically about the response of the listener to the *drumunicator's* message sent via the talking drum.

Such a response according Ngozi (2001:2) "can be positive, negative, limited, zero, verbal or non verbal". This means response to the *drumunicator's* message can be the positive that is expected or the negative that is not expected. The response can be partial which represents the limited feed back or there may be no response at all which is the zero feed back. Also, the response can be verbal if it is via the use of words or speech sounds and may be non-verbal if it does not use words or speech at all. For example, a man whose *oriki* (praise poem) is played by a *drumunicator* may just smile, wave, stand and dance or send money to the *drumunicator*. It is also possible to respond to the drumbeat message with a drumbeat message as done by those from the families of drummers. The late monarch (Timi) of Ede land Oba Adetoyese Laoye was able to respond this way to the messages of his palace drummers about people's arrival and departure because he was a very good drummer. The feedback therefore, can be a good parameter or yardstick for determining the effectiveness of *drumunication*.

XXVII. FUNCTIONS OF DRUMMUNICATION VIA TALKING DRUMS

There are various reasons why people in traditional Yoruba setting especially the Yoruba people

in the South West of Nigeria something opt for *drumunication*. Some of these reasons tally with some basic purposes of general communication while some don't. We can classify the functions of *drumunication* under informational functions, social function, cultural function, religious function, extra-mundane function, commercial function and creative function. These are all discussed below:

XXVIII. INFORMATIONAL FUNCTION OF DRUMMUNICATION

A most fundamental function of any means of communication, whether traditional or modern, exogenous or endogenous, verbal or non-verbal, interpersonal or group, is to ensure the dissemination of vital messages or the transmission of important information. Gerson & Gerson (2012) therefore point out that informing the target audience of known facts is one of the basic goals of communication. The talking drum communication is not an exception because it is primarily used to pass meaningful messages or information that is also comprehensible to those who understand the language of the talking drum in question. For example, "Kaabo se daa daa lo de" meaning "You are welcome, hope you have arrived safely" can be played to inform people of the arrival of somebody being expected. Also "ki le n f'Oba pe Oba o Oba alase Oba" can be beaten to remind people of the authority of the king especially in a traditional setting.

XXIX. SOCIAL FUNCTION OF RUMMUNICATION

This function is necessitated by the fact that human beings have been identified as social animals, right from the time of Aristotle the ancient Greek philosopher till the present time of contemporary modern social psychologists like Aronson (2007). This is because human beings are fond of relating or interacting with one another, doing things in collaboration and participating in social functions like naming ceremony, wedding/marriage ceremony, house warming ceremony and burial ceremony. The social function of *drumunication* can therefore, be regarded as the entertainment function. This is because the use of the talking drum has become a common phenomenon at such social gathering. During the introduction ceremony that usually precedes a marriage ceremony proper you will see a talking drummer by the side of the presenter or programme coordinator helping to complement or drive home the message of the presenter. He/she can use the drum to say expressions like "Iya ni wura iyebiye tia ko le fi owo ra" or "Baba o! Baba o!! Baba o!!! Olorun da Baba si fun wa" meaning "The mother is previous gold that can be bought with money" and "Father! Father!! Father!!! God preserve the life of the Father for us" respectively in honour of the

mother or father of either the bride or groom. Juju and Fuji musicians also usually have talking drummers performing the same function.

XXX. CULTURAL FUNCTION OF DRUMMUNICATION

Culture according to Devito (2012) refers to common beliefs, values or behaviour of a group of people passed down from one generation to another. Baumeister & Bushman (2011) equally see culture as everything that a group of people share or have in common like food, language, government as well as artistic and historical achievements. They further point out that human beings are not just social animals but are also cultural animals. It is therefore not surprising that there is an increasing use of the various talking drums to communicate in various areas of human endeavours. Those who advertise various products and services on the bill boards, those who do advert jingles on the radio and television etc now make use of the talking drum more than before. Many enlightened people now show interest in study or art of the talking drum just as in many traditional festivals where talking drummers display dexterity in the art of talking drumming. This is just to ensure the promotion, development and preservation of the indigenous cultural belief or art. It is therefore not surprising that even foreigners from Europe and the Americas now show interest in Yoruba culture of talking with drums. It is in the light of this that one can say promoting the art of *drummunication* is tantamount to promoting the people's culture.

XXXI. RELIGIOUS FUNCTIONS OF DRUMMUNICATION

This has to do with the use of talking drums basically for religious purposes. It may be for the worship of the traditional gods of the Yorubas like *Sango* (the god of thunder), *Ogun* (the god of iron) *Obatala*, (the god of creation/creativity) *Osun* (a river goddess) etc. As earlier mentioned the *bata* talking drums are used basically by the *Sango* worshipers especially during their festival or worship, but could be accompanied by other drums. Also the *igbin* drum is used by the *Obatala* worshippers, which could be accompanied by others too. For example, the expression "Baa ba se yi tan a se mi si, a se se tun se" meaning "we will celebrate this year and many more years" is a common expression usually beaten by, *drumunicators* during traditional worships/festivals as a form of prayer to the admiration of all worshippers. It is important to point out the fact *drummunication* is not peculiar to traditional worshippers only because nowadays we find talking drums among the musical instruments of the Choir(s) of various Churches used to

disseminate useful information especially during praise worships.

XXXII. EXTRA-MUNDANE FUNCTION OF DRUMMUNICATION

This is a kind of extra ordinary spiritual use of the talking drum to communicate extra ordinary or spiritual information especially with/to supernatural beings like spirits, gods, goddesses, ancestors etc. This may sound incredible to those who have not experienced such but believable to those from places where it happens. There are some drumbeats that one will hear and take to his heel if he is not initiated because such drumbeats like the one used to evoke certain spirits are not meant for the hearing of ordinary people. Such an extra mundane communication is displayed in the Nigerian home video titled "*Saworo Ide*" where something was put on the face of a given talking drum and its drumbeat was used to call another person, who is supernaturally connected to the drum from a distant village, home to come and beat the drum to the hearing of an uninitiated ruler who on hearing the drumbeats was immediately affected by the mysterious drumbeats.

XXXIII. COMMERCIAL/OCCUPATIONAL FUNCTION OF DRUMMUNICATION

This is the use of the talking drums to communicate so as to make money or as a means of livelihood. It is now common in traditional Yoruba setting to see groups of talking drummers of different ages at various occasions like during weekly or monthly market days, wedding/marriage ceremonies, burial ceremonies, house warming ceremonies or naming ceremonies beating talking drums to praise people or to play the personal family or town's *oriki* (praise poem). All they strive to get are the names and places of origin of such people having known the praise poems of as many names and places, they just start to communicate with the talking drums to the amazement and amusement of their target audience. They don't do this for nothing of course as they expect those people who enjoy their *drummunication* to reciprocate. Really, some do respond by standing up, dancing and placing some money on the forehead of the lead drummer. The leader in such a case would be expected to take care of others who in most cases are his close associates or relations.

XXXIV. PROVERBIAL FUNCTION OF DRUMMUNICATION

This is the use of the talking drums to preserve and promote the use of proverbs, which are wise or witty saying used in a special way. Onibonoje (2002:53) describes a proverb "as a phrase of sentence that expresses some recognized truth about life". Samovar,

Porter, McDaniel & Roy (2013) point out that proverbs reflect “the wisdom, biases and even superstitions of a culture and are so important to culture that there are even proverbs about proverbs.” They equally point out the belief of the Yoruba people of Nigeria that “A wise man who knows proverbs, reconciles difficulties”. Proverbial communication of messages is very common in *drummunication* which is not surprising because the Yoruba language which the various Yoruba talking drums imitates its tones and jibes as put by late Timi of Edeland, Oba Adetoyese Laoye is also very rich in proverbs. There is also a common saying that “Owe lesin Oro, Oro lesin Owe T’oro ba so nu owe la fi nwa” meaning “A proverb is the horse (vehicle) of a word/an utterance just as a word or an utterance is the horse (vehicle) of a proverb. When a word is missing, proverb will find it.” So, *drummunicators* do use meaningful and understandable proverbs to communicate intended ideas or messages.

XXXV. HISTORICAL FUNCTION OF DRUMMUNICATION

Talking drummers in Yoruba land in the course of *drummunication* often makes reference to or reminding the listening audience” of some past events or happenings of historical relevance. This is because *drummunication* makes such historical allusion possible as a way of buttressing or substantiating communicated information. For example, if a seemingly wealthy man who expectant commercial talking drummers have been saying a lot of good things about with the aid of the talking drums with the hope of getting substantial amount of money just gives them the peanut in his pocket, they maybe annoyed or disappointed and forced to play “A lowo ma jaye eyin le mo, awon to j’aye lana da won ti ku won ti lo” meaning “Those who have money but cant spend should remember that even those who had and spent yesterday (in the past) have died and gone”. They can also play “Bo se re (2ce) Ose fun ara re (2ce)” to warn evil doers. This is reminiscent of a madman who was given a poisoned food by some people who hated his critical and satirical utterances but who because of his benevolence and generosity gave some young kids who coincidentally were the kids of those who gave the mad man the poisoned food.

XXXVI. CREATIVE FUNCTION OF DRUMMUNICATION

What this function tries to establish is the fact that *drummunication* is not just a medium or system of indigenous Yoruba communication or a branch of performing arts but also a creative traditional art. This is because of the fact that many wonderful ideas, philosophical sayings or expressions are often created by *drummunicators* consciously or unconsciously, when inspired, impressed or depressed. It has even been

discovered that many of the *Orikis* (praise poem or names) of notable people like kings, warriors, chiefs, great men etc have been created by drummers who perform at different occasions and who would want to recognise the presence of such people by saying some good things about them. Some of these praise names, praise poem or praise chants as the case may be created by talking drummers often become permanent to the extent that lexical ones become the name by which such people are called or recognised and the surnames of the offspring e.g. “Arowomole” meaning one who has money to build houses. It is in the light of this that Olatunji (1984:71) declares in support of this function that “Drummers coin new orikis for important men in the society”.

XXXVII. BARRIERS TO EFFECTIVE DRUMMUNICATION

It is important to point out at the juncture that just as with some modern or other means of sending and receiving vital information, there are some factors that can constitute barrier to effective dissemination of comprehensible information via the Yoruba talking drums. Some of such barriers are susceptibility of *drummunication* to ambiguity, linguistic incompetence, faulty construction of talking drums, faulty *drummunication* process, possibility of noise, information overload, distortion or misrepresentation which are discussed below one after the other:

XXXVIII. SUSCEPTIBILITY OF DRUMMUNICATION TO AMBIGUITY

The message of the talking drums can be ambiguous when such a communicated message is capable of having double or multiple semantic interpretations especially where the available contextual information does not clarify or specify the intended meaning. Oluga (2010) attempts semantic interpretation of the term ambiguity and explicates form of ambiguity in human communication. The susceptibility of many drummunicated messages to ambiguity has made many people to give different interpretations to such messages, for example, the drumbeat of some broadcasting stations in Yoruba land.

XXXIX. LINGUISTIC INCOMPETENCE / BACKGROUND

The language background of the *drummunicator* and the listener/audience is very important. If they both speak/understand the Yoruba language for example, it will be easier to ensure the dissemination of comprehensible information because talking drums imitate the tones and jibes of the Yoruba language. If they are both good in the use of this same language and the audience could differentiate between

direct and indirect or literal and implied language use as well as knowing the proverbs of the Yoruba language then the disseminated information will be meaningful not only to the *drumunicator* but also to the audience.

XL. FAULTY CONSTRUCTION OF TALKING DRUMS

The way the talking drum that is the instrument of *drumunication* has been constructed as well as the type of materials used can affect the tone of the drum and the kind of message that will be communicated. As earlier said, the 'apa' is the wood that can be used for a good talking drum and a kid skin membrane used to cover the two faces with strings of goat skin. The design or construction of each of the various talking drums, because of their varying sizes, requires some artistic skills. This is the only way the string controlling the tone when pulled with the hand or pressed under the arm will bring the right to which can be articulated to pass meaningful and understandable messages.

XLI. FAULTY DRUMMUNICATION PROCESS

A fault at any of the already discussed stages of the *drumunication* process can serve as a barrier to effective dissemination and/or comprehension of the message of the talking drum. For example, if the *drumunicator* does not initiate or encode the message very well like mistakenly beating the praise poem of one person for another person or using codes that intended listeners find difficult to decode or where due to distance, they cannot hear the drumbeats of the *drumunicator* intended to pass vital messages, very well.

XLII. POSSIBILITY OF NOISE IN DRUMMUNICATION

This according to Ngozi (2002:22) refers to "obstacles that can reduce the amount, quality or fidelity of disseminated information" which can occur or be present at any stage. It can be physical if it is the loud sound of the instruments of a musician playing in the same gathering where *drumunicators* are also playing. It can be linguistic noise if the *drumunicator* uses esoteric language of drummers that the audience/listeners can't decipher. It can be psychological if the intended listener already blocks his/her minds on seeing the drummers may be because of their look or because he/she has headache or because he hates noise at close range peculiar to commercial *drumunicators*.

XLIII. INFORMATION OVERLOAD

This has to do with saying too many things at a time or passing too many information in a moment possibly by different communicators. This can also

occur in *drumunication* when the *drumunicator* assumes the intended audience can understand virtually everything said with the talking drum and at the pace of the drumbeat. It can also occur when two talking drum groups want to impress the same audience and messages start to flow from left and right. It will be difficult to ensure absolute comprehension in such a situation hence, such information overload constitute a kind of barrier to effective *drumunication*. The best that can be done by the *drumunicator's* audience is to filter or/and omit the message or information.

XLIV. DISTORTION OR MISREPRESENTATION INFORMATION

The message of *drumunication* is usually subject to distortion and misrepresentation just as it is common to all forms of non-verbal communication. The talking drum beats of various broadcast stations in the South West of Nigeria like the Lagos State Broadcasting Station and Oyo State Broadcasting Station have been given various interpretations that suit different people. This must have informed the decision of some other broadcasting stations like the Osun State Broadcasting station (OSBC) to tactically guide listeners/viewers in the interpretation of some *drumunicated* messages that precede major news broadcast. This way distortion or misrepresentation will be prevented or reduced.

XLV. STEPS TOWARDS EFFECTIVE DRUMMUNICATION

The use of talking drums as means of communication is such that should not be seen as an archaic means or local medium that should be neglected or jettisoned. Rather, it should be seen as part and parcel of the people's cultural endowment, which should be developed, promoted and preserved in line with the global yearning for cultural promotion and development. Some of the steps that can be taken to enhance the effectiveness of *drumunication* are:

XLVI. PROMOTION OF CULTURAL EDUCATION

People should be exposed the more to an important traditional art or cultural practice like *drumunication*. This way many more people from within and without the talking drum zones will be more versatile in art of talking drum communication. Beier (1956), though a European, has contributed to the study of Yoruba talking drums just like other African culture researchers because of his profound interest in cultural education especially that of the Yorubas in Nigeria. Many more people will understand the mechanics of *drumunication* and how it can supplement general communication if they care to learn more about the art.

XLVII. LINGUISTIC DEVELOPMENT

Linguistics according is the study of language(s) hence, by linguistic development we mean the development of language skills especially that which serves as a means of communication. Since the language of the talking drum is the indigenous tonal language of the people it will be good for people to be good in such a language of immediate environment. Foreign languages which some enlightened people first expose their wards to should not be allowed to relegate or bring the local language to the background. Effective *drummunication* will be enhanced if people understand their local or native language, which the talking drums imitate very well.

XLVIII. PROVISION OF CONTEXTUAL INFORMATION

The contextual information has been identified as a factor that can aid clarification of the meaning of an idea and disambiguation. Moulton and Robinson (1982) opine that disambiguation of communicated information relies on context-dependent-pragmatic information given linguistically or non-linguistically. Also, the audience of a *drumunicator's* message will comprehend *communicated* messages faster and better if enough comprehension-aiding-contextual information is supplied or provided directly or indirectly.

XLIX. USING GOOD MATERIALS IN TALKING DRUM CONSTRUCTION

It is important to point out the fact that the adage or expression "garbage in, garbage out" also applies to the making of talking drums. This is because if bad materials are, what go into the construction of the talking drums then bad production of tones and sounds will be the outcome or output of such talking drums. However, the beauty of *drummunication* lies in the ability of the listener to decipher the communicated message(s) easily which is possible when the tones comes out correctly as well as the intended message(s).

L. REITERATION OF DRUMBEAT MESSAGES

This is also important because the level or pace of comprehension of people differ. Just as an oral passage listeners may not comprehend at the same level or pace so also is the message of *drummunication*. So some listeners due to their background or experience may need to listen just once to understand or comprehend, some may need to listen over and over or even rack their brain to understand or grasp communicated information. For effective *drummunication* therefore, *drumunicators* may need to

repeat or reiterate drumbeats that communicate vital messages or important information.

LI. PREVENTION/REDUCTION OF OTHER BARRIERS

If the belief that a problem known or identified is half solved is anything to go by then some of the barriers to effective *drummunication* not yet touched under this section could be addressed as steps towards effective *drummunication*. For example, *drummunication* should avoid or prevent any fault at any of the stages of *drummunication*. *Drummunication* milieu or environment should be such that will not given room for information overload or distortion. Noise of all kinds should be reduced to the barest minimum if not totally prevented or avoided. These, other things being equal, will enhance effectiveness of *drummunication*.

LII. CONCLUSION

The basic similarity between the Yoruba talking drums and other drums is that they are melody producing musical instruments while their difference lies in the fact that the talking drums are also instruments of information dissemination or media for transmission of vital messages. It is in the light of this that the term *drummunication*, morphologically derived from the blending of the two words "drum" and "communication", has been introduced to explain the process which involves the passing of vital messages or sending of important information via the Yoruba talking drums. Talking drums in this context however, refers to the "linguistically competent" drums that can display relatively high communicative competence "by imitating the tones and gibes of the Yoruba language especially the *dundun* and *bata* drumsets. The various functions of effective *drummunication* show that *drummunication* is part and parcel of the cultural or traditional values of the Yoruba people which going by the contemporary global yearnings for cultural development should be encouraged and preserved. However, the various factors militating against effective *drummunication* should be properly addressed by considering the suggested means of ensuring effective *drummunication* so as to maximise the benefits of effective *drummunication*.

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GLOBAL JOURNAL OF HUMAN SOCIAL SCIENCE
ARTS & HUMANITIES

Volume 12 Issue 11 Version 1.0 Year 2012

Type: Double Blind Peer Reviewed International Research Journal

Publisher: Global Journals Inc. (USA)

Online ISSN: 2249-460X & Print ISSN: 0975-587X

Trafficking in Women and Children in Yoruba land : The Pre-Colonial, Colonial and Post Colonial Situations Compared

By F.A Olasupo & Ile-Ife

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Abstract - Trafficking in human beings is today a global phenomenon with global consequences. Within trafficking in human beings are specifics such as women trafficking, children trafficking and women and children trafficking. Although trafficking in women and children is going to be the subject matter of this paper, trafficking in human being generally is an old phenomenon with a positive effect, until it became abused from the pre-colonial days to now. Culturally, some aspects of Yoruba people's culture are consistent with it. Unlike the position of the United Nations which prohibits extracting labor from women and children under certain age, the Yoruba culture encourages it. A Yoruba proverb "ati kekere laa ti pee kan iroko, to ba dagba tan apa ko nii kaa mo" (children are better caught and molded when they are young, or else it would be difficult to do so when they are grown up), tells us why. The Yoruba believe in the virtue of training children from tender ages in some forms of trade and craft. However, the noble cultural intention of catching and molding children at tender age has been given a dehumanizing tar by modern day trafficking in women and children, locally and internationally. This paper intends to examine trafficking in women and children in the pre-colonial, colonial and post colonial periods with the aim of establishing and understanding the motivational (?) nexus of the operators of these illegal trades across the ages.

GJHSS - A Classification : FOR Code : 160803, 160505, 160507



Strictly as per the compliance and regulations of:



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F.A Olasupo^a & Ile-Ife^o

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I. INTRODUCTION

Trafficking in women and children was initially informed by training of children at tender age in the business of trading and engagements in other forms of work. Among cultural factors that encouraged this in Yorubaland were systems of marriage that was essentially polygamous, economy, traditional trading (including slave trade), marketing and other social roles such as ceremonies (naming, marriage, death or house warming), information gathering and dissemination. Women and children were culturally considered fit to do this because while women were imbued by what Ogunremi termed "Freedom of talking and walking"; children were allowed to follow their parents (mothers in particular) to farms, markets and on trading and thereby receiving tutelage on what their parents were engaged in.

In doing these, women and children criss-cross neighboring villages, towns or kingdoms. But they were,

sometimes, in the process, exposed to dangers such as kidnapping, raping, forced marriage, (where the woman concerned was a beautiful one) and slavery. The focus of this paper is to explore the mechanism of how Yoruba cultural activities encouraged women and child trafficking that resulted in kidnapping for ritual purposes, rape, forced marriages, labor and, sometimes, slavery in the pre-colonial days. A comparison of this with post-colonial transatlantic and transcontinental trafficking in women and children would as well be made.

II. CONCEPTUAL CLARIFICATIONS

A word or term that needs clarification here is "traffic". Four distinct dictionary meanings of the word "traffic" are provided by Hornby. But the one relevant for our purpose here is the one on "numbers of people or the amount of goods moved from one place to another by road, rail, sea or air"¹. Thus, trafficking, that is the movement of a "number of people or the amount of goods moved from one place to another by road, rail, sea or air" is legal if due process of doing so is strictly adhered to especially where it requires obtaining passport and visa or declaring goods being trafficked before Custom and Excise. But it becomes illegal if these due processes of obtaining passport and visa or declaration of goods before Custom and Excise are sidetracked. In the pre-colonial days, those women and children who in the course of their "traffic" were kidnapped and put in "trafficking" as slaves and serfs constituted illegal trafficking.

Conceptually however, Agnes sees human trafficking as "simply a modern day slavery which involves the recruitment, transportation, harbouring or receipt of persons, by means of fraud, deceit or coercion for the purpose of exploitation"². Wikipedia on the other hand, trafficking in human beings includes recruiting, harbouring, obtaining and transporting people by use of force, fraud, or coercion for the purpose of subjecting them to involuntary acts, such as

¹ Hornby et al, (1974) *Oxford Advanced Learners Dictionary of Current English*, Britain: Oxford University Press. P1267

² Agnes E.M. (2007) "Styles of Parenting and Human Trafficking in Africa" in the *International Journal of Development and Policy Studies*, Vol. 3, Makurdi, Nigeria : Quality Development and Management Resources Center (QDMRC)

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commercial sexual exploitations or involuntary labour”³ . Finally, for Carling, “trafficking in person is restricted to instances where people are deceived, threatened or coerced into situations of exploitation including prostitution”⁴ .

III. FACTORS THAT ENCOURAGED TRAFFICKING IN PRE-COLONIAL DAYS

Factors that led to women and child trafficking in the pre-colonial days included the following:

economy, polygamy, marketing, slave trade and slavery. These factors were operated by traditional leaders who were sovereigns of their various communities. Of particular interest to this paper is the case of female traditional leaders (or rulers) who also operated these factors like their male counterparts. Three categories of women traditional rulers exist in some communities in Nigeria. There are those who are rulers over males and females in their communities. Examples of this could be found in Niger, Eboyin and Adamawa states. See pictures below.



Pictures one and two. In picture one is the researcher, F.A Olasupo, standing by the left of the female king, Hajia Hadisa Muhammed. To the right is the research assistant.

³ Ibid

⁴ Ibid



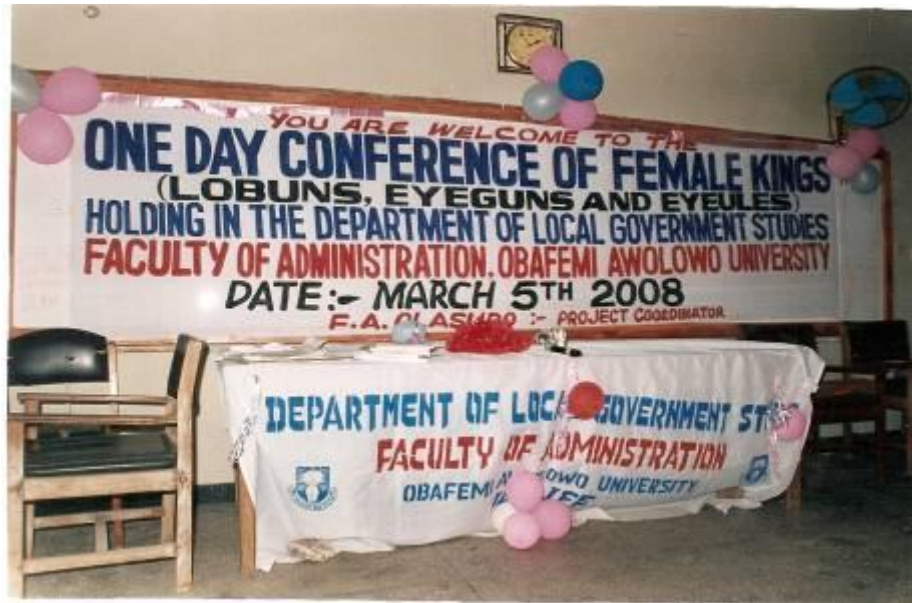
Picture three is the researcher, paying homage to female king of Unwana, Eze Ogo II, in the Afigbo North Local Government of Ebonyi state.



The researcher making a point before the female king

There are also those communities who operate dual-sex political system in which case male king and female king co-rule their communities on gender basis.

Ondo, Ekiti, Delta and Anambra states are examples of places where this system could be found.



Above is the banner of one day conference held at the Department of Local Government Studies for the female kings in the south western part of Nigeria.



The researcher and his assistant beside the female kings as they were about to enter the venue of the conference – Local Government Department Lecture Theater, on the 5th of March 2008.



A cross section of the female kings about to enter Obafemi Awolowo Conference Center to attend a National Conference on Chieftaincy Institution in Nigeria. Organized by the Department of History, Obafemi Awolowo University, between April 9-10, 2008. Stooping in front of them all is the researcher, F.A Olasupo.



A cross section of female kings at the palace of Ooni of Ife, Oba Okunade Sijuwade. In their midst is the researcher, F.A Olasupo



Female kings in a group photograph with Alaafin of Oyo. Seated on the ground to the left hand of Alaafin of Oyo is the researcher, F.A Olasupo. The picture was taking at the palace of Alaafin of Oyo on the 4th of May 2009. See more pictures on page 19.



The researcher in the midst Female Regent and the female King of Ibulesoro



Finally, there are those who are regents and who exercise traditional rulership far in excess of the

mandatory three or six month's regency. Some of them stay in office as regent for close to five, ten, fifteen, and even twenty years.

IV. ECONOMY

Traditional pre-colonial Yoruba economy was imbued by three vital sectors: farming, trading and craft industries. Although each of these occupations was dichotomized by gender, there was no hard and fast rule about it. While "Men were predominantly craftsmen, farmers, hunters and soldiers...women were predominantly traders and producers of commodities like dye, thread and oil which they took to the market to sell". In addition to these occupations, there was another one – weaving – that both sex participate in, and interestingly, creating gender in this as well⁵.

Interestingly as well, these occupations were such that encouraged huge women and children traffic. Farming as an occupation, for instance, was and is still of three types: oko ogba (farming in garden located behind the compound) oko eti'le ("farms cultivated in the thickly forested land surrounding all the compounds" and oko iwaju (distant farms of between eight to twenty or more kilometers⁶. With regards to trading, its

⁵ Osinubi T.O and Amaghionyeodiwe L.A, Women in Development: The Case of Bodija Market in Ibadan, South Western Nigeria" in the *Journal of Development Alternatives and Area Studies*, Vol. 24. No. 1&2, USA: San Antonio TX 78232.

⁶ Falola T, (1984) *The Political Economy of A Pre-Colonial African State*. Ibadan, 1830-1900, Ife: University of Ife Press.

trademark was essentially traffic. Within the town could be as many markets as possible with the central one called Oja Oba (king's market). Added to these were those in the neighboring villages and towns. Traders criss-cross all these in the course of their trading. Craft industries such as blacksmiths and weavers also engaged in traffic in search of raw materials and establishment of industries outside their own towns and thereby establishing inter village, town and kingdom commercial and industrial links⁷. In 1830's and 1840's for instance, a prominent weaver, Oluokun, from Iseyin, in Oyo kingdom, came to Ibadan kingdom to establish "the Oke-Oluokun quarter which became a famous center for weaving in the town"⁸.

Of these vital economic sectors however, farming in which most men engaged in required more hands that also necessitated having more wives who would lend helping hands to their husband farmers⁹. As traders, women extended their trading activities to carrying farm products to the market. These resulted in heavy women traffic. But, for Hodder, what led to heavy women traffic during this period was because of the "necessity of adapting trading to the dangers of movement through the country-side since it was unsafe for men to move away from their farms while women enjoyed relative immunity from attack"¹⁰. But there were also some of them (women) who fell victim of trafficking. Some of them who were attacked during the wars or by marauders were trafficked to slavery¹¹.

V. POLYGAMY

Polygamy, as family institution, started women and child "traffic" although a legitimate one. Wives of the husbands appear in the same uniform and also moved in groups to the markets, ceremonies and in carrying out public duties. Karin Barber puts it this way:

"Women undertake their public duties in large groups. At any funeral and festivals, teams of women in 'ankoo' go in procession round the town. Daughters who have married bring back groups of thirty or forty of their 'co-wives' to important family events, and no festivity can go forward without the influx of female relatives to collect firewood, cook the food and serve the guests"¹².

Akin Mabogunje corroborated this when he said:

"Under guild system, traders in the market organized themselves according to commodity being dealt in... The social aspect of this guild necessitated a sense of belonging that fostered periodic outings (e.g. naming,

burial or house warming ceremonies) of such social groups with members all dressed alike in "aso-ebi", which "demands some expenditure of money on the part of every member of the social groups"¹³.

With regards to women and child traffic to the markets, even queens were not let out. In those days, queens, monarchs' wives, were not left out in trafficking. As a matter of fact the queens, numbering between one hundred and one hundred and eight in respect of Alaafin of Oyo and the Kabiyesi of Ajase (King of Porto Novo) respectively, engaged in long distance traffic in the course of trading.

In short, polygamy as a form of association or group in those days contributed to legal and illegal trafficking. This institution, polygamy, has inbuilt arrangement that allows the older wives to engage in some legal trafficking in economic activities while at the same time safeguarding "integrity of the institution of polygamy by turning the husbands sexual emotions to the younger wives within the accepted social framework"¹⁴.

The arrival of foreigners and their religions strengthened this institution and its potential for women and child trafficking. "While Islam has a clear cut tolerance of, or almost a mandate for polygamy, Christianity per se, encouraged monogamy". But this is in the New Testament. Old Testament contradicts this as "Jewish patriarchs and kings like Abraham, Jacob, David and Solomon had multiple wives. Solomon, for instance, is reported in I Kings 11:3 as having 700 wives and 300 concubines.

This is a system which only male traditional rulers and other affluent members of the society could afford but commoners also copy it without having the wherewithal to sustain it. The upshot of their action is breeding of children beyond their capacity to train which in turn result in children undertaking antisocial activities to survive.

Today, it is a commonplace finding in our towns and cities, hoards of beggars, particularly women and their children, able and disabled, stationed in a particular place – roundabouts and the adjoining pavements – and trafficking from there to other parts of the town and cities for alms¹⁵. Beggars trafficking is said to be a lucrative business in which not only the disabled persons engage in it but able persons as well. Investigations show that "a good number of these beggars had built houses which they put on rent instead of living"¹⁶. It is getting alarming, the way parents trafficked their children abroad to engage in beggary. In the run-up to Ramadan, as Umrah pilgrims flock to the kingdom of Saudi Arabia, numbers of beggars, of different gender, ages, and nationalities, are found to increase. "These children", being forced by their parents

⁷ Ibid.

⁸ Ibid. P 30.

⁹ Ibid P 54.

¹⁰ Ibid P 55.

¹¹ Ibid P 55.

¹² Karin Barber, (1991) *I Could Speak Until Tomorrow: Oriki, Women and The Past in A Yoruba Town*, Great Britain: Edinburgh University Press. P271.

¹³ Mabogunje A.L, (1961) "The Market Women" in *Ibadan, A Journal Published at University College, Number eleven*. P16

¹⁴ Ibid. Falola, Op cit. P54.

¹⁵ *The Nigerian Tribune* of August 11 2006, P16.

¹⁶ Ibid.

"to pester the pilgrims and beg", "are seen begging in and around the religious places"¹⁷. A disabled Nigerian child beggar, Ahmad Ibraheem, found in this kingdom during a holy month of Ramadan begging, caught and interviewed by Saudi Arabia's Anti-beggary Department, said:

"My parents told me to go and beg and that I was doing a good thing and that God would reward me for my helping them. My mother said that God has 'blessed' me with this handicap so that I can earn money and help the family"

The ten-year-old child who was caught by officials begging in the Grand Mosque and was brought to the center said: "I like it here, it is clean and the people want to help us. The food is nice and they gave me nice clothes to wear"¹⁸.

In the days of Oyo kingdom, the building of the palace of Alaafin of Oyo and the annual re-thatching of it was not left to the inhabitants of the capital alone, women groups (some with children strapped at their backs) in neighboring towns and villages such as Ejigbo, Iwo, Ogbomoso, Iseyin, Oke-Iho, Irawo, Shepeteri, Iganna, Ijio, Igboho and Shaki trafficked to the capital, Oyo, to lend hands¹⁹. In the process of this kind of trafficking, Alaafin of Oyo could without the consent of somebody's wife order her to be brought to him for sexual fun or outright takeover of her from her legitimate husband. Soyinka beautifully captured this in his play *Death and the King's Horseman* when he said, "the old rascal with a restless eye spots a beautiful girl passing by. Although she is already betrothed to another, he insist on taking her as bride so that the grain that will not feed the voyager at his passage drop here and take root as he steps beyond this earth and us"²⁰.

In those days there is also what can be regarded as trafficking in death, but those who engaged in this kind of trafficking were male traditional rulers. In the distant past, when powerful monarchs died, their wives, whatever the number, must die with them. In this wise, the one hundred and one hundred and eight wives of Alaafin and that of the kabiyesi of Ajase (Port Novo) respectively were expected to die with their monarch husbands – a case of death trafficking!²¹. But Samuel Johnson controverts this. According to him, the whole of them (queens) were often spoken of loosely as "the king's wives because they reside in the palace, but

strictly speaking the titled ladies and the priestesses at least should not be included in the category"²².

Thus, not all the one hundred and above wives were the kings' queens. In Oyo kingdom therefore, according to Johnson, those women who culture trafficked to death with the king when he died were "Iya Oba (king's official mother) and all the powerful priestesses e.g. Iyale Mole (the Ifa priestesses) the Olorun-ku-mefun, the Iyamonari, the Iya'-le-ori (these are all priestesses)" from the male side, only the king's horseman died with him²³. A prominent traditional ruler, the Awujale of Ijebuland, testified to this in an interview he granted TheNews magazine in 2004. According to him, in Ijebu Ode when Oba passes on:

"you have to kill Eketa Oba straightaway. This is the first one that goes in. Others will follow; messengers who will minister to him in the great beyond; who will help him to carry his luggage from here"²⁴.

Recently, there were bizarre cases of molested corps of dead Obas e.g. Alake of Egband, Oyebade Lipele; Makun of Shagamu, Oba Efuwape Adetayo Ogunsowo; and Alaiye Ode-Remo in Ijebuland, Oba Sunday Olufunsho Adeolu. In the case of Olufunsho Adeolu, according to tradition, after his demise, his corps had:

"Rope tied on the neck of the dead king is meant to remove the head after several days when the body would have decayed on a tree they hang it. Other parts of the body would then be cut into pieces for various types of rituals while the heart of the king would then be removed and cooked"²⁵.

However, in 1858 "King Atiba influenced the constitution and inauguration of the Consultative Assembly that met in Ibadan" that year. This was attended by many Yoruba war generals and eminent citizens of the time²⁶. Among far reaching decisions taken at the conference were abolition of women trafficking to death with the king and also the cancellation of the tradition that the Aremo

¹⁷ *Osun Defender* of September 29, 2006. P 14

¹⁸ Ibid.

¹⁹ Ojo G.JA, (1966) *Yoruba Palaces*, London: University of London Press. P 63.

²⁰ Shoyinka W, (1975) *Death and the King's Horseman*, New York, W.W. Norton. P22. See also Aboyade B, (1984) *Wole Soyinka And Yoruba Oral Tradition in Death And The King's Horseman*, Ibadan: Fountain Publications. P3.

²¹ Aboyade B, Op cit. P5. See also The Nation of August 26, 2006. P34.

²² Johnson S, (1921), *The History of the Yorubas: From the Earliest Time to the Beginning of the British Protectorate*, London: Lowe and Brydone. P. 63

²³ Ibid. P 56. See also *Tell* of May 2 2005, P 21; Faseke M, (1998), "The Role of Women in Traditional Yoruba Society: A Review" in Ogunremi And Adediran, *Culture And Society in Yorubaland*, Ibadan: Rex Charles Publication. P153. Daramola O. and Jeje A. (1967) *Awon Asa Ati Orisa Ile Yoruba*, Ibadan: Onibon-Oje Press. P154.

²⁴ *TheNews* of May 17, 2004, P.11

²⁵ Erelu Ode-Remo, (2009) "Cutting into Pieces Corpses of Kings for rituals still in Vogue: Says no tombs for late kings of Ode-Remo, Alake of Egband and Makun of Shagamu" in *New Focus* of December 27th. P 1. See also Adeoye A. and Agbro Jr. (2009) "They cut the Eleyinmi into bits and pieces" in *The Nation* of December 13th. P16.

²⁶ Alaafin of Oyo, (1994) "Alaafin in Intellectual critique of Political Evolution from Past to the Present, in a letter titled: Lest History Laughs at us" " to the then Head of State Gen. Sani Abacha" in the *Guardian on Sunday* of March 13.

(crown prince) must die with his father Alaafin. The conference suggested that he “could succeed his father if he was found capable by the Oyomesi (Kingmakers)”²⁷. But as recently as 1946, this age-old custom was still steadfastly adhered to, prompting the colonial officer, Simon Pilkings to intervene in for its stoppage²⁸. Reasons why kings’ wives must traffic to death with them in those days, according to Johnson, were that they enjoyed great privileges during the kings’ lifetime. They could commit any crime with impunity. Criminals condemned to death and escaping to their houses became free. In any case, the contention here is that the institution of polygamy contributed in no small measure to the development of women and child traffic and trafficking.

VI. MARKETING

The development of market economy brought to the peak, the women and child “traffic” and “trafficking”. As in the case of polygamy, market economy also recorded impressive development of women and child “traffic”. As a matter of fact, it built on the foundation laid by polygamous institution. However, like in the institution of polygamy, it also recorded very low illegal women and child trafficking; although the period was also a period of great insecurity that irregularly threw up topsy-turvy situation. In the ensuing commotion, women and children trafficked to and from the market got disrupted and resulted in kidnapping and trafficking them to the slave market for sales as slaves.

As guild system began to develop in the market, traders in the market organized themselves according to commodity being dealt in. each guild had its leader called Olori (head). While the heads organized their members and led them to the markets especially long distance ones. According to Amadiume, the senior women administered the periodic market days of the week²⁹. When trafficking was becoming increasingly dangerous in the pre-colonial days, they (women traders) found solutions, which were aimed at protecting their traffic:

The women, like the men, traveled in caravan for protection. In 1833, Lander observed one hundred wives of the Alaafin trading at Ilora. Writing of Ibadan in the second half of the 19th Century, Johnson says: the women of those days were as hardy as the men and often went in a body of caravans to Ikere and Apomu for corn and other foodstuffs although the road was unsafe for the kidnappers³⁰.

²⁷ Johnson, Op cit. P 57. See also Alaafin, Op cit.

²⁸ Aboyade B. Op cit. P 5.

²⁹ Ogunremi, Op cit. P 122; Osinubi, Op cit. P77;

³⁰ Faseke, Op cit. 153; Mabogunje, Op cit. P15; Hodder B.W, And Ukwu U.I, (1969) *Markets in West Africa: Studies of markets and trade among the Yoruba and Ibo*, Ibadan: Ibadan University Press. P 27. See also, Ade-Ajayi J.F, And Smith R, (1964), *Yoruba Warfare in the Nineteenth Century*, London: Cambridge University Press. P3.

It is important to observe here that under market economy, women began to be conscious of their safety in the course of their “traffic” from one market to the other especially the long distance ones. They had begun to, for security reasons, “gathered at agreed times and places and trafficked together in caravan”³¹

VII. SLAVE TRADE AND SLAVERY

For more than four centuries, in the pre-colonial days, slave trade form the major form of trafficking in women and children that forcefully immigrated thousands of Yorubas across the Atlantic to the New World of the Americas. Perhaps more than any other ethnic group in Nigeria, Yoruba people experienced more triple heritage of slavery – indigenous, Islamic and Western³².

While those of the Western were as recent as three centuries ago, those of the indigenous and Islamic dated back to the birth of Islam in seventh century³³. Although the indigenous one, which started in the days of Oyo Ajaka (war-like) was slightly earlier than that of Islam, the operational levels of both were largely similar. Oyo Empire spanned three epochs: Oyo Ajaka (war-like) with the capital at Katunga; Oyo Ile (with the capital at Igboho area); and the latest Oyo Alaafin (with the capital at the present Oyo)³⁴. See picture below.

³¹ Ade-Ajayi J.F, And Smith R, (1964), *Yoruba Warfare in the Nineteenth Century*, London: Cambridge University Press. P 3.

³² Mazrui, A.A, (1994) “Global Africa: From Abolitionists To Reparation” in *African Studies Review*, Vol. 37, No 3, Atlanta Georgia: African Studies Association. P 1. See also *The Westerner* of August 6-12, 2006.

³³ Grayling A.C. (2003) “The new crusade for understanding” in *Sunday Times* of June 8, P23.

³⁴ Olanrewaju S. and Ajayi A. (2009) “Ooni replies Alaafin at Awo’s book launch: Your forebears never claimed to be superior to Ooni” in *Nigerian Tribune* of January 30. P 5.



The two foremost traditional rulers in Yoruba land in particular and in Nigeria in general: The Ooni of Ife (Oba Okunade Olubuse II) and Alaafin of Oyo (Oba Lamidi Adeyemi III)

With time, particularly under Oyo Ile, Islam and Oyo Empire found a common ground in slave driving moreso when the two had had nuptial tie. According to Ooni of Ife, Oba Okunade Sijuwade, the first wife of Alaafin Ajaka (war-like) "was Ibariba Aisatu"³⁵. Bishop Ajayi Crowther thus graphically put the slave-trade relationship between Islam and Oyo Ajaka and Oyo Ile this way:

"For some years, wars had been carried on in my Oyo country which was always attended with much devastation and bloodshed. The enemies who carried on these wars were principally the Oyo Mohammedans with the foulahs (Fulanis). They joined together making a formidable force of about 20, 000. They had no other employment but capturing and selling slaves to Spaniards and Portuguese on the coast"³⁶.

Again, while indigenous and Islamic types of slave trade and slavery were much smaller in scale and allowed for greater upward social mobility – from slave to Oba (king in Yoruba) and Sultan in the case of Islam, from peasant to paramount chief, that of Western types were not only on large scale but also social-mobility-zero³⁷.

Indigenous slave-system we have been considering in relation to women and child trafficking

would be incomplete if its nexus with Western slave-system is not explored. According to Atanda, from the end of fifteenth century to the end of eighteenth, "various European traders: the Portuguese, the Dutch, the English, the Spaniards and the Swedes", had organized activities with the coastal peoples and those of the immediate hinterlands to collect slaves and other products like ivory in exchange for their own goods. Important slave markets where women and children were trafficked to for sales, as slaves, during this period were located in the following areas: Benin, Ode-Itsekiri, Ijebu-Ode, Porto Novo and a minor one in Lagos – all Yoruba speaking areas. Through out this period, i.e. 15th –18th centuries, they (European traders) relied on local rulers for the local organization and protection of their trade³⁸.

The following deductions can be made from this short extract (i) that traditional rulers who were then sole authorities in Yoruba speaking areas collaborated with the Whites in human traffic and trafficking that were essentially women and children; (ii) that trafficking in human beings of Yoruba stock was in exchanging for economic and technological advantages in terms of guns from European traders etc.³⁹ (iii) that the Whites needed these slaves not in their persons but cheap or free labor they would have to provide since they were in enslavement and in bondage⁴⁰; (iv) it is important to also

³⁵ Ibid.

³⁶ MegaForce, (2008) "How Yorubas sold themselves out to foreigners" in *Nigerian Tribune* of June 17. (See also letter written by Bishop Ajayi Crowther at Forah Bay, Freetown Sierra Leone to the Rev. Williams Jowell on 22nd February, 1837).

³⁷ Mazrui, Op cit. P. 1.

³⁸Atanda J.A, (1985) "Collision and coalition in the politics and society of Western Nigeria in the Nineteenth century" in Ade Ajayi and Bashir Ikara, *Evolution of Political Culture in Nigeria*, Ibadan: University Press Limited. P 93. See also Falola, Op cit. P.31.

³⁹ Atanda Op cit. P93.

⁴⁰ Mazrui, Op cit. P2.

observe the manner of traffic and trafficking between the traditional rulers and the European traders. While traffickers in pre-colonial traditional Yoruba society relied mostly on trekking and, sometimes, caravans, to move their 'wares' from hinterlands to slave depots, European traders during this time relied mainly on ships to transport their 'goods' from Yoruba coastal areas to Western metropolitan centers.

VIII. TRAFFICKING IN HUMAN PARTS

Trafficking in human parts for ritual purposes is a phenomenon common in the pre-colonial days but still predominant today. Human organs, of both male and female, trafficked by ritualists and traditionalists, include human head, eye, sex organs hearts etc. In Yorubaland, when a traditional ruler dies, important organs of his body, especially the heart, is removed and preserved for eating by the incoming traditional ruler, without which the incoming traditional ruler is not yet Oba. The words *je Oba* (become king) literally means eat king (*je* in Yoruba language means eat while *Oba* means king). Some communities in Yorubaland who did this (removed vital organs of the deceased Oba for preservation and intake of the incoming Oba recently, were Egbado and Remo⁴¹). This is still prominent in some other Yoruba communities today. Attempt by the wife of the former Alake of Egbaland, Olori Bimpe Lipede, to prevent removal of her husband's organs, by smuggling the corpse out of the palace, was met with stiff resistance from the traditionalist who forced her to return the body to the palace.

Kings, in those days and today, to please some deities, use human beings or parts as sacrifice for pre or post installation of a new king. Today the use of human parts by traditional rulers is not only for ritual purposes but for money making. On the 06/10/06, a traditional ruler in Delta state hunted for dealing in human parts absconded from the throne when he was about to be apprehended. However, instead, his queen was arrested and kept in police custody pending the apprehension of the fugitive and criminal traditional ruler. Ritualists on the other hand use some of these human parts for money and other purposes. It is disgusting and disturbing to note that modern day politicians and government officials, to demand for loyalties of their political subordinates, engage in oath taking that involve sucking of human blood. In the process their first-borns, be it male or female, is pawned to the point of death should they betray the oath of loyalty they had taken⁴². This is an age-old tradition that gathered higher momentum in the current fourth

republic. To date, especially in the present fourth republic, state governors who have been caught in this act of blood oath include the Governors Dr. Chris Nwabueze Ngige (of Anambra state); Chief Theodore Orji (of Abia state) and Gbenga Daniel (of Ogun state). Their various legislators and commissioners are not left out of this blood oath taking drama⁴³. Trafficking in blood is today a lucrative business not just among the traditional rulers, traditionalists, ritualists, politicians and government officials but also in both private and public hospitals where young boys and girls, masquerading as blood donors, go to sell blood at the price of three thousand five hundred naira (N3, 500.00) for four pints.

The international dimension of this horrible, terrible and primitive aspect of trafficking is what is giving the entire globe serious concern. What in the past, as Jide Osuntokin puts it, "One used to think organ snatching was the primitive preserve of shamans and Babalawos and Juju priests; apparently, the western world has taken it to another level"⁴⁴. They engaged in it for two purposes using two different strategies (Charity organizations and sports): organ transplant and rituals. For organ transplantation, continents and countries notorious for these are Americas (United States of America, Canada and Philippines) Western Europe (France); Asia (India, Bangladesh, Malaysia and China). In these places, human organs such as hearts, kidneys, eyes (corneal) are sold and said to be fetching traffickers millions of dollars⁴⁵. As recently as November 2007, French kidnappers nearly succeeded in trafficking one hundred and three (103) children from Chad to Paris for harvesting of their organs for sale. The clients of these traffickers are rich but sick Arabs, Canadians and Americans⁴⁶. In Philippines, according to Osuntokin, "the government wants to pass legislation to regulate the trade and not to prohibit it because it is now part of life".

As for ritual purposes, the notorious country for this is China. Here some people according to Igboke, believe raping a child brings good luck. Some others also believe it will cure them of HIV/AIDS. There, China, a former lawmaker and millionaire, having been told by fortune-teller that having sex with virgins would enhance health, had to rape not less than twenty young girls before he was caught, found guilty and sentenced to death. In the same country, two teachers were sentenced to death for forcing about 23 young girls into

⁴¹ *TheNews* of October 2, 2006. P 11.

⁴² Pallondium, (2009) "The oaths of Ogun" in *The Nation* of July 5, P 56.

⁴³ Odufowokan D, Owolabi K and Abiodun K. (2009) "How Daniel runs his oath shrine: By Ogun Speaker, others", "Nudity mess: Gov begs, faces expulsion from PDP" and "Echoes of Okija shrine" in *National Life* of July 4. P.5.

⁴⁴ Osuntokin J. (2007) "International trade in human organs" in *The Nation* of November. P50.

⁴⁵ Osuntokin, Op cit. See also, Adenle T. (2007) "It's 1884, again, and Africa is up for the picking!" in *The Nation* of November 18. P.11

⁴⁶ Ibid.

prostitution⁴⁷. Recently; a Stockholm newspaper accused Israeli troops of “harvesting the organs of Palestinians they killed”. Recently as well, an American Jew was suspected of illicit organ trafficking⁴⁸. The important message to be noted here is cross-continental connectivity of Africa, Middle East and Europe in women and child trafficking not only in the pre-colonial but also during the post-colonial period.

Today, the deceptive strategies being used by Europeans, as earlier mentioned, are charity organizations, NGOs and sport academies. As for charity organizations’ strategy, children ranging from three to ten years old from beleaguered nations such as Darfur in the western Sudan, Chad Republic and Liberia, who are “orphans with no relations and therefore were going to be adopted by families in Europe. The so called foster parents who had paid thousands of dollars for a child thus wait at the airport to seize the children on arrival from the departed nations⁴⁹. Trafficking children under charity organizations was initially a genuine one before it became abused. In the colonial period when it was a custom and tradition to throw away twin babies and left to die, Mary Slessor came to the rescue by taking these “babies to her home and nursed them to life”. “She adopted so many that sometime in 1888 when she was on holidays; she took some of the twins to Scotland. On her arrival, the white people were surprised to see her with such number of little black children. There, in Scotland, the Mission took over as they trained and educated the children. In later years while some returned, others remained in Scotland to savor the beauty of new life and civilization⁵⁰. As for sport academies, the entire west African countries are saturated with sport academies purported to train and recruit young children to Europe to play for such clubs as AC Milan or Paris St-Germain but in reality, on getting to the ‘promise land’ they find themselves “selling fake handbags on the street and, as economic conditions bite harder, they trade-off any of their needed organs. “Last year Sepp Blatter, President of FIFA, foot-ball’s world governing body, accused Europe’s richest clubs of ‘despicable’ behavior and engaging in ‘social and economic rape’ as they scour the developing world for talent”⁵¹.

IX. ABOLITION OR CURBING OF WOMEN AND CHILDREN TRAFFICKING

Today, combating the menace of women and child trafficking in Yoruba land and, indeed, the entire

country, has resolved into a three-pronged offensive; international, regional and national. At the international level there are the efforts of the United Nations. First, on October 4, 2006, it specifically called on the Federal Government of Nigeria to speedily arrest, investigate and prosecute traffickers in human beings in Nigeria⁵². In addition, it ordered the eradication not just of women and children trafficking but human trafficking in general through some of its (the UNs) agencies, such as the International Labor Organization (ILO) and the United Nations High Commission For Refugees (UNHCR). As a commitment to putting an end to Child Labor in Nigeria, the Federal government has “ratified the two core ILO Conventions on the Elimination of Child Labor”. These are; Conventions 138 on Minimum Age of Employment and 182 on the Elimination of the Worst Forms Child Labor. This was informed by the discovery that Nigeria “is a sending and a receiving country just as she is a transit country”. The United Nations Children Fund Nigerian office had discovered some private transit camps for trafficking children located in Akwa Ibom, Cross Rivers and Ondo States⁵³. The implication of this is that “children are sent out of Nigeria to work in other countries, while children citizens of her neighbors [Benin Republic, Niger, Chad and Cameroon] are also brought to work in Nigeria. In other words, as a transit point, children are moved in and out of Nigeria to other countries”⁵⁴.

The European Union is also lending support but arrangement toward concrete steps was expected to be finalized in September 20-22 when “immigration would be one of the main topics”⁵⁵. Meanwhile, Libya that shares Mediterranean border with Italy and through which most immigrants from Africa cross to Europe, had requested from the EU “helicopters, off-road vehicles, night vision equipment and speed boats”⁵⁶. Supporting the efforts of the UN is the United States of America’s Department of State Trafficking in Persons which issues an annual report urging national governments of mostly third world countries “to increase prosecutions and convictions of trafficking in persons”⁵⁷. For the efforts of the Nigerian government to successfully do this over the years, the United States of America “has just elevated Nigeria to Tier 1 status in the fight against trafficking in persons, having met the minimum standards for the third world countries “to increase prosecutions and convictions of trafficking in persons”⁵⁷. For the efforts of the Nigerian government to successfully do this over the years, the United States of America “has just elevated Nigeria to Tier 1 status in the fight against trafficking in persons, having met the minimum standards for the

⁴⁷Igbokwe C. (2008) “Raping young girls for rituals” in Sunday Punch of January 27. P17.

⁴⁸ Foreign (2009) “Netanyahu calls for condemnation of organ story” in *The Nation* of August 24. P. 37.

⁴⁹ Osuntokun, Op cit. P. 50.

⁵⁰Cover Story, (2009) “Battle for Mary Slessor’s grave” in *The Nation* of July 12. P. 14.

⁵¹Observer, (2008) “The scandal of Africa’s trafficked players” as culled from The Observer by *The Nation* newspaper of January 8. P. B7.

⁵² *The Nigerian Tribune* of August 22, 2006.

⁵³ *Saturday Vanguard* of September 16, 2006. P16. See also *The Punch* of August 21, 2006. P 9.

⁵⁴ Ibid.

⁵⁵ *The Guardian* of August 13, 2006. P.26.

⁵⁶ *The Guardian* of August 22, 2006. P 10.

⁵⁷ Ibid.

elimination of severe forms of trafficking”⁵⁸. There also exist sub-regional organizations such as the Economic Community of West African States (ECOWAS) and the Economic Community of Central African States (ECCAS), who have signed bilateral and multilateral agreements to combat the trafficking in persons in West Africa⁵⁹.

The kingdom of Saudi Arabia has joined in this effort of finding solution to the phenomenon of human trafficking although she limits herself to trafficking in children beggars. The kingdom has established Anti-Beggary Department in Makkah, where those child beggars caught are detained but properly treated in terms of feeding, clothing and other forms of care. The manager of the Department, Mansour Al-Hazmi, suggested that, to curb incidence of beggary, “If people have money to give in charity they should make it a point of giving it to registered organizations rather than beggars”⁶⁰.

At the national level and, in Nigeria in particular, at the prompting of the United Nations and the US government, the Public Affairs Section of the US embassy, inaugurates a national task force on human trafficking and regularly organizes a forum for stakeholders: government agencies and NGOs on what to do to combat human trafficking⁶¹. In response to these efforts, on 19 November in (2004), the high court in Benin City, Edo State, handed down the first conviction under the 2003 anti-traffic law. The convict, Mrs. Sarah Okoya, was sentenced to a three-year jail term “for trafficking six girls to and deceiving them into prostitution in Cotonou, Republic of Benin, enroute Spain. This year as well, 28/09/06, a 35 year old commercial motorcycle rider and father of five children, Mr. Constance Omoruyi, was sentenced to two years imprisonment and a fine of one hundred and fifty thousand naira (#150, 000.00) for organizing foreign travel for two young girls⁶². Added to this was the rescuing of 35 victims of trafficking, opening of 27 investigations and arrest of 40 suspected traffickers⁶³. In Ogun state as well, two persons were last December convicted for contravening the law in human trafficking. In all, according to Mr. Godwin Morka, the head of Lagos Zonal office of the National Agency for the Prohibition of Traffic in Persons and other Related Matters (NAPTIP), “no fewer than 700 had been arrested and eight prosecuted for offenses relating to human trafficking and child labor across the country⁶⁴. Related

to this is the Child’s Right Act passed by the National Assembly in 2003. To date, no less than nine (9) States Legislatures have equally passed the bill.

Non-governmental organizations are not left out of the effort to solve the problems of child forced labor, trafficking and orphanage. For instance, Italian volunteers medics, nurses and other skilled volunteers such as electricians and builders etc. in collaboration with Catholic Diocese of Orlu in Anambra State have opened up dialogue with government leaders, parents and children on the importance of educating children instead of forcing them to work. In Oyo state as well, there is the existence of Galilee Foundation with focus on a set of three projects: caring for orphans and vulnerable children, widows and aged women⁶⁵. In Lagos state is another international charity organization known as Hope Worldwide. Its own project focuses on beggars and children. For the beggars, periodically, the organization distributes raw food to them on the streets of Lagos, and for the children, “some homes” were adopted where “volunteers met and have monthly breakfast with children in these centers”⁶⁶. Edo state is not left out of effort to stamp out women and child trafficking, being the state accountable for 99 percent of girls often repatriated from foreign countries⁶⁷. A non-governmental organization, Idia Renaissance, set up by the wife of the former Governor of the state, Eki Igbinedion, had, to date, “handled over 350 cases of trafficked victims”⁶⁸ (TheNews, 2006:66).

The efforts of these governmental and non-governmental organizations resulted in “withdrawing and rehabilitating of 3,000 children in Child Labor in the period between 2000 to 2002” alone. Between year 2002 and year 2006 additional 200 trafficked children had been “undergoing counseling and rehabilitation”⁶⁹ (Saturday Vanguard, 2006:16). In 2003 Federal government facilitated repatriation of not less than 1,800 migrants from the kingdom of Morocco. Significant improvements are also been made in tracking and bringing to justice of traffickers in human trafficking. In year 2004, 42 cases of human trafficking were reported while 27 suspects were interrogated. In 2006 alone, 8 human traffickers were jailed, beside 18 other cases pending in court⁷⁰.

X. SUMMARY AND CONCLUSION

This paper examined various dimensions of women and child trafficking as an integral part of human

⁵⁸ Josiah O. (2009) “Human trafficking: US elevates Nigeria to tier one status” in *The Punch* of June 17, 2009. P. 56.

⁵⁹ *The Guardian* of September 7, 2006. P. 26.

⁶⁰ *Osun Defender*, Op cit. P14

⁶¹ *The Nation* of August 26, 2006. P. 43.

⁶² *The Sun* of August 30, 2006. P10.

⁶³ *The Guardian* of August 30, 2006. P.

⁶⁴ *The Sun* of September 28, 2006. P. 10

⁶⁵ *The Nigerian Tribune* of October 6, 2006, P. 5.

⁶⁶ *The Sun* of September 6 2006, P. 15.

⁶⁷ *The News* of October 2, 2006, P. 66.

⁶⁸ Ibid.

⁶⁹ *Saturday Vanguard* of September 16, 2006. P. 16.

⁷⁰ *Saturday Vanguard*, Op cit; *The Punch*, Op cit; and *The Guardian*, Op cit.

trafficking in general, not just for labor but immoral and criminal acts of harvesting and trafficking human organs and blood for sales to sick business barons. It also examined anti-social behaviours such as beggary prevalent among youth and elders of both sexes. Also explored is the fact that trafficking in women and children could be legal or illegal depending on the circumstances in which they were trafficked. In the pre-colonial Yoruba land, women and children trafficked into slavery, serfdom, semi-serfdom constituted illegal trafficking. Attempt at comparing trafficking in pre and postcolonial Yoruba land also engaged our attention. Equally explored in the paper are the various moves or attempts being made to stem the tide of human trafficking generally and women and child trafficking specifically?

Of importance to note however is that trafficking in women and children in the pre and post-colonial days has its unintended benefits. In the pre-colonial days one of the most important unintended benefits of trafficking in women and children through slave trade was the spread of western education among the Yorubas. Samuel Ajayi Crowther aptly demonstrated this in the way he singularly translated the Bible into Yoruba, "and, thereafter, working with others to achieve similar feat for the Igbo of Eastern Nigeria"⁷¹. In the post-colonial women and child trafficking on the other hand, the United Nations' "State of the Population Report 2006" states that "female migrants are more likely to remit larger amounts to their families back home than males, and that such remittances are becoming an increasingly vital source of empowerment to the recipients. Such women also make vital contributions to the countries that host them as well, through the cost-effective and efficient provisions of vital services"⁷². But the hazards involved in this venture of trafficking far outweigh the benefits derivable from it.

The paper thus concludes that women and children trafficking in Yoruba land is as old as Yoruba society and what led to these criminal acts of trafficking human beings or parts (e.g. organs such as the hearts, kidneys eyes etc.) was a combination of economic and financial hardships on one hand, and social and political problems on the other. Amazingly, those who engaged in women and children trafficking were elites that did not exclude ruling ones. Looking at women and children trafficking in modern day Nigeria, it would be seen that elites are the one behind it as well. Those caught and punished for it are often proxies while the real barons are often faceless.

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Specific editorial column necessities for compliance of a manuscript will always take over from directions in these general guidelines.

To make a paper clear

· Adhere to recommended page limits

Mistakes to evade

- Insertion a title at the foot of a page with the subsequent text on the next page

- Separating a table/chart or figure - impound each figure/table to a single page
- Submitting a manuscript with pages out of sequence

In every sections of your document

- Use standard writing style including articles ("a", "the," etc.)
- Keep on paying attention on the research topic of the paper
- Use paragraphs to split each significant point (excluding for the abstract)
- Align the primary line of each section
- Present your points in sound order
- Use present tense to report well accepted
- Use past tense to describe specific results
- Shun familiar wording, don't address the reviewer directly, and don't use slang, slang language, or superlatives
- Shun use of extra pictures - include only those figures essential to presenting results

Title Page:

Choose a revealing title. It should be short. It should not have non-standard acronyms or abbreviations. It should not exceed two printed lines. It should include the name(s) and address (es) of all authors.

Abstract:

The summary should be two hundred words or less. It should briefly and clearly explain the key findings reported in the manuscript-- must have precise statistics. It should not have abnormal acronyms or abbreviations. It should be logical in itself. Shun citing references at this point.

An abstract is a brief distinct paragraph summary of finished work or work in development. In a minute or less a reviewer can be taught the foundation behind the study, common approach to the problem, relevant results, and significant conclusions or new questions.

Write your summary when your paper is completed because how can you write the summary of anything which is not yet written? Wealth of terminology is very essential in abstract. Yet, use comprehensive sentences and do not let go readability for briefness. You can maintain it succinct by phrasing sentences so that they provide more than lone rationale. The author can at this moment go straight to



shortening the outcome. Sum up the study, with the subsequent elements in any summary. Try to maintain the initial two items to no more than one ruling each.

- Reason of the study - theory, overall issue, purpose
- Fundamental goal
- To the point depiction of the research
- Consequences, including definite statistics - if the consequences are quantitative in nature, account quantitative data; results of any numerical analysis should be reported
- Significant conclusions or questions that track from the research(es)

Approach:

- Single section, and succinct
- As a outline of job done, it is always written in past tense
- A conceptual should situate on its own, and not submit to any other part of the paper such as a form or table
- Center on shortening results - bound background information to a verdict or two, if completely necessary
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- Exact spelling, clearness of sentences and phrases, and appropriate reporting of quantities (proper units, important statistics) are just as significant in an abstract as they are anywhere else

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The **Introduction** should "introduce" the manuscript. The reviewer should be presented with sufficient background information to be capable to comprehend and calculate the purpose of your study without having to submit to other works. The basis for the study should be offered. Give most important references but shun difficult to make a comprehensive appraisal of the topic. In the introduction, describe the problem visibly. If the problem is not acknowledged in a logical, reasonable way, the reviewer will have no attention in your result. Speak in common terms about techniques used to explain the problem, if needed, but do not present any particulars about the protocols here. Following approach can create a valuable beginning:

- Explain the value (significance) of the study
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- Present a justification. Status your particular theory (es) or aim(s), and describe the logic that led you to choose them.
- Very for a short time explain the tentative propose and how it skilled the declared objectives.

Approach:

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principle while stating the situation. The purpose is to text all particular resources and broad procedures, so that another person may use some or all of the methods in one more study or referee the scientific value of your work. It is not to be a step by step report of the whole thing you did, nor is a methods section a set of orders.

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- Explain materials individually only if the study is so complex that it saves liberty this way.
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- If use of a definite type of tools.
- Materials may be reported in a part section or else they may be recognized along with your measures.

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- Report the method (not particulars of each process that engaged the same methodology)
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- Simplify - details how procedures were completed not how they were exclusively performed on a particular day.
- If well known procedures were used, account the procedure by name, possibly with reference, and that's all.

Approach:

- It is embarrassed or not possible to use vigorous voice when documenting methods with no using first person, which would focus the reviewer's interest on the researcher rather than the job. As a result when script up the methods most authors use third person passive voice.
- Use standard style in this and in every other part of the paper - avoid familiar lists, and use full sentences.

What to keep away from

- Resources and methods are not a set of information.
- Skip all descriptive information and surroundings - save it for the argument.
- Leave out information that is immaterial to a third party.

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The principle of a results segment is to present and demonstrate your conclusion. Create this part a entirely objective details of the outcome, and save all understanding for the discussion.

The page length of this segment is set by the sum and types of data to be reported. Carry on to be to the point, by means of statistics and tables, if suitable, to present consequences most efficiently. You must obviously differentiate material that would usually be incorporated in a study editorial from any unprocessed data or additional appendix matter that would not be available. In fact, such matter should not be submitted at all except requested by the instructor.

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- Sum up your conclusion in text and demonstrate them, if suitable, with figures and tables.
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- Present a background, such as by describing the question that was addressed by creation an exacting study.
- Explain results of control experiments and comprise remarks that are not accessible in a prescribed figure or table, if appropriate.
- Examine your data, then prepare the analyzed (transformed) data in the form of a figure (graph), table, or in manuscript form.

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- Do not discuss or infer your outcome, report surroundings information, or try to explain anything.
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Approach

- As forever, use past tense when you submit to your results, and put the whole thing in a reasonable order.
- Put figures and tables, appropriately numbered, in order at the end of the report
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Figures and tables

- If you put figures and tables at the end of the details, make certain that they are visibly distinguished from any attach appendix materials, such as raw facts
- Despite of position, each figure must be numbered one after the other and complete with subtitle
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The Discussion is expected the trickiest segment to write and describe. A lot of papers submitted for journal are discarded based on problems with the Discussion. There is no head of state for how long a argument should be. Position your understanding of the outcome visibly to lead the reviewer through your conclusions, and then finish the paper with a summing up of the implication of the study. The purpose here is to offer an understanding of your results and hold up for all of your conclusions, using facts from your research and generally accepted information, if suitable. The implication of result should be visibly described. Infer your data in the conversation in suitable depth. This means that when you clarify an observable fact you must explain mechanisms that may account for the observation. If your results vary from your prospect, make clear why that may have happened. If your results agree, then explain the theory that the proof supported. It is never suitable to just state that the data approved with prospect, and let it drop at that.

- Make a decision if each premise is supported, discarded, or if you cannot make a conclusion with assurance. Do not just dismiss a study or part of a study as "uncertain."
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- Try to present substitute explanations if sensible alternatives be present.
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- Recommendations for detailed papers will offer supplementary suggestions.

Approach:

- When you refer to information, differentiate data generated by your own studies from available information
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References	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring



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ISSN 975587

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