



## Religious, Social and Criminal Groups in Trafficking of Nigerian Girls and Women

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# RELIGIOUS, SOCIAL AND CRIMINAL GROUPS IN TRAFFICKING OF NIGERIAN GIRLS AND WOMEN

The case of shrines, "Ladies'club"  
and "cultist groups"





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# **RELIGIOUS, SOCIAL AND CRIMINAL GROUPS IN TRAFFICKING OF NIGERIAN GIRLS AND WOMEN**

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March 2019

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## FOREWORD

This study is an integral part of the PACKING European project (2017-2019) co-financed by the European Commission and coordinated by the ECPAT France NGO.

Our report is the result of collaboration amongst various French and Nigerian participants who conducted research work in Nigeria and then in France over the course of 2 years.

To coordinate this work, a steering committee was created. It consisted of: Elodie APARD, historian, director of IFRA-Nigeria and coordinator of the Nigerian research team, Bénédicte LAVAUD-LEGENDRE, researcher at CNRS under the authority of the COMPTRESEC Laboratory and research coordinator for France, Vanessa SIMONI, project manager of the "Human Trafficking" division at the association *Les Amis du Bus des Femmes*, and finally Eléonore CHIOSSONE, technical advisor and Aurélie JEANNEROD, project manager and advocacy officer for human trafficking at ECPAT France.

In Nigeria, the research team formed specifically for this study consisted of five Nigerian researchers: Cynthia OLUFADE (PhD Candidate in Anthropology at the University of Ibadan), Precious DIAGBOYA (PhD Candidate in Philosophy at the University of Ibadan), Professor Sam O. SMAH (criminologist at the National Open University of Nigeria), Iziengbe OMOREGIE and Victor AIGUOBARUEGHIAN (tenured teachers at the University of Benin City) as well as a Franco-Italian researcher: Sara PANATA (PhD candidate in history at Paris 1 University).

Each member of the team was chosen for their knowledge of phenomena related to trafficking in Nigeria, as well as for their skills in specifically analysing the role of certain actors. Iziengbe OMOREGIE and Victor AIGUOBARUEGHIAN, both history teachers at the University of Benin City, had the opportunity to make regular observations of the groups of actors they were to study for the duration of the project; for the former, these were the "Ladies Clubs", and for the latter the "cultist groups"; Cynthia OLUFADE and Precious DIAGBOYA, are both researchers based in Ibadan, analysing the role

played by temples and oaths in trafficking processes, who conducted several weeks of field sessions in Benin City. These four researchers are all from Edo State, speak the Edo language, and are familiar with the historical, cultural and social context in which the observed phenomena occur. Cynthia OLUFADE and Iziengbe OMOREGIE are also specialists in trafficking for sexual exploitation purposes in Nigeria, and have been conducting their own research on the subject for several years.<sup>1</sup>

Sara PANATA, a specialist in mobilisations of women in South-Western Nigeria, tasked with studying women's clubs, conducted a series of interviews in Benin City, followed by a research and data collection project on social networks.

Professor Sam SMAH, an Abuja-based sociologist specializing in Criminology, also conducted several rounds of surveys in Benin City and in several cities in Nigeria to collect first-hand data on the management of cult-related phenomena by the Nigerian state.

The research team in France consisted of Bénédicte LAVAUD-LEGENDRE (COMPTRESEC - CNRS UMR 5114) and Cécile Plessard (consultant). Bénédicte LAVAUD-LEGENDRE, an attorney and CNRS researcher, has been working for several years on the different forms of exploitation of migrants. Cécile PLESSARD is a PhD candidate and research analyst in sociology, specializing in social network analysis (SNA), particularly of a criminal nature.

For this research, they worked in partnership with the association *Les Amis du Bus des Femmes*, including Flora FOURNAT and Loveth AIGBANGBEE, cultural mediators, who conducted part of the interviews in France under the coordination of Vanessa SIMONI and Cécile PLESSARD. Patty GBABODE and Pauline RACATO have transcribed some of the interviews conducted in France.

In preparing this synthesis report, Bénédicte LAVAUD-LEGENDRE and Cécile PLESSARD drew on the fieldwork conducted in Nigeria, the fieldwork conducted in France and on the reports published by the Nigerian team.

1. As part of a thesis in history, Iziengbe OMOREGIE is studying the origins of the traffic in Benin City, and in December 2018 Cynthia OLUFADE received the prize of the best African Master's thesis (MA degree) awarded by Leiden University (Netherlands) for her work on the role of oaths in trafficking processes.

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Thanks to Laurent FOURCHARD, historian, political scientist, and research director at the National Foundation for the Political Sciences, for his precise and attentive reading.

Thanks as well to the employees and volunteers of the associations *Les Amis du Bus des Femmes* in Paris, *Ruelle* in Bordeaux, and *Itinéraires* in Caen, as well as to the members of CHRS Janine Van Daele in Caen and the Asylum Seekers'Welcome Centre in Dax. They all provided us generous and indispensable assistance in conducting interviews with victims.

We are also pleased to thank the people we met in Benin City, who agreed to help the researchers in their field investigations: the staff with NAPTIP—the Nigerian National Agency for the Prohibition of Trafficking in Persons—in Benin City, the temple officials who authorized long hours of observation and the "returnees" who agreed to talk about their story.

And finally, we would like to thank all the human trafficking victim survey respondents who gave us the time and confidence we needed to conduct our investigation.

# INTRODUCTION



## INTRODUCTION

The main objective of the Packing project (Protection of migrants and Asylum seekers especially Children and women coming from Nigeria and victims of traffickING) is to prevent and eradicate the violation of the human rights of migrants and asylum seekers among Nigerian children and women who are victims of human trafficking and more specifically sexual exploitation. Aimed at supporting the implementation of the Palermo Protocol<sup>1</sup> and supported by the ECPACT France<sup>2</sup> non-governmental organization, this project is based on the idea that greater awareness and knowledge of the situation of Nigerian girls and women should lead to more effective prevention of trafficking situations, greater protection during migration, a reduction in persecution when returning home and better prosecution of these criminal practices.

The criminal process that makes the sexual exploitation of Nigerian girls and women possible, sometimes at a very young age, is based on the commitment of the migrant to pledge allegiance to the woman making this migration possible. This so-called exploitative relationship between the "sponsor" - who will be referred to in the context of this study as the madam - and the person in prostitution is therefore essential to understanding what is meant by human trafficking. However, this criminal phenomenon cannot be reduced to this dual relationship, since all the acts in question are broader in scope. The criminal offense of human trafficking, as defined in international texts<sup>3</sup>, covers all acts preparatory to the exploitation of the person, which include their recruitment, transport, accommodation, and, more broadly still, the transfer of money, production of ID documents and all acts necessary to establish the exploitative relationship. This phenomenon therefore involves a multitude of interactions of various

1. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, known as the "Palermo Protocol", Palermo, 15 November 2000, Treaty Series, vol. 2225, n° 39574. Hereinafter referred to as the "Palermo Protocol".

2. [www.ecpat-france.fr](http://www.ecpat-france.fr)

3. Identified in its contemporary form since the late 1980s, this practice was legally defined in 2000 with the Palermo Protocol (see footnote 1), which was followed by various international conventions.

kinds<sup>4</sup> between the many actors involved in the process (individuals, groups, institutions, etc.). The choice was therefore made to consider human trafficking in this study as a complex social and relational object rather than as a criminal practice.

Thus, trafficking will not be approached from the perspective of the victim/madam duo traditionally studied, but by postulating the involvement of several social groups whose activity does not originate in the practice of human trafficking, nor is it reduced to it. The offence of trafficking is therefore perceived as based on an organization that, beyond the criminal activity itself, has a highly structured and legitimized social, community and religious base. We therefore hypothesize here that religious groups (such as the neo-traditional *Ayelala* Temples in Edo State, Nigeria), women's groups (such as the "Ladies'clubs") and "cultist groups" (including Black Axe (*Aye*) and Supreme *Eiye* Confraternity) are involved in the trafficking process through the use of beliefs and the implementation of their own practices and operating rules, for criminal purposes. The aim is therefore to describe the operation - activities and development - of each of these groups in Nigeria and France and then to identify their role and level of involvement in human trafficking.

This study focuses exclusively on the sexual exploitation of Nigerian girls and women from Edo State, Nigeria<sup>5</sup>. Criminal practices, like any social practice, must be addressed objectively and scientifically in the context in which they occur. This is why we will present a number of historical aspects relating to prostitution and the forms of regional trafficking seen during the first half of the twentieth century (I). We will also present the different field surveys carried out as part of this research (II).

4. LAVAUD-LEGENDRE B., PLESSARD C., LAUMOND A., MELANÇON G., and PINAUD B., "Analyse de réseaux criminels de traite des êtres humains: méthodologie, modélisation et visualisation", *Journal of Interdisciplinary Methodologies and Issues in Science*, 2017, vol.2, Graphs and Social Systems.

5. This criminal phenomenon affects many parts of the world and can take many forms. Exploitation may include sexual exploitation, forced labor, forced delinquency or organ trafficking. It may be carried out by individual criminal cells or criminal groups that take charge of either all or part of the exploitation process.

## SECTION 1 - HISTORICAL CONTEXTUALIZATION OF CONTEMPORARY FORMS OF TRAFFICKING IN NIGERIA

The forms of trafficking studied here focus on the sexual exploitation of people, which explains why we should first address the forms of prostitution (A), considered as possibly a matter of individual initiative, before addressing the forms of exploitation (whether sexual or otherwise) that closely resemble slavery or trafficking (B) and involve the movement of those people from whom profit is derived as a result of the activity.

### I - PROSTITUTION

According to some sources taken from the writings of explorers who visited Africa before the nineteenth century, there is evidence of prostitution practices prior to colonization, whether in Ghana with women called *abrakree* (public women), who sold their charms for gifts, or the *etiguafo* (prostitutes) who provided sexual services for a negotiated price<sup>6</sup>. Among the Hausa in what is today northern Nigeria, the term *karuwanci*<sup>7</sup> refers to the prostitution of divorced women in a detached house supervised by an older woman, who acted as a spokesperson in public relations.

Subsequently, colonization was accompanied by a monetization of the economy and social relations. Ben Naanen argues that this monetization of the economy during colonization led to sex being considered the same as any other product that could be purchased<sup>8</sup>. It also disrupted the institution of marriage in many ways. All these factors have contributed to increasing the supply and demand for "the exchange of sexual services for financial compensation or in

6. ADERINTO S., "Pleasure for Sale: Prostitution in Colonial Africa, 1880s-1960s", *Prostitution: a companion to Mankind*, Frankfurt am Main, Franck Jacob, 2016, p.470.

7. *Ibid.*

8. NAANEN B., "'Itinerant Gold Mines': Prostitution in the Cross River Basin of Nigeria, 1930-1950\*", *African Studies Review*, 1991, vol.34, n°2, p.57-79. cité in Bamgbose O., "Teenage Prostitution and the Future of the Female Adolescent in Nigeria", *International Journal of Offender Therapy and Comparative Criminology*, 2002, vol.46, n°5, p.569-585.

exchange for services (food, clothing, housing)".<sup>9</sup> It would therefore seem that the colonial period can be linked to the development of various forms of prostitution. There are many factors that may explain this. Although not in a position to prioritize these factors, we can highlight the following: the locking out of women from paid work, their great autonomy and their involvement in street trading or the sale of beer and meals,<sup>10</sup> the increase in the price of dowries, the legalization of divorce, the movements of groups of men – whether in an economic or military context – and the development of migration from rural to urban areas.

The development of regional trade exchanges during this same period was accompanied by the settlement of predominantly male diasporas in designated neighborhoods: they were called *Sabo* in the South, and *Sabon Gari* in the North. In the 1930s, the *Sabon Gari* in Kano and the *Sabo* in Ibadan were districts where prostitution was widespread.<sup>11</sup> Finally, the movement of men during the Second World War also contributed to the increase in demand and therefore to the increase in the sex trade.<sup>12</sup>

The increase in the price of dowries and the legalization of divorce have been mentioned as likely to have contributed to the development of prostitution. As was mentioned in relation to the *karuwanci*, women engaged in this activity are often divorced women or women fleeing their husbands, and these women gain a certain financial autonomy as a result.<sup>13</sup> During the twentieth century, the amount of dowry paid by the husband increased considerably in some areas of Nigeria. In addition, the legalization of divorce was accompanied by the wife's obligation to repay the dowry. Consequently, some of those women who could not fulfill this obligation chose to leave their region of origin and then live off the avails of prostitution in a remote community.<sup>14</sup> According to Catherine Coquery-Vidrovitch,

9. FOURCHARD L., «Prêt sur gage et traite des femmes au Nigeria, fin 19ème–années 1950», *op. cit.*, p. 17. It should be noted that the main ideas developed in this paragraph are from this article.

10. *Ibid.*

11. FOURCHARD L., "Dealing with strangers: allocating urban space to migrant community, C. 1912-1999", *African cities: Competing claims on urban space*, Leiden, Brill, 2009, P. 187-218.

12. ADERINTO S., "The girls in moral danger: child prostitution and sexuality in colonial Lagos, 1930s-1950", *Journal of humanities and social sciences*, 2007, p. 122.

13. FOURCHARD L., «Prêt sur gage et traite des femmes au Nigeria, fin 19ème–années 1950», *op. cit.*, p. 18.

14. *Ibid.*, p. 19.

prostitution was often an "individual initiative of young women working for themselves".<sup>15</sup> In Oluyemisi Bamgbose's view, while prostitution in Nigeria was more associated with young widows and divorced women several decades ago, the sex industry now involves more young teenage girls.<sup>16</sup>

However, it would be an oversimplification to focus on the origin of the practices studied here only from the perspective of the history of prostitution. A number of practices that closely resemble slavery, such as pawnship or dowries, also reveal many similarities with some of the mechanisms observed today in relation to trafficking.

## II - SLAVERY, TRAFFICKING AND SEXUAL EXPLOITATION

From the seventeenth century onwards, the slave trade expanded considerably between the Bay of Benin and the Bay of Biafra, which led to the deportation of two million slaves to the Americas in the 18th century.<sup>17</sup> From the second half of the 19th century, the Atlantic slave trade began to decline, but this did not mean that slavery disappeared. On the eve of colonization, unsold slaves were reinvested in the Nigerian domestic market "in the war economy and agriculture of the militarized city-states of the southwest, in the plantation economy of the village communities of Biafra Bay (Igboland and Efikland), or in the artisanal, commercial and agricultural production of the Sokoto Empire".<sup>18</sup> For example, Laurent Fourchard reports that in Ibadan, on the eve of colonization, a few hundred families controlled nearly 50,000 slaves.<sup>19</sup>

Pawnship is an example of one of the forms of reinvesting unsold slaves. While it is not strictly speaking slavery, it is a pledge system involving a natural person. The term "pawn" refers to the pledged person who, placed with the creditor until the total repayment of the

15. COQUERY-VIDROVITCH C., *Les africaines–Histoire des femmes d'Afrique subsaharienne–du XIXème au XXème siècle*, La Découverte/Poche, 2013, p. 190.

16. BAMGBOSE O., "Teenage Prostitution and the Future of the Female Adolescent in Nigeria", *op. cit.*

17. PETRE-GRENOUILLEAU O., *Les traites négrières: essai d'histoire globale*, Paris, Gallimard, 2004.

18. FOURCHARD L., «Prêt sur gage et traite des femmes au Nigeria, fin 19ème–années 1950», *op. cit.*, p. 20.

19. *Ibid.*

debt, performs services of various kinds, such as agricultural work, domestic work, trading in the markets, etc. These services allow the debtor to pay the interest associated with the loan, whether this is the result of an exceptional family event, taxes or any other expense.<sup>20</sup> While adults can pawn themselves, the most common practice is to pawn their children or another family member. Pawnship developed significantly in Southwest Nigeria at the end of the 19th century. Laurent Fourchard identifies three factors that contributed to this practice: the existence of civil wars associated with periods of famine, the subsequent expansion of trade and the decline in slavery previously mentioned. This decline increased the need for readily available cheap labor.

We can understand, however, how that the practice of pawnship posed difficulties for the British authorities, since the first acts adopted by the latter were to prohibit slavery and the slave trade.<sup>21</sup> Noting that creditors were often prominent figures on whom the functioning of the colonial administration and economy was partly based, Lord Lugard tried to reconcile this practice with the Colonial Office's doctrine and the British government. He subsequently acknowledged that as long as there was mutual consent, a person could stay between 10 and 15 years in the service of another to pay their debt. Nevertheless, in 1927, the colonial administration prohibited the pawning of children under 16 years of age, specifying that the work of the pawned person should be paid at a price fixed in advance until the debt and its interest had been paid off.<sup>22</sup>

During the 1930s, demand for slaves remained at a high level, mainly because of the need for labor, as we have already seen, but also because of the high social status that owning slaves conferred on owners. In some regions, owning slaves could be a condition for entry to certain secret societies<sup>23</sup> and the slave trade was closely linked to the judicial practice of shrines, as we will see later. Thus, in the city of Arochukwu – the historic city of Igbo, in present-day Abia State – there was a close relationship between justice and slavery at the shrine,

20. *Ibid.*, p.21.

21. ELLIS S., *This Present Darkness: A History of Nigerian Organized Crime*, 1st ed., New York, Oxford University Press, USA, 2016, p. 34.

22. FOURCHARD L., «Prêt sur gage et traite des femmes au Nigeria, fin 19ème–années 1950», *op. cit.*, p.22.

23. ELLIS S., *This Present Darkness*, *op. cit.*, p.35.

because convicted individuals were sold as slaves.<sup>24</sup> It is therefore understandable that the abolition of slavery was not achieved in a day, but rather that many practices related to it persisted into the first part of the 20th century.

The practice of bridewealth, in other words the dowry, may have become distorted into a form of commodification of sexuality during the first half of the 20th century. For prospective husbands, the idea was to give the family of the woman they were marrying a sum of money to compensate for the loss suffered as a result of her move. Under colonization, the price of this dowry increased considerably, due to monetization on the one hand and the development of paid employment on the other. This is why some married men developed the temptation to push their wives into the arms of new suitors to obtain payment of a very large dowry in the event that they decided to leave them following a divorce. Women were therefore the subject of a kind of speculation.<sup>25</sup>

With regard more specifically to sexual exploitation, starting in the 1930s, there was a relatively significant trend toward young girls migrating for prostitution to Port Harcourt, Lagos, Accra (now Ghana), Fernando Po (now Equatorial Guinea) or to Cameroon. They came from targeted areas: Opobo in the province of Calabar or, even more significantly, the district of Obubra on the High Cross River.<sup>26</sup> According to Catherine Coquery Vidrovitch, there were five hundred and thirty-two female in situation of prostitution in Accra in 1940. The amounts of money sent to their regions of origin were considerable. For the Obubra district, they were twice the income of the district.<sup>27</sup> Among various factors that may have encouraged this situation, Catherine Coquery-Vidrovitch highlights the poverty in this region, the influx of traders and the low employment opportunities due in particular to the lack of cocoa production in this area.

This form of exploitation is likely to have been fueled by the kidnapping of underage girls, who were abducted on the Gold Coast

24. *Ibid.*, p.34.

25. *Ibid.*

26. NAANEN B., "Itinerant Gold Mines", *op. cit.*, p.60.

27. COQUERY-VIDROVITCH C., *Les africaines–Histoire des femmes d'Afrique subsaharienne–du XIXème au XXème siècle*, *op. cit.*, p.204.

(Accra, Ghana) and sexually abused.<sup>28</sup> Benedict Naanen refers to an organized business: "Cross River prostitution was an elaborately organized business involving a collaborating network of advisers, pimps, prostitutes union, and moneylenders."<sup>29</sup> In some cases, sales transactions would be disguised as arranged marriages. The person recruiting them paid the family a sum that was supposed to correspond to a dowry. In reality, that person later forced the girl into prostitution. Laurent Fourchard reports the case of a young girl from Nigeria who had been bought in 1936 by a *mama* from the Gold Coast. The young girl's would-be suitor was actually only 9 years old.<sup>30</sup> Similar practices were also observed in Lagos in 1943.<sup>31</sup> In December 1942, these practices were criminalized under law. There is currently no literature to identify the effects of this legislation.

As always, it is difficult to know how much freedom girls involved in these practices had. At what point can we say that coercion is involved? Economic difficulties, family pressure and a lack of future prospects are all factors that may have restricted the freedom of those who engaged in this activity.

While none of the practices mentioned correspond exactly to what can be observed today in relation to the sexual exploitation of girls and women who migrate to Europe in a human trafficking context, a number of similarities are evident: the possible involvement of the family, the fear of reporting the situation because of the link with the people involved, the frequent uncertainty as to whether involvement in prostitution is voluntary or not, the economically difficult situation, the importance of the flows of money generated, the association between migration and prostitution, the existence of regions of origin and destination that are fairly easy to identify, the vulnerability of those who are a long way from their region of origin, and so on. These similarities, by analogy, provide some elements of understanding.

Although it is difficult to fully measure human trafficking activity and the number of victims, a number of institutions provide measurement

28. NAANEN B., "Itinerant Gold Mines", *op. cit.*, p. 61.

29. *Ibid.* 1975, 1977.

30. FOURCHARD L., « Prêt sur gage et traite des femmes au Nigeria, fin 19ème–années 1950 », *op. cit.*, p. 28.

31. *Ibid.*, p. 29.

indicators and reports that reflect the situation today. Of particular note is the report entitled "*Human Trafficking through the Central Mediterranean Route*"<sup>32</sup> and published by the International Organization for Migration (IOM). According to this report, "80 per cent of girls arriving from Nigeria<sup>33</sup> are potential victims of trafficking for sexual exploitation. Their number rose from 1,454 in 2014 to 11,009 in 2016." More specifically, 3,380 potential trafficking victims were reported in 2014 and 2015 at landing sites and in Italian reception centers. In 2016, 8,277 potential victims were reported. Similarly, 2,195 victims of trafficking were identified in 2014 and 2015; 6,599 were identified in 2016. Finally, 142 victims were reported to the Italian authorities specializing in human trafficking in 2014 and 2015; 425 victims, 251 of whom were minors, were reported in 2016.

According to data from the Frontex agency, Nigeria was the third largest source country for migrants in Europe in 2016.<sup>34</sup> Between January 1st and December 31st 2016, 37,000 individuals arrived on Italian soil from Nigeria.<sup>35</sup>

These contextual and historical elements are essential to understanding the problem of human trafficking in Nigeria and the weight of religious groups, "cultist groups" and "Ladies'clubs" in the practices studied. While their role in exploitation may at first glance seem secondary or peripheral to the exploitation itself, it will be demonstrated in this research that this is not the case. While these are groups whose existence predates that of the criminal practices of human trafficking, whose primary purpose is not criminal activity, which can be integrated through rituals that include a religious or social dimension, they have been used in recent years to infiltrate the field of trafficking.

32. IOM Coordination Office for the Mediterranean in Rome, *Human Trafficking through the Central Mediterranean Route*, Rome, International Organization for Migration (IOM), 2017.

33. "The report is based on data collected by IOM at landing sites and in reception centers for migrants in the regions of southern Italy, where the Organization carries out identification of potential victims and assists those who, once identified, decide to escape their exploiters and accept IOM support." *Ibid.*

34. Nigeria, as a country of origin, accounts for 7% of detections, after Syria (17%) and Afghanistan (11%). Frontex (European Border and Coast Guard Agency), *Risk Analysis for 2017*, Varšava, Frontex, 2017, p. 18.

35. European Asylum Support Office, *EASO COI Meeting Report*, Rome, 2017.



## SECTION 2 - RESEARCH METHOD

The Packing research is based, as we have seen, on the main hypothesis that certain religious groups, "Ladies'clubs" and "cultist groups" are involved in the trafficking process. It was organized into two parts: a field survey conducted in Nigeria from April to November 2017 and a field survey conducted in France from January to May 2018.

This report is a summary of the surveys conducted in France and Nigeria. The analysis of the materials and the drafting of the report were carried out by the French team, based within the COMPTRASEC laboratory (UMR CNRS 5114) of the University of Bordeaux.

IFRA-Nigeria - the French Institute for Research in Africa (UMIFRE 24, CNRS USR 3336) - located at the University of Ibadan, Nigeria, organized and coordinated a series of field survey on these same three groups. Articles from their respective work are available on the IFRA-Nigeria website.<sup>36</sup>

Little work has been done on this subject. The general hypothesis discussed here has never been examined. The results of this research are therefore based on an empirical and inductive approach. Since the complexity of collecting material has already been shown in relation to this phenomenon, we have presented here all the inherent biases. These biases already provide findings that open up new research opportunities.

The methodological remarks follow chronologically the work done in Nigeria and then in France.

### I - SURVEY IN NIGERIA - DATA PRODUCTION AND FIELD REPORTING

The research team put in place by IFRA-Nigeria was responsible for carrying out a field survey with the three social groups covered by the study: the shrines, the "Ladies'clubs" and the "cultist groups". Immersion and observation work - non-participatory<sup>37</sup> - was carried

36. <http://www.ifra-nigeria.org>

37. The researcher was introduced as such to those present.

out by three teams of two researchers each.

The two researchers studying the role of oaths and shrines in trafficking processes also decided to adopt two distinct approaches. The first observed the daily activities of two shrines located in Benin City: one of the main shrines dedicated to *Ayelala* and the Arohosunoba shrine, founded by the *Oba* and placed under his authority. She attended dozens of ceremonies and hearings<sup>38</sup> and supplemented this with six interviews with "chief priests" and informal exchanges with people attending. The objective here was to understand how the shrines function, the hierarchy system that exists between the different shrines in Benin City and the role of oaths in Edo belief systems.

The second researcher chose to focus on the "returnees", women who had returned to Nigeria, either voluntarily or involuntarily, after being victims of trafficking in Europe. They agreed to talk about the conditions of their departure and the ceremonies during which they swore an oath. About twenty interviews were transcribed and supplemented by interviews with two men involved in the trafficking networks: a "trolley", i.e. an escort,<sup>39</sup> and a "chief priest" administering oaths to young women on their way to Europe.

Regarding the "Ladies'clubs", the two researchers divided the task as follows: the first conducted interviews with the presidents of the main *Clubs* in Benin City, then conducted a "nethnography".<sup>40</sup> She was able to study the social practices that accompany Club membership and the links between the different *Clubs*, in Europe and Nigeria. The second researcher, based in Benin City, attended the events (known as "hostings") organized by the city's Clubs. These points are supplemented by interviews, organized and informal, regarding the participation and/or social representation of women's clubs in Nigeria.

The study on "cultist groups" was also carried out using two distinct

38. The ceremonies she attended were not directly related to trafficking, but concerned individual requests (for protection, prosperity or success) or conflict resolution (land, marital or commercial) including the collection of debts incurred in a trafficking context.

39. A "trolley" refers to a *guide who takes responsibility for the people to a given point where other partners can take these people to their final destination* (NT1).

40. A "nethnography" is a socio-anthropological study of the behaviors and interactions of Club members based on their profiles and activities on the internet.

approaches. The first researcher focused on the actions of the State and the legal mechanisms put in place to address the challenges posed by the presence of *Cults* (or secret societies) in Nigeria. To this end, he examined court records involving Cult members together with existing legal texts and conducted five interviews with senior officials of the Nigerian State (prosecutors and university rectors). The second researcher focused on documenting the nature and functioning of the two main active *Cults* in Benin City: the *Aye Confraternity* (also known as NBM or Black Axe) and the Supreme *Eiye Confraternity*. He collected documentation, testimonies and data obtained on the internet, particularly on social networks, where "cultist groups" are very active.

Some of the data described above were provided to the French team and incorporated into the analysis presented here. They are referenced in the body of the text by the letters NT for shrines, NL for "Ladies'clubs" and NC for "cultist groups", followed by a number. Observation reports are referenced by the letters NOR.

## II - SURVEY IN FRANCE - SURVEY POPULATION AND DATA COLLECTION METHOD

The complexity of the data and the comprehensive approach of this research naturally point to conducting interviews. Two types of resources, considered to be complementary, were identified: the in-depth knowledge of the investigative services, judges and prosecutors, researchers and people from the voluntary sector, as well as the experience of people who have been subjected to acts of human trafficking in Europe. The latter can therefore be described as "victims", which refers here to the fact that they have been subjected to acts falling within the criminal qualification of "human trafficking". The choice of this term does not prejudge the recognition of this status by the criminal courts. It also does not exclude that persons so designated may also have committed acts of human trafficking themselves and may therefore fall within the category of "perpetrators". As a reminder, all the interviews mentioned below took place in France.

### A - PROFESSIONAL STAKEHOLDERS

Investigative services and magistrates were asked to identify the

extent and historical development of the involvement of these groups in the organization of trafficking. These meetings also allowed us to refine our hypotheses and broaden our research and analysis perspectives. It should be noted here that the hypothesis that primarily structures our research is also based on the exchanges that have taken place so far with these services. In a sense, the research aims to test a number of hypotheses put forward by the investigative services and magistrates based on their experience and investigations.

OCRTEH - the French Central Office for the repression of Human Trafficking - provided its expertise and new working hypotheses, particularly on the activities of "cultist groups" and their involvement in trafficking in France and Europe more broadly.

OCLCIFI and OCRTIS, the French Central Offices responsible respectively for corruption and financial offences and illegal drug trafficking were also contacted in order to obtain information on the criminal activities of these groups outside trafficking.

With regard to temples, we asked Albert Ayayi Hounkpe to provide us with his insights both in terms of vocabulary and culture. He is a priest and doctoral student in sociology at the University of Caen-Normandie with a focus on *Witchcraft and Democracy in Benin*, under the supervision of Camille Tarot and Dominique Beynier.

Finally, the Project Manager of the Human Trafficking unit with the *Les Amis du Bus des Femmes* association,<sup>41</sup> given her professional experience, was asked about the involvement of these three groups in trafficking.

The interviews mentioned above are referenced in the text after their associated quotations and comments using the letter F and the letter corresponding to their respective field: Police, Sociologist and Association.

### B - INTERVIEWS WITH VICTIMS

The data collected by the IFRA-Nigeria team together with preliminary readings led to the formulation of guided questioning for each of the groups studied, which was operationalized as an initial interview guide. This guide was tested on two people who had been trafficked

41. <http://busdesfemmes.org/>

and were resident in France: a minor seeking asylum with limited perspective on their personal experience and on the phenomenon as a whole, and an older person, a cultural mediator within a French association, *Les Amis du Bus des Femmes*, that supports in particular people who have suffered trafficking. These two test interviews were used to address many concerns that arose as a result of very different personal experiences, in order to refine the guide, the translation and the clarity of the questions.

The interviews with victims were organized with the help of French associations that specialize in taking care of them: *Les Amis du Bus des Femmes* in Paris, the *Association Ruelle*<sup>42</sup> in Bordeaux and *Itinéraires*<sup>43</sup> in Caen. All these interviews were conducted in English.

From the outset, the research was conceived in partnership with *Les Amis du Bus des Femmes*, both in relation to its design and collecting the material necessary for the analysis. Based on the interview guide designed by the research team and following an introduction to interviewing, two social mediators from the association – both Nigerian women and victims of human trafficking – conducted 21 interviews with Nigerian women who had been victims of trafficking and beneficiaries of the association's various schemes. Implementing this method of data collection is based on the methodological hypothesis that mediators who share the same cultural context and life history as the respondents would obtain a level of information that the research team would find more difficult, if not impossible, to achieve.

In parallel, the research team also conducted interviews with victims of trafficking in order to access a different level of information by conducting the interview in the strict sense but also by interviewing people at different stages of their journey of "disengagement from the 'prostitution environment'".<sup>44</sup> We also conducted six interviews<sup>45</sup> in Southwestern France through the Association Ruelle and one

interview<sup>46</sup> in Caen through the *Itinéraires* association and the Janine Van Daele CHRS.<sup>47</sup>

Finally, the two social mediators were also interviewed by the researchers.

A total of five interviews were conducted with professional stakeholders and 32 with victims of trafficking. This fieldwork was carried out between January and May 2018. Interviews conducted with victims of trafficking in France are referenced after associated quotations and comments by the letter F followed by the corresponding number.

The developments and results presented below are based on the analysis of the content of these interviews, supplemented by three other sources of information: an integrated review of the latest literature, a secondary analysis of the data collected carried out by IFRA in Nigeria and a non-exhaustive review of press and web-based data.

The issues concerning the "cultist groups" and "Ladies'clubs" are not frequently or not easily mentioned by the victims during the interviews. These are social groups to which they either have no access because of their social status, or whose secret, or even taboo, type of activities and existence they have fully accepted. These additional resources are therefore essential. With regard to the data obtained on shrines, the bibliographic data confirm the normative framework of the ceremonies, the functioning of the shrines in general and describe to a certain extent the unique experiences in them. In general, the literature, including that not strictly related to trafficking, allows us to compare and consolidate the results obtained from data that are difficult to obtain and complex to analyze.

### III - METHODOLOGICAL DIFFICULTIES AND BIASES

A number of methodological limitations should be noted.

With regard to the survey carried out in Nigeria, the main difficulty encountered by the researchers was to maintain the necessary critical

42. <http://www.associationruelle.org>

43. <http://caen.fr/adresse/association-itineraires>

44. JAKŠIĆ M., « Tu peux être prostituée et victime de la traite », *Plein droit*, 2013, vol. 1, n° 96, p. 4.

45. One of the respondents is being supported by a CADA (Centre d'Accueil des Demandeurs d'Asile – Asylum Seekers Reception Center) and housed in the accommodation center for asylum seekers.

46. This person is supported under the "Ac.Sé" scheme, a French national scheme for the support and protection of victims of trafficking.

47. Centre d'Hébergement et de Réinsertion Sociale (Accommodation and Social Rehabilitation Center)



distance throughout the work, as it sometimes proved difficult, particularly for researchers who live in or are from Benin City, to take a neutral view of the phenomena observed. In the context of Benin City and Edo State in general, the political economy of trafficking, the power of beliefs and the violence related to *Cults* are commonplace, omnipresent and directly impact the lives of the inhabitants.

Another disruptive element was the immediate proximity of researchers to those involved in trafficking when relatives or friends were themselves involved. While some were able to distance themselves from this, others had more difficulty doing so.

Furthermore, the Nigerian researchers who were members of the team worked under difficult conditions where they were exposed to the risks of any investigation of criminal activities. Despite this, they carried out important work to collect a set of rare and valuable data, while formulating research questions to provide fresh analysis of trafficking phenomena in Nigeria.

With regard to the survey carried out in France, the first difficulty encountered was the language used during the interviews. They were conducted in English or sometimes in Pidgin English. As a result, in some cases it was necessary to switch from Pidgin to English, and then from English to French. A number of misunderstandings are evident in the interview guide, particularly in relation to different cultural representations and the use of certain words. Although we were able to correct a number of biases through the test phase or during the interviews themselves, the language barrier for both the victims – who express themselves more often in Pidgin English, Edo, Yoruba, etc. – and the interviewers – who were French and Nigerian – remains an important factor.

Other methodological limitations are more related to the scientific nature of the data obtained and the intrinsic ambiguity they contain. *The status of the material and the value given to the speeches collected* are both of interest to us.<sup>48</sup> The aim is to inform the reader of the specific context of data production and collection. Far from diminishing their value, as this content is so valuable, it should be pointed out that the vast majority of the interviews were conducted with and

48. DEMAZIÈRE D., «À qui peut-on se fier? Les sociologues et la parole des interviewés», *Langage et société*, 2007, vol.3, n° 121122, "Langage et société" collection, P.85100.

by victims of human trafficking for whom "the disengagement from the 'prostitution environment'<sup>49</sup> – in other words, the fact of having 'broken all links with the alleged perpetrators of the offences'<sup>50</sup> (of procuring and trafficking)"<sup>51</sup> – is in some cases complex. As regards the interviews conducted by the mediators, this positioning, whether it is conscious or not and whether it can be considered as such, may therefore have had an impact on the way in which the questions were asked and the answers given. Moreover, these responses may also have been conditioned by both personal and mutual knowledge of the trafficking situation on the part of the respondent and the investigator. While this framework may have generated a climate of trust, it may also have hindered the development of some responses, either because the other person already knows or because, on the contrary, they do not want the other person to know.

In addition, any evidence of social and criminal practices must be viewed in a given context and society. It should be noted that the interviews were conducted with people who arrived in France between 2011 and 2017. The conditions relating to migration and exploitation are therefore those corresponding to this period.

49. JAKŠIĆ M., «Tu peux être prostituée et victime de la traite», *op. cit.*, p.4.

50. From French Decree N°2007-1352 of 13 September 2007 on the permission to stay, protection, reception and accommodation of foreign nationals who are victims of human trafficking and procuring and amending the Code on the entry and residence of foreigners and the right of asylum.

51. JAKŠIĆ M., «Tu peux être prostituée et victime de la traite», *op. cit.*, p.4.

# SHRINES

## CHAPTER 1:

**SHRINES**

One of the "chief priests" interviewed in Nigeria as part of this research mentions the following beliefs: *"We humans, and especially here in Benin [City], have the belief that the earth is incorporated with unseen beings, ranging from ghosts to spirits, devils and demons. We also believe that God himself, after the creation of the earth, left humans and the lesser gods to work out their own destiny."* [NT1]

Because of this unity between the visible and invisible world, humans therefore consult the supreme creator, Osanobua, to obtain his approval when they have to make certain decisions or administer justice. "No undertaking with regard to societal institutions can be made without due consultation with Osanobua by means of divination." <sup>1</sup> Thus, balance in the world is only possible at the cost of a circulation of energies, that is, the existence of exchanges between the visible and the invisible. These exchanges are organized via actors and rituals in specific places, all of which are important elements in the criminal practices studied. In this part, we will develop the hypothesis that beliefs in spiritual forces have a considerable role in the process of trafficking to Europe.

The place, organization and functioning of shrines in the society from which these girls and women come is described (section 1), before identifying how the shrines, and how the actors in those shrines (the "chief priests"), are involved in the trafficking process (section 2). These elements allow us to conclude that there is a criminal use of ancestral practices and beliefs (section 3).

1. IKHIDERO S.I. et I.M. IDUMWONYI, "Resurgence of the Traditional Justice System in Postcolonial Benin (Nigeria) Society", *African Journal of Legal Studies*, 2013, vol. 6, n°1, p. 123-135.

## SECTION 1 - THE ROLE OF SHRINES IN THE RELIGIOUS LANDSCAPE

During the trafficking process, the protagonists will use the services of "priests" in the shrines in various circumstances. In these situations, the interested parties will be consulting with the invisible world. Before describing the practices of the shrines that are the focus of this study (II), it is important to identify all religious actors and associated practices within Nigerian society (I).

### I - DISTINCTION BETWEEN SHRINES AND OTHER RELIGIOUS ACTORS

In a context where the presence of religion is prominent, it is important to define the relationship between *juju*, voodoo and witchcraft (A), but also to contextualize Pentecostalism in relation to the Edo belief system (B).

#### A - ARTICULATION BETWEEN JUJU, VODOO AND WITCHCRAFT.

For the peoples of the Gulf of Benin, the Supreme Master, the creator of the visible and the invisible, is said to have devolved part of his power to the deities and spirits, to whom he gave all the capabilities required to make humankind happy.<sup>2</sup> It is this belief that has led to the development of worship in this religion.

In the more specific context of Edo, the term voodoo is not strictly used, but one has the idea that the world is divided into a divine order (*erimwin*) and an order that refers to the world of humans and nature (*agbon*). The term deity refers to all entities relating to the divine order. Beyond that, we address the deified ancestor,<sup>3</sup> *Ayelala*, because her worship has an important part to play in the exploitation processes studied. We will then attempt to more fully define the concepts of "*juju*" and witchcraft.

2. HOUNWANOU R.T., *Le fa: Une géomancie divinatoire du golfe du Bénin*, Lomé, *Nouvelles Editions africaines*, 1984, p.58.

3. DADA OJO M.O., "Incorporation of Ayelala traditional religion into Nigerian criminal justice system: An opinion survey of Igbesa community people in Ogun State, Nigeria", *Issues in Ethnology and Anthropology*, 26 février 2016, vol.9, n°4, p. 1025.

### 1) The Edo deities

Robert Bradbury distinguishes four categories of deities: those who have never been incarnated as human beings,<sup>4</sup> the spirits of the dead, heroic deities with characteristics related to nature, and personal spirits and powers.<sup>5</sup> Among the deities mentioned by the respondents during this research, we place Osanobua, Olokun, Ogun, Osun, Shango or Sango, Eziza, Orunmila and Esu in the "never been incarnated" category. Some are not specifically Edo but come from the Yoruba pantheon. This lack of incarnation distinguishes them from the "heroic deities" who were humans and later became spirits. They displayed supernatural traits during their life on earth (*agbon*). The "spirits of the dead" include either communal ancestors (*edion*) or individual ancestors (*erha*). The "personal spirits and powers" category refers to the idea that a human being actually has two dimensions: one that lives on earth (*agbon*) and another that is part of the divine order (*erimwin*). Personal spirits or powers (*ehi*) are part of the divine order. The Edo people can make sacrifices to particular parts of their body (mainly to the *uhumwun*, or head, and the *obo*, arm) to influence the course of their lives. Michael Welton adds the deity of Azen - witch spirits - to these four categories. These witch spirits work at night and disturb the harmony of society by attacking the fundamental values of health, wealth and fertility.<sup>6</sup>

Exchanges with these deities, depending on their specific powers, allow people to practice divination, obtain protection, deliver on a promise, resort to oaths, etc. Oath swearing is frequently used as an instrument for purification and sanitizing the community. It is used to communicate with the dead and living and creates an affinity with the ancestors.<sup>7</sup> Each deity is associated with objects or shapes. While it is not necessary to present the main deities in more detail, it is

4. WELTON M.R., *Belief and ritual in the Edo traditional religion*, Departement of anthropology and sociology, University of British Columbia, Vancouver, 1969, p.68. This text is available at [www.open.library.ubc.ca](http://www.open.library.ubc.ca)

5. BRADBURY R.E., *The Benin Kingdom and the Edo-Speaking Peoples of South-Western Nigeria: Western Africa*, London, International African Institute, 1957., in Welton M.R., *Belief and ritual in the Edo traditional religion*, op. cit.

6. WELTON M.R., *Belief and ritual in the Edo traditional religion*, op. cit., p.89.

7. These details are from an interview with a "priest" in Nigeria [NT 36].

important to mention *Ayelala*, even though her legitimacy is widely debated.

*Ayelala* was a slave woman who was used as a sacrifice in reparation for adultery committed by a commoner belonging to the Ilaje people (on the Southern coast of the area corresponding to Yorubaland) with the wife of a great leader of the community. She is therefore a heroic deity (*agbon*) in relation to the categories provided above. However, to escape the consequences of these acts, the commoner fled to the Ijaws community, causing significant tension between the two peoples. Before her sacrifice, a reconciliation ritual had been combined with an agreement. According to this agreement, any party to the covenant who plans evil against someone else, who practices stealing, sorcery or witchcraft against another party, would be punished with death.<sup>8</sup> As she drew her last breath, the slave cried out "*Ayelala*", meaning "the world is terrible".<sup>9</sup>

The religion devoted to the worship of *Ayelala* is very recent. Its legitimacy was strengthened in 2005 following the fire in the Benin City market. Looters subsequently vandalized the abandoned businesses. Following this, the "chief priest" of a shrine dedicated to *Ayelala* warned the population that if the property was not immediately returned to its owners, the goddess *Ayelala* would fly into an unforgettable rage and punish the guilty. In the days that followed, the property was returned to its owners. This event was interpreted as revealing *Ayelala*'s superiority over state justice, as the police services had obviously been overwhelmed by these looting phenomena.<sup>10</sup>

Nevertheless, some question the authenticity of *Ayelala* in Edoland. The real *Ayelala* comes from Yorubaland. "*The ones here in Benin are fake, most are fakes, The Ayelala is in Yorubaland.*" [F16] One "priestess" reports: "*Anybody that knows the function of two leaves (herbs), automatically proclaims his/herself an 'Ayelala priest'. And we can associate the proliferation of shrines in Benin with the lack of work. Even educated people that could not find a job and know the function of two herbs will just open shop saying he or she is an*

8. DADA OJO M.O., "Incorporation of Ayelala traditional religion into Nigerian criminal justice system", op. cit.

9. *Ibid.*

10. DON A., "The Resurgence of Ayelala in Benin Kingdom: An Indictment of the Conventional Dispensation of Justice in Nigeria", *Biafra-Nigeria-World Magazine*, 2006.

'*Ayelala priest*'. That is why *Ayelala* shrines are everywhere." [NT28]

The use of *Ayelala* is said to be quite specific in relation to non-compliance with covenants, and particularly with those of girls and women who have migrated to Europe: "*People do not use Ayelala for swearing an oath. Ayelala is mainly used when an agreement has been reached and the sex worker refuses to reimburse. The 'madam' or her representatives then summon the girl or her relatives before Ayelala.*" [NT14] It is therefore not necessary for the oath to be taken before *Ayelala* for the settlement of a dispute to be referred to her. This reference to *Ayelala* confirms the use by criminal actors of religious beliefs shared by people in this region, with the objective of making people migrate to Europe in return for the payment of a debt. More broadly, this point can be developed by referring to what is commonly known as *juju*.

## 2) Juju

The use of the term "*juju*" cannot mask the diversity and richness of the beliefs referred to as *juju*. They are part of a history that refers to countless myths, symbols and stories, all of which are part of a handing down process that is still ongoing. This term refers to content that is rather vague. Some authors point out that the terms "*juju*" or voodoo are "used relatively interchangeably by local actors to refer to the use of powers perceived as mystical and derived from strictly Liberian and local religious beliefs".<sup>11</sup> Westerners thus described the process of communicating with invisible spirits through objects or elements from nature (also called "items"), such as shells, plants, pebbles, etc.<sup>12</sup>

The term "*juju*", derived from the French for "toy" or "plaything" ("*joujou*", "*jouet*"), corresponds to the African term "*obeah*" or "*obi*".<sup>13</sup>

11. ELLIS S. et B. HIBOU, "Armes mystiques: Quelques éléments de réflexion à partir de la guerre du Liberia", *Politique africaine*, 2000, vol. 79, n°3, p. 66.

12. Others may use the term "grigri" to refer to these modes of communication, see the Ayayi Hounkpe Interview.

13. ELLIS S., *This Present Darkness: A History of Nigerian Organized Crime*, 1st ed., New York, Oxford University Press, USA, 2016. According to Simona Taliani, its etymology refers to at least three semantic corridors: the Yoruba term "jojo" meaning "dance", the Hausa term "djudju" meaning "mean or fetish"; or the French term "joujou" meaning "toy"; Taliani S., "Calembour de choses dans le vaudou italien: Corps-fétiche et principes d'inégalité devant les dieux", *Social Compass*, 2016, vol. 63, n°2, p.5.

According to Cynthia Olufade, for the Edo people, this term refers to "the utilization of supernatural forces to act on natural forces".<sup>14</sup> She notes that in this context, *juju* can be a tangible material or an abstract quality, depending on the need at hand, it can also be conjured into a material or an object, spoken into the air or sent on errands. *Juju* is also referred to as the representation of a particular deity on earth. [...] *Juju* is also quite malleable, this implies that it is the user's intention that determines the outcome of the *juju* in question. Hence *juju* can be used positively, as protection, to bring prosperity, healing and so on, or negatively, to curse someone, or make one act against their will.<sup>15</sup> The people interviewed as part of our surveys use the word "*juju*" to refer not only to their beliefs and the rituals they have undergone during their journey, but also to the object that materializes the promise and that is composed of the items used during the oath of allegiance – to which we will return at length – or to the representations of the deities used during the rituals. In the context of migration, the use of this term corresponds to a vehicular use of the language,<sup>16</sup> that is, the terms are used as a means of communication between populations who speak different native languages or dialects,<sup>17</sup> which can cause certain distortions in meaning compared with the original meaning. The same phenomenon occurs when the term "voodoo" – whatever the spelling assigned to it – is used to refer to the use of oaths in a trafficking context. As we have seen, this term is not strictly used in an Edo context. However, it is frequently used in Europe by exploited people but also by many judicial actors and in literature.<sup>18</sup> Simona Taliani says in this regard: "The girls use it with the intention of making clear to the Europeans what they are talking about. It is their way of talking with whites about certain things. The most adventurous among them even say, voodoo is a word that you use, not us."<sup>19</sup> The meaning given to words

14. OLUFADÉ C., *Sustenance of sex trafficking in Edo state; the combined effects of oath taking, transnational silence and migration imaginaries on trafficked women from Edo State, Ibadan, IFRA-Nigeria*, 2019.

15. *Ibid.*

16. We compare "vehicular language" to "vernacular language", that is, language spoken only within a community (Dictionnaire Le Petit Robert).

17. TALIANI S., "Calembour de choses dans le vaudou italien", op. cit., p.5.

18. *Ibid.*

19. TALIANI S., "Coercion, fetishes and suffering in the daily lives of young nigerian women in Italy", *Africa*, novembre 2012, vol.82, n°4, p.589. In this text, the author questions the anthropological significance of the use of these terms. We translate.

therefore varies according to the context in which they are used.

Similarly, it is important to clarify what witchcraft refers to, albeit again, there are many shifts of meaning from one country to another.

### 3) Witchcraft

According to Sandra Fancello, "Whatever the background, the discourse on witchcraft is a daily reality of social life and human relations, including in the urban environment of contemporary African societies, often intrinsically linked to 'the village', considered as the home of witchcraft".<sup>20</sup> Other authors have highlighted the extent to which this witchcraft fantasy transcends different religious beliefs. To distinguish witchcraft from the other belief systems mentioned, it is worth remembering that, by their very nature, deities are called upon to preserve and save human life, whereas witchcraft may be invoked for the purpose of sanction and punishment.

Thus, in the Edo context, as we have seen, witch spirits are referred to by the term *azen*. The term *sorcery* refers to the use of mystical power as an instrument for doing good. This then leads to the distinction between the "witch" and the "sorcerer" or "magician". The first is a rather asocial and evil individual, operating thanks to a power of duplication, metamorphosis and displacement of his "soul", even though his body never leaves the place where he sleeps. The second – the "sorcerer" or "magician" – is a socially recognized individual whose *modus operandi* is in principle visible in the daytime world.<sup>21</sup> The effectiveness of his "technique" is based on the knowledge and control of plant or organic materials, medicines and the practice of rituals.<sup>22</sup>

While further research would be required to further these distinctions, it is important to situate Pentecostalism more specifically in the religious context in which exploited people live.

20. FANCELLO S., "Sorcellerie et délivrance dans les pentecôtismes africains", *Cahiers d'études africaines*, 2008, vol.48, n°189-190, p.189-190.

21. FANCELLO S., "Penser la sorcellerie en Afrique: un défi pour les sciences sociales?", *Penser la sorcellerie en Afrique*, Paris, Hermann, 2015, p.25.

22. *Ibid.*



## B - RELATIONSHIP BETWEEN PENTECOSTALISM AND OTHER BELIEFS

A product of Protestantism, and therefore part of the Christian tradition, Pentecostalism developed considerably during the 1970s. It focuses on the supernatural manifestations of the Holy Spirit. This movement grew dramatically during the 20th century. Calling oneself a Christian is in principle incompatible with the practice of rituals associated with *juju*, even though it can be observed that many developments are taking place to combine these beliefs.<sup>23</sup> *"She then informed us that we would also have to swear an oath before embarking on the journey, I told her that I was a Christian and Christianity does not permit one to swear, she asked me not to worry that everything would be fine."* [NT22]

Interactions have gradually developed between these two visions of the world to the point that "the imaginary world of witchcraft seems to cross or even transcend religious worlds".<sup>24</sup> Adam Ashforth provides further insights through the use of the concepts of "spiritual insecurity" and "invisible forces" to describe a social reality populated by witch doctors in South Africa:<sup>25</sup> "In my experience, the violence, accidents, ill health and all the suffering associated with poverty in Soweto make individuals, families and communities constantly need an explanation."<sup>26</sup> However, the three interpretive frameworks that he identifies<sup>27</sup> fail to provide a satisfactory answer. Witchcraft, fetishes, pagan spirits and demons are therefore a means of attributing a cause to violence and the difficulties encountered.

This context of spiritual insecurity provided fertile ground for African Pentecostalism, which, as a legacy of evangelistic missions of the early 20th century, relied on the fight against witchcraft to extend its influence. The pastors intended to convert and baptize the villagers

by encouraging them to burn their fetishes.<sup>28</sup> They developed a vast healing market to fight against "invisible forces". This market thus calls into question "the difference between the Christian God and the witch's genie of paganism".<sup>29</sup> Nevertheless, this spiritual warfare and the Pentecostal discourse calling upon the "resurgence" of witchcraft helped fuel the witchcraft fantasy.<sup>30</sup>

However, in reality, there is a need to distinguish between two types of Pentecostal churches. The more "traditional" churches (Church of Pentecost, Assemblies of God, Christ Apostolic Church and Apostolic Church) are not supportive of the rituals of deliverance since they consider that Baptism by the Spirit can ensure salvation, healing and deliverance.<sup>31</sup> By contrast, under the influence of American evangelists, leaders, especially Nigerians, have multiplied by assuming the functions of "prophet-healers", "believer-healers" or "prophets". The pioneer was Benson Idahosa who founded his own university in Benin City<sup>32</sup> in the late 1990s. According to the Pentecostal concept of the "ancestral curse", a person can suffer the consequences of the sins committed by his or her ancestors. The rituals of deliverance are based on "a dichotomous vision of the world perceived as the battleground of divine power against the forces of evil. Deliverance is closely associated with divine healing through the struggle against the genies, spirits and demons considered responsible for physical and 'spiritual' ills as well as 'disease', even if this notion is centered on a limited set of ills".<sup>33</sup> These rituals of deliverance can be used in the context of sexual exploitation to neutralize the oath of allegiance, which we return to later at length.

Before describing in detail the role of shrines and churches in the trafficking process, it is important to identify the role they play in Benin City society and the activities they carry out.

23. All respondents in France say they are Christian.

24. FANCELLO S., "Sorcellerie et délivrance dans les pentecôtismes africains", *op. cit.*

25. ASHFORTH A., "Réflexions sur l'insécurité spirituelle dans une ville africaine moderne (Soweto)", *Politique africaine*, 2000, vol. 1, n°77, p. 143-169.

26. *Ibid.*

27. The first is generally referred to as "culture" or "tradition" and is represented by elders and "traditional healers" (whose practices and reputations are derived from the region's various ethnic heritages). The second covers the whole field of "white" science, the most important representatives of which are the doctors and nurses at clinics, medical practices and hospitals (with all their medical specialties and clinical sub-divisions). The third - and the order in which they are presented does not imply any rank of importance - is all Christian Churches. *Ibid.*, p. 162.

28. FANCELLO S., "Sorcellerie et délivrance dans les pentecôtismes africains", *op. cit.*, p. 189-190.

29. TONDA J., *La guérison divine en Afrique centrale (Congo, Gabon)*, Karthala, "Hommes et sociétés" collection, 2002.

30. FANCELLO S., "Sorcellerie et délivrance dans les pentecôtismes africains", *op. cit.*, p. 189-190.

31. ONYINAH O., "Deliverance as a Way of Confronting Witchcraft in Modern Africa: Ghana As a Case History", *Asian Journal of Pentecostal Studies*, 2002, vol. 5, n°1, p. 107-134., cited in Fancello S., "Sorcellerie et délivrance dans les pentecôtismes africains", *op. cit.*

32. MARSHALL-FRATANI R., "Prospérité miraculeuse: Les pasteurs pentecôtistes et l'argent de Dieu au Nigeria", *Politique africaine*, 2001, N° 82, n°2, p. 24-44.

33. FANCELLO S., "Sorcellerie et délivrance dans les pentecôtismes africains", *op. cit.*

## II - THE ROLE SHRINES PLAY IN BENIN CITY SOCIETY

Shrines are places of communication with the invisible world, and therefore relate to the sacred, as "a set of subjective experiences of the person who, during particularly intense emotional states, exaltation or fear, becomes aware of being connected to suprasensible realities and of being dependent on an all-embracing presence who exceeds them".<sup>34</sup> Nevertheless, the sacred cannot be reduced to a subjective, solitary experience; it must be embodied, integrated into stories, myths, deployed through games, behaviors, rituals, which dramatize it and incorporate it into the emotional.<sup>35</sup> Anchoring the shrines in the country's history (A), their financing (B) and identifying the actors involved in the practice of worship (C) are all elements that can provide further insight into these institutions.

### A - SHRINES: HISTORIC PLACES

The longevity of the practice of *juju* is difficult to dispute. It is reflected in the history of places combining worship and judicial functions, in the precise organization of the space within them and finally in the anchoring of the symbols used in the culture of the Kingdom of Benin.

#### 1) Places combining worship and judicial functions

Until colonial times, the shrine of *Ibini Ukpabi* performed important judicial functions throughout Eastern Nigeria and was known as far afield as Sierra Leone or Congo. Located in the city of Arochukwu - the historic city of Igbo, in present-day Abia State - this shrine was based on a system that closely linked justice and slavery. Emissaries sent witchcraft cases or other disputes back to the Arochukwu shrine. When the accused was convicted, he was sold as a slave. In fact, "justice in the indigenous Benin Society is inseparable from traditional religion".<sup>36</sup> To assess the righteousness of a behavior, we do not refer to a corpus of norms, to a law or to a customary

34. WUNENBURGER J.J., *Le sacré*, 6ème., Paris, Presses Universitaires de France, coll. "Que-sais-je?", 2013, p. 11.

35. *Ibid.*

36. IKHIDERO S.I. et I.M. IDUMWONYI, "Resurgence of the Traditional Justice System in Postcolonial Benin (Nigeria) Society", *op. cit.*, p. 127.

right, instead we look to the invisible world.<sup>37</sup> The committing of a crime or the existence of a dispute between two individuals is not always characterized as a violation of written law, but sometimes as a threat to world order. To overcome it, it is essential for this order to be repaired, and conflict resolution is sacred. This is why the activity of administering justice is carried out in the shrines, under the authority of "priests" in the context that interests us here.

Any event can be interpreted as a sign that an injustice persists: the death of a herd, the illness of a contractor, the absence of rain, etc., can reveal an imbalance or an injustice likely to irritate the ancestors and requiring correction. It then becomes necessary to communicate with the invisible world by consulting the family, neighbors, marabouts, witch doctors, etc. This communication goes through the mediation of a physical object intended to serve as a vector for the transmission of powers.<sup>38</sup> It is still practiced today.

In Benin City, the Arohosunoba shrine was presented by one of the officiants as the most powerful of the city's oath taking temples. It was reportedly founded in 1841 [NT25]. The permanence of these places demonstrates that these practices have continued to survive, despite colonization. Within them, the organization of space, far from being random, is on the contrary loaded with signifiers.

#### 2) The organization of space in places of worship

*"The shrine occupies the outer part of the building and has two entrances [...]. At the entrance to the shrine at the front there are markings made with white 'native' chalk, these markings are also replicated inside the shrine."* [NT1]

Places of worship are sub-divided into different spaces: "Any sacred space, however off-center it may actually be, is symbolically conceived as an absolute reference point, as the 'center of the world'".<sup>39</sup> It is from this reference point that the outer space, the boundary space (the crossing point) and the heart of the shrine, the place of contact with the sacred, are determined.

37. ELLIS S., *This Present Darkness*, *op. cit.*, p. 17.

38. *Ibid.*, p. 33.

39. WUNENBURGER J.J., *Le sacré*, *op. cit.*, p. 39.



In the temples observed in Nigeria by the IFRA researchers, an intermediate area between the street space and the heart of the shrine, a common room accessible to all within the shrine, and a protected space within which one or more altars dedicated to the deities were identified.

The first element visible from the outside is often a large statue of a revered deity or of his power symbolized, for example, by a warrior. More specifically, at the entrance to shrines dedicated to *Ayelala*, there are usually large, framed photographs of people killed by the deity, as well as objects that belonged to them, such as a portable stove, a mattress, plates, cooking utensils, [...]. [NT31] Inside the shrine, the areas set aside for the "chief priest" and the devotees are well defined, and the floor markings indicates everyone's spaces and prohibited areas. If we take the example of the Arohosunoba shrine, it is described as follows: *"The 'chief priest' and his assistant sit facing the gods or deities at work in the shrine. Each deity is molded with clay and stands in a square area right in the middle of the parlor, although the statues of some look bigger than others. [...] Opposite the 'chief priest', his assistant, other officials and the deities is the side where the people [sit]. [...] The smell of dry gin and animal blood dominates the air of the space."* [NT25]

The heart of the shrine, the sacred part, is located around the altar. In the Arohosunoba shrine again, we have the following description: *"The altar in the shrine is four cornered, and it is erected with clay and red sand. Upon this altar is the statue of the various deities worshipped in the shrine. [...] Upon the altar are also bells and musical instruments used for worship songs. In the middle of the altar is a big clay pot full of black colored water and worms. Beside the edge of the altar are a number of metal chains on which over a hundred skulls of goats are tied."* [NT24] A "priest" points to a large statue in the heart of the shrine holding a double-bladed knife: *"This is my juju."* [NT9] In some shrines, there is a framed picture of the "chief priest" in his ceremonial attire. The juxtaposition between the symbols associated with the deities and the reference to the "priest", via his photo, constitutes a kind of bridge between the invisible world and contemporary society. Nevertheless, this organization of space does not preclude the building that houses the shrine from being a very modest place, such as a small bungalow, or from being a reserved space within a dwelling house [NT21].

Finally, in some cases, the consultation area used by the 'chief priest' and the judicial chamber can be compared. Thus, in the Arohosunoba shrine, the space is organized as follows: *"The big parlor is structured and arranged in form of a court; The 'chief priest' and his assistant sit facing the deities [...]. Opposite the 'chief priest', his assistant, other officials and the deities is the side where the people [sit]; Both the accused and complainants are made to sit in order to hear the proceedings of the Arohosunoba court."* [NT25] Besides the importance of the environment (place, layout, decoration, smells, etc.), the experience of the sacred involves representations and behaviors.

### 3) The anchoring of symbols in the culture of the Kingdom of Benin

An object, a shape, a tree becomes, by analogy, a bearer of a signifier that goes beyond its solely perceptible properties and its utility. Objects, clothing and gestures carry meaning and convey symbols. *"As a 'priest', when I want to perform certain rituals, I also make use of some specific items., [...]"* [NT1] There are many ingredients, pots and utensils found in shrines for use in rituals, including *"a transparent cup filled with cowries, coral beads, plenty of native chalk, knives, cutlasses and hoes used for the worship of Ogun. Beside the table, on the ground were about 20 dried skulls of goat, a live tortoise moving slowly, shells of dead tortoises, bottles of ogogoro (dry gin), earthen pots with liquid mixtures, and calabashes"* [NT26]. Although we are unable to study their meaning, we can understand that they contribute to the manifestation of the sacred.

Access to the sacred also involves the staging, the codified organization of the celebration, the dancing and singing, as observed by the IFRA researcher at the Arohosunoba shrine. In this temple, the opening ceremony ends with the song *"grie e wen when"* (*let them go mad*) in which the "priestess" calls the names of the different deities of the shrine, saying that anyone who was summoned to the shrine but did not appear should either be made to go mad or pushed into trouble by the spirits of the shrine. If a person is summoned but does not appear at the hearing, the "priest" may send two emissaries to summon them again. Additionally, failure to attend a hearing may also justify the use of spiritual sanctions [NT24].

The description provided reveals the very precise dimension of the

ritual, a precision that also involves each person being assigned a specific place and specific powers.

## B - ACTORS

*"Upon the entrance of the 'chief priest' into the shrine, all in attendance stand up to welcome him. There are about 30 men and 18 women in the shrine. There are two female shrine officials, eight male officials."* [NT24] Among the people involved in the activity of the shrines, we can therefore identify the *Oba* who is not mentioned above and whose presence is rare, the "chief priest" (s), the other religious actors assisting the "priest" (s) whose functions are sometimes clearly defined, and finally the devotees.

### 1) The *Oba*

The *Oba* is a sacred figure who can exhibit supernatural power. Meaning "King" in Yoruba, this term has been integrated unamended into the Edo language. Since the 12th century, the *Oba* has ruled the Kingdom of Benin (from the Niger Delta to Lagos Lagoon and including the cities of Warri, Lagos and Benin City). The title of *Oba* is handed down from father to son. Before colonization, he hardly ever left his palace. He has an almost divine dimension and possesses supernatural powers. It is forbidden to say that he dies, sleeps, eats or washes.

The *Oba* must be consulted regarding any undertaking or any matter concerning the social order. He is considered as an "incarnation, manifestation, mediator or agent of the sacred world, depositary of supernatural or divine powers and a descendant of a divine or semi-divine sovereign, which makes him a representative of the sacred." <sup>40</sup>

Officially, all of Benin City's "chief priests" are under the authority of the *Oba*. They pledge allegiance to him. <sup>41</sup> This relationship of submission to an authority is clearly reflected in the *Oba* of Benin's

declaration of 19 March 2018. <sup>42</sup> On that day, *Oba* Ewuare II, in a historic gesture, relocated from the palace a number of statues of particularly venerated deities, some of which had not been displayed for nearly 800 years. <sup>43</sup> He then called on religious, political and traditional leaders to mobilize to stop practices related to human trafficking. He forbade "native doctors" - "priests" and "chief priests" - from allowing any additional young women to swear an oath. While he indicated that he would pardon those who had done so in the past, he made it clear that those who engaged in such practices would, however, be punished by death by the divinity of the *Oba*. He canceled with immediate effect the oaths taken by all girls or women currently involved in prostitution in Europe. As a result, girls can now disclose all the practices they have experienced to facilitate identifying those who engage in them before making it clear that the effects of the curse were not only on Edo people, but also of course on all those who lived in the land of the Kingdom of Benin. Finally, he placed a curse not only on all those who might contribute to these practices in the future (the "native doctors") but also on the parents of the traffickers and the parents of the victims. These points highlight the real legitimacy of the *Oba* in Edoland as the spiritual leader with authority over the "chief priests" and the devotees, the strong hierarchy and the ability of the *Oba* to regulate relations through the use of invisible powers.

There is also a smaller hierarchy between the different "priests": some may be responsible for smaller shrines and will therefore have a supervisory role in relation to the "priests" attached to these. The same organization is found in the judicial functions: "*Arhosunoba is bigger (more powerful) than Ayelala in Benin and even Godspower (the number one Ayelala 'priest' in Benin) knows that if the Arhosunoba is interested in a case, he drops it.*" [NT28] For example, at a hearing, a woman had summoned before *Ayelala* the mother of the woman she had helped to migrate for non-payment of the debt. As the hearing failed to resolve the difficulty, she took the case to the *Arohosunoba Shrine*, believing that this was the most effective way of obtaining settlement of the debt [NT25].

40. IKHIDERO S.I. et I.M. IDUMWONYI, "Resurgence of the Traditional Justice System in Postcolonial Benin (Nigeria) Society", *op. cit.*, p. 128.

41. DIAGBOYA P., *Oath taking in Edo usages and misappropriations of the native justice system*, Ibadan, IFRA-Nigeria, 2019.

42. See Appendix: Extract from the *Oba* of Benin pronouncement against human trafficking (translation from Edo to English).

43. <https://www.vanguardngr.com/2018/03/oba-benin-invokes-charms-last-exposed-sunlight-800-years-ago-human-traffickers/> Accessed 7 November 2018.

While it is clear, as we have seen, that the *Oba* is a sacred individual, it seems more uncertain to say whether "priests" should be considered sacred figures or as mere agents responsible for performing the rituals.



Ewuaro II, Oba of Benin – Nigeria – September 2018 © Clément Sibony

## 2) The "priests"

The *Ohen* (an Edo term) is defined as a professional "priest" chosen by the deities who may in certain circumstances possess him. Although being *Ohen* can be passed down from father to son, heredity is not a prerequisite for accessing such functions.<sup>44</sup> The functions observed are those of mediators or intermediaries between men and deities. They interpret the messages through the manipulation of natural elements (cowrie, beads, kola nuts, etc.). These functions can be performed by men or women, although there appear to be more men.

One of the "priests" we met in Nigeria explains that he accessed his functions after receiving a calling [NT13]. A number of rules, evidently passed on during an informal, oral initiation process, must

44. WELTON M.R., *Belief and ritual in the Edo traditional religion*, op. cit., p. 93.

be respected,<sup>45</sup> such as not drinking alcohol or not having sex before celebrations [NT13]. The wearing of vestments is also required [NT1]. Identifying the *Ohen* is not a problem, either because of his vestment or the ceremony surrounding him. When he arrives, everyone stands to show their respect. The significance of the *Ohen* is also social.

The interviews highlight the existence of specific skills or charisma. A trolley<sup>46</sup> explains as follows: "As our faces are different, so are our powers, if I am to embark on a trip that demands oaths of allegiance, I will take the girls to the native 'priest' at Upper,<sup>47</sup> but if I desire protection for my clients, the best place to go is the Olokun shrine at Ekhiadolor." [NT14] In the context of this study, these points make it clear that not all "priests" receive the oaths related to migration, and we will come back to this.

In their work, the "priests" are assisted by various individuals.

## 3) Other religious actors assisting the *Ohen*

One respondent defined the "chief priest", also known as a *juju* man, as a "native doctor" working with traditional medicine whose role is to treat the sick and to defend the innocent [F1]. However, Michael Welton's work allows more precise distinctions to be made between religious actors. The *Obodin* (or *Obo* – "native doctor" in Edo – which become *Ebo* in the plural) has the role of preparing the decoctions and ointments that are given to patients or devotees. As for the *Obo* Noyada, he has a thorough knowledge of the *Azen* (the witch spirits). He can influence them and knows how to use herbs. The Diviner has a focus on three main areas: discovering with which deity to interact and which objects or items to use, understanding the causes of a misfortune and interpreting dreams.<sup>48</sup>

Apart from these distinctions referring to religious skills, a classification based on administrative skills can be proposed. In the *Ayelala*

45. Regarding the initiation process of ngangas in Cameroon, see ROSNY É. de, *L'Afrique des guérisons*, Paris, ed. Karthala, 1992, p. 34.

46. As mentioned in the introduction, "trolley" refers to a "guide who will take responsibility for the people to a given point where other partners can take these people to their final destination" [NT1].

47. "Upper" refers to the entire area around Upper Sakpoba Road in Benin City. It is a working-class district of the city, in which a large number of small shrines are concentrated, many of which specialize in the oaths taken as part of the trafficking process.

48. WELTON M.R., *Belief and ritual in the Edo traditional religion*, op. cit., p. 94.

Oluku Shrine, the secretary, the spokesman and the treasurer assist the "priest". The secretary welcomes newcomers. He also submits the oath to the person who will have to swear it by giving him or her the list of required items. He prepares, with the spokesman, the elements required to receive the people [NT31]. It appears that the spokesperson performs functions similar to those of a bailiff within the judicial chamber. He welcomes the devotees, gives them their running order position and calls cases as the hearing progresses. Although the existence of a treasurer was mentioned during the observation sessions [NT30], there is no evidence to describe his functions.

#### 4) Devotees

The term "devotee" refers to members of the community who have been initiated. An initiation ritual is frequently used for accessing the sacred. It symbolizes the death of the old man and the rebirth of a new personality with superior wisdom.<sup>49</sup> During a celebration, the "priest" explained that *Ayela* only intervened for "devotees" [NT30].

The initiation process is loaded with meaning. "The uniform attire worn by devotees during worship and various temple rituals also gives a sense of belonging. In some temples, initiates are required to pay a certain amount for membership, present some specific gifts to the deity and made to drink or eat something coming from the deity, water or kola nut for example. Through this act of drinking and eating what belongs to the deity, one becomes a true initiate since, symbolically, a part of the deity starts to live within the person's body. The initiation is complete when one openly expresses allegiance to the deity before the shrine."<sup>50</sup> Specifically, "the devotee is then made to pledge an oath of allegiance to the deity stating that he/she will remain loyal and always be grateful for what the deity has done. The oath of allegiance is believed to attract the goodwill and protection of the deity."<sup>51</sup>

The question of the financing of shrines is important in trying to

assess their power and legitimacy.

#### C - FINANCING

The economic power of shrines was established through the sale of slaves convicted in the course of their judicial duties. As a result, they acquired not only economic power but also (and this point derives from the previous one) a strong legitimacy that continued after colonization.

As far as current financial resources are concerned, the information collected is linked to the price of the services provided. This is likely to vary depending on the shrine and according to the services requested. It should be noted, however, that a "priest" asked for the sum of 80,000 Nigerian naira (€200) to make sacrifices to free a woman from spiritual possession [NT27].

In one of the shrines observed, 10% of the amount due is allocated to the shrine to record the payment of a debt [NT25]. This percentage also applies to migration/trafficking debts. When a person decides to summon someone before the shrine, he/she must pay the sum of 5,000 naira (around €12). Once this sum has been paid, the shrine officials issue a "letter of summoning", a term that could be translated in legal language as "subpoena" or "summons to appear". This letter includes the name of the person summoned, the name of the person summoning him/her, and the date and place of the hearing. These elements are therefore in all respects comparable to those contained in a judicial summons. On his/her arrival at the shrine, the person summoned must pay the same sum of 5,000 naira. Failing this, the case is postponed to the next convenient date to give the defendant time to pay the required amount. These findings validate the rigor of the procedure and rules applicable within shrines, whether for religious ceremonies or for hearings associated with judicial functions.

With regard to the price charged for the oath of allegiance, one respondent mentioned the sum of 80,000 naira (€200) to be paid to the "priest" [F16]. While this sum is often paid by the "madam", the person migrating is responsible for repaying it later. All services performed by the "priest" are billable. It is therefore important to identify all the functions performed by "priests".

49. WUNENBURGER J.J., *Le sacré*, op. cit., p. 34.

50. DIAGBOYA P., *Oath taking in Edo usages and misappropriations of the native justice system*, op. cit.

51. *Ibid.*



### III - FUNCTIONS PERFORMED BY SHRINES

The many functions performed by shrines aim to bring peace by settling disputes and achieving reconciliation [NT25]. As religious leaders, "priests" have a function that can be described as moral leadership. This can take the form of a sermon at certain hearings, but without the statement being based on a holy book [NT35]. The functions carried out by "priests" that will be looked at in more detail are the fight against witchcraft and the exercise of healing powers (A), the divinatory and protective functions (B), the administration of justice (C), a function performed by the shrines alternative but complementary to state justice (D). The oath, a central element of communicating with the different types of deities, can be used with each of these functions, be it religious, criminal, an oath of fidelity, an oath of widowhood, etc.<sup>52</sup> We will return in particular to the oath of allegiance that is at the heart of the practices studied.

#### A - FIGHT AGAINST WITCHCRAFT AND HEALING POWERS

The fight against witchcraft has been identified as playing an important role in hearings at shrines. In two afternoons of observations in Nigeria, six of the 32 cases concerned accusations of witchcraft. In one case, a woman accused her former partner of leaving her after inflicting three abortions on her. Since then, she had not been able to conceive. For the Edo, as for many societies, having children is an indicator of social status. Children are "the honor and glory of an Edo and the first need of any man".<sup>53</sup> The responsibility for procreation is attributed to Osanobua. A woman cannot conceive unless Osanobua agrees. Among the causes of sterility, we find firstly adultery and the powers attributed to *Azens* (the witch spirits in Edoland).<sup>54</sup> These points are reflected in the example above. The "priest" decided that the man should take an oath to verify that he had no responsibility for the inability of his former partner to reproduce. A list of items was given to him so that he could, via the oath, prove his innocence [NT25]. Like pastors, the "chief priests" want to demonstrate their commitment to fight witchcraft and free the possessed.

52. *Ibid.*

53. WELTON M.R., *Belief and ritual in the Edo traditional religion*, op. cit., p. 114.

54. *Ibid.*, p. 210.

Similarly, in response to sickness, "priests" can perform healing rituals or administer remedies from traditional medicine: *"I also help out when there is sickness. I consult the oracle who directs me to go to specific places in the bush to cut specific leaves, tree barks, and so on, to be used for native drinks that bring about healing. This knowledge comes directly from the ancestors."* [NT13] However, the sickness is never considered in its somatic dimension alone. To a man who sought a "consultation" because of a swollen leg, the "priest" asked in particular: *"Did you dupe anybody of money? Did you jilt a lady? Did you deceive anybody? He said he did nothing of such nature."* [NT30] The deities help humans maintain the "social and cosmological balance".<sup>55</sup> "priests" restore the disturbed harmony through communications with the deities. One of the "chief priests" interviewed as part of this study explains that he can intervene to bring about a marriage [NT13]. Through this type of practice, the "priest" tries to restore a balance and thus change the course of events. When he uses divination, the "priest" reads the future so that he can possibly influence the course of events.

#### B - DIVINATORY AND PROTECTIVE FUNCTIONS

At one of the hearings observed, a woman asked the "chief priest" how her daughter's wedding would turn out. The "chief priest" handed over a small horn to the woman and told her to ask any question she wanted Orunmila to answer for her. She collected the horn and held it very close to her mouth and said she wanted to know about her daughter's forthcoming wedding and how it was going to be, then she handed over the horn to the "chief priest". The "chief priest" then threw a chain of cowries on the ground and started hitting each cowry with the horn to divine their meanings [NT26]. According to him, the wedding would go well, but it seemed appropriate to make sacrifices to avoid any incident. He then provided a list of items to be prepared for the sacrifice. Thus, the "priest" reads the future through the mediation of the cowries.

In other cases, the spirits are not called upon to restore harmony but instead, in a preventive way, to maintain the existing balance and prevent disorder from happening. During a hearing at the Oluku

55. *Ibid.*, p. 232.

shrine dedicated to *Ayelala*, a woman introduced herself and her son, who had just bought two trucks. She came to give thanks to *Ayelala*, to whom she wanted to dedicate these trucks, and to ask her to protect them. A specific ritual to protect trucks was then performed [NT30].

The various examples presented illustrate the fact that since the visible cannot be separated from the invisible, conflict resolution, healing or the fight against an "evil spell" requires a holistic approach to these two dimensions of existence. This is particularly evident in the administration of justice.

## C - ADMINISTRATION OF JUSTICE

The inseparability between justice and religious functions is reflected in a "priest's" statement that, "when community members have misunderstandings and quarrels", he consults "the oracle and offers to assist" [NT1]. This method of administering justice existed before and continued after colonization. The disputes put before "priests" are very diverse: couple conflicts related to sexual problems, theft (bicycle, telephone), infidelity, accusations of witchcraft, healing, etc.<sup>56</sup> Of the cases observed, consulting ancestors, taking judicial oaths and exercising functions similar to those of a bailiff to establish payment of a debt were regularly heard.

### 1) Consulting deities

Based on criteria that we were unable to identify, different means of communicating with spirits are used: oaths, sacrifices, rituals through the mediation of items such as kola nuts, etc. The "priests" explain taking an oath to instruct the deities to identify a guilty person: "*In oath taking, you will say: 'Ogun ooooo (holding a metal bell and ringing it), I have come before you, I know that you are powerful and can give me justice. Somebody stole my goat, please help me kill the person, or help me find the person.' You can even say help me find my goat with the required items placed on the ground before the Ogun deity, The oath will be taken, and Ogun will go into action.*" [NT27] In this particular case, it is therefore the "priest" who takes the oath to

56. These examples come from observations at the Arohosunoba shrine and the Oluku shrine dedicated to *Ayelala*.

obtain from the deities the answer to a specific question.

Another way of meting out justice is to question the deities through the use of an object: a wooden statuette might be placed on a disputed property [NT13], kola nuts or cowrie might be used as a basis for a specific question. This technique can be used to decide a legal issue: questions about a possible property right, confirmation of an individual's guilt or the identification of a thief.

Once the deities have been consulted and the culprit has been identified, it is not uncommon for the "priest" to mete out justice and ask the thief to compensate the victim, for example [NT32]. In addition to the oaths used to question deities, judicial oaths are one of the important tools used in the administration of justice. They have been described as the "backbone of traditional justice".<sup>57</sup>

### 2) Judicial oaths

The judicial oath is different from the promissory oath providing a socio-political function.<sup>58</sup> In both cases, the oath creates a bond, but the alter ego and the terms of that bond differ. In the promissory oath, "I commit myself to a third party, I give him my 'word': it is with him that I create a bond since he has the power to 'unbind' me from my word".<sup>59</sup> The oath fosters the formation of bonds, it "creates, consolidates formal friendship, the loving relationship, the fidelity of the vassal, it establishes the contract".<sup>60</sup> This is the case with the oath of allegiance, which will be discussed at length, even though this type of oath has also been identified in other situations. In one case, an elderly woman in her late sixties [...] was made to swear that she will not do anything to hurt her children and her children will not do anything to hurt her. If she or her children does, let the deities in the shrine, strike her or her children dead [NT25].

57. OBA AA, "Juju Oaths in Customary Law Arbitration and Their Legal Validity in Nigerian Courts", *Journal of African Law*, 2008, vol. 52, n°1, p. 139-158.

58. FEZAS J. et R. JACOB, « Fonctions sociales du serment pouvoirs et justices », *Le serment II, Théories et devenir*, CNRS Editions, coll. « Hors Collection », 1992, vol. 2/Tome 2, p. 488.

59. TESTART A., « Le lien et les liant (les fondements symboliques du serment) », *Le serment II, Théories et devenir*, CNRS Editions, coll. « Hors Collection », 1992, vol. 2/Tome 2, p. 245.

60. FEZAS J. et R. JACOB, « Fonctions sociales du serment pouvoirs et justices », *op. cit.*, p. 221.

"In the judicial oath, I do not create a relationship with the judge, but the oath establishes a certain relationship between me and myself, between me and my word".<sup>61</sup> The oath restores social relationships. The community has been offended or even threatened by the outbreak of a dispute, and the oath aims to appease it. It then becomes an element of the trial, a complex mechanism for restoring the upset balances. In a typical case, one of the parties to a dispute will swear that he or she owns land, that he or she did not steal property, that he or she did not lie to the other party. If the misfortune described in the oath does not occur within a certain period of time, which may be set at one year,<sup>62</sup> he or she will be deemed to have told the truth. As one "priest" explains: "After the oath-taking process, the person can bring two bottles of dry gin or any other thing to show appreciation to the Ogun deity. If a person that was accused of stealing pleads innocent, he is made to pick the kola nut with his mouth from on top of the table of Ogun. By eating the kola nut, the deity enters the body of the person and starts to work. If the person is guilty, the deity will kill the person, but if innocent, the deity will leave the person." [NT26].

The last method of administering justice, which is the closest to what we know in our Western judicial system, is the recognition of the payment of a debt.

### 3) Recognition of the payment of a debt

"The spokesman called on the first case for the day. It was a case between two women. The debtor seemed like a woman in her early fifties and she was to pay the sum of 300,000 nairas (735 euros) to another woman whose son was the actual creditor. Holding the money in her hands, she handed it over to one of the shrine officials who took the 10% belonging to the shrine as agreed. The remaining sum was handed over to the woman who said she was standing on behalf of her son. The secretary of the shrine took down the details of both women and including how much was the total sum owed and how much was being paid." [NT25] In this type of dispute, the "priest" recognizes the debt and validates its payment. During the

61. TESTART A., «Le lien et les liant (les fondements symboliques du serment)», *op. cit.*, p.245.

62. OBA AA, "Juju Oaths in Customary Law Arbitration and Their Legal Validity in Nigerian Courts", *op. cit.*

observations, this type of function was very common in some shrines, particularly to record the payment of debts related to trafficking to Europe. This procedure seems very similar to the way in which a bailiff records a payment in the French legal system. This example raises questions about the relationship between what can be described as "native justice" and state justice. In our context, they coexist and even interact, because it is possible to move from one to the other.

### D - RELATIONSHIP BETWEEN NEOTRADITIONAL JUSTICE AND STATE JUSTICE

The complementarity between the different types of justice is such that a "priest" indicates that an oracle can be used to identify a thief, even before that thief is taken to the police [NT26]. Similarly, an official working in the immigration service reported that he planned to consult the "chief priest" in relation to a land dispute [NT31]. However, from the "priests" point of view, under no circumstances can these two types of justice be applied simultaneously: *"Both are two parallel justice systems that can never meet. In fact, if a case is in the court or police station, it must be withdrawn before it can be taken up by either Ayelala or any other deity. Ayelala and the police cannot handle any case together; it is either one or the other."* [NT27 and NT28] Cases with a spiritual dimension, such as witchcraft cases, fall under the jurisdiction of shrines [NT27]. Similarly, debt recovery is a major focus at hearings in shrines. A "priest" explains that justice is meted out more quickly by the shrines and perceived as more legitimate, since the ancestors cannot lie [NT14]. Recourse to justice administered by shrines may also be used in a subsidiary way, when the state authorities have failed to resolve the dispute.

The relationship between *neo-traditional* and state justice can also be studied through the recognition by federal courts of oaths taken before shrines. The Oaths Act,<sup>63</sup> that is, the text defining the legal value of oaths, indicates that those taken before "chief priests", the most commonly practiced, are admissible in the courtroom. The possible transition from one system to another is part of the legacy of Indirect Rule, applied during the British colonization of Nigeria, which allowed the coexistence of the colonial and pre-colonial

63. *Ibid.* The text of the federal law is available at: <http://www.nigeria-law.org/Oaths%20Act%201990.htm>

systems.<sup>64</sup> An oath can be sworn in the conventional way in the "English style court" or in the traditional way before a shrine. In both cases, criminal law punishes the swearing of a false oath.<sup>65</sup> However, since 1994, various decisions have tended to put the validity of oaths into perspective or to impose additional conditions on them.<sup>66</sup> One author nevertheless reminds us that as long as the shrines continue to be attended by the public, it will be difficult for the state courts to refuse to validate the sentences of *neo-traditional* justice.<sup>67</sup>

Finally, to get an idea of the public's perception of the justice meted out by the "priests", we can refer to a survey conducted among the Ogbusa community in Ogun State.<sup>68</sup> The cohort consisted of fifty individuals (54% male and 46% female), 74% of whom were Christian, 22% Muslim and 4% traditional.

In this survey, 40% strongly agreed that *Ayelala* is really feared by the people, while more than half simply agreed with this statement. Only 4% somehow agreed. Similarly, while a third of respondents strongly agreed that *Ayelala* is truly powerful, another third simply agreed with this statement and 16% somehow agreed. In addition, 16% consider that *Ayelala* is not really powerful. Finally, half the respondents indicated that they had heard or witnessed in the past that someone had been punished by *Ayelala* for committing a crime or offence.

The above findings help demonstrate the longevity and legitimacy of the shrines and their influence in Benin City society. Beyond this, they provide a more accurate understanding of how the practices associated with *juju* are involved in trafficking activity and an assessment of their influence as a mode of coercion on migrant girls.

64. ELLIS S., *This Present Darkness*, op. cit., p. 15.

65. Sec. 117, Criminal Code, Cap 77.

66. SEE OBA AA, "Juju Oaths in Customary Law Arbitration and Their Legal Validity in Nigerian Courts", op. cit.

67. *Ibid.*

68. DADA OJO M.O., "Incorporation of Ayelala traditional religion into Nigerian criminal justice system", op. cit.

## SECTION 2 - INVOLVEMENT OF SHRINES IN TRAFFICKING ACTIVITY

In an attempt to understand the significance of shrines in the trafficking process, we can refer to Precious Diagboya's analysis. According to Diagboya, shrines are resource centers where people meet, become friends or create economic alliances.<sup>69</sup> These places thus create solidarity, which meets specific needs, especially in times of crisis. The political and also socio-economic difficulties experienced by Nigeria over the past decade in particular could therefore explain the considerable increase in the influence of shrines in the region studied.<sup>70</sup>

Returning specifically to the role of shrines during the trafficking process, most of the rituals used are similar to those observed in the "ordinary" practice of shrines (I). However, oaths of allegiance (II) and their guarantee through the use of items (III) appear to carry particular weight in the criminal context. Their effects are frequently mentioned by those that have been involved in this process (IV).

### I - FUNCTIONS PERFORMED BY "CHIEF PRIESTS" IN RELATION TO TRAFFICKING

In a manner quite similar to what was observed in the "ordinary" practice of shrines, "priests" are involved at all stages of the trafficking process by offering rituals mainly adapted to the needs of the "madams".

At the time of recruitment: A "chief priest" reports checking that the girl is not an *ogbanje*, that is, she is not inhabited by a "mermaid spirit". If she were, he informs the "madam", there is a risk that the girl might drown during the crossing. He may then offer a ritual to drive out this spirit, a sort of reparation, by immersing them in a bath of leaves and herbs [NT27].

69. Email exchange on 22 October 2018 with Precious Diagboya, researcher responsible for the study of shrines within the research team set up by IFRA in Nigeria.

70. See M-A. Perouse de Montclos, "Le Nigéria, un géant qui inquiète", *Le Monde* du 13/11/2018, *Le grand entretien*.



Sacrifice to protect the girl: To a girl who is going to migrate, the "chief priest" may offer to perform a sacrifice to protect her during her journey [NT9]. The financial burden then falls on the girl. A trafficker explains how he accompanies all the travelers he is responsible for to the shrines so that the "chief priest" can perform a "protection spell": *"The protection spell is specially designed by the 'native doctor' to protect me and the entire entourage from the perils of the desert, bandits, and rebels and so on. This spell has been very effective for me because I can say that my work has been more successful than not. I also have to assert from the 'native doctor' if the journey I am about to embark on is okay, if it is not, he will recommend some purification or cleansing ritual for me or the girls. And also boys who have a direct agreement with you to take them across to Libya also do not need oaths of allegiance to their 'madam', but I insist that they go with me to the shrine in order to safeguard our journey and put it in the hands of the ancestors. While in other cases, some people can bring their 'winchy'(bad omen) and then a journey that is supposed to last for about two weeks will take months and then you might still not get to your destination amidst the struggles you encountered on the way."* [NT14]

The distinction made by the trafficker seems to be very important. He subjects all his clients who are about to embark on their migration to the protection spell but reserves the oath of allegiance for those young women who are migrating in a situation that we describe as exploitation. *"Another instance can be if a mother is in Europe already and wants me to bring in her grown children, these ones will not need to take oaths of allegiance, but I still ensure that they go with me to the shrine in order to secure the trip and do some rituals if need be."* [NT14] This aspect precludes reducing the use of "juju priests" in trafficking to an instrumentalization of pre-colonial beliefs for criminal purposes. This does not, however, as we will see, remove this dimension of the process used.

"Rituals" to improve the profitability of girls: A "chief priest" explains: *"I also provide things that will help them get more customers and good luck. This is done so that when they get there, 'Oyinbo'(white) men will not be able to resist them and try as much as possible to give them whatever they request. This also helps them get favored*

*wherever they go."* [NT9] <sup>71</sup> Another respondent stated: *"My 'madam' used to make body lotion with juju so we could get more clients."* The "priest" can also be involved to provide remote care for the girl when she is sick, so that this does not hinder her work: *"When I became sick (I was sick for more than two months), I was always forced to continue working. That day, my 'madam' called the 'juju priest' to recite incantations about my health because it was affecting my work. He did that and then I started to feel better."* [NT16] Of the ten girls in France who answered the question about whether they used the services of the "chief priest" to obtain more clients, only one answered positively. She reports that, on the night she took the oath, her mother promised to get her *"something that will improve my ability to make money on the job"* [NT18]. Most of the girls surveyed in France indicate that their "madam" has used this type of service.

Exercising threats: *"When I refused to work, my 'madam' called the 'juju priest' who conducted the oath, he threatened me and my family members, at this point I decided to do the job."* [NT7] Some "priests" work very closely with the "madam" by providing a kind of "after-sales service" through a reactivation of the oath: *"My 'madam' was always in contact with the 'juju priest' and she always made us listen in on their conversations as the 'priest' always told us that if we reneged on the oaths, the juju will come for us. At one point, it became a weekly routine to have calling sessions with the 'juju priest' who gave us warnings not to 'run away'."* [NT16] The threat can be exercised remotely by the "priest", through reactivation or by casting a spell on those items that materialize the promise (see above).

Conflict resolution: Once the migration has taken place, the "chief priest" will intervene to resolve any conflicts between the "madams" or the sponsors and the girls. He will then contact them by phone and ask them to express their grievances in an attempt to calm the situation [NT9]. Resolving the conflict may involve the existence of hidden threats. *"I remember on one occasion that I had a quarrel with my 'madam', and she called the 'juju priest' who later warned me about the oath I swore to. All through that night, I was so scared even while at work, it ended up being a bad day for me business-wise. I concluded that I was going to pay back her money, considering my*

71. See also NT6.

experience." [NT11]

Acknowledgement of payment: As mentioned above when describing the judicial functions of the shrines, the "chief priest" will enforce the agreement entered into between the parties and acknowledge payment of the sums by the debtor.

At a hearing at the Arohosunoba shrine, two women in their fifties appeared before the "priest". The first woman represented her daughter who had helped the daughter of the second woman travel to Europe. The total amount owed was €20,000, out of which she was there to pay €250 for the month of June. The €250 was handed to the officials at the shrine, the shrine's 10% was deducted and the remaining given to the mother of the creditor. The secretary of the shrine had to document the payment and told the woman the date she was expected to bring the next payment in the next month [NT25]. In another case, the debtor, the person who had migrated, was represented by a man who did not even know the debtor's first name. He therefore obviously had no fear of the possible consequences of his presence at the hearing. This case therefore confirms that these types of proceedings are commonplace. The shrine can collect the payment even in the absence of the creditor [NT25].

During the observations made at the Arohosunoba shrine in 2017, the basis of the debt, its legitimacy and the creditor's performance of its obligations were never discussed. The shrine only recorded the payment or non-payment. During the days observed, 13 of the 32 cases concerned the payment of debts related to trafficking. The amount of money required from debtors appears to be relatively large. For example, a woman, who had just paid €250 when her daughter owed €5,000, was threatened because the amount paid was too low in relation to that due. If she did not make sacrifices and say prayers, her daughter would fall ill [NT25].

Beyond this, the oath of allegiance is mentioned by victims to explain their difficulty in freeing themselves from the exploitation process.

## II - THE OATH OF ALLEGIANCE

Before describing specifically the rituals to which people have subjected themselves, it seems important to identify what is meant

by the *oath of allegiance* unanimously mentioned to describe the commitment made.

According to Precious Diagboya, the oath of allegiance, which can also be described as a loyalty oath, is used in the Benin City area in the context of marital fidelity, good faith in commercial dealings or commitment to a group (a *cultist group*, for example) or to a deity. As we have seen, it can be taken by the devotees to a deity at the time of initiation or by the "priests" to the *Oba*.

The existence of an *oath of allegiance* adds a sacred dimension to the commitment of allegiance, a dimension that distinguishes it from a simple promise. This sacred aspect is "most often handled by involving a third party witness: the third actor in this sociodrama that is the oath, a sacred or sanctified actor, a witness and guarantor of the enunciation".<sup>72</sup> In the context of the allegiance that migrant women swear to with regard to their "madam", it is the "chief priest" who is this third party between the person swearing allegiance (swearer) and the person to whom allegiance is being sworn (swaree).

To understand the implications of the choice of this term, it is useful to revisit the history of this word and the practices with which it has been associated. The term derives from the Old French words *ligence* and *ligance*: "The state of the one who is bound to his lord, who has committed his faith to him".<sup>73</sup> Allegiance is a feudal institution that lasted until the 19th century in Common Law. Until the 19th century, England had largely ignored the concept of the state as a legal entity. As a result, subjects were not associated with each other, but only with the one who was their superior, the king. According to Robert Kiefé, allegiance is "the feudal obligation of loyalty and obedience that a vassal owes to his suzerain, an obligation which has its counterpart in the protection or guardianship that the suzerain owes to his vassal; yet, the king is the supreme feudal lord of all the people and of all the land of England, and all his subjects are, in the technical language of feudalism, *ad fidem regis* (owing allegiance to the

72. LECOINTRE S., « Ma langue prête serment... », *Le serment 1, Signes et fonctions*, CNRS Editions, coll. « Hors collection », 1992, vol. 2/Tome 1, p. 9.

73. These references are taken from the CNRTL website (French National Centre for Textual and Lexical Resources - <http://www.cnrtl.fr/etymologie/allégeance>).

king). The oath of allegiance to the king is a simple variant of fealty that binds the suzerain to the vassal in all other cases." <sup>74</sup> There is therefore a "double and reciprocal bond between the sovereign and the subject, because just as the subject must obey the king, so the king must protect the subject". <sup>75</sup>

The components of the oath are situated in the context (A) that makes the ritual possible in itself (B).

## A - CONTEXT

The place and the presence of specific actors attending or taking part in the ritual are necessary for swearing the oath.

### 1) The place

The place where the oath is taken is not indifferent. François Billacois identifies three types: <sup>76</sup> a functional place, such as a courthouse or administrative premises; a sacred place, in other words a "space separate from the profane continuum", or (and this is not incompatible with the two preceding elements) an isolated place, away from inhabited places. Most of the respondents took an oath in a shrine, in front of a statue dedicated to a deity, therefore in a sacred place, but some of the girls mentioned an isolated place, away from people [NT4]. One respondent reported that she was blindfolded during the journey to the shrine so that she could not reveal where it was located, but she said she observed that it was in an undeveloped area and that there were no houses nearby, but there were woods [NT15]. The ritual was performed near a river [NT4], or on the outskirts of a village outside Benin City [NT21 and NT18]. Another reported that the shrine was a two-hour drive from Benin City [NT2]. Finally, for another, the shrine was surrounded by "a lot of bushes and trees and scattered buildings here and there" [NT23]. This isolation, in a natural and secret environment, can be interpreted as accentuating the transcendental dimension of the act, thus supporting communication

74. KIEFE R., «L'allégeance" article in La nationalité dans la science sociale et dans le droit contemporain», 1933. Available from [www.gallica.bnf.fr](http://www.gallica.bnf.fr)

75. *Ibid.*

76. BILLACOIS F., «Rituels du serment: des personnages en quête de voix off», *Le serment 1, Signes et fonctions*, CNRS Editions, coll. «Hors collection», 1992, vol.2/Tome 1, p. 23.

with the invisible part of the world. The distance and secrecy certainly promote the use of the sacred. On an emotional level, this staging is complemented with effects. One respondent reports: "*When I first saw the place, I started shivering and then my 'sponsor' tried to reassure me. There were different molded images of the gods; the air was heavy with the smell of animal blood.*" [NT23]. Even though this seems to be a rare occurrence, the girl can also take an oath upon her arrival in Europe if her "madam" has an altar dedicated to the deity. This altar may be in her own apartment. A respondent who swore an oath when she arrived at her "madam"'s house in Austria describes a ceremony very similar to that reported when the ceremony takes place in Nigeria, a ceremony that took place in the presence of a "priest" [NT20].

### 2) The actors

Four main actors participate in the oath: an officiant, an audience, a recipient of the oath (who can be called a "swearee") and a swearer. <sup>77</sup>

The officiant is the person who has been referred to as the "chief priest", the "native doctor" or the "juju priest".

The audience may be composed of different people such as family members of the person taking the oath [NT4] or other people migrating with the person swearing and who are therefore mutual witnesses of their respective commitments. "A more passive role than the officiant, the generally silent spectators are part of or represent the community, the social body. They make the oath sworn before them a public act." <sup>78</sup> This dimension is believed to be of particular importance because of the content of the oath. One trafficker specifically requests that the relatives of the girls migrating also be contacted, and they all go to the shrine to take part in the ceremony before the "chief priest" [NT14].

The recipient of the oath can be either the "madam" herself, the mother of the "madam", or the trolley [NT2]. Nevertheless, when it is the trolley who takes the girl to appear before the "chief priest"

77. *Ibid.*

78. *Ibid.*

in relation to trafficking, he is acting as an intermediary, since the commitment is made to the "madam". Her absence is not a problem in itself. François Billacois even argues that the absence of the swearee – or recipient of the oath – can sometimes give more weight to the oath: "The frequent concealment of the receiver, her deindividuation [...] amplifies the transcendental value of the act".<sup>79</sup> One of the respondents even explained that she had never met her "madam". Nevertheless, she still considered herself bound to her [NT19].

Finally, the person making the commitment (the swearer) is of course the girl who is going to migrate. She is sometimes asked to wear a specific piece of fabric. One respondent, a victim of trafficking who had returned to Nigeria, commented on this subject: "*I was given a white cloth to tie on getting to the shrine and I swore that I will pay up €34,000.*" [NT6] Describing this commitment as an "oath of allegiance" reveals that the relationship between the person making the commitment and its recipient is part of a context of inequality between the two protagonists, making it possible to create a bond of submission and obedience that goes beyond the mere content of the promise. This inequality is linked firstly to the fact that the "madam" is older than the one who is exploited by her and secondly to her social and economic superiority.<sup>80</sup> The expression "oath of allegiance" also evokes the idea of reciprocal obligations, and in particular a duty to protect the person to whom allegiance is sworn. This idea of reciprocity is not found when a loyalty oath is used.

The simultaneous attendance of several girls during the oath is also to be noted. This point helps to create a special bond between all the swearers. The way in which the oath itself is organized provide a clear indication of what is at stake.

## B - COMPONENTS OF THE OATH

How the oath is taken is reported by some respondents in a very precise way: "*When we entered into the shrine, the 'chief priest' told me to cut out some hair from my armpit and pubic region, he also requested for my sanitary pad I had already used for my period. After*

*I had given him all the items, he then killed a fowl and gave me the heart raw to eat it and swallow, he gave me a particular liquid mixture, but I do not know what was inside because I was blindfolded at that point, I only perceived the smell of alcohol in the mixture. He then asked me to say that I will never report my 'madam' to the police over there even when maltreated by my 'madam' and that I will obey and trust whatsoever she told me, the last one was that I will repay back the money in full as agreed, I said the wordings as requested, I and the other five girls who were to go.*" [NT23]

The link created between the swearer and the swearee is based on a promise, a pronouncement on an object or substance on which one swears.

### 1) The promise

The oath can be broken down into two parts: "I swear on oath" and "If I do not keep my promise, I will go mad, I will die, the spirits will possess me" or similar.

The "I swear an oath" formula has a crucial dimension. It does not describe a fact but constitutes an act. As Nello Zagnoli explains, it is because I say "I swear" that my interlocutor is informed that the dictum is not just a statement, but an oath.<sup>81</sup> The commitment includes, exclusively or in addition to the allegiance, the following elements: a ban on fleeing, on reporting the situation to the authorities, on telling anyone about it, as well as an obligation to pay. The discourse on the content of the commitment is consistent throughout the interviews conducted in France and Nigeria. In this regard, a "chief priest" says: "*They swear allegiance to their 'madams', they swear to keep away/ silent from the authorities regarding their activities, and they also take oaths that put their 'madam' in complete control of their activities while they are still under her (when they are still paying back the debt owed).*" [NT9] Among the comments of those who migrated, we can highlight: "*I was asked to swear that I will not forsake my 'madam' and will pay back the money spent for my trip. From the shrine, we went to a river around Uwelu [...] we were asked to bathe in the river and to promise that whatever we encounter in Italy, others would not*

79. *Ibid.*

80. SIMONI V., "I swear an oath", *Prostitution nigériane, Du rêve de migration aux réalités de la traite*, Karthala.

81. ZAGNOLI N., «Figures et logique du serment», *Le serment II, Théories et devenir*, CNRS Editions, coll. «Hors Collection», 1991, vol. Tome 2, p.488.



hear of it." [NT16] A trolley states: *"Firstly, the girls have to take an oath, swearing allegiance to the 'madam'; they also swear to repay a stipulated amount to the 'madam' and then swear to keep all the details of the agreement silent from others."* [NT14] Beyond these explicitly stated elements, the fact that the oath is qualified as an oath of allegiance refers, as we have seen, to an obligation of obedience and submission.

The wording "I swear on oath" is clearly essential, but it is not enough. It is supplemented by a sentence specifying the consequences of non-compliance with the promise: *"Otherwise, I will have to face the following consequences..."* In this regard, a "priest" explains: *"In most oath taking, phrases that connote calamity are used, such as: if I don't abide by this oath, let me die, let my life not be fruitful and other strong curses depending on the 'priests', the gravity of the case and the persons involved. In oath taking, one puts his life and wellbeing on the line and that is why some people take oaths saying that if they don't do something, let them not have good health or may they remain sick or even become mad."* [NT27]

For their part, the respondents report: *"He told me to declare that, as I am going to Italy, if I refuse to pay the agreed amount, may calamities descend upon me and my household."* [NT7] *"We were asked to kneel in front of the ancestors with our hands stretched out to it and then say: 'if I go and I refuse to pay my 'madam' back, this my hair and pant wey I drop here, go draw me back and through am, I go dey dry until I die.'"* [NT21].

#### "Swear on"

To take an oath, the pronouncement of a declaration must be accompanied by an act or gesture, which has a binding effect. According to Alain Testart, the "promise is the 'technical' medium, so to speak, of the bond created by the oath [...]. But there is also a very material medium, because there is no oath that is not sworn on something".

<sup>82</sup> The existence of a gesture is one of its constant components. This may involve placing the sacred object on her bare head, holding it close to her body, clasping it with both hands or with her right hand, raising her hand to designate the transcendent power or kissing the

swearer.<sup>83</sup>

According to one respondent: *"I was asked to make a covenant with the gods and ancestors while on my knees, my hands raised up and naked, facing the shrine that if I rebel against my 'madam' or I decide not to repay her, I would face the consequences."* [NT21] We can therefore clearly find the parallel between the alliance made with the deities and ancestors and the bond created with the "madam". The bond between the swearer and the swearee ("madam"/sponsor or trolley) is based not only on the bond between the girl and the gods or deities represented by the statues, but also on the bond created by the animal sacrifice.

We have little evidence to define the bond between the person who swears and the deity represented by the statue. One of the "chief priests" interviewed said: *"You know, it is the belief of the people here that whatever they do, the gods and ancestors have to have a hand in it."* [NT1] Prior to the oath, therefore, there is an unbreakable bond between the girl who swears and the deity - represented by the statue - on which she swears. The bond created by the oath could refer by homology to the bond that existed before the world between the girl and the gods or deities represented by the statues was created.

Finally, the substances used should be discussed. The girl swearing will take an oath on a container, placed in front of the statue and containing the blood of the sacrificed animal, elements from her human body (often related to its intimacy, such as vaginal secretions, menstrual blood, pubic hair, etc.) and alcohol. These substances, referred to as "binding or entangling substances", <sup>84</sup> seem to contribute to creating the bond of the oath. By swearing on these substances, the "swearer somehow entangles her promise in a certain mystical materiality. From being light, easy and versatile, the promise becomes heavy with consequences. The substances become signs or a symbol of a bond". <sup>85</sup> We can then understand that the choice of vaginal secretions as a binding substance is far from being trivial, given that the bond between the "madam" and prostitute who works

82. TESTART A., «Le lien et les liant (les fondements symboliques du serment)», *op. cit.*, p.247.

83. BILLACOIS F., «Rituels du serment: des personnages en quête de voix off», *op. cit.*, p.31.

84. TESTART A., «Le lien et les liant (les fondements symboliques du serment)», *op. cit.*

85. *Ibid.*

for her as a prostitute is unbreakable and based specifically on her sexual activity.

## 2) The gesture/acts

The existence of a gesture – an act – being used with an oath is one of its constant components. "A gesture is essential, because it says that the word of a man alone is not enough to tell the truth, the whole truth, and nothing but the truth. [...] There is no oath without the incarnation of the word." <sup>86</sup>

During the interviews, the respondents reported kneeling [NT7] and reaching out to the statues of the ancestors while taking the oath [NT21]. In addition, the ritual often includes eating the animal's entrails, <sup>87</sup> drinking a drink containing elements from the rituals (blood of the sacrificed animal, elements from the human body, alcohol, etc.), scarification or the inscription of marks on the swearer's body with the blood of the sacrificed animal. <sup>88</sup>

Ingestion, immersion, marks made on the body with blood or scarifications are other ways of symbolizing the creation of the bond.

### a) Ingestion

The respondents regularly reported ingestion practices. *"My used underwear was collected from me as well as some strands of hair from my pubic region; this 'priest' mentioned that this was done to seal my part of the oath and make sure I attract my clients. On their own part, a cock was slaughtered for the ritual and I was made to drink some of its blood while some was used to prepare the concoction which I bathed in."* [NT4] One "priest" explains: *"After saying out the words of the oath as listed above, I will then pour out some of the blood of the cock in a container, add some 'hot'drink and ask them to drink with a piece of kola nut."* [NT9]

Ingestion is also a common practice during ordeals. The formula used is then as follows: *"If I am guilty, let the substance I eat take my*

86. BILLACOIS F., «Le corps jureur: pour une phénoménologie historique des gestes et du serment», *Le serment 1, Signes et fonctions*, CNRS Editions, coll. «Hors Collection», 1992, vol.2/ Tome 1, p.458., p.101.

87. *"I was also given the intestines of a slaughtered chicken to eat raw."* [NT19]

88. *"The juju priest used the blood of a cock to make some inscriptions on my body."* [NT15]

*life."* <sup>89</sup> In sworn pacts, <sup>90</sup> both parties can seal their commitment by drinking a liquid, for example a mixture made from blood, which then makes them blood brothers. In the event of non-compliance with the reciprocal commitment, the mixture will kill them. <sup>91</sup>

In these various hypotheses, ingestion gives another form of materiality to the spoken promise. Once it has become matter, the promise is absorbed, which then prevents it from becoming free. Immersion is another common act practiced during oath-taking.

### b) Immersion

*"The 'juju priest' took us to a river there and the ritual was conducted. I was asked to bathe and afterwards to pledge my loyalty to my 'madam' who I had not met at this time, the consequences of acting contrary to the promise in the oath was spelt out to me and the 'priest' made sure I repeated it twice."* [NT4] Immersion here can refer to a new belonging, belonging to the "madam" and more broadly to the exploitative group. This ritual is common in the context of initiation. Immersion allows purification prior to the new belonging, <sup>92</sup> the new identity. This meaning resonates with the idea of allegiance, which creates a bond of belonging between the person and his sovereign, between the trafficked girl and her "madam". This practice is found in Christian baptism, which includes an act of immersion, about which the Apostle Paul says: *"For all of you who were baptized into Christ have clothed yourselves with Christ"*. <sup>93</sup> Similarly, again recalling an act associated with baptism, one respondent reported that, during the oath, blood from the sacrificed animal was poured on her head [NT17].

The fact that several young girls perform the same ritual at the same time undoubtedly contributes to reinforcing this sense of belonging, not only vertically (in the relationship to the "madam") but also horizontally (between the girls). One respondent was asked to bathe in

89. ZAGNOLI N., «Figures et logique du serment», *op. cit.*, p. 151.

90. The two parties commit themselves to each other and failure by one of the parties to comply with his commitment releases his partner, but perjury is also punishable by a penalty of supernatural origin.

91. ZAGNOLI N., «Figures et logique du serment», *op. cit.*

92. WUNENBURGER J.J., *Le sacré*, *op. cit.*, p.34.

93. Epistle of Paul to the Galatians, 3, 26-29.

a "foamy mixture" with the other nine girls who took the oath with her [NT18].

### c) Marks made on the body and scarifications

Several functions seem to be attributed to scarifications.

According to the first, scarifications are a component of the initiation ritual, at the end of which the initiated person is "conferred signs and privileges related to his new social and religious status (change of name, tattooing, wearing clothes)".<sup>94</sup> Scarification as a distinctive mark therefore indicates the new belonging.

Secondly, scarification is associated with the oath – and it is not clear to us whether the oath taken by girls prior to migration also plays an initiation role. This practice involves setting the swearer's body in motion in conjunction with the promise being spoken.

Finally, introducing the mixture into the wounds allows the ancestors and deities to contribute from within the body to the actions of the girls. Because the goal is for the girls to have as many clients as possible, the mixture is introduced into their private area. According to a "chief priest": *"We have different categories of marks especially for the line of work, you know, it is the belief of the people here that whatever they do, the gods and ancestors have to have a hand in it, and since the private area is what the girls work with, my work would therefore be to make some mixtures, use a blade to cut specific parts of the private part of the girls, add the mixture and the blood to the cut with some incantations. There are also different kinds of these marks, the least amount is 7 cuts which brings about 'good market' for them, 14 marks is better as well, but for excellent results, 21 cuts is the best although it costs more to do that one, most of the girls I perform the ritual on have very good results at work. The logic is that if someone goes to a doctor for an ailment that concerns the stomach, he would recommend specific medications that will relieve the stomach, that also applies here, the clients who come to us for assistance would get it as far as they are willing to perform all the necessary rites associated with their line of work or business."* [NT1]

94. WUNENBURGER J.J., *Le sacré*, op. cit., p. 34.

## III - ITEMS

A "priest" explains that, after a young woman has sworn an oath, he asks her to *"give her underwear [pants], her fingernails, toenails and some strands of pubic hair. We tie it in cellophane, put it in an envelope and then write her name on it. When she finishes paying, she can come back to collect it. Once the 'madam' signals me that a girl has paid, she can come to my shrine to collect her property or send down her relative to collect it on her behalf. My duty is to keep the items safe so that when the time comes, she can get it back."* [NT9] Victims also describe these practices: *"I was asked to take off my underwear, while the 'juju priest' scraped a portion of my pubic hair, armpit hair and some strands of hair from my head. He put the items in a pot, added a runny liquid which I could not catch a glimpse of and then started making incantations. I was then asked to swear that I would be faithful to my 'madam', and then I will ensure I paid the sum of €35,000 to my 'madam', failing which, I and a loved member of my family will go mad."* [NT18]

Through this process, the person who holds these pieces of matter can continue to act on the person who swore. We will use the term "item" here, which was used by the respondents during this research. Others use the term "juju", which in the vernacular language refers to both the ritual and the object used during or at the end of that ritual.<sup>95</sup> However, more accurately, Simona Taliani uses the term *fetish object*, (ebo or èbò). The items give tangible form to the content of the commitment, while dissociating it from the body of the swearer. A young woman tells how the mother of her "madam" told her that if she did not repay her daughter, she – the "madam"'s mother – would be forced to take these things to the shrine and that the "priest" could then perform some rituals that would affect her – the swearer – wherever she went. After paying her back the money, she should buy drinks to give to the "priest" in order to "break" the pronouncement she had made regarding working with her "madam" [NT3]. Simona Taliani points out that this *fetish object* provokes a real terror in them when they understand its function, purpose, duration and violence, all of which are variables that are now independent of the original

95. The choice of this term is in line with what was mentioned earlier about voodoo, in a lingua franca or a vehicular language. Taliani S., "Calembour de choses dans le vaudou italien", op. cit.

intention, and which go far beyond their will or desire.<sup>96</sup>

The items therefore function as a kind of contract guarantee. If the girl refuses to pay, the "chief priest" can, from his shrine, set fire to the items. If she has finished paying her debt, or if she has been unable to pay it for reasons beyond her control, she will be able to negotiate the return of her items. One respondent explained that after her deportation she went to get her items from the "priest": *"When I got back to Benin upon deportation, I went back to the shrine to collect my items from the 'priest', some people choose not to go back to collect their items because they feel that once they get deported, the contract has been terminated but for me, my experience at the shrine was too real for me to let my personal belongings remain there."* [NT23]

Apart from the anthropological significance of these practices, their considerable psychological effects can also be understood. Through the possession of the items, the "priest", or the "madam", retains power over the girl, and in a conception of the world where the visible and invisible dimensions are one, rational arguments cannot be used against such beliefs. Before returning to how the oath influences victims as they travel through the destination country, we will discuss the way in which trafficking and shrine activity are perceived.

#### IV - PERCEPTION OF TRAFFICKING AND THE ACTIVITY OF THE SHRINES IN THIS AREA IN NIGERIA

Fieldwork in Nigeria provides some evidence as to how trafficking practices and the use of shrines are perceived by (A) the public, (B) "priests", (C) families and (D) state authorities.

##### A - PUBLIC PERCEPTION

The aim of this study was not to analyze how trafficking is perceived by the general public. Nevertheless, some conversations or scenes reported attest to the fact that these journeys are commonplace. These aspects must be treated with caution, as they remain few in number and do not come from a representative sample of the

96. TALIANI S., "Du dilemme des filles et de leurs réserves de vie. La crise sorcellaire dans la migration nigériane", *Cahiers d'études africaines*, 15 décembre 2018, n° 231-232, p. 745.

population.

The researcher in Nigeria reports that she witnessed a dispute at a hearing between two families over a young woman accused of not having paid her migration debt. After inquiring about the more specific reasons for the dispute, she understood that this young woman had undertaken to pay €35,000 to migrate to Europe by land [NT24]. In this case, the debt amount suggests that this was not a case of illegal migration (or smuggling), but of trafficking. However, instead of ending up in Italy, as agreed, the young woman was placed in France. There, she waited six months, without contact with anyone. Finally, her host in France gave her €40 so that she could travel to Germany. On the train, she met a compatriot who helped her find a hostel for asylum seekers. However, some time later, her family in Nigeria received a summons to a hearing before the Arohosunoba Shrine. While some elements of this story remain unclear (What was the relationship between the "host" in France and the sponsor? Why did the sponsor not follow up? If he was no longer able to find a place for this woman to find a place for prostitution to this woman, why did no one else take over from him? etc.), it is still informative in terms of the views on this situation of those involved in it. The older woman explained that she thought €35,000 was far too much to pay for the migration. Nevertheless, she considered that it was in the family's best interest to withdraw from these legal proceedings because this might only worsen their situation. In her view, once heard by the Arohosunoba court, the girl and her family would have to pay a certain amount each month to repay the debt. Every month that they did not pay what they owed, the family would have to make sacrifices on behalf of their daughter, otherwise she would go mad and die. The woman also noted that if the complainants wanted to settle this case, they would have to remain humble and go and plead to the trafficker's family. In her view, over the long term, the burden of debt should be borne by the family.

This example is informative in terms of the perception of these types of migration. According to this woman, who, based on the information available to us, has no specific expertise to assess the situation, the amount requested is clearly excessive, but the amount owed must be paid, and it is equally clear that the shrine, in its judicial role, would prove the sponsor right.



The fact that trafficking processes are so commonplace can also be illustrated by the meeting held by the study's researcher on a bus. Stuck in a traffic jam, a number of passengers began a conversation. The researcher then started talking to a man aged around 30 who told her that his younger sister had migrated under a "trafficking" contract, that she swore an oath before leaving for Europe from where she would have to repay the money for her migration [NT29]. This type of account reveals the extent to which these migratory routes are perceived by some as commonplace and insignificant and the extent to which it seems impossible to fight against the commitments entered into. The public's perception of "priests" regarding these commitments seems quite mixed.

## B - "PRIESTS" PERCEPTION

According to one of the "priests" interviewed: *"Well, no one is forced to do anything here, if you come down here and do not agree to partake in the ritual, you would not be forced, there is a good degree of willingness to perform the rites by the girls before it can be done, and the truth is that the gods would not stop you from doing anything even if they think or feel it is bad, you have to be the one to realize it's bad and then stop it yourself, and then the gods can back your decision, this applies to every aspect of our lives. And then the trolley, the sponsor and the 'madam' have already influenced them before bringing them to me. They tell them that the life abroad is full of glamour and riches, and before you know it, the girls are willing to do anything to get there. It is only when they embark on the journey that they find out that they have been fed with more lies than truths."* [NT1]

This exposes the process from the point of view of each protagonist. Migrant girls are not actually forced to take an oath. Attracted by the discourse of those who offer to accompany them during their migration, they do so voluntarily. At the same time, this "chief priest" believes that the trolleys, sponsors or "madams" are doing their job by asking them to swear an oath. However, he also acknowledges that the discourse used with migration candidates is misleading. For his part, he actively participates in this system by organizing the oaths of allegiance. His reasoning seeks to legitimize the trafficking process.

Conversely, another "priest" explains that he was summoned by a

young woman who asked him to officiate at oath-taking ceremonies for migration/sex work. He explains his reaction as follows: *"I laughed at her and told her that if I engage in such and the girls who promised to pay refused and at the end of the day, the money spent was not realized that it will spoil my good name and I can kill anyone for my good name. She laughed in response and I told her I did not like the idea."* [NT13] Here again, the extracts obtained cannot be used to generalize. Nevertheless, they do confirm the diversity of approaches to these "migratory journeys" among the "chief priests".

However, we are probably at a critical period in the way religious leaders themselves view these practices. The IFRA researcher noted during two days of observation at Arohosunoba Shrine in June and October 2017 that 13 cases (out of a total of 32) brought before the "chief priest" concerned difficulties in paying debts related to trafficking. However, it was in March 2018 that the Oba of Benin, with whom the Arohosunoba Shrine is associated, called for an end to oaths related to trafficking. While it is possible that this declaration may radically change the perception of oaths of allegiance among "chief priests" and more broadly among the public, there is still no way to step back and assess the effects. Nevertheless, when asked on this point, Precious Diagboya, who conducted the observations for this study at the Arohosunoba Shrine, indicates that since the March declaration, this shrine has stopped collecting debts from the perpetrators of trafficking.<sup>97</sup> Similarly, when interviewed informally, a French researcher from the French Central Office for the Repression of Human Trafficking believes that the effects of this statement are considerable in terms of the free speech of victims.

Apart from its religious dimension, this declaration undoubtedly also has a political dimension, because it is highly likely that it was provoked by lobbying by international actors. It was also applauded by Godwin Obaseki, Governor of Edo State, at a weekly meeting of the State Executive Council in August 2018.<sup>98</sup> The perception of these practices by state and judicial authorities is probably starting to change, which will have an influence on the perception of trafficking by the Nigerian public, families, "priests" and so on.

97. Email of 22 October 2018.

98. <https://www.vanguardngr.com/2018/08/human-trafficking-obaseki-lauds-eu-benin-monarch-roles/> accessed 19 October 2018.

### C - FAMILIES' PERCEPTION

Some of the evidence available shows that families are sometimes involved in planning the migration, and as a result in the exploitation process, even though it is difficult to measure their level of awareness of the reality of these practices.

For example, families sometimes attend the oath-taking ceremony [NT4]. Others ask the "chief priest" to perform rituals to help ensure a smooth migration and improve their daughter's profitability [NT18]. In one of the cases we encountered, it was the family who paid for the services of the "chief priest" for the oath-taking ceremony. Once the girl is in Europe, families can also go to the shrine to pay down the debt. Of the 13 situations observed in Arohosunoba, six debtors were represented by their mother, four by their father and one by their brother, and two were represented by someone who did not state they were part of the family. The latter scenario illustrates the public and non-clandestine dimension of trafficking. However, it is not clear whether representing children before the court reveals any form of approval of the process or whether this is the result of coercion.

To the question about how her family perceived her return, as this young woman had been deported, another respondent replied that she had been pressured. Her family asked her what she had brought back while pointing out to her the houses built by the other girls who had left. Her mother even asked her what she had done in Europe, if she did not have any money [NT19]. The aim for the family is to be in a position to build a house like the ones clearly identified in Benin City using the money from trafficking. The commitment from the state authorities to combat these practices is, however, recent and remains limited up to now given the scale of the problem.

### D - STATE AUTHORITIES' PERCEPTION

There is some evidence that controls over the activities of "priests" are gradually being introduced by institutional actors. During one observation session at the Oluku Shrine, the researcher attended a specific hearing. The "chief priest" had just been released on bail after being detained by the immigration authorities for helping individuals recruit their victims. A young woman, who used to be in Europe, explained that he had made her swear an oath in preparation

for her migration. At the gathering, the "chief priest" explained that the wrong person had been informed and that there were two "chief priests" with the same name. Presumably affected by the immigration proceedings, he decided that from then on there would be only one weekly hearing and that he would only receive devotees. Those who wished to use his services must therefore first become devotees [NT30].

This example shows that Nigerian state authorities are interested in the trafficking-related practices of *chief* "priests" and, even though we have no evidence as to the action taken in this case, it probably reveals that things are starting to change. If this were confirmed, it would undoubtedly have consequences for cooperation between the Nigerian and European justice systems, which has been impossible until now.<sup>99</sup>

As regards actual prosecutions, we have the figures published by the Nigerian National Agency for the Prohibition of Trafficking in Persons (NAPTIP). Its 2017 report states that 139 people were arrested in 2016 by the police force for migrating people for prostitution. In addition, 21 cases were the subject of criminal trials for practices that fall within the broad scope of trafficking.<sup>100</sup> As a result, 26 people were convicted, of whom 18 were men and 8 were women. The same report states that 1,890 victims of all forms of exploitation were rescued, of whom 1,799 were from Nigeria. Of these, 429 were victims of some form of sexual exploitation. Taking all forms of exploitation together, victims originally from Nigeria were rescued from the following countries: Libya (373), Mali (107), Burkina Faso (50), Ghana (30), Republic of Benin (27), Togo (18) and the United Arab Emirates (14). A small number of cases were reported in other countries. For Europe, only the following cases are noted: seven for Italy, six for Russia, one for the United Kingdom and one for the Netherlands. None of these related to sexual exploitation. These figures reveal that the protection available to sexually exploited victims in Europe is virtually ineffective.

99. SIMONI V. et D. VOGLIMACCHI, "Quelle protection pour les victimes de traite aux fins d'exploitation sexuelle? Le cas particulier des femmes nigérianes", *J.C.P. édition Générale*, 2013, Supplément au n° 19-20, p. 26.

100. A list of all the offences falling within NAPTIP's remit can be found on p. 12 of the NAPTIP report entitled "2017 Data Analysis Final", available at [https://www.naptip.gov.ng/?page\\_id=361](https://www.naptip.gov.ng/?page_id=361) (accessed 19 October 2018).

The information presented above has clearly identified the involvement of shrines and their various actors in trafficking activity. However, which function of the entire process this relates to is yet to be identified.

### SECTION 3 - THE FUNCTION OF SHRINES IN TRAFFICKING

The role of shrines in the Nigerian trafficking process is crucial. This does not mean that without them these criminal practices would disappear. It is unlikely that the March 2018 declaration by the *Oba* of Benin City will be sufficient to stop the sexual exploitation of girls from Benin City. On the other hand, if it were confirmed that this declaration is leading to action related to the practices of "priests", criminal groups would be forced to invent new techniques to ensure the subjugation of those from which they benefit. The oath of allegiance and the associated environment contribute to creating a very strong bond between the exploited person and her "madam" (I) and more broadly with the exploitative group (II).

#### I - OATH AND BOND CREATED WITH THE "MADAM"

The oath of allegiance plays an essential role in the relationship between the "madam" and the girl from whom she benefits, since it is the oath that determines the terms of this relationship. It is an essential part of the strategy that has been described as a "strategy of control" by which the perpetrators aim to create a context of "submission, of subjection [...], likely to impair the freedom or free will of the victims".<sup>101</sup> This control is based on three main elements, namely "an action of appropriation by dispossession of the other, an action of domination where the other is maintained in a position of submission and dependence, and an imprint on the other that is marked physically and psychologically".<sup>102</sup> Various aspects from the

101.LAVAUD-LEGENDRE B., "Les femmes soumises à la traite des êtres humains adhèrent-elles à l'exploitation? Une mauvaise formulation pour un vrai problème: Etude réalisée auprès de nigérianes sexuellement exploitées en France", *Archives de politique criminelle*, 2012, n° 34, p. 103-122.

102.DOREY R., "La relation d'emprise", *Nouvelle revue de psychanalyse*, 1981, n°24.

analysis of the oath of allegiance and the associated ritual reveal that this practice unilaterally serves the objectives of the "madam".

The analysis shows that it is essential to clearly distinguish between the principle or very existence of the oath of allegiance and the weakness that tarnishes it (A). In addition, the ceremony required for swearing the oath cannot be discussed as such, but it is important to identify the effect it may have, which facilitates the migrant's acceptance of the conditions imposed on her (B). Finally, the vagueness surrounding the potential to revoke the commitment helps neutralize any ability of the migrant to react (C).

#### A - THE DEFECT TARNISHING THE OATH OF ALLEGIANCE

The history of the term allegiance has already been briefly discussed. We can therefore try to identify what it means in the relationship between the "madam" and the trafficked girl.

As we have seen, the devotion of the person who commits themselves fulfils the obligation to protect the person to whom allegiance is sworn. It can therefore be assumed that the use of the expression "allegiance oath" implies that the oath establishes a double bond of obligation: submission and loyalty versus protection. At first glance, this protection consists of providing the money required for the journey, a contact in Europe and access to prostitution work. However, the migration will take place in a country where migration rules are extremely strict and where, culturally, access to various forms of protection is the responsibility not of family or community solidarity, but of state institutions.<sup>103</sup> ID papers or documents are also required to access social protection, employment and accommodation. As a result, the various services offered by the "madam" remain very limited when compared to the main risks actually faced by the migrant, namely the risk of being deported and subjected to violence as a consequence of her prostitution or simply because of her clandestine status. However, at the time she makes her commitment, the migrant ignores these aspects.

Beyond this, it is still necessary to identify the services actually provided by the "madam". She will put the migrant in contact with

103.ALLIOT M., "Protection de la personne et structure sociale (Europe et Afrique)", *Bulletin de Liaison du Laboratoire d'Anthropologie Juridique de Paris*, 1981, n°4, p. 103-131.

the smuggler, provide her with accommodation and clothing, inform her of the procedures to followed to apply for asylum,<sup>104</sup> and instruct her in the conventions around the practice of prostitution and direct her to the most suitable places. However, each of these services already involves a sum of money as compensation for providing them: the smuggler is paid out of the €35,000 to €60,000 that the girl has undertaken to pay, which is very much out of proportion to the real cost of the migration. She is billed for her accommodation as soon as she starts earning from prostitution, as well as for her "work clothes", her food and for the false account for her asylum application that is sold to her on her arrival by one or other of the "madam"'s accomplices. Consequently, there is no real compensation for the relationship established. What justifies the commitment to loyalty is nothing more than the willingness to guarantee the submission of the woman who can be described as a victim.

We might consider that allegiance provides, as compensation, moral support – a maternal and caring relationship established by the "madam" once the girl has migrated. In this regard, some "madams" ask girls who work for them to call them "mom". However, one respondent reports: *"My "madam" said we should call her "mom" and, when we wake up in the morning, we need to lean down as if she is a god. [...] So, we call her "mama" or "mom" as if she is a mother. But she's not our mom, she's a bad person".* [F6] This discourse reveals the disconnect between the idea of protection and the reality perceived by the girls, even if some may have more positive views about their "madam". It is common for the "madam" to establish an abusive relationship with the girl she has recruited. In such cases, it is even easier to prove the total imbalance created: *"I got to Italy successfully and started working with my "madam" who was very rude and harsh to me. I was asked to submit all my money to her at the end of the day, without any prior warning. This meant that I could not save any money to send back home; I became frustrated and angry at the whole arrangement."* [NT15] In two situations observed, the "madam", far from assuming any protective role, reported the girl in her debt to the police so that she would be deported once the debt

104. It is important to note that the asylum application made on the advice of the exploitative group is in fact based on a false account and is intended to ensure that a residence permit is issued, thus avoiding any risk of deportation pending the investigation of the case.

had been paid [NT16].

This raises the question of how those who make a commitment do not realize the incredible imbalance in the commitment they make. The very powerful appeal of Europe is undoubtedly the first aspect to be highlighted. When asked whether they were given the choice of taking the oath or not, all answered that the choice was rather between migrating and not migrating. From that point, all those who took the plunge were so driven by the desire to migrate that they were ready to do anything to achieve their goal. Their ignorance about the legal system in Europe, the value of the sum to be repaid in naira and the inability of their "madam" to help them legalize their situation in the country also contributed to their acceptance of the oath of allegiance. In some cases, peer pressure has led them to embark on this process. Finally, the staging undeniably contributes to dazzling the mind, which means that those who make a promise do not very often measure the meaning of their commitment.

## B - THE EFFECT OF THE OATH-TAKING CEREMONY

Regardless of the meaning attributed to the staging, the choice of place and the various symbols used during the oath-taking ceremony, the effect produced by the location and how it is organized is unanimously the fear, if not the amazement, of the person involved.

Several factors contribute to this climate. Many of the respondents mentioned the objects displayed in the shrines: *"I was shocked at what I saw in the shrine, in fact, there was a small wooden coffin, skeletons and other scary objects."* [NT7] Undoubtedly, these factors have a significant effect on the girls who come at the request of the person making them migrate,<sup>105</sup> even though most of them had never set foot in a shrine before swearing the oath as part of their migration.<sup>106</sup> Besides objects, smells are mentioned by many as contributing to creating an unsafe environment: *"The air was heavy with the smell of animal blood."* [NT23] Beyond this, it is the acts themselves that add to this climate. To the question "How did you feel about the ritual?", the responses unanimously refer to a negative, frightening

105. None of the respondents attended on their own initiative.

106. Among those interviewed in France, 14 of the 15 respondents who answered this question said they had never used the services of a *chief priest* before taking the oath.



perception of it: "I felt bad. It was distressing. I had to eat the heart of an uncooked chicken. I'm in hell. Everything I did, I hated. I am very tired. Tired..." [F15]

It is impossible to rule out that for some people, the way this ritual plays out creates real trauma, in the psychological sense. By this we mean an "individual psychological event defined by the abrupt sidelining of thought processes. With no possible recourse, either internal or external, the only option available to the psyche is to cleave".<sup>107</sup> This type of mechanism can be caused by an unusual event that creates intense stress and then psychological intrusion. The fear generated by the organization of the ceremony and by the acts performed undoubtedly contributes to establishing the relationship of submission or even control. The "almost irrevocable" nature of the promise is part of the same logic.

### C - THE ALMOST IRREVOCABLE NATURE OF THE PROMISE

The definition of the trauma can be associated with the image of a psychological intrusion as if the violence and intensity of fear had damaged the integrity of the subject's personal envelope. During the ritual, certain practices physically damage the bodily envelope and contribute to preventing any revocation of the promise. Furthermore, the uncertainty surrounding what we might call the legal framework of the oath, namely the conditions of validity, nullity or revocation, encourages a climate of uncertainty that further increases the person's vulnerability.

#### 1) Aspects that make the promise difficult to revoke

As part of the oath-taking process, the ingestion and scarification practices mentioned above will have a significant impact on the swearer. To quote Tobie Nathan, it is worth pointing out that: "Having an enclosed space, body or home is above all having clean, clear boundaries [...]. Conversely, fuzzy, watery, uncertain boundaries mark the vulnerability to intrusion." By attacking the envelope that delimits and protects the person, we alter that person's representation of the inside and the outside, of the self and the non-self, and thus his or

her sense of individual integrity is destroyed. The notion of identity becomes obsolete. Tobie Nathan explains that an unowned person will feel "whole and full, with limits that mark that person's difference to the other, whereas through the intrusion, the witch doctor signals to the victim that their envelope has been pierced and that they can no longer keep the distinction between themselves and others".<sup>108</sup> These remarks confirm the anthropological issues associated with these various practices in terms of identity, belonging and relationship building. Beyond this, we cannot ignore their psychological dimension and note that, even though we cannot claim to have an exhaustive analysis, the two fields converge around the idea of giving swearers access to a new belonging that obligates them in an absolute way, as betrayal exposes them to death. The link created, whether with the person to whom allegiance is sworn or more indirectly with other members of the group, violates the individuality and previous belonging of the person. As a result, all the resources this person might find in their history or in their environment to describe the practices experienced and potentially declare them intolerable will be altered or even destroyed. The attack on identity implies an attack on a person's ability to express their own will and revolt. These aspects are further reinforced by the use of items during the oath-taking ceremony.

The coercions exerted through the threat to act on the items is extremely powerful. Until she has collected them, the victim cannot escape the power of those who are asking her to repay her debt on these objects but also on her life: "*When she called, she [...] said that she can place a curse on me and that it would have effect, since she had my 'belongings' with her. At this point, I was scared, so I decided to send 20,000 naira to her.*" [NT3]

Many girls therefore make the retrieval of items a condition for their release from the group, either while they are still in Europe or once they have returned to Nigeria. The fact that threats are made against the family further reinforces their confinement and isolation. Fear makes many families reluctant to encourage the victim to leave the group. The use of "*juju*" is an extremely powerful element of coercion

107. LECONTE J., "Mon corps est là mais pas moi, Travail clinique autour de l'exil et du deuil traumatique", *Revue de l'enfance et de l'adolescence*, 2017, n°96, p.81-92.

108. LAVAUD-LEGENDRE B. et B. QUATTONI, "Désir migratoire, emprise et traite des êtres humains", *Prostitution nigériane, Du rêve de migration aux réalités de la traite*, Karthala, coll. "Hommes et sociétés", 2013, p.79.



and submission here, against which it is difficult to develop legal counterweights. The irrational dimension of the threat, but also its unpredictability, hinders the victims' ability to resist and makes any action by third parties to neutralize it complex.

## 2) Uncertainty surrounding possible cancelation

In some forms of abuse, there is a break in communication registers. The abuser makes a kind gesture, is gentle, smiles, and then a few moments later utters a threat or insult. As a result, anticipating the response becomes impossible and the person being controlled is then entirely at the mercy of the person who is asserting power over them.<sup>109</sup> While some aspects of the "madams" discourse may reflect this type of practice,<sup>110</sup> they are also found in the rules governing the oath itself. The risks surrounding its use are considerable and limit people's ability to react rationally. However, some criteria can be extracted from the interviews to identify ways of freeing oneself from the oath.

The first point that stands out clearly is the fact that the "madam"'s lie does not affect the validity of the oath. To the question "Is it possible that the oath is canceled if the "madam" lies?", all respondents answer in the negative. One respondent states: *"The entire oath is based on a lie. It doesn't make any difference."* [F5] However, not arriving at the destination is an aspect that can be important. On the other hand, failure of the migrating woman to reach her destination can free the swearer. A young woman who was supposed to go in prostitution in Europe feels that she has nothing to fear from *juju* since she did not reach her destination, as she was stranded for 8 months in Togo. She then decided to return to Nigeria and thus believes that she has escaped the oath. *"Although my 'madam' was calling from France, she did not take me there, so she did not fulfill her end of the bargain, so the oath cannot affect me. It can only affect me if I had indeed gone to France and refused to pay up."* [NT8]

Similarly, being deported may release the person from the oath.

A young woman explains that she was placed in administrative detention in Italy. Her brother arranged with the "priest" to retrieve her "items" after explaining that she was going to be deported. The "priest" asked him to pay 6,000 naira to break the promise. He paid and after some atonement, the items were returned [NT10]. Another girl uses the same reasoning: *"The agreement was based on my being in Italy; I was paying my 'madam' as dutifully as possible while in Italy. The seal of the oath got broken when I got deported back to Nigeria. Everyone concerned knew I would not be able to make that kind of money here in Nigeria. The oath is to ensure I pay back while I was in Italy and working under her. If I had taken off on getting to Italy, then the oath is sure to have effect."* [NT11]

<sup>111</sup> This situation can therefore be legally considered as a kind of force majeure. The fact that non-payment is due to an unforeseeable and insurmountable cause that is external to the agent justifies the cancelation of the promise.

Even when the oath has been broken by the deportation, the respondents unanimously agree that it also has to be revoked by the "priest". A "priest" confirms that, even if the creditor declares that the debtor is released, he must make sacrifices to inform the deity. Otherwise, *Ayelala* may punish the person who broke their promise [NT27]. This reasoning is consistent with the triangular dimension of the commitment. Nevertheless, it is also in the economic interest of the "priest" who charges for this ritual (in one case studied, the amount requested was 6,000 naira).

The "madam" and the girl who swore allegiance to her can go to the "priest" together to ask him to terminate the commitments made. After her deportation, a girl explains that she had many nightmares about both the experience of migrating across the desert and the "juju priest". But she had no way of honoring her payment from Nigeria. She therefore spoke to her "madam" about it who took her to a "chief priest" to find a solution. Since then, she has not had the nightmares as frequently as before [NT18].

Finally, it is worth mentioning the case of a young woman who initiated a strategy of being deported in order to free herself from the oath. She was therefore able to have the "priest" cancel the oath with

109. PERRONE R. et M. NANNINI, *Violence et abus sexuels dans la famille, Une vision systémique de conduites sociales violentes*, ESF, coll. "Art de la psychothérapie", 2012, p. 112.

110. LAVAUD-LEGENDRE B. et B. QUATTONI, "Désir migratoire, emprise et traite des êtres humains", *op. cit.*, p. 86.

111. Along the same lines, NT21.

the approval of her "madam", who never knew that she had caused her own deportation. [NT2]

Another way of freeing oneself from the oath may be to go to a Living Church.

We can assume that it is above all the personal resources of the person who promised (personality, family environment, friendships, etc.) that will or will not allow her to renege on her commitment, based on her own reasoning. To the question "Is it possible to free oneself from the oath?", one respondent answers: *"It all depends on what you believe, they believe in the oath, it is the oath they fear, Without the oath they can't be fearing the 'madam'. That is why they use that to keep them."* [F15] It is difficult to know to what extent there is a consensus among the victims on whether or not to release themselves from the oath. The respondents had begun to distance themselves from those who exploited them. Had they not, they would not have been able to take part in the exercise. For the rest, the vagueness and uncertainty surrounding the "madam"'s obligations facilitate the establishment of a possible power relationship because of the difficulty for victims to rely on coherent and rational factors to resist what is imposed on them. Beyond the strict oath and the rules that govern it, many contextual elements contribute to increasing the imbalance of the relationship and the possible establishment of a controlling relationship.

## II - CONTEXTUAL ELEMENTS AND LINK TO GROUP MEMBERS INVOLVED IN TRAFFICKING

Regardless of the actual content of the promise, the contextual elements reveal that every effort is made to create an exclusive bond between people involved in trafficking – whether as perpetrators or victims. As a result, the victim does not have the resources to identify the nature of the abuse and put in place a strategy to overcome it. These elements are the establishment of partitioning around the group (A), the collective dimension of the promise (B) and the adherence of the "priests" to the "madam"'s cause (C).

## A - THE PARTITIONING OF THE GROUP

The criminal organization that makes it possible to sexually exploit Nigerian girls is based on a mechanism that avoids any interference from third parties who do not share the group's objectives. This group can be defined as mainly including "madams", "priests", women and trafficked girls and women and, more broadly, the "madam"'s domestic partners. This mechanism is reflected in particular in the control of the relationships of those who are exploited, but also in the importance of secrecy in the main dimensions of the group's life.

Various tactics aimed at breaking off or at least controlling relations between the woman swearing the oath and the rest of society are regularly observed. This is the case in particular with withholding a woman's passport and controlling communications. *"On getting to Russia, my "madam" came to pick me up at the airport; she then took my passport from me there and then. I asked her the reason why she collected my passport from me, she said it was the agreement that my passport was for her until I completed my payment."* [NT3] *"He [the trolley] collected my phone from me and then told me it was an 'order from above' and that it was because I might get too excited and decide to tell my friends and family about my impending trip."* [NT3] The withholding of ID documents is an extremely effective means of isolation. The lack of official documents reveals the irregularity of her situation and will often prevent her from turning to the state authorities to report the acts suffered. Furthermore, controlling the relationships of the person who has sworn allegiance is an essential part of the strategy put in place. Some "madams" delete in full the address books of the people they exploit when they want to impose a sanction on them. As a result of these mechanisms, the person is locked into the group and has no way of finding an outside resource that could help her. The rule of secrecy imposed as soon as the oath is taken is part of the same mechanism of closure and confinement.

Secrecy appears to be a central feature, governing the functioning of the group from the moment the person is recruited and the organization of the oath-taking ceremony. The choice of place, its remoteness and the ceremony used surround this ritual with a certain mystery reinforced by the obligation of secrecy imposed on everyone. This secrecy strengthens the bond between the members who share it and isolates them from those who, outside the group, are

not aware of it. Secrecy also generally relates to the very principle of the migration and journey. *"What we used to do then was that we set up a meeting time then we all meet at her house to make plans and prepare for the trip. All this was done secretly so that people will not suspect the reason for our meetings at her house."* [NT21] In addition, secrecy is at the heart of the oath, since the girls who swear allegiance to their "madams" *"swear to keep away from and remain silent with the authorities regarding their activities, and they also take oaths that put their 'madam' in complete control of their activities while they are still under her (when they are still paying back the debt owed)"* [NT9]. Thus, secrecy has a partitioning effect, by differentiating between the intra- and extra-community spheres. The sociologist Georg Simmel has highlighted the structuring role it can play within the community because it generates a sense of connivance, complicity and mutual trust between the members who maintain secrecy.<sup>112</sup> Secrecy helps make those associated with the oath a closed group. In her work on transnationalism, Cynthia Olufade defines silence as one of its components. Transnationalism refers to "the mobilization of emotions and cultural symbols, traditional habits and types of diet as well as the sale of specific products recognized by a group as national symbols".<sup>113</sup> However, she demonstrates that the silences that seal off the group are one of the core elements of the objectives of the criminal group. "These forms of compliance displayed by victims of the sex trafficking network in Edo State also speaks to the transnationalism of silence, in this sense, the women/girls become an embodiment of the silences that the network operates to such an extent that it becomes a part of their lives and makes them inaccessible to others (at home or in the destination country). A vivid illustration finds expression in the fact that girls of even the same "madam" are not allowed to mingle freely with one another, in order to create some sense of competition and to keep them on edge."<sup>114</sup>

This rule of silence is fully in keeping with what has been said about secrecy: it helps to close the group, a closure reinforced by the bonds

112.SIMMEL G., *Secret et sociétés secrètes*, Circé, 1998. cited in Bryon-Portet C., "La culture du secret et ses enjeux dans la « Société de communication »", *Quaderni. Communication, technologies, pouvoir*, Printemps 2011, n°75, p.95-103.

113.OLUFADE C., *Sustenance of sex trafficking in Edo state; the combined effects of oath taking, transnational silence and migration imaginaries on trafficked women from Edo State*, op. cit.

114.Ibid.

that unite those who share this same belonging. The difference between secrecy and silence might relate to the fact that secrecy is explicitly requested, if not imposed, whereas the rule of silence is tacit and internalized.

## B - THE COLLECTIVE DIMENSION OF THE PROMISE

The work carried out reveals the intensity of the links that binds those who swear an oath not only to their "madam", but also to the "priest" and finally to those who share their condition or with whom they have taken an oath.

The word "link" is frequently used in respondents' comments to describe their relationship to their "madam": *"The requirements for the journey were that I take an oath that will bond me to my sponsor ['madam'] in order to ensure my allegiance to her."* [NT6] However, as we have seen, this bond is materialized by the items: *"The fact that my underwear was with the 'juju priest' unwashed, with the blood of the chicken which I swore with, that is a very strong bond to me, as I am aware that it can be used to harm me anytime I falter."* [NT19] A young woman reports that the "chief priest" explained the creation of a bond between him and those women from whom he received the oath: *"After we had all sworn, the 'juju priest' drank some of the chicken's blood and then poured the rest on the deities, all the while reciting incantations, some of the blood was also dropped in the pot where we were asked to place our pants. This he told us this was because our pants still contained parts of our vaginal discharge. He also said that our pants are his link to us."* [NT19]

While the oath binds the swearer to the swearee, the bond created cannot be reduced to this dimension. The girls frequently report that several girls – between two and eight according to the data available [NT16, NT18] – swore the oath at the same time. The perception of these pairs has effects that go beyond the social dimension of the commitment alone. Attending the oath-taking ceremony of other members of the group creates a kind of solidarity that binds everyone not only to the "madam" but also to the witnesses, further reinforcing, where necessary, the relevance of the threat in case of perjury. Similarly, by attending the oath-taking ceremony, the family takes part in, or even endorses, the commitment; they are indirectly

making a commitment alongside the swearer.<sup>115</sup> Their attendance can have three types of consequence: the family puts pressure on the girl to keep her word; the girl may want to protect her family from the effects of the oath by keeping quiet about what she is experiencing and the difficulties she is having; and finally, the family's attendance is a very effective means of putting pressure on the recipient of the promise since, by meeting the victim's relatives, she can threaten her directly. Without the support of their family, the girls are much less able to free themselves from the bond that ties them to those who benefit from their activity.

In many societies, the violation of the promissory oath results in exclusion from the social group as a punishment. The bond created by the attendance of the family and all those girls migrating together is offset by the double threat, in the event of non-compliance with the oath, of exclusion from the social and family group and exclusion from belonging to the group associated with the exploitation. The risk of social exclusion has not necessarily been addressed in these terms in the accounts here, but it is apparent from the report prepared by OFPRA following its visit to Nigeria in 2016.<sup>116</sup> Most importantly, it is reasonable to believe that the fear of madness or even death associated with violation of the oath reflects particular forms of social exclusion.

This fear is fueled by some of the stories. One girl says: *"Most of the cases I heard were of girls who ran away from their 'madams' but were later found on the streets, raving mad."* [NT19] Running away therefore had the effects claimed. Another reports: *"Though I heard of a girl who took an oath and did not fulfill her promise not to let anyone know of her 'madam', I was told she told her parents that she did not like the life she was exposed to and she could not cope with 'prostitution'. After a while, she ran mad on the streets and this brought fear on a lot of us who were there."* [NT16] Confinement within the group is therefore inseparable from secrecy and exclusion, if not death. The role of "priests" in the confinement appears to be significant, given that their widely discussed social and moral legitimacy gives important weight to their word, even though the study

115. On the role of the family, *ibid.*

116. Rapport de mission en République fédérale du Nigéria., OFPRA et Cour nationale du droit d'asile (CNDA), 2016, p.31.

reveals various examples in which they show real bias.

### C - THE BIAS OF THE "PRIESTS" IN THE RELATIONSHIP BETWEEN THE "MADAM" AND THE SWEARER OF THE OATH

There is much evidence of the close relationship between the "madam" and the "priests", which hinders their neutrality. Chosen by this one, the "priests" frequently convey the discourse of the "madam" beyond the mere swearing of the oath. At the contract execution stage, the finding that the "priests" are not neutral is broadly the same.

#### 1) The close relationship between the "madam" and the "priest"

In all cases encountered, the basis for the oath was imposed by the "madam" [NT21]. The relationship of domination is established as soon as the "chief priest" is chosen, which is the "madam"'s responsibility. According to a "priest": *"It is either the 'trolley' or 'sponsor' or 'madam' who has heard of my powers sometimes from members of this same community that come to patronize me."* [NT1] According to one respondent: *"It's them (the 'madam' and those who are with her) who choose the 'priest' [...] So, they choose the meanest one in the whole of Nigeria. Because then they know that if you choose on your own, you know someone in the family and all that. They're smart."* [F17]

Thus, the relationship between the "madam" and the "priest" may have begun before the oath-taking ceremony if the "madam" frequented the shrine before she became involved in trafficking, or because of family closeness to a member of the shrine. The relationship may also exist within the context of regular "commercial" dealings. This closeness will influence the way the "priest" acts. This may mean turning a blind eye when he realizes that the person taking the oath does not fully appreciate what she is committing to or that she is obviously too young to engage in such a process. Similarly, it is not uncommon for the "priest", at the "madam"'s request, to contact the girls who are in Europe or their families directly to reinforce the threat and tighten their grip on the victim. [NT7] By restating the commitment made, he makes it clear that even if the person intends to contact the state authorities and report the acts she has suffered,



the spirits cannot free her from her promise.

Corruption may also influence the "priest's" actions. *"Money talks in Nigeria. If you have money you have the money to bargain with the 'native doctor'. [...] If you have money you can bribe them, but the 'madam' can bribe them too, they take it too. So when you have the money to pay and bribe they can make any decision. [...] But when the 'madam' has the money, she can talk and the thing she says is what they say."* [F15] Once again, money is being used to explain how "priests" approach disputes between "madams" and girls. *"No, they can't cancel the oath because the 'madam' is very rich and they work together. Also, she was the one who introduced me to the 'priest', so with her money she can control them. The girls are less powerful than the 'madam', so we can't do anything about the oath."* [F4]

The observations made in the shrines confirm the frequent bias of the shrines in the way these cases are approached, even if certain nuances can then be applied.

## 2) The possible lack of neutrality of "priests" at contract execution

During the days observed at the two shrines, the orientation of the "priests" toward the "madams" became evident. However, the short time frame and the small number of shrines do not allow us to draw a general conclusion. There is, nevertheless, one case of a man with a disability who came to the Arohosunoba shrine and explained that his daughter could not pay those who had helped her migrate. The researcher reports that this man was insulted, humiliated and driven out of the shrine under the song *"owan nor ga toe ogeo oo odekun gbe"*, which means that anyone lying in a shrine will be killed by the deities of the shrine. It was put to him that he could not come to the shrine to beg for a favorable solution without bringing money himself. A list of items was then given to this man to make propitiations to the spirits, in other words, to make the spirits favorable to his cause [NT24].

Equally significant is the case of a mother who explained that her daughter in Europe could no longer pay because she was sick and bedridden. The shrine officials and others present shouted at her

and turned her down. They told her that if her daughter died, the mother would be to blame, because she was supposed to be receiving money from her daughter. The "madam"'s sister explained that the girl was not sick and that she had in fact run away and was now working for herself. The mother kept crying and insisted that the girl was truly sick and that she wanted her to return to Nigeria. However, the case was dismissed, and the mother was ordered to start paying back the debt or risk losing her daughter [NT24].

What is striking in the last two situations is the imbalance in the way in which the arguments of both parties (creditor and debtor) are heard. As soon as the debtors reported the non-payment, the officials assumed that they were at fault without trying to gather further evidence to assess the situation fully. In other situations, however, during the same hearing, the same officials had proceeded differently. Faced with a woman accusing her daughter-in-law of being a witch, the shrine officials asked to hear the complainant's second son who was in London. They then called him on the phone. However, when he did not answer, they decided to reconvene the case at a later hearing so that he could be heard and they could form an opinion [NT24]. Finally, judges regularly order that one or other of the protagonists swear an oath so that the ancestors or deities settle the dispute. With regard to sums of money related to migration, there is not a single one of the 12 situations observed in which the officials found in favor of the debtor or simply respected any principle of a fair hearing involving gathering the arguments from both parties.

This observation should, nevertheless, be balanced against the interview evidence, because in two cases, at contract execution time, the "priest" took a position in favor of the migrant girl and against the "madam". A trolley explains: *"For example, a girl I took to Libya who managed to cross to Italy got there and had earlier agreed to pay €60,000 to the 'madam'. I was aware that the girl was too young and inexperienced to understand the actual amount she had agreed to pay in naira, but she took the oath and then got to Italy. When she came face to face with the demands of the job and the reality of the euro currency as opposed to the naira, she was devastated but continued to work to pay it back as her payments were recorded, and she believed she would eventually pay off her debt. But the 'madam' at the end of the day did not want to release her, because the 'madam' claimed that she had not made enough money yet. The sex worker*



*arranged with her family back home in Nigeria and 'summoned' her "madam" who was also in Italy, before Ayelala. At the end of the day, the "madam" had to release her or face the wrath of Ayelala, which is really feared and mostly used to get justice in Benin.*" [NT14]

Another respondent, who managed to evade her "madam"'s watchful eye explains that when her parents were summoned to appear before the "priest", he decided that, since no one had heard from her, nothing could be done against her. She points out that the "priest" even defended her parents against the "madam" [F17].

## CONCLUSION

The above observations confirm the undeniable legitimacy of religious actors, and particularly "juju priests", in at least part of Edo State society. They highlight the important historical roots of these actors and the importance of their activity in this region in contemporary times. This activity involves performing religious and judicial functions, but also provides a social space.

Their visibility and social role are therefore undisputed and indisputable. In a context in which the world is not restricted to its visible dimension, "priests" serve as intermediaries between human beings and the spiritual sphere. They lead sacrifices to protect humans. Their judicial practice includes consulting with the deities or ancestors to resolve disputes and restore harmony in society. Finally, the shrines are meeting places and forums where individuals can find resources that state services cannot provide them with. Precious Diagboya also emphasizes the social importance of "priests" as figures of authority and guidance.<sup>117</sup>

Some "priests" play an active role in the criminal acts of human trafficking. They can be involved before – through the oath-taking ceremony – and after the migration of trafficked women. Once the

young women are in Europe, the "priests" can play an important role in debt collection from Nigeria: their judicial functions allow them to record the payment of the debt and terminate the oath, or to record the failure to pay the sums due and make threats.

The oath of allegiance that creates the bond between the young women, migrating with help from criminal networks, and the swearee ("madam"/sponsor or *trolley*) is a key aspect of the activity of these groups. It has very significant power. It has a spiritual dimension, whereby a woman who does not comply with her oath could be killed or condemned to madness by the deities to whom she has committed herself. But it also has a social dimension, since failure to keep the promise made under the oath is contrary to the prevailing norms and values. Violating the oath is therefore likely to cause the marginalization of the young women who break it. Finally, this oath has legal value as it may be used as a basis for debt collection proceedings as part of the judicial functions of the shrines or before the state courts. It therefore contributes to imposing a constraint that stands out as extremely powerful and effective, both for the exploited women and their families.

On 18 March 2018, the *Oba* of Benin City called on religious, political and traditional leaders to mobilize to stop practices related to human trafficking, before banning "native doctors" – "priests" and "chief priests" – from allowing any additional young women to swear an oath and promising to curse those who violate this ban. It is still too early to comment on the consequences of this declaration on the involvement of "priests" in trafficking. However, it is clear that it will have an impact. Nevertheless, it seems unlikely that this declaration alone would be sufficient to put an end to a criminal practice that is as lucrative, and yet low-risk, as the one studied here. In the words of Precious Diagboya: "The Edo society itself plays an important role in the sustenance of human trafficking because going abroad is seen as a great achievement as a result of the money generated, and most families are expecting their children to send them money. On the other hand, the trafficking network is very dynamic and can easily adapt to new changes by seeking out loopholes in any system."<sup>118</sup>

The current question is likely to be more about what strategies

117. DIAGBOYA P., *Oath taking in Edo: Usages and Misappropriations of the Native Justice System*, Ibadan, IFRA-Nigeria, 2019.

118. *Ibid.*

criminal groups will deploy, adapting what they do to comply with the *Oba's* declaration, rather than whether the declaration will put an end to trafficking. Among the possible adaptation strategies is an expansion of the sphere of victim recruitment, particularly since the *Oba's* jurisdiction is recognized only by the Bini people of Edo State. This would suggest that recruiting potential victims from outside this area or from another community could be a way to avoid the *Oba's* threats. Furthermore, this declaration could also result in the development of clandestine oaths. Finally, it cannot be ruled out that the potential weakening of the obligation linked to the oath may lead to a change in the methods of coercion used, in particular through an increase in physical violence against victims or their families.

## APPENDIX: EXTRACT FROM THE OBA OF BENIN PRONOUNCEMENT AGAINST HUMAN TRAFFICKING (translation from Edo to English)

They will help them to travel and say they should pay debts. When they reach there, they will look for work, they will use their body to work. While they are there, they are afraid and if caught they dare not reveal who sponsored/trafficked them there because of the oath they took.

From this day forward, I want all "chief priests" to agree with me that all such oaths will no longer have effects. "Ise" ("amen", all the people present echo)

All the different oaths that have been taken before being trafficked will do them no harm anymore. All persons that have used people to take oaths, this is the *Oba's* grace: if they confess, they will be forgiven from this day forward and nothing will harm them. "Ise" ("amen", all the people present echo)

The second one is, from this day forward, all "native doctors" (*Oboh*), "chief priests" (*Ohen*) and any other person, even pastors who choose to disregard this pronouncement and goes on taking oaths, as long as the person has placed feet on this land, and eats food cooked with

palm oil, from this day forward, such a person will run mad and die. "Ise" ("amen", all the people present echo)

From this day forward, this is my pronouncement, "native doctors", "chief priests", men and women, wherever you are in this Edo land or abroad and you have decided to get involved in this kind of trade to spoil the image of Edo state, take your oaths elsewhere and travel away from there. If you dare enter this land after taking the oaths, the *Oba's* deity will kill you. "Ise" ("amen", all the people present echo)

I state that men, women, "native doctors", "chief priests" no matter how powerful, anyone that has been tied should be loosed. All things that have been taken from the bodies of those children during oath taking, anywhere they are, as the *Oba* has untied them, go to your shrines and untie them too, then discard them, so that this curse will not affect you.

If anyone says that this curse is not strong and goes ahead to make fire and reinforce the previous oaths, the *Oba's* deity will take such a person to the great beyond. "Ise" ("amen", all the people present echo)

All people of Edo state on this day, I said I should let you know that there are many bad things that Edo state is known for, but the *Oba* wants to repair the image of the town and will not accept any act that will spoil the reputation of Edo state. The first we are addressing is human trafficking.

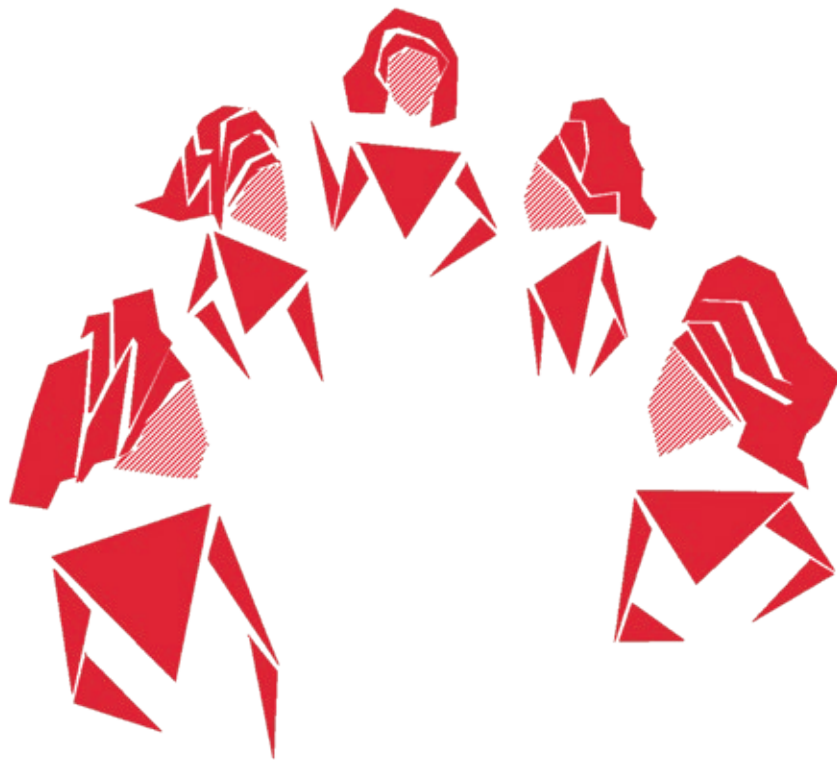
The suffering of our children on the road is too much. The suffering there is more than the one here. Many of these children travel and they have no job, we don't want this anymore.

Anyone that has a child that is a trafficker, a trafficked victim, a "chief priest" or "native doctor" who makes them swear, you are forgiven for all the ones you have done in the past, but today we put a full stop.

Anyone who does it again, saying he is powerful enough to avert this curse, saying that after doing it he will go and bathe in river Siluko or river Oka, or any other river, or goes to meet a pastor or an Alfa for help, the *Oba's* deities will kill the person. "Ise" ("amen", all the people present echo)

# "LADIES' CLUBS"

## CHAPTER 2:

**"LADIES' CLUBS"**

Discussions held in advance of this research with investigators, judges, prosecutors and associations have led to the research hypothesis that some women's clubs – the "Ladies' clubs" – in Benin City are involved in the human trafficking process. Moreover, they have a presence in France as well, primarily as a medium for the sexual exploitation of Nigerian girls and women. The May 2018 trial of the *Authentic Sisters Club of France* in Paris is the first case of which we are aware that showed the involvement of these groups in acts of trafficking, duly established in a criminal court in France. In that case, ten female members of the *Authentic Sisters Club* were convicted on charges of aggravated procuring and human trafficking.<sup>1</sup>

The recent awareness about their role in this criminal activity probably explains the lack of literature and scientific research on clubs, especially within an academic landscape where the few studies on the Nigerian Diaspora are focused to trafficking. Thus, this chapter is based primarily on research conducted among people belonging to these clubs in Nigeria and trafficking victims residing in France. The remarks of the people in these two groups are homogeneous, but the discourse varies to a great extent between them. Few among the interviewees in France have a real knowledge of the existence of these clubs, and if they are aware of it, it is often through their "madam", thus resulting in a specific perspective. There is thus a difference in terms of the social image of the clubs, their members, and their activity, as well as differences in the social status of these two groups of respondents.

What are these "Ladies' clubs"? What do they do? How do they work? To what extent are they involved in human trafficking? This and the

1. PANATA S., *United we (net)work: an online and offline analysis of Nigerian women's clubs*, Ibadan, IFRA-Nigeria, 2019.

work? To what extent are they involved in human trafficking? This and the two other groups studied share a historical anchoring in Nigeria, which is associated in particular with the practice of *esusu*, a type of financial contribution system with a rotating redistribution, known in France as *tontine* (I). But these clubs also rely on a social organization that helps regulate the smooth cooperation of their members and secures their functioning and group identity (II). And, as mentioned above in connection with the trial of the *Authentic Sisters*, these social and financial structures may also seem to operate in the human trafficking field (III). This chapter will present these clubs, the financial practices they are based upon, their operation, and their social organization, as well as – for some of them – their possible involvement in human trafficking in Nigeria and Europe. The objective is to give consideration to the social forms and contexts that surround human trafficking, and thus develop an up-to-date understanding of how these criminal activities fit into broader social practices.

## SECTION 1 - A CONTRIBUTORY ECONOMIC SYSTEM

In Nigerian society, a majority of the population participates in what are known as rotating credit associations,<sup>1</sup> where equal financial contributions are collected from small local groups, put in a common pot, and subjected to rotating redistribution. This contribution, to which the respondents refer as *osusu* or *esusu*, is at the heart of the "Ladies'clubs". An explanation of their foundations and mainsprings is thus in order. While *esusu* can be organized in an informal group with no specific social structure (I), it can also be organized according to rules set by clubs with an economic mission (II). Such is the context in which the "Ladies'clubs" of Benin City (III) have been organized.

1. GEERTZ C., "The Rotating Credit Association: A 'Middle Rung' in Development," *Economic Development and Cultural Change*, 1962, vol. 10, n°3, p.241-263.

two other groups studied share a historical anchoring in Nigeria, which is associated in particular with the practice of *esusu*, a type of financial contribution system with a rotating redistribution, known in France as *tontine* (I). But these clubs also rely on a social organization that helps regulate the smooth cooperation of their members and secures their functioning and group identity (II). And, as mentioned above in connection with the trial of the *Authentic Sisters*, these social and financial structures may also seem to operate in the human trafficking field (III). This chapter will present these clubs, the financial practices they are based upon, their operation, and their social organization, as well as – for some of them – their possible involvement in human trafficking in Nigeria and Europe. The objective is to give consideration to the social forms and contexts that surround human trafficking, and thus develop an up-to-date understanding of how these criminal activities fit into broader social practices.

## SECTION 1 - A CONTRIBUTORY ECONOMIC SYSTEM

In Nigerian society, a majority of the population participates in what are known as rotating credit associations,<sup>2</sup> where equal financial contributions are collected from small local groups, put in a common pot, and subjected to rotating redistribution. This contribution, to which the respondents refer as *osusu* or *esusu*, is at the heart of the "Ladies'clubs". An explanation of their foundations and mainsprings is thus in order. While *esusu* can be organized in an informal group with no specific social structure (I), it can also be organized according to rules set by clubs with an economic mission (II). Such is the context in which the "Ladies'clubs" of Benin City (III) have been organized.

### I - AN INFORMAL BANKING SYSTEM

This *rotating credit* is "a lump sum fund composed of fixed contributions from each member of the association that is distributed, at fixed

2. GEERTZ C., "The Rotating Credit Association: A 'Middle Rung' in Development," *Economic Development and Cultural Change*, 1962, vol. 10, n°3, p.241-263.



intervals and as a whole, to each member of the association in turn."<sup>3</sup> The same operating principle is found in Asia, India, Africa<sup>4</sup> and in the Caribbean,<sup>5</sup> which in each case has its own local adaptations and variations. Though the term tontine is generically used in France,<sup>6</sup> each country and each socio-linguistic group<sup>7</sup> has its own name for it. In Nigeria it is called *esusu* – in the Yoruba language – or *osusu* – in the Edo language, or, more generally, as a *contribution*, as it would be called in English. According to A. Adebayo, "*Esusu could, therefore, refer to that fund which has been pooled or being contributed into a pool.*"<sup>8</sup> Here, then, people prefer to participate in the *traditional credit markets*<sup>9</sup> rather than paying interest to lenders or borrowing from family and friends. Also, this is a common practice, and one that occupies a significant place in the Nigerian economy.<sup>10</sup>

People therefore participate in *esusu* so as to obtain assistance in return for their own contribution. However, the *esusu group*<sup>11</sup> may not constitute a fully-fledged social unit. There is no identification with the group, or even any norms to respect. Its members may not know each other and may never even meet one another. In fact, the term *esusu* refers more to the capital raised<sup>12</sup> than to the group of individuals

3. *Ibid.*, p.243.

4. *Ibid.*, p.254-255.

5. MAYNARD E.S., "The Translocation of a West African banking system: the Yoruba Esusu rotating credit association in the Anglophone Caribbean," *Dialectical Anthropology*, 1996, vol.21, n°1, p.99-107.

6. NKAKLEU R., "Quand la tontine d'entreprise crée le capital social intra-organisationnel en Afrique: Une étude de cas" [when company tontines create intra-organizational social capital in Africa: a case study], *Management & Avenir*, 2009, n° 27, n°7, p. 119-134.

7. Depending on the particular language community, one may find such terms as *susu*, *esu*, *isusu*, *Adashe*, *oha*, *utu*, *ogbo*, *nago*, *dashi*, *tcwa*, *njangui*, *Jojuma*, etc.

8. ADEBAYO A.G., "Money, Credit, and Banking in Precolonial Africa. The Yoruba Experience," *Anthropos*, 1994, vol.89, 4/6, p.393.

9. ADEBAYO A.G., "Money, Credit, and Banking in Precolonial Africa. The Yoruba Experience," *op. cit.*; NWABUGHUOGU A.I., "The isusu: an institution for capital formation among the Ngwa Igbo; its origin and development to 1951," *Africa*, 1984, vol.54, n°4, p.47.

10. OKONJO K., "Rural Women's Credit Systems: A Nigerian Example," *Studies in Family Planning*, 1979, vol.10, 11/12, p.326-331; GEERTZ C., "The Rotating Credit Association: A 'Middle Rung' in Development," *op. cit.*; AJAYI R. et N. OTUYA, "Women's participation in self-help community development projects in Ndokwa agricultural zone of Delta State, Nigeria," *Community Development Journal*, 2006, vol.41, n°2, p.189-209

11. ADEBAYO A.G., "Money, Credit, and Banking in Precolonial Africa. The Yoruba Experience," *op. cit.*

12. NWABUGHUOGU A.I., "The isusu: an institution for capital formation among the Ngwa Igbo; its origin and development to 1951," *op. cit.*

who contribute to it.<sup>13</sup> The capital is used more for domestic than for strictly entrepreneurial purposes, "such as marriage, acquisition of land, purchase of household goods, building a house, paying of debts, education of children and supplying trade capital."<sup>14</sup>

The amount, which is the same for each individual, is determined upstream. Depending on the group, it is collected on a weekly<sup>15</sup> or monthly basis, under the authority of a president – *the head* – who has an established reputation for honesty.<sup>16</sup> The number of contributing individuals is not fixed and varies from one group to another. Once the cycle corresponding to the number of individuals in the group is completed, each receives the capital collected as their turn comes up, or sometimes when there is an urgent need, just as if each were to have recovered their initial contribution. The length of a cycle depends on the number of contributors, but each can contribute only once. Nevertheless, two people may be behind one contribution.<sup>17</sup> As the regularity and amount of the collections would tend to exclude the poorest, co-contributions are possible. Moreover, the same individual may participate in more than one *esusu group*, whose amounts, regularity of transactions and number of contributors may vary. The figures below illustrate the different contribution rules ("I" refers to a given individual and "I" refers to the contribution made to the common pot):



Since this is an informal practice, everyone is free to form an *esusu group*<sup>18</sup> for which they will then become responsible. A simple announcement suffices. There are no rules or restrictions on joining

13. BASCOM W.R., "The Esusu: A Credit Institution of the Yoruba," *The Journal of the Royal Anthropological Institute of Great Britain and Ireland*, 1952, vol.82, n°1, p.63-69.

14. NWABUGHUOGU A.I., "The isusu: an institution for capital formation among the Ngwa Igbo; its origin and development to 1951," *op. cit.*

15. BASCOM W.R., "The Esusu," *op. cit.*, p.63.

16. *Ibid.*, p.68.

17. *Ibid.*, p.64.

18. The equivalent expression in English would be contributions club.

the group. Within it, some may apply for positions as *heads of the roads*,<sup>19</sup> which gives them more responsibilities, particularly in terms of collection and redistribution within a specific subgroup. In some cases, the president and his vice-presidents may impose an extra contribution round for their own compensation.<sup>20</sup> For some, this can be a *business* in itself.

All the people interviewed in France as part of the research project were aware of its existence, the term, and how it works. This informal banking system may in some cases be framed within a closed group – the *restricted esusu group*.<sup>21</sup> The practice of contributions within the "Ladies' clubs", then, takes place in continuity with the latter.

## II - WOMEN'S ECONOMIC ASSOCIATIONS

When access to an *esusu group* is restrictive, it will be referred to as a *restricted esusu group*<sup>22</sup> and will be associated with the organization of *meetings*, where collections and redistributions of specified amounts take place. Like *esusu groups*, these are organized locally for the good of the community.<sup>23</sup>

These *meetings* are variously formalized within associations, clubs, companies, etc.<sup>24</sup> They are part of a larger social organization. These associations, mostly composed of women, have developed and continue to develop in various contexts<sup>25</sup> in order to preserve their economic interests and improve their profits. Historically,<sup>26</sup> Sara Panata points out, "the first documented women's associations in Nigeria date back to the beginning of the 20th century, even if several scholars underline that women's associations with economic purposes were present in the country long before the colonial

period."<sup>27</sup> According to her, these associations became more diversified once colonization began. For some, they may have had "recreational purposes (to organize leisure activities for women and girls, such as the "Ladies Recreation Club of Lagos"); hygienic and sanitary aims (encouraging sanitation in the city or distributing medicines, like the well-known "Lagos Ladies League" founded by Mrs Charlotte Obasa and Mrs M.E. Johnson, who administered quinine to children to combat infant mortality); or educational and moral goals (with actions towards the community and its moral education with special attention to girls, such as the "Ladies Progressive Club of Lagos" or the "Lagos Ladies League")."<sup>28</sup> Thus, these feminine elites – educated and Christianized – who emerged at the beginning of the twentieth century, would altruistically provide assistance to women and girls of less advantaged social classes. Alongside these elite clubs, associations have been maintained and formalized within markets "for the economic well-being of the merchants and for the valorization of their economic interests."<sup>29</sup> Starting in the second half of the century, some of these groups came to take on social and political interests as well. In some cases, the economic dimension would even become a secondary one.<sup>30</sup>

However, starting in the 1990s<sup>31</sup>, new types of clubs began to emerge, especially in Benin City and in Europe, as part of the migration of the Nigerian population. A number of them used the word "club" followed by an adjective expressing unity, strength, religious devotion, or wealth.<sup>32</sup> This was unrelated to the mission that the club might have or to the members comprising it. According to Sara Panata, this characteristic distinguishes them in particular from other women's groups that use such terms as "association," "union," "society," "council" and "federation" to present themselves. She also points out that these *clubs*, unlike other women's groups, are not affiliated with

19. BASCOM W.R., "The Esusu," *op. cit.*, p. 65.

20. *Ibid.*, p. 7; ADEBAYO A.G., "Money, Credit, and Banking in Precolonial Africa. The Yoruba Experience," *op. cit.*, p. 393.

21. BASCOM W.R., "The Esusu," *op. cit.*, p. 67.

22. *Ibid.*

23. *Ibid.*

24. PANATA S., *United we (net)work: an online and offline analysis of Nigerian women's clubs*, *op. cit.*, p. 3.

25. OKONJO K., "Rural Women's Credit Systems," *op. cit.*

26. For a historical approach to the clubs and more generally to the women's organizations, see: PANATA S., *United we (net)work: an online and offline analysis of Nigerian women's clubs*, *op. cit.*

27. *Ibid.*, p. 2-3.

28. *Ibid.*, p. 3.

29. *Ibid.*

30. *Ibid.*, p. 13.

31. *Ibid.*, p. 3.

32. *Ibid.*, p. 7.

the *National Council of Women's Societies* (NCWS).<sup>33</sup> This research, then, will focus on this particular type of club, which, it appears, may be involved in human trafficking. The analysis conducted in the rest of this chapter is therefore limited to this context.

### III - THE "LADIES' CLUBS" OF BENIN CITY

The economic dimension of the club is of central importance and is based on the contributory system described above. It thus appears from the outset that these "Ladies'clubs" are a kind of closed clubs for women that include the practice of *esusu* in their meetings<sup>34</sup>: "*Osusu contribution is one of the greatest benefit of joining X club: it helps you to gather money and save money for the future. When a club member is [in] need, we deliberate on such matter and try to offer solution to her problems.*" [NL2]. Members living abroad participate in a mediated manner, either via virtual banking, or through a third person: "*They pay contribution. At every meeting there is someone who represents them.*" [NL6].

Beyond the practice of *esusu*, the "Ladies'clubs" also provide a whole set of financial resources to other members: "[For] wedding parties, we spray our full members seven thousand nairas. In burial ceremony, we also spray seven thousand<sup>35</sup> nairas. When a member loses her parent, the club members gather three hundred thousand naira and give the member." [NL3]. The expression "to spray" is used to describe a common practice at hostings, which consists of "spraying," i.e., covering those present with money by tossing it at them. This practice contains a highly significant ostentatious dimension, to which we will return.

Similar to the practice of *esusu*, one may be part of several clubs and contribute to them simultaneously. It's even a common practice:

"*She also told me that she has been member in X ladies for the past sixteen years. While she belongs to two other clubs.*" [NOR1]. Finally, the more clubs one belongs to, the more resources and capital one can draw from them.

Of course, this all comes at a price. There is a membership fee to belong: "*You have to pay a registration fee of 30,000<sup>36</sup> naira and a bag of rice. [We] use the money to buy things for the club. Each time we do a party, we use this money to buy things for the party.*" [NL5]. The amount and terms of membership vary from one Club to the next: "*To become a member you have to pay 10,000 Naira and bring one bottle of Irish cream.*" [NL5]. All clubs have a higher membership charge for persons living abroad: "*To join [this] club, you have to pay thirty thousand naira for local members registration. But for international members, that is members in Europe and other part of the world; they have to pay fifty thousand naira.*" [NL3]. Participation at receptions is also not free: "*When we have a party, we will pay extra 10,000 Naira to finance the party.*" [NL5]. Thus, with the monthly contributions, the membership fees, the fees for participation in

33. This is a non-governmental, non-partisan organization made up of a network of independent Nigerian women's organizations coming together to advocate for gender equality in government and society. Founded in 1957 in Ibadan, its mission is to unite all women's groups in Nigeria. <http://ncwsnigeria.com/>

34. For an analysis of how these clubs work compared to other women's groups see: PANATA S., *United we (net)work: an online and offline analysis of Nigerian women's clubs*, op. cit., p. 7-8.

35. 7,000 nairas (17 euros) corresponds to about one-third of the monthly salary of a low-skilled employee. In Nigeria, the monthly salary of an unskilled employee may range from 17800-25500 nairas. <https://wageindicator.org/salary/living-wage/nigeria-living-wage-series-january-2018>

36. For reference, the monthly minimum income in Nigeria is 18,000 naira. <https://wageindicator.org/salary/living-wage/nigeria-living-wage-series-january-2018>

receptions, and all the necessary purchases, the various costs all together amount to a large sum. Added to this is the frequency of the payments and events. The practice, then, at the same time as it participates in exposing and increasing one's financial capacities, also turns out to be rather restrictive.

It is possible that the cost of supporting members and organizing receptions might require financial contributions other than membership fees and entrance fees. Thus, the club may become a product in itself, which one can rent for one's own party: *"We are going to spray one thousand naira [less than usual] because in this event, we were rented. The person we are dancing with is not our member, she rented us. [...] Maybe you have an event and you don't really know people that will make the environment colourful and classic, so you can rent a classical club. X were rented with eighty thousand naira to attend this event. When a Europe based person wants to rent us, that is an international renting. The person will pay us a hundred and fifty thousand for us to attend their event."* [NL3]. This sum is equivalent to at least three times the average monthly salary in Nigeria.<sup>37</sup>

The club is also supported financially by *Matrons* and *Patrons*, who may be located in Nigeria or abroad: *"But we have a matron abroad. [...] She encourages us and supports the club financially. We also have other matron in Nigeria. Their roles are the same; they support us financially and morally. We also attend their events."* [NL3]. Some clubs may not only handle large sums of money but also be considered a business on their own. The money is necessary to maintain and develop the stature of the club; this stature itself ensures its durability: *"We use it for the clubs, like the canopy and decoration that you saw and said our club was unique. We spend money to retain our class."* [NL3].

Whether you want to join a club or leave it, there is money involved. Also, failure to make any of the various payments, whether the monthly contribution or any other amount, will result in your removal: *"If you don't contribute at this moment you are out of the contribution."* [NL5]. Furthermore, a person who no longer wishes to belong to the club must return the money they received from it: *"If they gave*

*something to you, you return the money and you go. I mean every money. If the members gave you money for the marriage of your daughter for example, or for a burial, you have to return them. When they bring the money to you for your daughter marriage, we will count it down and they will keep the receipt of the money they gave you. When you drop the club, you have to return the money."* [NL6]. Ultimately, the clubs are based on a contract, by which the members pool their property, money, and activities, and everyone can benefit at the appropriate moment. The money that is pooled, above all, seems to crystallize the bond established. If that bond is broken, the money that constitutes it must be returned.

"Ladies'clubs" are organized around the practice of *esusu*, in an economic practice that must be distinguished from the use of it made by other clubs in Nigeria and France. Furthermore, the Clubs are distinguished from other *esusu* groups by the fact that they are not limited to the collection and redistribution of monthly contributions. The clubs provide the anchoring and restrictive type of organization necessary for the way they seek to operate and develop, particularly in the context of the kinds of criminal activities perpetrated by the *Authentic Sisters Club of France*.

## SECTION 2 - THE SOCIAL ORGANIZATION OF THE "LADIES' CLUBS"

We have no information concerning the number of these clubs that exist in Benin City, in Europe, or in France. We are also unaware of how many members they have. Nevertheless, the qualitative material that has been collected allows a partial examination of the way they operate. The "Ladies'clubs" are not limited to their financial dimensions. It is therefore important to consider the club as a social formulation. From a sociological point of view, clubs can be apprehended as a small social group,<sup>38</sup> i.e., a set of individuals forming a social unit

37. The average monthly salary in Nigeria in 2018 was between 27400 and 46100 nairas. <https://wageindicator.org/salary/living-wage/nigeria-living-wage-series-january-2018>

38. One of the various different classifications given to social groups is "Restricted groups, whose members know each other by sight, but may not necessarily or continuously interact. Such would be the case of a village, a school, or a club, etc." MAISONNEUVE J., «Chapitre II—Cadres et modèles sociaux les groupes,» [Chapter II—social frameworks and models: groups] *La psychologie sociale*, Paris, Presses Universitaires de France, coll. «Que sais-je?» 2017, p.49-63.

characterized by shared norms,<sup>39</sup> values, and motivations, interconnectedness, an identical social situation and/or common activities, and finally an awareness and social recognition that they belong to the group. In this way, they intrinsically guarantee support and a social fabric to their members (I), as well as a space for regulation and social identification (II). Understanding the social organization of these clubs will in turn help to clarify the mechanisms that in certain cases permit criminal activities to be perpetrated.

While the comments made here emerge for the most part from interviews conducted by IFRA-Nigeria, all of the elements thereof were expressed as well by the respondents in France. Their knowledge and/or social image of these clubs, even when they are only slightly or not at all involved with them, is analogous to the experience lived and recounted in Nigeria.

## I - A SPACE FOR SOCIALIZING

Beyond the economic dimension and the specific practice of *esusu*, the "Ladies'clubs" can also be understood from the perspective of the relational structure that characterizes them. Because it is formalized by and limited to the club, this structure has unique properties. In addition, being a member of a club presents potential opportunities for meeting people, and moreover for the development of social capital. Thus, like certain clubs formed in southern Nigeria during the first half of the twentieth century,<sup>40</sup> notions of support and assistance to the community or to specific individuals are central here as well (A). Further, one must take into account its closed nature, which contributes to its definition as a self-contained, and necessarily selective body (B).

## A - BEING AND HAVING RECOURSE/RESOURCES

Social capital and the related notion of recourse are not limited strictly to their economic dimensions. Recourse is defined as a "means

permitting one to escape or improve a difficult situation."<sup>41</sup> Whether the means concerned are financial, material or moral, the notion of support is at the core of the principles underlying the club and the discourse of the respondents.

These clubs may in a sense be seen as charity organizations: "*First of all, the first objective is to help the less privileged [...] to help the less privileged in the community. For example, when we did our anniversary, we put money together and we gave them to an orphanage. [...] We go there, we give them rice, toiletries, televisions... different things they could need to live better. [...] [Referring to another club] Once we bought two wheelchairs and we gave them out for our anniversary.*" [NL6] Each club directs its charity missions to the benefit of a public of its choice. This public in most cases is very symbolically loaded—orphans, disabled persons, etc. – and seems to be addressed only on an ad-hoc basis – "once", "anniversary," etc. – apart from any humanitarian mission around which the club may have been developed. We might therefore question the context in which these actions take place.

In addition, the club's support is more developed when it is directed internally – which is, in fact, its primary objective: "*The objective of the club is the help. Help for marriage of relatives of members, help for other celebrations, help in case of complicated situations for one of the members. If a member has a problem, we help her. We give her extra money to help her. Not all of us can help, anyway... But we try to help each other when there is the need.*" [NL7] Some Clubs are created on the basis of an individual's specific need: "*Well, a woman was looking for money because they poured hot water on the leg of her daughter. She asked around, she borrowed money and she was paid a lot of interests. When we found out, as her friends, we decided to gather together and to talk. It is there then we said: "Let us organise ourselves" so that we don't have to borrow money, to pay interests, so that we can help each other. And like this we started the club.*" [NL4].

The club furthermore provides moral support to its members as well: "*For example, if you are a member, when you lost your father or your mother, you gather the club's members in your house.*" [NL6].

Their presence may also be requested at weddings: "*They support*

39. *Ibid.*

40. GOERG O., «Femmes africaines et politique: les colonisées au féminin en Afrique occidentale,» [African women and politics: colonized women in West Africa] *Clio. Femmes, Genre, Histoire*, November 1st 1997, n°6, p.7.

41. <http://www.cnrtl.fr/definition/ressources>



members during their children wedding ceremony, as you can see, I am just returning from a club member wedding ceremony." [NL1]. The club's presence is announced by the act, mentioned above, of showering the bride and groom with money: "We go to marriage of friends of members as a club to spray money. That's important for our members. [...] It depends on the charge we decide in advance. We discuss it in advance and then we go and spray. Someone will be there to monitor that we will spray the decided amount." [NL4]. The club serves as an upstream partner for the preparation and organization of the marriage as well: "Marriages for example. If you come, your friend here [...] is getting married you will come and discuss and we will decide how to organise a wonderful party, what to buy for you to let you be happy." [NL4].

The club provides not only support but opportunities for meeting people and developing relationships, which here should be understood as a resource in itself. We must therefore describe the nature of the relations that unite them.

## B - SOCIAL RELATIONS CONTEXTUALIZED BY AND FOR THE CLUB

All clubs constitute a "special place for the creation of social bonds and solidarity".<sup>42</sup> Moreover, one of the reasons people join these clubs is to form relationships: "The major reasons for joining clubs is for associating with people. That is to make friends. One cannot be alone, we need to associate with people around. This is the major propelling factor in joining a club. [...] From club members, you find your friend"; [NL1] "We want to gather ourselves: if I seat here, how can I meet my friends? I don't meet anybody. We want to seat together, as friends." [NL5]. Also, the more clubs you belong to, the more new opportunities you will have to meet and connect with people: [Question]: why did you form up to three clubs instead of a big one? [Answer]: I need relationships." [NL5]. In the same way, one can become more influential in the community: "To create influence. It was more than that before. I was in so many clubs." [NL6].

The challenge here, first and foremost, is to develop social relations—social capital—selected on both a socio-demographic and

an economic basis. The selection criteria are therefore of crucial importance in maintaining the social position both of the club and of the associated social capital. One way to preserve this position is to restrict membership to nominated candidates only: "To become a member someone should have recommend you. You cannot come like this and ask to be a member. As you are coming, you must come with a member who attests to know you. A member who testifies that you are a responsible and good person." [NL7]. Being a member of a club gives access to a certain status, based on the social image of the club and the reputation of its members. The club must therefore verify the proper behavior of the candidates: "If you are not introduced by someone, we will watch out at you for six months. We will put three men on you, they will watch out at you." [NL4].

In addition, in order to preserve its social characteristics, the club must remain homogeneous, fulfilling the conditions it sets for itself. Another way to preserve the stature of the club is to control the group's socio-economic composition; each club has its own selection criteria.

### 1) Social criteria

One of the most commonly stated criteria among respondents in Nigeria is the notion of "responsible women": "There are different types of clubs, X club and Y club are for responsible women and not irresponsible women. We are mothers in the club. There was an irresponsible woman who joined us and began to shake her buttock everywhere in parties; the lyaegbe had to stop her from coming to the club because it was obvious she was irresponsible. As far as you are a responsible woman, you can join us." [NT2] Some Clubs have a bad reputation: "There are different types of clubs, ours is not wasteful or meant for showing off. X is meant for responsible mothers." [NL1].

Marital status can also be a criterion for admission: "All of them are married. By the time they enter we give them a specific time to marry. You have to have 20 years to enter." [NT4] For others, this is not necessary: "We have both. We have single ladies. We have married ones. It is not a criteria to enter into the club." [NL6].

The "Ladies'clubs", contrary to what their name suggests, are not only designed for women; some of the clubs accept male members.

42. NKAKLEU R., «Quand la tontine d'entreprise crée le capital social intra-organisationnel en Afrique», op. cit., p. 122.

Nevertheless, the great majority of the Clubs put emphasis on the separation of the sexes: *"There are other club that are mixed. We, we wanted a women only association. Because we want to be between us, to help each other. [...] You have to be married and to be between 45 and 50 when you enter in the club."* [NL7]. Age is indeed a recurring criterion: *"No, it's not a matter of children, it's a matter of age. 30 up, you can be a member."* [NL5].

Neither ethnic origin, location, spoken language, nor religion are restrictive criteria. Similarly, while age or gender may be decisive for access to a club, selection is mainly based on the socio-professional criteria necessary to maintain the club's social position.

## 2) Socio-professional and financial criteria

The high cost of membership and the amount and frequency of the costs of participation exclude a portion of the population that does not meet the standards imposed by the club: *"Though some members felt it was very expensive and it should be scraped out because it hindered other people from joining the club. The president also insisted that hosting will remain and any new member that is not ready to host is not worthy of the membership of the club."* [NORL1].

The importance of the financial dimension and of the socio-professional category they belong to is confirmed in the way the interviewees describe the composition of their own club: *"We have almost 20 members. Very wealthy people"* [NT5]; *"We have market women, we have business women, we have women who loan money out, we have fashion designer, we have cooks... different kind of women but what we do is practice love."* [NT4].

Some clubs are famous for their costly contributions and receptions. The amount of the contributions and entrance fees then serve as an indication of the financial capacities of the members, and again of the club's standing.

The content of the interviews conducted in France corroborates this. The respondents especially emphasize the economic dimension to justify themselves and their families not being members, for the most part: *"That is for the rich people. If you have a lot of money you can pay amongst many. But if you don't have lot of money, you cannot*

*be a member of one."* [F5] The notion of rank and the social distancing of the Clubs from those unable to access them is present in the discourse of Nigerian women interviewed in France. Some deplore it: *"Like everyday they try to be desperate to make more money. To be better than others. And it has really cost bad influence in the society."* [F6]

## II - A SPACE OF SOCIAL REGULATION AND IDENTIFICATION

Like any social space, the club has its own operating rules. All members must therefore internalize them and adapt their behavior to suit the expectations of the group (A). By sharing the club's values and standards, members will develop a sense of belonging to the group and the resulting social identity (B).

### A - REGULATION AND STRUCTURING OF SOCIAL LIFE

The club is a social group that its members have joined voluntarily. Individual members must nonetheless learn the new rules and norms that govern the operation and life of the club, as well as their role and status within it. In this respect, the club becomes a reference milieu for its members. In the context of the "Ladies'Club", there is a constitution that sets the rules for the functioning of the club as well as the rules of conduct, and determines the roles of its members. The "Ladies'clubs" are highly structured and hierarchical social spaces. The regulations of the club are organized during the receptions, which are known as *hostings*.

#### 1) Regulations and group conformity

All of the interviews conducted in Benin City amongst people belonging to a club mention the existence of a constitution that sets the rules of operation for the internal life of the club: *"Yes, we have a constitution [...] The name of the association, the time of the meeting and the closing, the functions, the rules and regulations."* [NT4].

Likewise, the constitution determines the rules of conduct for its members: *"First of all, don't fight one with the other. Don't insult. We want a peaceful environment. And even, you don't have to accept phone calls during the meetings. Don't marry other*

*members' husbands. If one divorce or die and she was a member, you cannot marry her husband. It's not allowed. Don't steal. It is also forbidden. Praise God. Praise for Edo. Praise for our members here and abroad. And pay 500 Naira if you are late."* [NL6].

The rules are strictly enforced, and any transgression may result in a fine or in some cases exclusion from the group: *"Which are the rules and regulations? First, if you insult the president, there is a fine. [...] It depends from the offence, it can vary. Then, you are not supposed to fight, no fight in the club and no fight outside. If for example, I start fight [...] I have to stop if not I will pay a fine to the club. [...] That's the reason why we do this. Then there are other rules for the meetings. You don't eat during the meeting, you don't wear bathroom sleepers. When somebody is talking, the person has to finish for you to start talking. If not it is a fine. If you come late it is a fine. Everything you do against these rules is a fine. We want to be sure of her behaviors. [...] For example, you see this lady? She was a member of The Difference. At a point in time, her husband travelled out of the country. She was seriously misbehaving. You know when your husband is not around you cannot sleep with anybody. We put some men to watch out on her. She was coming home very late in the night, drinking too much. So we called a meeting and we decided to expel her from the club. Then we called her and we told her that she was out. The potential member should avoid to fight, to drink, to misbehave in their marriage. We want people that cannot spoil you. You know, we don't have a secrecy policy in the club so we have to be careful."* [NL4].

Though the latter example involves behaving like a *responsible woman*, the associated rules and sanctions also apply to financial records and payments. Failure to make any payment, whether a monthly contribution or any other amount, is punishable by exclusion: *"If you don't contribute at this moment you are out of the contribution."* [NL5].

Keeping the group regulated also requires a certain degree of homogeneity in the group and strict obedience to the rules. This homogeneity is manifested by the choice of a unique costume for its members during ceremonies and *hostings*, and plays a part in the club's external identification. For each occasion, a particular costume will be specified: material, color, accessory, etc.: *"Yes, we have a uniform. We use uniform for our parties. We put on Buba,*

*Iro and Gele. We have several uniforms. [...] These are some of the uniforms. We have a lot more. Almost for each event we buy a new uniform."* [NL7].

While these aesthetic rules may differ from one club to another, they are nonetheless mandatory: *"All the women were well dressed with a different hair tie; I was told that it was compulsory for everyone to tie their hair during the hosting."* [NOR1] Indeed, this uniformity, beyond the feeling of unity and belonging to the group, puts pressure on its members. This can be explained in particular by the fact that the clothing reinforces the social rank and attractiveness of the club: *"Our dressing is very important to us because it attracts other people to join us. Several people have joined our clubs due to the way we dress. [...] We buy the material one after the other and we pay for the material in instalment."* [NL2].

Regulations, ensuring compliance with the norms, and enforcing penalties where appropriate are the responsibility of the club president as well as of members with a significant role in the organization.

## 2) Hierarchical stratification of the group

The club is structured by a set of roles, which contribute to its smooth operation. The various women's groups in Nigeria generally have the same structure.<sup>43</sup> First of all, they are headed by a president. If this is a woman, the term used is *Iyaegbe*; if it's a man, *Babaegbe*. They are the *founders* and *owners* of the clubs, which is what these terms mean in the Yoruba language, and which gives them *de facto* status as president. The president, then, is in charge of the club and its proper functioning. He or she coordinates the roles assigned to each member and gives orders. He or she must also react and respond to emergencies. This position is very prestigious: *"As a President my duty is anywhere we go, they will give me the respect as a chairlady who form the club."* [NL5]. It should be noted that unlike other women's associations,<sup>44</sup> *"The Presidential position is for life"* [NL7]; this is confirmed by several interviews. The president may be dismissed in case of transgression of the norm: *"You have your own*

43. PANATA S., *United we (net)work: an online and offline analysis of Nigerian women's clubs*, op. cit., p.9.

44. *Ibid.*

position and if you act in a bad way, the members can remove you and chose another member as president for example. [...] No, we don't have elections. It's just if you act in a bad way that people can decide to remove you." [NL4]. The same individual may also preside over several clubs.

Then there is the position of Vice President, then *financial secretary, treasurer, secretary, manager* (or *Welfare Officer*). The manager "is in charge of the welfare of members." [NL3]. Some clubs also have a speaker or a "PRO" – public relation officer. These positions, unlike that of the president, are subject to a vote: "I will be the president for all my life time. But from the vice down, they will change. [...] The other one they are elected. Yes, elected. People raise up their hands and they elect the members for the different positions. This is having place every year. Every year we do election. [...] When they should absolve the cabinet during the elections but we want to return them, we say: "Return and oppose."" [NL6].

Beyond this administrative organization, there are two other very important roles in the club, which have already been mentioned in regard to the provision of financial support: "Then we have a *Matron* and a *Patron*. They are above the president." [NL4]. These can probably be likened to a Godmother and Godfather. Beyond the honorific title and their important position within the community, their function is to provide protection, listening, and support, especially of a financial nature: "As a *matron*, if they have any problems they have to come to you. You have to give them money. And you host them. Sometimes, I host them here. They don't pay fees for hosting, they don't pay nothing. I just host them, they will eat, they will drink. And for the anniversary the *Matron* go there [to the meeting], donate money to the club. [...] They come here, they ask for money. I give them. If some of their daughters get married and they need money, I will give them. If they have issues, I will give them money. You cannot refuse. That's the work of a *matron*. And sometime for anniversary you sit with them" [NL6]; "Each time we have a problem, the *Matron* and the *Patron* are there." [NL7].

A *Matron* may sponsor several clubs at the same time. She must then provide assistance to all of her clubs and their members. The members name the *Matron* they want for the club: "They put a person that is well to do, a person that will attend them well." [NL6]. It will be

a person for whom they have affection and/or respect.

In her report, Sara Panata indicates that there is also a club with the membership of all the *Matrons* discussed here. She specifies that the president of this club of *Matrons* is known to be one of the biggest "madams" in Benin City.

### 3) The hosting, where the regulations are framed

Like any club, the life of "Ladies'clubs" is organized around parties and receptions.<sup>45</sup> It is during these hostings that the functioning of the club is regulated, and any problems or conflicts are resolved.

Depending on the characteristics of a given club, these receptions are themselves subject to certain codes: "For an hosting we will be well dressed. First of all, a big gele. A gele, yes, the same you can observe in the picture there. Then, the person who host prepare different kind of food. She prepares pounded yam, amala, stanck with all sort of soup, black soup, egusi, buka and meat, pomo, chicken, beef. Also jollof rice with chicken on the top. And the drinks. You have to eat and drink well well. Then when you go home, everybody is entitled to a pack of rice in a plastic bag. You take it home with drinks and gift." [NL6].

The receptions generally take place as follows: presentation of new members, reading of the constitution and the rules governing the life of the group, organization of the tontine, resolution of problems and conflicts, [NL2] and a dinner dance, showering the hostess with money all the while [NL6].

These receptions are therefore an opportunity to discuss and deliberate on problems that affect the club and provide solutions. This may include conflicts between two members, violation of rules by certain members, or requests for assistance, especially of a financial nature, by others [NOR 3].

By instilling its values, norms and rules, the club, like any social group, guides and restricts the individual. It creates bonds amongst members, but it also resolves conflicts. It provides a social position

45. LOUSSOUARN S., "L'évolution de la sociabilité à Londres au XVIIIe siècle: des coffee-houses aux clubs". The evolution of sociability in 18th century London: from coffeehouses to clubs XVII-XVIII. *Revue de la Société d'études anglo-américaines des XVIIe et XVIIIe siècles*, 1996, vol. 42, n°1, p. 37.



and an associated status, but also monitors and corrects behaviors. It creates a space for sharing and support, but also enforces everyone's fulfillment of their role. These elements are undoubtedly a crucial part of setting up an enduring criminal activity. The club also integrates the members into a group and gives them a social identity, which is necessary for the proper functioning of the group.

## B - SHARING VALUES, PRACTICES AND A SOCIAL IDENTITY

The sharing of practices, values and goals among members contributes to their integration into the group. Also, each member must make that they are a fit for the club they seek to join: *"Before you associate with a club, you must look at the members. If the members don't have the same values and ideology than you, you should not join such club. Clubs are meant for people of the same class and value. So one must look carefully before joining a club."* [NL1].

The values of the clubs are easily identifiable. Each club has a name and a *Motto* as well. Both show the values with which the club seeks to identify itself. Many of the mottos refer to God and how God protects the club and its members. Love and joy are some of the other typical values put forth to signify the clubs. Some mottos may be based on personality criteria, such as *humble*, or *virtuous*, or on physical criteria, such as *cute*, *elegant*, *young*, or *lovely*.

By joining a club, individuals will identify with it, and be identified with it socially.<sup>46</sup> If the club ranks high in the social hierarchy, the individual is identified at that rank; conversely, the social position of its members maintains a club's ranking. Though respondents most readily evoke the financial benefits that these clubs can offer them, those benefits can also be seen as extending to the social positioning that they provide to individuals, especially when it comes to people in higher social strata. Membership and identification with a socially recognized group therefore becomes a club resource in its own right.

The club thus provides a normative framework to which one conforms. This framework structures the relationships and functions of everyone in the life of the group: everyone has a certain role and

a corresponding social status. Likewise, belonging to the group also provides a social identity – to the club and to its members – that is all the stronger because they may be looking for that here. The members will respond with a firm commitment, loyalty even, to the group and its members. Commensurate with the density of the relational fabric, the degree of social control exercised both inside and outside the club is significant. It is clear that the club thus fulfills many social functions that are essential to the individual and to the life of the group. These elements are all the more important to understand because they are part of the functioning of what is in fact a criminal group. Because in certain cases, these social organizations that bind and regulate their members are actually involved in human trafficking.

## SECTION 3 - INVOLVEMENT IN HUMAN TRAFFICKING

In this last part, we will discuss the extent to which certain of these "Ladies'clubs", especially when such clubs are established in the territory of destination countries (I), may in fact be involved in human trafficking activities (II), based on the economic and social mainsprings described above.

### I - A TRANSNATIONAL SOCIAL PRACTICE

Nigerian migration to Europe is significant and has abruptly spiked since 2015. In 2016, Nigeria was the third leading migrant sending country in Europe.<sup>47</sup> Between 1st January and 31 December 2016, 37,000 individuals from Nigeria arrived on Italian soil.<sup>48</sup> Unlike the other two groups studied in this research, the social practices of these clubs were openly recreated within the Nigerian communities established in Europe, especially in France. Also, like the "Ladies'clubs" of Benin city, a number of branches developed while others were

46. According to Alex Mucchielli, social identity refers to "the set of criteria that allow a social definition of the individual or group, that is to say, the criteria that allow it to be located in society." MUCCHIELLI A., *L'identité* [identity] Paris, PUF, coll. "Que-sais-je?", 2013, p. 127.

47. Persons whose country of origin is Nigeria account for 7% of all detections, after Syria (17%) and Afghanistan (11%). FRONTEX (EUROPEAN BORDER AND COAST GUARD AGENCY), *Risk analysis for 2017*, Varšava, Frontex, 2017, p. 18.

48. EUROPEAN ASYLUM SUPPORT OFFICE, EASO COI *Meeting Report*, Rome, 2017.



created ex nihilo in the destination country (A). Thus, among the human trafficking victims interviewed in France, these clubs have a particular image (B).

## A - MEMBERS AND CLUBS IN EUROPE

Nigerian persons who have immigrated can remain or become members of a Nigerian club. Also, all the clubs surveyed in Nigeria reported that they have members in other countries: *"Some are abroad in Europe or even in America"* [NL5]; *"We have three of them in Canada, 1 in US, 1 in UK..."*; [about another club] *"No, we have member abroad not branches. We have four members in Canada, several in Italy, in Germany, in US. A lot of us were in Italy before."* [NL6].

Members living abroad are subject to different rules and access rights<sup>49</sup>: *"Why do you tax more the members who live abroad? Ah Ah. [laughing] If you are there, you don't give time to come to the meeting, to seat each every two weeks and to discuss affairs. You don't have to come to inform the club. So you will pay more."* [NL4].

In general, having members in Europe or returning from Europe is beneficial for the club: *"Yes, yes, the women who returned from overseas they can spray euros or dollars. They come with their money from abroad. It is more prestigious."* [NL4].

These clubs, which are present in France in particular, may have been created ex nihilo, or may be the European branches of already existing "Ladies'clubs" in Nigeria. The procedure is similar to the development of a sub-esusu group (I.1); the European branch is a replica of the primary club, and simultaneously is subject to the primary club's rules: *"What do you have to do to form a branch abroad? You make a leader then you will send to us here the money, the kola nuts, the malt, the hot drink. You will keep some money with you. You must have an account there. You will then register. But right now we don't have branches abroad."* [NL4].

Nevertheless, the different experiences discussed here have not all been conclusive: *"The ones in Italy, they tried to create a branch of the organisation but it didn't work"* [NL4]; *"They wanted to start a branch*

*in Italy, we discuss about it but we then decided that it couldn't work"* [NL6]; *"The X Club, they have a branch in Italy, in Napoli. It is the only organisation with a branch outside Nigeria."* [NL7].

The European branches are characterized in particular by the exposure of their existence via community digital platforms, specifically Facebook and Youtube. One also finds clubs with the same names as clubs existing in Benin City, but here associated with the country and/or city in which they are located. As part of this research, Sara Panata gave particular attention to the dimension of exposure and the use of online platforms by European clubs. According to her, this dimension is an essential characteristic in that it distinguishes these clubs from other women's associations and tontines.<sup>50</sup> These platforms are a way for these clubs on the one hand to exhibit their money, their success, and their social prestige, and on the other to get connected to other clubs. The club thus seems to play an important part in the immigration journey of these members.

Of the persons interviewed in France, some have said that they have no knowledge of the existence of such clubs in France. Others confirm their presence in the national territory: *"Yeah, there are. There are many clubs in France. [...] It's the same thing."* [F6]. These respondents indicate that they became aware of these "Ladies'clubs" in particular via the digital platforms discussed above: *"I haven't see in France but I just see on Facebook in London, Amsterdam. In London. And in different countries here. But all I know it's might be but I'm not seeing this in France maybe association of people from the same tribe, like people that are from Ebo, come together. [...] And I think if there is going to be any, it might be Italy because there are more Nigerian people in Italy than in France"* [F5]; *"Yes, I understand what it is. I'm familiar with these groups because of Facebook or Youtube. It's like a meeting."* [F18].

While the clubs present in Europe and in France in particular fulfill the same economic and social functions as they do in Benin City, they are also part of the same strategies of recruitment and positioning in the social hierarchy.

49. See above I.3

50. PANATA S., *United we (net)work: an online and offline analysis of Nigerian women's clubs*, op. cit., p.6.

## B - THE IMAGE OF THE CLUBS AMONGST VICTIMS INTERVIEWED IN FRANCE

Of the various victims interviewed as part of research done in France, only a few of them were unaware of the existence of these clubs in France, and a smaller number were also unaware of their existence in Nigeria. Among those who did identify these clubs, two interviewees had family members who belong or have belonged to a club in Nigeria. [F11 and F17] Beyond that, they are not part of it either in France or in Nigeria. They simply did not meet a certain number of the proper economic and socio-demographic criteria – in particular age and social status.

Beyond a certain visibility on the Internet, when they are aware of the existence of these groups, it is in most cases because their sponsor – "madam" – and/or the mother of their sponsor, are part of one or more clubs, and are involved in various roles and functions of club life: *"My 'madam' belongs to a club. I think some of my neighbors in Nigeria do as well. My mother does not belong to a club"* [F19]; *"I don't know about the club in Nigeria, only know about here [in France]. Because there is a lot of 'madams' in the club, the one who have a lot of girls. They are going to the club because they have a lot of money to spend, they are there for their girls"* [F1]; *"I think the mother of my 'madam' belongs to a group like that. [...] No, I have never been involved in a club like that. [...] No, I do not know anyone who belongs to a club like that."* [F20].

As a rough generalization, we may say that in the context of trafficking, two worlds coexist: people who are involved with the clubs and people who aren't. This dichotomy is present likewise in the victims' image of the clubs: *"I agree with you that there are negative and positive effects of joining a club. There are some clubs that can add to your life positively while others can destroy you. However, X club is not that kind of negative club."* [NL1].

Also, in general, clubs can be defined objectively from their primary characteristics: *"It's about sharing. Having fun, dancing, protecting people, helping them. That's what it's all about, normally."* [F17]. Nevertheless, because they are associated with their sponsor's membership, the respondents' description of these clubs is, in the vast majority of interviews, associated with trafficking: *"Yes, it is very very possible, they save money for esusu, they can use it that money*

*to bring girl to come here. By Libya or I don't know, I won't be there by Libya, by route. [...] They save money through that they can have the money to bring the girl to this place"* [F1]; *"A man came to me and told me there's a crew, there's a meeting which you go, you paid Naira every month and the person help you for your documents. What I told you is that I have gold, I don't depend on anybody. I cannot be sure, in meetings because I don't know you I don't know if you are a witch. I don't know if you people have bad..."* [F6]. When respondents were asked about the benefits of belonging to a club, one answered: *"Benefits is like when you have a lot of girls, they are working, they earn money a lot, there is opportunity to become a club because you have a lot of money to spend."* [F1].

## II - PROSTITUTION AND THE CLUBS: MUTUAL SUPPORT

Some members of the "Ladies'clubs" in Benin City and France, which are organized around the practice of *esusu* and structured according to the operating rules of a closed group, are in fact invested in the sexual exploitation of Nigerian girls and women in the destination country. In terms of social position, these clubs in France also allow people to be differentiated into those who are part of the club, those who could belong or who wish to belong, and others. From this perspective, belonging to a club helps to establish the hierarchical superiority of the sponsor over the victim. Therefore, it may be considered important and rational to remain attached to this social grouping or at least try to become part of it, and all the more so since members can also benefit from the club's benefits in terms of financial support (A) and resources (B).

### A - FROM FINANCIAL SUPPORT...

Money raised from trafficking helps support a number of activities in Nigeria. This money may be earned on the street and sent to Nigeria to support the family economically: *"They were praying for her daughter who sent her the money from Europe to celebrate the hosting (the hostess is fondly called 'Mama X,' X is her first daughter who was trafficked to Europe, from the look of things she has been able to pay her traffickers and now sending money home to the mum). At the close of the hosting I also heard mama X telling the president*

that they have built a house around Y road. It is also obvious that X sent the money for the building of the house." [NOR1].

Money received from Europe may also be used to pay the membership and contribution fees required to belong to a club and thus enjoy all the economic, social and symbolic benefits that provides: *"Most of those 'madams' where never in club when they were in Nigeria because of lack of money, when they got here they joined those club because they have girls who work for them."* [F1].

Based on these various excerpts and comments, it would seem unambiguous to the rest of the population what kind of work these "girls" who've left for Europe are doing. Thus, in the opposite direction, money from the tontines may in turn be used as financial support. To the extent that, as we have pointed out above, the use of this collective contribution does not need to be accounted for, these sums may be sent to Europe to support the "girl." In some cases, membership in a club in France may allow the debt to be repaid via contributions. Several interviews mention this<sup>51</sup>: *"A woman who was not a 'madam' offered to have me participate in a contribution to help me to pay my debt. But I refused because I was afraid that my 'madam' would find out about it. So I refused."* [F15]. This subject was also discussed by A. Adebayo in his works about the tontine. Thus, he describes the tontine "as a social organization to assist members in very stringent financial problems, such as the need to meet obligations arising from ordinary marriage, funeral, and religious functions (including the cost of an important sacrifice) to more economically rewarding or pressing needs to expand business or farm, or even to prosecute a war or pay a debt."<sup>52</sup>

At the same time, and in some cases, the club may have a greater involvement and thus may serve as a real provider of support for the establishment and development of human trafficking activity.

## B - ...TO SUPPORT FOR HUMAN TRAFFICKING

*"I don't like them because the way they behave is not, if you have money, use it for a good thing, not for this kind of... I don't like them,*

51. See also interview F18.

52. ADEBAYO A.G., "Money, Credit, and Banking in Precolonial Africa. The Yoruba Experience," *op. cit.*, p.394.

*when they bring a lot of girls, you just use them for a slave so you can make a lot of money to spend a lot, I hate them for that."* [F1].

Many interviews conducted in France reported the involvement of the clubs in human trafficking. The victims interviewed make a distinction, and do not strictly link the clubs to human trafficking: "Yes, I've been hearing about a lot of club. But sometimes it's not all about traffic" [F11]; *"Yes. But at the same time, I think sometimes there might be a lady who they traffic her, who has a lot of girls but this doesn't mean that everybody is in the meeting it's the same thing. That's the problem."* [F11].

Nevertheless, European clubs are strongly associated with exploitation, since the members are mainly *sponsors*. In addition, many respondents mentioned that the tontine activity organized within these clubs may be part of the way new "girls" arrive: *"Yes, it can be possible they will use it to sponsor somebody to Europe. Because it's her money. You cannot tell someone what you want her to do with her money, no. She gave you her own money, she didn't ask, tell you what you must do with the money. So giving her back her money, you don't have to tell her what she has to..."* [F11].

## CONCLUSION

As we observed earlier in regard to the shrines, "Ladies'clubs" are social groups with unquestionable visibility and legitimacy in Benin City. Like the women's economic associations, these clubs practice *esusu*. Created in the 1990s and present in Benin City and in Europe, they seem to have financial objectives more than social and moral ones. They are therefore mainly based on *esusu* as a contributory system.

It is nevertheless important to reiterate here that the practice of *esusu* itself cannot be reduced to this context. It is a common economic practice that must be distinguished from the use that some clubs in Nigeria and France make of it.

Joining a club requires significant resources in terms of monthly contributions, membership fees and participation in events organized by it. At the same time, through its system of contribution and support, the club makes available many resources and capital to its members, including the social status and prestige associated with its affiliation. In other words, beyond its economic vocation, the club, as a social group, also performs important social and identity functions. For instance, it provides its members with mutual assistance, social capital and a high social position also based on the position of its selective membership. Club affiliation is a social marker that shows financial and social success and therefore only accessible to those who possess the necessary resources. In this sense, some ostentatious practices, particularly visible on the Internet, exhibit and affirm their rank. In addition, the membership provides a hierarchical normative framework for the functioning of the group. It may therefore be believed that the founders relied on a historical social and economic structure particularly well established in southern Nigeria to develop a structure capable of investing in sexual exploitation. However, many questions remain.

In case of a return to Nigeria of a woman who has not finished paying off her debt, one may wonder if the "madam" will solicit the resources of the club to increase the pressure on the debtor. This pressure could then be manifested in various ways: the social exclusion of the victim and may be more widely from his family, but also the use of the services of third parties such as members of "cultist groups" to compel it to pay....

In addition, if certain persons belonging to clubs in Europe use the capital gained from the practice of *esusu* to bring in new woman, it raises the question of what the position of other club members might be on the subject of this recruitment activity. Indeed, it might be considered that they are *de facto* participants in the sponsoring activity. This highlights elements that may be important in the context of a prosecution. According to article 121-7 of the Criminal Code, complicity is a mode of participation in criminal offenses, and provision is made for the punishment of all those who "knowingly, by aid or assistance, have facilitated the preparation or the consummation of the criminal act. Any person who by gift, promise, threat, order, or abuse of authority or power has provoked an offense or given instructions to commit it is also guilty of complicity". We can therefore

deduce from the foregoing that there is a possibility that the act of participating in these *esusu* activities and giving the revenues collected to a possible future madam may be punishable as an offense of criminal complicity. The difficulty to be faced in punishing this offense will obviously be in proving that each member was aware of the purpose to which the money collected was to be allocated. Likewise, it has been shown that the exchange of resources or advice is an important part of the activity of these clubs. Therefore, the fact that the members of a "Ladies'club" may exchange advice and information for the successful conduct of the human trafficking process could clearly justify the conviction of all members as accomplices of the particular individual that actually recruited a woman for purposes of exploitation. But there again the issue of proof is likely to pose a difficulty.

One can also wonder what are the consequences of the financing of a woman by the *esusu* contribution. In principle, if one applies the rules of *esusu*, the woman belongs only to the one who used his turn to finance it. If this "madam" has been arrested, one can wonder if the other members of the club will take in charge the recovery of debt from her victims. In such case, is the claim on the debt transferred from the person who has been arrested to the other members of the group, or do the latter merely collect the money on behalf of her? Does belonging to the same club facilitate sales/resales between members within a club?

One last question deserves to be raised. In an interview conducted in France, an individual explains that a person suggested to her to join a club in order to pay back her debt. This assumption runs counter to what has been widely developed about the social status needed to integrate this type of group. One can then wonder if, in certain cases, the "madams" do not try to constrain even more the victims by making them glimpse the belonging to the group to better impose them in fact terms of payment and refund fraudulent.

Further study would help to refine the understanding of these groups by establishing a more precise typology of different clubs based on their possible involvement in trafficking. At this stage, through this work, we were able to identify a few indicators of their potential involvement in trafficking: the transnational dimension, their level of exposure on the Internet, as well as the large amount of

the contributions made. Beyond this, new research would make it possible to better understand the relations between clubs and other social groups involved in trafficking, especially "cultist groups".

## "CULTIST GROUPS"



## CHAPTER 3:

**"CULTIST GROUPS"**

As observed in the two previous themes, it was French investigators and community actors who first highlighted the involvement of "cultist groups" in human trafficking practices, and in particular groups known by the names *Eiye* and *Aye*. Nevertheless, the scientific literature has little or no discussion on this issue. Similarly, while the involvement of these groups in the exploitation of Nigerian girls and women in France is beginning to emerge in ongoing legal proceedings, we have only had access to one judgment stating that Nigerian individuals are involved in "cultist groups"<sup>1</sup>. It establishes the membership of individuals involved in trafficking in one of these groups, *Eiye*. However, it does not indicate whether this membership is coincidental or whether it is as members of these groups that individuals participate in this criminal activity.

The level and exact nature of the involvement of "cultist groups" has therefore proved particularly complex to establish, especially since these groups and their activities are taboo for the surveyed population. This last point is largely based on interviews with victims in France. The vast majority of them are aware of the existence of these "cultist groups". While few have had personal and direct contact with them, they nevertheless mention a number of anecdotes that characterize the nature of these groups and the resentment felt toward them. Their words reflect a homogeneous discourse as well as distance and/or fear, which are associated with any reference to this subject. The investigating authorities for their part also report the difficulty of collecting information on these "cultist groups" during interviews.

What are these "cultist groups"? Where do they come from? Who are they? What do they do? To define them, there are some common

1. Rennes Criminal Court, 28 June 2018.

features of the shrines and "Ladies'clubs". In all three cases, they are closed social groups whose existence and practices are historically rooted in Nigeria (I). However, they have differentiated themselves from their original groups, and three dimensions can now be used to characterize their identity: violence, the use of religious beliefs and their criminal practice (II). As previously observed, their involvement in human trafficking has been highlighted (III). The purpose of this chapter is therefore to describe what these "cultist groups" are, their history, their development, their activities and more importantly their involvement in human trafficking in Nigeria and Europe.

## SECTION 1 - THE "CULTIST GROUPS" ORIGIN

The word "cultism" has its origin in the French word "culte"<sup>2</sup> ("worship" or "cult" in English), which refers to "the homage paid to God or a Saint" and more generally "all the practices by which man honors his God".<sup>3</sup>

In the contemporary Nigerian context, the term "cults" refers to student organizations associated with various types of abuse and crimes, including homicides.<sup>4</sup> However, the precise meaning and origin of this term remain difficult to characterize. Within the literature, it is difficult to clearly establish criteria for distinguishing between secret societies, confraternities, "cultist groups" and "secret groups". Irit Eguavoen writes: "*In Southern Nigeria, the word 'cult' describes religious, spiritual groups as well as conspiracy. [...] 'Secret cults' and 'secret societies' are used synonymously, as are the terms 'campus confraternities' and 'campus cults', although the latter carries a stronger connotation of perpetrating violence.*"<sup>5</sup> Nevertheless, they are clearly distinguishable from vigilante groups,<sup>6</sup> which are

organizations known to exist in Nigeria in particular, and which aim to combat crime by relying on local communities.<sup>7</sup>

The objective here is to understand what "cultist groups" are by providing a careful and explanatory explanation of the main groups to which they are largely attached. The comparison with secret societies (1) and student confraternities (2) provides some insights into what characterizes these "cultist groups", also known as "cults".

## I - SECRET SOCIETIES

The term "secret society" refers to a "more or less significant grouping characterized both by the existence of meetings strictly reserved for its members and by the jealously guarded secrecy surrounding its ceremonies, rituals in which the symbolism to which the society aspires is displayed".<sup>8</sup> Such societies may have different objectives: religious, political, criminal or philosophical. Nevertheless, these objectives may also overlap. The secrecy aspect, on the other hand, may involve very limited recruitment and/or activities. Secret societies ensure the discretion of their members not only through mutual trust in insiders, but also through oath taking and symbolic threats of punishment if the silence is broken.<sup>9</sup> The initiation takes place through a special ceremony, a ritual based on a dramatization. The ritual refers more or less explicitly to a commonly shared founding myth. It usually consists of something being set in motion and a representation of symbols.<sup>10</sup>

In relation to mid-western Nigeria, the oldest group considered a secret society is the Ogboni society. Marc-Antoine de Montclos mentions its existence in the 15th century<sup>11</sup>. It had a religious

2. OWONIKOKO BS and U. IFUKOR, "From Campuses to Communities: Community-Based Cultism and Local Responses in the Niger Delta Region, Nigeria", *AFRREV IJAH: An International Journal of Arts and Humanities*, 2016, 5 (4), n° 19, p.80-93.

3. REY A., *Dictionnaire Historique de la langue française*, Robert, 2012.

4. ELLIS S., "Campus cults in Nigeria: The development of anti-social movement", I. VAN KESSEL (dir.), *Movers and shakers: social movements in Africa*, Leiden, Boston, Brill, 2009, vol.8, P.221253.

5. *Ibid.*

6. "The vigilantes can arrest thieves and call the police. These are private security groups. It's not the same thing." (F20)

7. One of the influential vigilante groups in southeastern Nigeria is known as the Bakassi Boys. SMITH DJ, "The Bakassi Boys: Vigilantism, Violence, and Political Imagination in Nigeria", *Cultural Anthropology*, 1st August 2004, vol. 19, n° 3, p.429.

8. HUTIN S., *Gouvernants invisibles et sociétés secrètes*, Paris, RAMUEL, 1999.

9. NEFONTAINE L. and R. DACHEZ, "Franc-maçonnerie", *Encyclopædia Universalis*, Encyclopædia Universalis.

10. *Ibid.*

11. PÉROUSE DE MONTCLOS M.-A., *Le Nigeria*, Paris: Ibadan, Oyo State, Nigeria, Karthala; Institute of African Studies, University of Ibadan, "Méridiens" collection, 1994, p.23.

dimension while playing a political role<sup>12</sup>. During the colonial period, Stephen Ellis points out that in western Nigeria, members of the Ogboni society held many positions of responsibility and wanted to create a counterweight to the power of kings and leaders<sup>13</sup>. In response, other societies were gradually formed. It was to strengthen his influence in the face of these groups that the Oba of Benin founded the "Aruosa Church".<sup>14</sup> The completion of an initiation ritual was necessary for the admission of any new member to the group.<sup>15</sup> These factors provide information on the embedded nature<sup>16</sup> of these cultural practices in several dimensions of society. They also reveal the long-standing and central role of secret societies in the context studied.

In the interviews conducted in France, the parallel between the Ogboni society and "cultist groups" is frequent. Some interviewees associate these two groups with the word "cult", while making certain distinctions, particularly as to the purpose of the acts committed. One respondent states the following about the Ogboni: *"It's a cult but that is more of ritual. It's more of, when they kill people they can also eat people and drink their blood [...] It's more an obscure spiritual cult. Sometimes they use people for ritual, [...]"* [F5]

According to Yann Lebeau, "Most academic studies establish a link between [...] secret societies as a recurrent form of social and political organization in the coastal regions of West Africa [...] and the emergence of so-called 'secret' student organizations on the Ibadan campus in the 1950s."<sup>17</sup> Furthermore, the information relating to secret societies must be taken into account when understanding

12. AREWA O. and K. STROUP, "The Ogboni Cult Group (Nigeria): Analysis and Interpretation of the Communicative Events Which Constitute the Behavior of Its Members", *Anthropos*, 1977, vol. 72, 1/2, P.274287.

13. ELLIS S., *This Present Darkness: A History of Nigerian Organized Crime*, 1st ed., New York, Oxford University Press, USA, 2016, p. 47.

14. "Holy Aruosa is a traditional religious and unique worship place where the Oba of Benin, Omo N'Oba N Edo Uku Akpolokpolor, Oba Erediauwa, his palace chiefs, family members including men and women of Bini origin commune directly with God." OCHOGA P., "Aruosa: Benin Church Where Christians, Trado-Worshippers Commune With God".

15. Offiong D.A., *Secret Cults in Nigerian Tertiary Institutions*, Enugu, Fourth Dimension Pub. Co, 2003, p. 42-43.

16. GRANOVETTER M., "Economic Action and Social Structure: The Problem of Embeddedness | Department of Sociology", *American Journal of Sociology*, November 1985, vol. 91, n° 3, P.481510.

17. LEBEAU Y., "Permissivité et violence sur les campus nigériens: Quelques lectures du phénomène des «secret cults»", *Politique africaine*, 1999, vol. 76, n° 4, p. 180.

"cultist groups" and how they operate. In the same way, student confraternities provide us with information that promotes an understanding of what these "cultist groups" are.

## II - STUDENT CONFRATERNITIES

There are some differences when it comes to tracing the history of student confraternities (dates, places of creation and groups from which they are derived).<sup>18</sup> However, two geographical areas can, broadly speaking, be identified among the historical confraternities of southern Nigeria. The Pyrates, Buccaneers and Supreme Eiyé Confraternity are from the University of Ibadan, and the Neo Black Movement of Africa (Black Axe Confraternity) was first formed at the University of Benin in Benin City.

The first association identified as a "campus fraternity" is the Pyrates Confraternity.<sup>19</sup> Initially, it was a student association created in 1952 at University College, Ibadan and comprised seven Nigerian students from different socio-linguistic groups: Edo, Hausa, Igbo and Yoruba. This choice reflected the strong tensions that divided the universities of southern Nigeria, whether between Christianity introduced through colonization and traditional religions or between tribal affiliations.<sup>20</sup> The challenge for the Pyrates was therefore to find an organizational approach that was faithful to the cultural and geographical roots of its protagonists while avoiding being rejected by the British elite. In this respect, the use of secret groups satisfied the first criterion, since these societies were numerous in this geographical area and frequently used as a way of resisting any form of oppression. At the same time, the use of a confraternity gave the group an appearance recognized and respected by the British authorities. The choice of names that are not ethnically marked illustrates this: Pyrates, Buccaneers, Vikings, etc. The term "Pirates" is actually borrowed

18. CHINWE U.V. and I.U.J. MAG, "Causes, Effects and Strategies for Eradicating Cultism among Students in Tertiary Institutions in Nigeria-A Case Study of Nnamdi Azikiwe University Awka Anambra State, Nigeria", *Journal of Education and Practice*, 2015, vol. 6, n° 22, p.2228. presents certain differences with D. Offiong on the chronology of the creation of groups.

19. <https://www.nas-int.org/>

20. BERGMAN B., "From Fraternal Brotherhood to Murderous Cult: The Origins and Mutations of Southern Nigeria's Confraternities from 1953 Onwards", *Pursuit-The Journal of Undergraduate Research at the University of Tennessee*, April 2016, vol. 7, n° 1, p. 1123.

from Robert Louis Stevenson's novel Robinson Crusoe. The Pyrates Confraternity is also known as the "National Association of Seadogs". Its founder, Wole Soyinka, took the name "Cap'n Blood of Tortuga".

In its early days, the aim of the Pyrates Confraternity was therefore to combat the social ills they associated with the colonial order.<sup>21</sup> Their motto is "Against all moribund conventions". However, one of its slogans was "*Odas is Odas*", or "Orders are Orders". The group therefore had to abide by the rules it had set for itself even if it did not follow social conventions.<sup>22</sup> The values defended were those of anti-colonialism, the rejection of a class-based society and tribal, religious or political distinctions.<sup>23</sup> Its members saw themselves as the defenders of oppressed people.<sup>24</sup> Their ambition was not only to operate within the university but also more broadly within society. The confraternity was built on the values of solidarity and mutual assistance among the members of the group.

As with secret societies, the bond that unites members is sealed by an oath, and an initiation ritual is a prerequisite for admission to the group. In the 1970s, initiation to the Pyrates Confraternity involved signing a commitment in red ink and drinking a "Bloody Mary", a cocktail made from tomato juice, which some said also included human blood.<sup>25</sup> As with all confraternities, the Pyrates Confraternity is associated with certain colors.

As observed with regard to secret societies, the creation of new confraternities has been in reaction, in opposition to or complementary to the Pyrates Confraternity and then to other existing groups.

One of the rival groups of the Pyrates Confraternity was the *Eiye* group (Supreme *Eiye* Confraternity or National Association of Airlords) within the University of Ibadan.<sup>26</sup> Its symbol is the eagle.

Another historical student confraternity that can be presented is the group called *Aye*, Neo Black Movement or Black Axe. It was founded at the University of Benin in Benin City.

21. *Ibid.*

22. *Ibid.*

23. *Ibid.*

24. OFFIONG D.A., *Secret Cults in Nigerian Tertiary Institutions*, op. cit. p.57.

25. ELLIS S., *This Present Darkness*, op. cit., p.111.

26. The statements of the various authors read do not agree on the exact date the group was created.

One of their symbols is a horizontal axis cut by a large axe. Their usual outfit often consists of a white shirt, black pants, a tie and a black beret with a yellow ribbon. Black refers to the black race and yellow symbolizes intelligence. It distinguishes itself from the previous groups mentioned in particular by the desire to promote awareness, a black identity, in contrast to the global and globalist vision defended by the other groups. Their motto is "*Ayei! Axemen.*"

They use fetishes and "charms" to give them supernatural powers and allow them to escape prosecution and injury by firearms or knives.<sup>27</sup>

*Eiye* and *Aye* are the two groups now identified as being present in Europe and involved in human trafficking.

The factors that led to the transition of these student confraternities into "cultist groups" are difficult to identify. While this observation does not apply to the Pyrates, many confraternities had no other purpose than their own operations and existence and could not identify with an objective related to social progress. It can therefore be hypothesized here that the absence of a unifying project for the group has facilitated their drift toward illegal activities. Stephen Ellis also associates the development of the fraternities in the 1970s with the economic and political situation in the country.<sup>28</sup> This was the period marked by the civil war that followed the military coup of 1966. The development of the oil industry also occurred during this time. However, the return to civilian power and the fall in oil prices in the early 1980s were accompanied by a major political, economic and social crisis. The Nigerian population believed an economic upturn was coming, but this was abruptly ended by the crisis, which had a considerable impact on government investment in university operations.<sup>29</sup> As a result, many students found themselves in a vacuum.<sup>30</sup> It was during this same period that the significance of cults increased considerably. These groups created new forms of solidarity at a time when society was going through a transformation process.

During the 1980s and 1990s, the military dictatorship tried to stir up divisions within the fraternities to weaken them. It would even have

27. Okorouen (1992), in OFFIONG D.A., *Secret Cults in Nigerian Tertiary Institutions*, op. cit., p.56.

28. ELLIS S., *This Present Darkness*, op. cit., p.113.

29. BERGMAN B., "From Fraternal Brotherhood to Murderous Cult", op. cit.

30. *Ibid.*



tolerated the development of ethnic violence, religious fanaticism and political assassinations in order to divert citizens' attention from bad governance.<sup>31</sup> This strategy resulted in increased competition and violence between these groups.<sup>32</sup> This competition led some groups to recruit thugs to provide additional manpower. It was also accompanied by the increased use of magical-religious practices, particularly for the purpose of protection during these clashes. As a result, these groups gradually spread beyond universities and their practices diversified. We can therefore determine from the above the three constitutive dimensions of "cultist groups".

## SECTION 2 - THE THREE CONSTITUTIVE DIMENSIONS OF "CULTIST GROUPS"

The creation of new confraternities has been described as a reaction, opposition or complement to existing groups. In the late 1970s, a group of individuals was expelled from the Pyrates Confraternity for failing to respect the expected norms and behavior. They then founded their own group, the Buccaneers, a group associated with the development of violence<sup>33</sup> and rivalry between the confraternities. The term "cultist" thus referred to dissident groups of confraternities that were engaged in practicing voodoo and whose activity had shifted off campus.<sup>34</sup> This term is also associated with criminal practice. Yves Lebeau defines "cultists" as "mafia pressure groups that take advantage of the deinstitutionalization of social cohesion on campuses and the weakening of student unionism in the 1980s, with a dual focus on cultural legitimacy and historical filiation".<sup>35</sup>

31. ROTIMI A., "Violence in the Citadel: The Menace of Secret Cults in the Nigerian Universities", *Nordic Journal of African Studies*, 2005, vol. 14, n° 1, p. 79-98.

32. ELLIS S., "Campus cults in Nigeria: The development of anti-social movement", *op. cit.*; ROTIMI A., "Violence in the Citadel: The Menace of Secret Cults in the Nigerian Universities", *op. cit.*

33. SMAH S.O., *Contemporary Nigerian cultist groups: demystifying the "invisibilities"*, Ibadan, IFRA-Nigeria, 2019. Along the same lines, CHINWE U.V. and I.U.J. MAG, "Causes, Effects and Strategies for Eradicating Cultism among Students in Tertiary Institutions in Nigeria-A Case Study of Nnamdi Azikiwe University Awka Anambra State, Nigeria", *op. cit.*

34. "Cultism a reference to the voodoo-practicing confraternities, which marked the beginning of a shift of confraternity activities from the university to off campus." CHINWE U.V. and I.U.J. MAG, "Causes, Effects and Strategies for Eradicating Cultism among Students in Tertiary Institutions in Nigeria-A Case Study of Nnamdi Azikiwe University Awka Anambra State, Nigeria", *op. cit.*

35. LEBEAU Y., "Permissivité et violence sur les campus nigériens", *op. cit.*

Even though they are sometimes referred to as "secret cults" – we will come back to this – all the respondents we met in France are aware of their existence,<sup>36</sup> their distinctive signs and their activity. According to the respondents, they are widespread and active throughout Nigeria. Thus violence (I), practices related to religious beliefs (II) and criminality (III) are considered here as the three constitutive dimensions of "cultist groups".

## I - THE VIOLENCE THAT CONSTITUTES PART OF THE IDENTITY OF "CULTIST GROUPS"

The violence committed by "cultist groups" is significant. Sam O. Smah says: "For example, the Edo State Police Command noted with cult activities in Benin City, [...] in 2008 and 2009 that over 40 cult-related deaths allegedly recorded monthly, mostly among suspected cult members. Several members of the society who may have nothing to do with 'cultists' are killed in cross-fire or specifically targeted and hacked down."<sup>37</sup>

This violence will be mentioned by returning to the phenomenon of rivalries and settling scores between groups (A), the fear they generate (B), and finally the role of this violence in the integration process (C).

### A - RIVALRIES BETWEEN GROUPS

The rivalry between "cultist groups" is homogeneous in the comments of the respondents in France: "Maybe the Aye, so Eiye, they are in the same bar and Aye is playing the song, for the music which is not pleasing the other group... [...] Yes, they fight. Because the song, normally something they are directed to the other one."<sup>38</sup> [F11] As the literature reports, the respondents associate this rivalry with violent acts, particularly fighting: "They never agree with each other. That's why there is a lot of fighting" [F19], even deadly fighting: "They are very violent. They can kill" [F20]; "Yeah, those are the most deadly..."

36. Respondents mainly mentioned Aye and Eiye. Some mentioned other groups such as: Arobaga, Malikow, Manfight, White Angel and Black Angel.

37. SMAH S.O., *Contemporary Nigerian cultist groups: demystifying the "invisibilities"*, *op. cit.*, p. 12.

38. We understand here that they consider the act of playing this music as provocation.



*Because they fight always."* [F11]

This rivalry takes on even greater proportions as the group must protect each of these members: *"That's why there's a battle. In a nightclub, for example, if someone comes into the nightclub and sits next to his table, it's another war. So in these cults, if there's something happening to you in this cult, if someone from another cult who did this to you, you're not alone. There are all the members of the cults who are going to help you. And for that, you're not alone. It's a big deal. At first it's between two people and finally the other groups, they'll come and your group will come with you, and so there's a clash. Instead of being two people, they will become 20 people."* [F20] The values of mutual assistance and solidarity are very prevalent among the confraternities. The harm caused to one group member is caused to the entire group and therefore justifies the need for everyone to defend the group members in the event of danger or injury. In an environment of significant rivalries, this principle has certainly contributed to an increase in the level of violence.

As a result, episodes of regular clashes affect the lives of many students today, because of the level of threat: students not involved in these groups are regularly the collateral victims of settling these scores.<sup>39</sup> As we have seen, Sam O. Smah<sup>40</sup> associates the origin of this violence with the birth of the Bucanneers<sup>41</sup> in the early 1970s, and this was reinforced by their involvement in criminal activities in the 1980s.<sup>42</sup>

It is these rivalries that explain, in particular, the importance given to distinctive signs that allow them to both establish and display a personal and social identity. This identity is expressed in particular through the way they greet each other: *"It is easy to recognize them because they have a special way of greeting each other (check)."* [F15] In addition, and in keeping with what was observed in relation to confraternities, this identity is expressed through the color and type of clothing worn [F11]. Music is also part of their identity: *"They*

*listen to special music, you can find it on YouTube."* [F15] Music also contributes, through the actual content of the lyrics, to fueling rivalry between the groups: *"Yes. They have their own music. [...] Because they compose the songs for themselves [...] meaning of the song: Yes, we can fight, we can kill... (laughs). [...] No, I don't think it's military. It's just about their dirty games, enjoying wars to the other groups."* [F11] The distribution via digital platforms<sup>43</sup> of their music and videos gives them high visibility. Comments associated with the content reflect the affiliation and associated pride: *"I am proud to be a member of eiye. All birds are rugged"*<sup>44</sup> as well as rivalry between groups: *"Aye is nothing compare to Vikings."*<sup>45</sup> Similarly, many groups have one or several dedicated Facebook pages.

These points should not cause us to forget the secret dimension associated with these groups. There is an ongoing tension between the desire to be visible (in order to expose their existence and fuel rivalries) and the desire to affirm the existence of secret practices: *"But when you belong to the cults, it's secret. Even your mother doesn't know you're a member. You can recognize them by their attitude, but the cults on the street, they wear normal clothes. They only wear their uniforms for their parties. They are proud. [...] Yes, they are proud to be cults. But it's secret. There are times when they show it to you by the way they are, but there are many times when they hide it."* [F20]

The violence has become so widespread that the people surveyed in this study mainly associate "cultist groups" with the feeling they generate.

## B - A REPUTATION THROUGH FEAR

When asked about "cultist groups", a number of respondents were reluctant to talk about them: *"So now we are going to talk about the cults. OK? So, have you ever heard about cultism? Yes. OK. So, if yes, could you tell me what a cult is?"* A long silence and considerable hesitation accompany this question. The volume has to be increased to the maximum to hear in particular: *"I don't want to talk about the cult, OK?"*. The interview then resumes: *"So maybe you*

39. SMAH S.O., *Contemporary Nigerian cultist groups: demystifying the "invisibilities"*, op. cit.

40. *Ibid.* Along the same lines, CHINWE U.V. and I.U.J. MAG, "Causes, Effects and Strategies for Eradicating Cultism among Students in Tertiary Institutions in Nigeria-A Case Study of Nnamdi Azikiwe University Awka Anambra State, Nigeria", op. cit.

41. Their color is yellow (like the Black Axes): they wear a t-shirt and a yellow beret with black pants. Their slogan is "No Price No Pay".

42. BERGMAN B., "From Fraternal Brotherhood to Murderous Cult", op. cit., p. 15.

43. Simply enter the names of the cultist groups on these platforms to access a wide range of music and video content. There are hundreds of thousands of views.

44. [https://youtube.com/OzbCuHynT\\_E](https://youtube.com/OzbCuHynT_E)

45. <https://youtube.com/MnGMGICgUzl>

heard something about them?" [F3] Others indicate that they have little knowledge of these groups: *"I don't know anything about the cult. I'm not in cult. [...] I don't associate with them."* [F14]

In this way, they distance themselves from the group in question while providing a wealth of information about themselves based on anecdotes that rarely affect them personally. This shows a high degree of homogeneity in the discourse. The point is constantly repeated from the experience of another, etc., becoming a reality of its own. The same respondent then states: *"Cultists' they are killers. They call them killers in Nigeria."* [F14]

Nevertheless, this distance between the speaker and the groups is justified if it is linked to the feeling of fear expressed about them and the associated reputation: *"Yes. Most people in Nigeria are also scared of 'cultists'. [...] They can come and kill somebody from the family, you can not have the support of the police. They just do what they want [...] Cause it's very very... they seemed... that people fear in Nigeria. It's the first thing that people fear in Nigeria. They feared them. Me too I fear cult. Because they are very very dangerous."* [F5]; *"I refused two or three times. I didn't want to go because I know there are rapes, sexual violence in the cults. When you belong to a girls' cult, you may be raped and ten boys ask to have sex with you at the same time."* [F20]

One of the respondents reported a more personal experience: *"There was a time they killed someone in my presence. That was when I knew; yes, it's real. Because the boy they killed was really close to my family. He was just killed on Christmas Day. So there, I knew, eh, this thing is really serious. For them to kill a fellow human being because, when I started hearing I was this small. But in this case, I think that was just in 2009. I was so, so, so shocked then I began to, was afraid. So these people, they really do kill each other like they telling us."* [F11] These remarks underscore that violence affects the population. According to Sam O. Smah, *"communities, schools, streets and neighborhoods, children, parents and authorities live in fear and anxiety."*<sup>46</sup>

The violence and fear of "cultist groups" is also present in the recruitment of people, which takes place against a backdrop of violence, blackmail, threats and sometimes coercion.

46. SMAH S.O., Contemporary Nigerian cultist groups: demystifying the "invisibilities", op. cit., p. 12.

## C - THE VIOLENCE IN THE INTEGRATION PROCESS

When specifically addressing the issue of the recruitment process, the respondents interviewed in France first mentioned the school environment: *"Cult is mostly, it's generally from the school. Yes, like confraternity [...] It's not from outside, who are not being in school. I said if you are not in university or college or any institution you cannot be a member of a cult."* [F5] However, in the published studies, it is rather the universities that are mentioned as the place of recruitment.<sup>47</sup> But the interviewees did not necessarily attend university, which may explain why they refer to the school environment and the fact that they were asked to join female "cultist groups": *"When I was in school, I was asked to become a member of a girls' gang. There are also many female cults. For example, the Blue Queens."* [F19] Ben Bergman situates the development of these women's groups in the 1990s.<sup>48</sup>

While the existence of physical violence associated with recruitment was not mentioned, the respondents did mention a context of blackmail. In other words, recruiters may highlight the need for a girl to be protected because of the violence in their environment: *"I was told: We will protect you, no one will bother you, no one will threaten you, you can be helped."* [F20] But this gracious proposal becomes a threat from the moment the person asked refuses it: *"Protection was never offered to me. If it is offered to you, it's already very dangerous. For example, if I am an only child of 15 years of age and don't have any siblings, you may be offered protection. But if you refuse, it can be dangerous."* [F19] This remark highlights the vulnerability of some women to this type of proposal. Another respondent stated that refusal to join the group may be punished by death.

The omnipresence of violence in the group's operations can also be illustrated by coercion linked to the obligation for each member leaving a school to find a new student to replace him/her: *"So when they want during the graduate, when they want to leave the school, they will hand over their post to the second year, that he's coming after them, [...] they handover their position to people that are interested*

47. BERGMAN B., "From Fraternal Brotherhood to Murderous Cult", op. cit.

48. Ibid., p. 16. See also: ROTIMI A., "Violence in the Citadel: The Menace of Secret Cults in the Nigerian Universities", op. cit., p. 83. Among the main groups, he mentions the Black Braziers, Amazons, Jezebels and White Pans.

*in, people that are member or people that are forced out join the cult. They handover to those ones. When those ones are still going, they handover to another."* [F5] This violence, or more precisely this context of coercion, also results from the irrevocability of the commitment and the threat of reprisals: *"You cannot leave the group freely once you belong to the cults. It's for life. If you want to leave you have to pay a lot of money. It's very secretive and the problem is that if you leave, you can betray them. If you betray them, they'll kill you."* [F20]

As part of the integration process, violence associated with secrecy aims to reinforce the sense of superiority of the group members. As previously mentioned, secrecy gives structure to the community through the sense of connivance, complicity and mutual trust between the members who maintain it.<sup>49</sup> Secrecy helps create a closed group. For example, the "Jolly or Jollification" initiation ceremonies are organized off campus (at cemeteries, in forests, on river banks, etc.).<sup>50</sup> During these ceremonies, the new members are sworn in. The most violent groups (Aye, Buccaneers and Vikings) will use torture to test the resistance of the candidates. They are subjected to challenges using a kind of hazing: <sup>51</sup> being whipped, cutting off parts of their bodies, drinking human blood and other beverages. The respondents report the following practices: *"To join the cults there will be a ritual. They will take you to a place at night and there will be candles or embers on the ground, and they'll ask you to lie on them. After, you have to swear an oath. It's secretive. There are 5 to 10 people who will take part."* [F20]; *"There is a ritual to belong to cult groups. You must be beaten, or subjected to violence, and drink blood. [...] Question: I heard about a case where they had to walk on embers? Yes, for example."* [F19]

These challenges are intended to help the candidates become "rugged men". Non-members are seen as weak beings, not worthy of respect. Those who survive these challenges may be asked to perform specific tasks to prove their strength, such as the rape of female students or girlfriends of some members of rival fraternities, armed robberies,

49. SIMMEL G., *Secret et sociétés secrètes*, Circé, 1998. cited in BRYON-PORTET C., "La culture du secret et ses enjeux dans la 'Société de communication'", *Quaderni. Communication, technologies, pouvoir*, Printemps 2011, n° 75, P.95103.

50. EZEONU I., "Violent Fraternities and Public Security Challenges in Nigerian Universities: A Study of the 'University of the South'", *Journal of African American Studies*, 2014, vol.18, n°3, P.269285.

51. *Ibid.*

or attacks on members of the university. When the aggression targets women in the rival group, the goal is to provoke an outbreak of violence during which newcomers can earn their stripes. The demonstration of strength is even more spectacular when newcomers agree to act with their faces uncovered, a sign that they do not fear reprisals.<sup>52</sup> These challenges are in all likelihood intended to strengthen the cohesion of the group. Newcomers often have no initial connection with each other. By agreeing to these practices, the newcomer joins, embraces, incorporates and fits into the hierarchical structure of the group he joins.<sup>53</sup>

With regard to women's groups, Rotimi also mentioned submitting to a torture test in order to be accepted. Wearing provocative clothing, smoking and being a lesbian are considered strengths.<sup>54</sup> Vanessa Simoni, Project Manager for the *Les Amis du Bus des Femmes* association, describes entry tests of a sexual nature, particularly in the Blue Queens group.

The place of violence within these groups is relevant to the research question posed here. However, they cannot be reduced to this. "cultist groups" provide their members with identity, affection and forms of protection, both physical and emotional. If violence is a key factor in their characterization, so is the magical-religious dimension that surrounds them.

## II - PRACTICES RELATED TO RELIGIOUS BELIEFS

It has been pointed out that the choice of the term "cult" implied a religious dimension. In the discussions with the respondents, this dimension has the effect of giving members of "cultist groups" powers that make them stronger either toward other groups or toward state authorities that may wish to fight them (A). Beyond this, this dimension seems essential in terms of the establishment,

52. *Ibid.*

53. KEATING C.F., J. POMERANTZ, S.D. POMMER, S.J.H. RITT, L.M. MILLER, and McCORMICK J., "Going to College and Unpacking Hazing: A Functional Approach to Decrypting Initiation Practices Among Undergraduates", *Group Dynamics: Theory, Research, and Practice*, 2005, vol.9, n°2, P.104126, cited in EZEONU I., "Violent Fraternities and Public Security Challenges in Nigerian Universities", *op. cit.*

54. ROTIMI A., "Violence in the Citadel: The Menace of Secret Cults in the Nigerian Universities", *op. cit.*, p.84. See also: OFFIONG D.A., *Secret Cults in Nigerian Tertiary Institutions*, *op. cit.*, p.8384.

cohesion and partitioning of the group, all aspects that are crystallized at the time of taking the oath (B).

### A - THE POWERS ATTRIBUTED TO MEMBERS OF "CULTIST GROUPS"

Some authors associate the level of violence of "cultist groups" with the use of herbalists or "native doctors". Their members are provided with amulets intended to make them stronger and give them powers when in combat.<sup>55</sup>

Most of the interviews conducted in France also report the use of religious objects, associated with the practice of *juju*. Some respondents attribute particular powers to members of "cultist groups". The purpose here is invincibility against the police: *"Most time those people they have powers too like... Yeah. Like juju power because most times, they do power so that police cannot see them. So that police can not see them."* [F6] Their powers also protect them from gunshots: *"For example, you belong to Aye, you have to go for yourself for protection you have to go for a god to bet you (feel sure), to put something in your body, to so that gunshot, when they shoot you, nothing will happen to you. You will be normal."* [F6]

These powers may be based on the possession of a ring, which is mentioned on many occasions: *"They may also have powers; here there are men (or women) who have a lot of powers because they wear a ring in which there has been juju and thanks to this, the police will not see that they have done bad things or when the police arrive, they will disappear. [...] If I have the ring and I ask you for money, you have to give it to me."* [F19] This ring protects them while at the same time giving them a power of coercion over others. It is easy to imagine how these stories, like the violence, fuel the fear towards them and contribute in some way to a form of domination, or even control, over people.

According to the respondents, they acquire their power from *Ayelala*; some mention *juju*. Some also mention how the ritual and oath help contextualize their actions: *"[...] they are sort of dedicated to what they believe, they kill themselves so I believe there is an oath attached to it."* [F11] *"They believe what they practice."* [F19]

55. ELLIS S., "Campus cults in Nigeria: The development of anti-social movement", *op. cit.*, p.228.

### B - SWEARING AN OATH DURING THE INITIATION PROCESS

In a manner comparable to that described earlier in relation to the oath taken by future migrant women (see chapter on Shrines), the first step in the initiation process, leading to a person's admission into a "cultist group", is based on an oath of allegiance associated with an obligation of secrecy.<sup>56</sup> Here again, these aspects contribute to compartmentalizing the group and giving it cohesion. This oath is mentioned several times during the interviews: *"Yes they take an oath."* [F2] The sources consulted do not reveal whether this relates to an allegiance to the deities or to the "cultist group". Furthermore, Urajo Zubairu and Karim Zehadul indicate that new recruits undertake to keep their membership of the group secret and not to act against its interests:<sup>57</sup> *"They are swearing about, for them to keep their secret."* [F3] In addition, the literature reports that while incantations are recited, the swearer keeps their eyes closed.<sup>58</sup> During this process, they may be beaten and may have to ingest a drink made from blood. This is therefore consistent with the practices already observed: the oath of allegiance, secrecy, covering the eyes and the use of ingestion.

In addition to its religious dimension, the oath is the process by which the individual joins a new group and adopts new norms as a result. This integration requires the implementation of "immoral activities".<sup>59</sup> Rotimi points out that those who have been recruited and initiated are asked *"to engage in many activities, which form part of the group norm"*<sup>60</sup> This was mentioned in particular with regard to female "cultist groups" or the violence of imposed initiation practices. These aspects cannot be dissociated from the fact that "cultist groups" are closed groups that set their own standards. This point is largely reinforced by the practice of oath taking. We can therefore understand the difficulty of implementing state

56. ROTIMI A., "Violence in the Citadel: The Menace of Secret Cults in the Nigerian Universities", *op. cit.*, p.84.

57. SURAJU ZUBAIRU A. and K. ZEHADUL, "An Assessment of Black Axe Confraternity Cult in Nigeria: Its Impact on the University Educational System", *South Asian Anthropologist*, 2017, vol.1, n°17, p.4.

58. This practice is reported by Dayo Thomas, author of an article published in The Week of 4 February 2002, cited in ROTIMI A., "Violence in the Citadel: The Menace of Secret Cults in the Nigerian Universities", *op. cit.*

59. *Ibid.*, p.84.

60. *Ibid.*



action to regulate their practices and fight against their overuse. Thus, the association between the religious dimension and the violence of practices contributes to creating a very strong sense of belonging.<sup>61</sup> This feeling is all the more problematic as their main activity is of a criminal nature.

### C - THE PROFESSIONALIZATION OF CRIMINAL ACTIVITY

In a given society, acts that offend the values considered essential within it are criminalized. What is striking from the interviews is that these "cultist groups" consider themselves and are considered to be above the law, which contributes to the feeling of fear they generate. *"Yes. Most people in Nigeria are also scared of 'cultist'. Because they act above the law. Because in Nigeria as you know the law is not active. They can come and kill somebody from the family. You cannot have the support of the police. They just do what they want."* [F5] This can be compared to what was mentioned earlier in relation to student confraternities. By opposing existing conventions, they define their own social space and norms within it.

Respondents refer to the presence of "cultist groups" throughout Nigeria and associate them with violent practices against people (kidnapping and murder) (1). But their activity is not limited to forms of violent crime, as they also engage in corrupt practices and extortion of property (2). In recent years, "cultist groups" have become a significant social issue to which the State needs to respond (3).

#### 1) Criminal services against individuals

Their criminality is expressed in many ways, but the violent dimension of acts committed against individuals stands out in particular. *"Cults people they kill you, they have hum how is it called? They have things; they use to fight like objects like gun, many many things, can't say them here. They even steal. They steal or they kidnap."* [F14]

However, they have turned this activity into a real business. They act as service providers, which means that anyone with money can use them to kill someone: *"And sometimes, the 'madam' or whatever, they*

61. KEATING C.F., J. POMERANTZ, S.D. POMMER, S.J.H. RITT, L.M. MILLER, and McCORMICK J., "Going to College and Unpacking Hazing", *op. cit.* cited in Ezeonu I., "Violent Fraternities and Public Security Challenges in Nigerian Universities", *op. cit.*

*do use them sometimes also, a case the people they're oppressing."* [F11]; *"Like sometimes, they want to kill anybody [...]. They use them to do whatever they want."* [F6] The comments collected illustrate the banality of their crimes and the ease with which it seems that their services can be used: *"Maybe they will do them something, they can have a link with them the 'cultists' and kill the person the picture, the picture of the person."*<sup>62</sup> *I said some person go on and kill him. [...] That is what they do. So they are very dangerous."* [F14]

This type of service can be requested by members of the government to achieve their goals and eliminate, for example, a particular opponent. *"Sometimes most of the people in the cult works with the government. They have a very good connection with the government because when they want to bring election, you understand? They meet the boys from the cult to help them, when they want assassin. [...] They have a very strong connection with government and with the politics."* [F5] The possible use of "cultist groups" by politicians is explained by the fact that they now hold important positions in Nigerian society or are requested by individuals with important responsibilities: *"Many parents, employers of labor, captains of industry, member of staff in institutions of learning, and political representatives (all are major stakeholders in fashioning the social structure and political economy) create and sustain cult menace in Nigeria."*<sup>63</sup> This situation is also mentioned in the interviews. Victims have a perception that members of "cultist groups" are very important, high-ranking people: *"They are very important. They are found in every federal state. Even in government, there are people who are members; the president is a member of the cults."* [F19]

However, the types of crimes committed by "cultist groups" are not limited to acts committed against individuals. Their practices also include acts against property.

#### 2) Criminal services against property

This crime occurs on various scales. Starting in the school environment,

62. It is understood here that the sponsor provides a picture of the person to be killed.

63. UCHENNA M., "Secret Cult Menace in Nigeria within the Context of Social Structure and Political Economy: A Critical Analysis", *International Journal of Criminal Justice Sciences*, décembre 2014, vol. 9, n° 2, p. 176.



it can take the form of racketeering: *"Like, mainly in school, they you use to oppress people like maybe to collect their phones, their money from them."* [F5] We can already observe here the aspects identified as constituting the identity of "cultist groups": violence, the fear they generate, and the material benefits derived from the criminal act.

On a larger scale, "cultist groups" commit acts of extreme violence in connection with burglaries: *"And most times secret cult people they kill, they go to the house, they burst (destroy/slang) everything, they kill people, they take your money and they go."* [F6] Here again, the respondent's comments illustrate the apparent banality of this type of process. Continuing along this scale, the practice of racketeering via kidnappings is also mentioned: *"And most of the times, those people also put their hand in blood like when you are a society sometimes they send you to kidnap people. Like in my country, you are very rich or you are a white man, you came to Nigeria sometimes they kidnap you and they ask you to bring like 40,000 or 50,000. The 'cultists' so they kidnap you so they put you in a place and they said if you can bring like 40,000, they will kill the person. So most time you go there, you give them the money, they take the money and they release the person. So that what they do."* [F6]

Respondents also mentioned extortion of funds from the government by blocking access to oil [F5]. In the same vein, it was reported that the government could, during certain particularly violent episodes, pay "cultist groups" to bring them to an end: *"I think that because most times when there is a lot of killing, killing, killing, the government call them together and give them some amount of money for them to stop killing."* [F5].

Finally, and even though there are few specific details, it is worth mentioning that a respondent reports that her father, a member of the "cultist groups", was involved in drug trafficking [F18]. This point is confirmed by a member of the investigating authorities interviewed in France, who states that the involvement of Black Axe (i.e. Aye) in drug trafficking is, in his words, "established" in Italy.<sup>64</sup>

64. See in particular: <https://www.theguardian.com/news/2018/feb/01/migrants-more-profitable-than-drugs-how-mafia-infiltrated-italy-asylum-system>

### 3) The state response to "cultist groups"

Many authors highlight the great difficulty the Nigerian federal state has in regulating a practice presented as a major social problem.<sup>65</sup> These "cultist groups" have been banned both under military and civilian rule, and the sanctions incurred are both criminal and civil in nature.<sup>66</sup> Before presenting the main texts, it is important to recognize the ambivalence of the action taken by the state, since this has been briefly mentioned. Links of various kinds appear between "cultist groups" and certain members of the government, whether when politicians enlist these groups to achieve their ends or when they exploit rivalries to weaken certain opponents. During the 1980s and 1990s, the military dictatorship tried to stir up divisions within the fraternities in order to weaken them. Because these fraternities were fierce opponents of the military dictatorship and were therefore trying to develop a pro-democracy movement, the dictatorship tried to infiltrate these movements in order to cause division among them and therefore weaken them. This strategy resulted in increased competition and violence between these groups.<sup>67</sup>

In chronological terms, we can go back to the 1979 constitution to identify the first legal reference to secret societies. It was actually with this terminology that the legal framework applicable to "cultist groups" was established. In 1999, the Federal Constitution supplemented this definition. The text prohibits public officials from belonging to societies involved in groups acting contrary to the ideals of these public services.<sup>68</sup> It should be noted that the Constitution does not explicitly refer to the groups described here as "cultist" or from student confraternities. It sets out, more broadly, the ban on secret societies. Nevertheless, and this point confirms the close link between secret societies and the groups studied, the definition adopted is easily applicable to the groups included in this research. The inclusion of this ban, as early as 1979, as a restriction on freedom of thought, conscience and religion should also be highlighted.

65. ROTIMI A., "Violence in the Citadel: The Menace of Secret Cults in the Nigerian Universities", *op. cit.*, p. 12.

66. SMAH S.O., *Contemporary Nigerian cultist groups: demystifying the "invisibilities"*, *op. cit.*, p. 10.

67. ELLIS S., "Campus cults in Nigeria: The development of anti-social movement", *op. cit.*, p. 233.

68. ROTIMI A., "Violence in the Citadel: The Menace of Secret Cults in the Nigerian Universities", *op. cit.*

68. § 38, 66, 107, 137, 182 of the Constitution of Nigeria.

More specifically, Decree N° 47 of 27 December 1989, adopted under Babangida,<sup>69</sup> entitled *Student Union Activities*, aims to regulate the activity of student associations and establishes in its Article 1 the principle of freedom to join these associations. It empowers the university's governing bodies to ban groups that may pursue interests contrary to national security, public safety, public order or public morality, or any groups that may be "illegal, inimical, destructive or unlawful".<sup>70</sup> A fine of 50,000 naira and 5 years'imprisonment may be imposed on any individual who violates the ban on membership of these groups. The text also provides for the exclusion of students who belong to "cultist groups" for an indefinite period. According to Rotimi, the main effect of this decree seems to have been to increase clandestine activity around these practices and not to actually reduce their significance.<sup>71</sup> This point is reinforced by Sam O. Smah, who points out that no conviction has been handed down as a result of this decree.<sup>72</sup>

In 1990, the Federal Penal Code (sections 97A and 97B) refers to the following definition from the Laws of Northern States of Nigeria CAP89: "A society is an unlawful society if declared by an order of the Governor in Council to be a society dangerous to the good government of Northern Nigeria or any part thereof. Whoever manages or is a member of an unlawful society shall be punished with imprisonment for a term which may extend to seven years or with fine or with both." Similarly, Chapter 9 of the Federal Code CAP77, entitled "Illegal Societies" and applicable in the Southern States, includes 7 sections (62-68) devoted to the definition, to issues related to the management or membership of these groups, and to prosecution and the judicial measures related to secret societies.<sup>73</sup>

Moreover, the texts adopted by the Federated States cannot be ignored. For example, in 2000, the State of Edo adopted a "Secret Cult Prohibition Law" (Law N° 18 of 2000) punishing members of the

public or educational service who belong to "cultist groups" with 21 years'imprisonment. This text targets two categories of institutions: "The existence, activities and membership of any secret cult in any educational institution and within the public service of Edo state are hereby prohibited."<sup>74</sup> Nevertheless, some doubt the effectiveness of these measures, fearing that they may even be counterproductive because they hinder the ability of university authorities to impose sanctions.<sup>75</sup>

However, it is primarily the ability of the judicial authorities to apply these texts that must be questioned. Sam O. Smah was able to demonstrate the very low conviction rate under this legislation. No convictions were handed down in the Edo State jurisdiction between 2011 and 2017, although several cases were referred to the trial courts.<sup>76</sup> Between January and May 2017, on the other hand, 14 convictions were handed down, but none of them involved a custodial sentence. Despite this, none of them has been the subject of appeal proceedings, which contributes to undermining the substance of the legislation banning "cultist groups". By not appealing, state authorities are validating that these acts do not give rise to criminal penalties. Sam O. Smah attributes this very sharp increase to the political situation in this country during this period. Furthermore, corruption, intimidation of witnesses or judges and lack of evidence can be put forward to explain the low prosecution rate.<sup>77</sup> Some members of "cultist groups" have reached very high social positions. Those who have migrated can finance their groups. Others have obtained positions as bodyguards for political figures.<sup>78</sup>

The State's response to "cultist groups" cannot be reduced to this list of texts. The introduction of intelligence units working with the

69. Ibrahim Babangida was at the head of the military dictatorship that ruled Nigeria from 27 August 1985 to 26 August 1993, when he had to relinquish power under popular pressure.

70. Article 2 b) of Decree N° 47 of 27 December 1989.

71. ROTIMI A., "Violence in the Citadel: The Menace of Secret Cults in the Nigerian Universities", *op. cit.*

72. SMAH S.O., *Contemporary Nigerian cultist groups: demystifying the "invisibilities"*, *op. cit.* along the same lines, Offiong D.A., *Secret Cults in Nigerian Tertiary Institutions*, *op. cit.*, p. 7.

73. SMAH S.O., *Contemporary Nigerian cultist groups: demystifying the "invisibilities"*, *op. cit.*

74. *Ibid.*, p. 9.

75. Eguavoen I., "Killer Cults on Campus: Secrets, Security and Services Among Nigerian Students", *op. cit.*

76. "However, one case was pending in 2011, one case was discharged in 2013, two cases were discharged in 2015, while five cases were discharged in 2016 and 11 were pending in 2016. One case was discharged and three pending in May 2017 when fieldwork ended in the state. Magistrate Courts handled a total of 25 cases between 2011 and 2017", SMAH S.O., *Contemporary Nigerian cultist groups: demystifying the "invisibilities"*, *op. cit.*, p. 14.

77. IMMIGRATION AND REFUGEE BOARD OF CANADA, *The Eyi confraternity, including origin, purpose, structure, membership, recruitment methods, activities and areas of operation; state response (2014-March 2016)*, <https://www.refworld.org/docid/5843fa644.html>.

78. SMAH S.O., *Contemporary Nigerian cultist groups: demystifying the "invisibilities"*, *op. cit.*, p. 23.

university administration to combat these groups, for example, seems to have had some success.<sup>79</sup> The practice of universities to have students sign a commitment not to be members of "cultist groups" can also be noted. In other universities, groups of students are formed specifically to counter these "cultist groups". As in other areas discussed, it is obvious that only a more in-depth study would make it possible to identify and evaluate the measures aimed at combating these groups, but this is not the focus of this study.

There is very little literature in French on "cultist groups". Despite the existing texts in English, a number of aspects still need to be clarified in order to understand in depth their nature and operation. Nevertheless, it was necessary to situate these groups in their own development and practice environment in order to address the hypothesis of their involvement – including that of the groups identified as *Eiye* and *Aye* – in human trafficking practices.

### SECTION 3 - INVOLVEMENT IN HUMAN TRAFFICKING

As we have seen, the history and activity of "cultist groups" spans a broader historical and criminal field than the practice of human trafficking alone. Nevertheless, the investigative arm of OCRTEH<sup>80</sup> interviewed in January 2018 indicated that the existence of these groups had been identified in Italy for five or six years and in France for three years. It was as part of the Italian procedures targeting drug trafficking that "cultist groups" were first identified. The first group identified was Black Axe (i.e. *Aye*). Evidence submitted on several occasions shows that they had forged alliances with the mafia in Naples<sup>81</sup> and Palermo.<sup>82</sup> The investigating authorities in France consider that it is first and foremost "a fallback country, a rear base"

79. ROTIMI A., "Violence in the Citadel: The Menace of Secret Cults in the Nigerian Universities", *op. cit.* Refers to an article in *The Guardian* of 20 March 1994 concerning the arrest of alleged members of cultist groups in Ondo State.

80. Central Office for the Repression of Human Trafficking

81. See in particular: <https://www.theguardian.com/news/2018/feb/01/migrants-more-profitable-than-drugs-how-mafia-infiltrated-italy-asylum-system>

82. See in particular: <https://www.ilfattoquotidiano.it/in-edicola/articoli/2018/11/09/iniziazione-segreta-e-violenza-a-palermo-parla-il-buscetta-nero/4752783/>

in relation to the activities carried out in Italy and Spain,<sup>83</sup> since in several cases, the individuals identified in France had in fact withdrawn there after police operations carried out against them in these two countries [FP].

While these groups are now established in Europe, including France, it is still difficult to determine precisely the place, role and operation of these groups in the context of human trafficking. At this stage, it is possible to establish the proximity of individuals involved in trafficking to members of "cultist groups" (I) and to draw up a non-exhaustive list of the services provided by these groups (II).

### I - THE PROXIMITY OF "CULTIST GROUPS" TO TRAFFICKING ACTIVITY

Respondents in France were asked about the possible existence of "cultist groups" in Europe and France. Most of them are located in Italy, Spain and France: *"They are in Europe now."* [F14]; *"They are in France, in Italy. They are all over the place."* [F3]; *"In Spain, it's common in Spain"* [F11]. However, some of them are surprised that they can retain their membership of "cultist groups" in Europe: *"Sometimes they make problems and troubles in Nigeria and they go to Europe. [...] They cannot run away from a problem in Nigeria, come to Europe to be a member also. It's kind of complicated. So that's why I think they are no... there is no organization."* [F5] One respondent denied that there are members of "cultist groups" in France: *"There are no cults in France. This is not possible because they would be arrested by the police."* [F20]

Despite the respondents' statements, a "body of evidence", to use the words of one investigator, reveals connections between a number of individuals belonging to "cultist groups" and those involved in trafficking. This body of evidence suggests both criminal (A) and relational (B) proximity between these individuals.

83. <https://www.europol.europa.eu/newsroom/news/trafficked-voodoo-threats-one-of-largest-operations-in-europe-rescues-39-nigerian-women>  
<https://guardian.ng/news/cult-members-caught-for-human-trafficking/>

## A - CRIMINAL PROXIMITY

In Europe, "cultist groups" have been identified as being involved in drug trafficking, document forgery, counterfeiting, money laundering and human trafficking.<sup>84</sup> While in Italy, "cultist groups" have been identified as being involved in drug trafficking,<sup>85</sup> things are not as clear in France. OCRTIS<sup>86</sup> and OCLCIFI<sup>87</sup> were contacted as part of this study to find out whether Nigerian "cultist groups" had been identified in drug trafficking and financial crimes respectively. Neither of these two bureaus has been able to specifically identify these groups, although there are Nigerian nationals who are under investigation. It can be assumed that these groups have not yet been identified by the relevant services.

There is also the question of the existence of groups specializing in different criminal activities. There does not seem to be a "mix of genres between different types of offences. [...] If they used the victims [of human trafficking] to smuggle drugs, we would see it appear, at some point we would see it. In the time we've been working on this, it's never happened. Our Nigerian networks, they don't do drugs, they only really do prostitution" [FP]. The two groups identified in France by specialized trafficking investigators are *Eiye* and *Aye*.<sup>88</sup> These are the same as those identified mainly in Italy.<sup>89</sup>

Nevertheless, they are difficult to identify because they do not advertise themselves as such. Whereas in Nigeria, members of "cultist groups" may under certain circumstances be proud to display their membership, this does not seem to be the case in France. It is

84. IMMIGRATION AND REFUGEE BOARD OF CANADA, "Refworld | Nigeria", *op. cit.* On money laundering, see the French case: [https://www.francetvinfo.fr/societe/prostitution/un-reseau-de-blanchiment-d-argent-issu-de-la-prostitution-nigeriane-demantele-trente-personnes-interpellees-dont-plusieurs-femmes\\_2972485.html](https://www.francetvinfo.fr/societe/prostitution/un-reseau-de-blanchiment-d-argent-issu-de-la-prostitution-nigeriane-demantele-trente-personnes-interpellees-dont-plusieurs-femmes_2972485.html)

85. 18 November 2016, arrest of a group of Nigerians in Palermo, involved in illegal economic activities: [http://palermo.gds.it/2016/11/18/mafia-nigeriana-il-blitz-di-palermo-nomi-e-immagini-degli-arrestati-video\\_591800/](http://palermo.gds.it/2016/11/18/mafia-nigeriana-il-blitz-di-palermo-nomi-e-immagini-degli-arrestati-video_591800/)

86. French Central Bureau for the Repression of the Illegal Trafficking of Drugs

87. French Central Bureau for Combating Corruption and Financial and Tax Offences

88. [https://www.francetvinfo.fr/societe/prostitution/un-reseau-de-blanchiment-d-argent-issu-de-la-prostitution-nigeriane-demantele-trente-personnes-interpellees-dont-plusieurs-femmes\\_2972485.html](https://www.francetvinfo.fr/societe/prostitution/un-reseau-de-blanchiment-d-argent-issu-de-la-prostitution-nigeriane-demantele-trente-personnes-interpellees-dont-plusieurs-femmes_2972485.html)

89. Although the group Blues Sisters has been identified in Italy, no female cultist groups have been identified in France.

therefore mainly based on phone tapping that the investigators are able to identify members' affiliation: *"They speak openly about the meetings that will take place, the changes in rank, etc., who will take those ranks [...]"* [FP] Furthermore, the investigators observe that appointments are made in "shabby" hotels, apartments or restaurants and that the protagonists seem to have rather modest lifestyles [FP]. This observation raises several questions. Is this low standard of living a reality? Is this a strategy for concealing their resources? The investigating authorities thus make the assumption that the money is transferred quickly to Nigeria. The individuals identified in France are therefore only intermediaries within a more complex system. This hypothesis is all the more relevant as it is difficult to determine their role in human trafficking in France. The specialized investigative services explain: *"The link is not made with prostitution itself, with the management of prostitution with the organization of prostitution itself, these are two different things. So, they talk about the confraternity on the phone lines, we know that alongside, they get involved in prostitution in very particular ways... [...] Because they are married to 'madams'... so... yes, but we still have a small clue that shows that their membership to the confraternity gives them a certain air or power in inverted commas that allows them to do certain things in prostitution, including managing certain conflicts, where they are a little like a justice of the peace between 'madams' in conflict over a particular territory or with things like that."* [FP]

It appears in this extract that "cultist groups" occupy positions in the exploitation process, but it is first necessary to explain the type of relationships that link them to "madams".

## B - INTERACTION WITH "MADAMS"

Most of the interviews conducted in France refer to links between "madams" and members of "cultist groups". In many cases, "madams" are in a relationship with a member of a "cultist group": *"Just like your 'madam' she has a boyfriend who belongs to Aye or Eiye. It's like that."* [F11]; *"I know that my 'madam's' boyfriend belonged to the cults. I don't know if he's helping my 'madam' in her business."* [F15] 'madams' may also have family members who belong to these groups: *"What I know is that the son of my 'madam' is a cult but they don't bring anyone."* [F1]; or be members themselves: *"My 'madam'*



*is an Aye. Her brother is the same. All of them, their family, the brothers in Nigeria is the same. They are 'cultists' in Aye."* [F3]

More broadly, interactions between members of "cultist groups" and those involved in human trafficking – regardless of their status – are described during the interviews: *"I don't know if 'madams' in Bordeaux can belong to cults. I don't know. Maybe I know girls whose boyfriends belong to the cults, but they won't tell me; it's a secret."* [F20]

In any event, it is difficult to know whether these individuals are involved in trafficking activities because of their status as members of a "cultist group" or because of their conjugal and/or family relationships with female prostitutes and/or pimps. *"In all our surveys, we have known members of confraternities [...] who are consistently linked to or even married to prostitutes or 'madams', more often 'madams', and who are involved in the trafficking process, to varying degrees. Except that at the moment, we are unable to say that they are involved because they are married or cohabiting [with a 'madam'], and that they are also members of the confraternity. Or whether, conversely, it is because they are members of the confraternity that they marry and move in with 'madams', and the confraternity instructs them to manage the..., we are unable to say that, we don't know what the link is."* [FP]

Although they cannot specifically answer this question, the interviews do reveal that these members of "cultist groups" work with "madams". Some interviews indicate that the cults act on behalf of the "madams". *"Are they working for themselves or for the mamas? They are working for the 'madams'."* [F2] It can also be assumed that, as a continuation of their previously described criminal activity: *"The 'madam' or whatever, they do use them sometimes."* [F11] As already mentioned, "cultist groups" in the field of human trafficking may be remunerated for the services they provide. However, it remains very difficult to establish a clear hierarchy. There is nothing to prevent them from being subjected in many cases to the orders of their husbands or brothers.

## II - SERVICES PROVIDED IN THE CONTEXT OF TRAFFICKING

The data collected and presented below do not allow us to identify

with certainty all forms of involvement that "cultist groups" have in human trafficking. Similarly, the data are too fragmented to allow the results to be generalized. Nevertheless, a number of points from interviews with victims in France provide an overview of the areas in which their involvement was identified, both in Nigeria (A) and during the transfer (B). The question of the role of "cultist groups" in France must also be addressed. While these are mainly services provided on behalf of third parties, there is some evidence that they have now entered the field of trafficking for sexual exploitation more broadly (C).

### A - SERVICES PROVIDED IN NIGERIA

Members of "cultist groups" may carry out tasks on Nigerian soil in connection with human trafficking, either before the migration candidate's departure or to exert pressure on the family once that person is in Europe. One of the victims interviewed indicated that a member of the "cultist groups" was present while she was swearing the oath before her departure: *"Yes, the guy who took me to Europe and who was present at the promise in front of the 'chief priest' was a 'cultist'. [...] It shows in the way he behaves, the way he talks to me, the way he does things, the way he threatens me."* [F20]

However, the information provided by the respondents relates more to the pressure exerted on the victims' families: *"There was a particular time a mother, the mother of my 'madam', went to meet my mother when she was alive with some groups of boys to fight her and destroy the house. So it's only boys that are 'cultist' that will do such a thing."* [F5] It is thus very common in the victims' statements that their parents, especially their mothers, are visited and threatened by members of "cultist groups" sent by their "madams": *"My 'madam' took a 'cultist' in our house, [...] to beat, to destroy our things, to my mum to beat my dad and I lost my dad very period. They use them."* [F1]; *"So they can come to the family of the girls and start making problems [about juju and debt]."* [F5]

Most of the time, these interventions are related to debt repayment: *"But there are also cults in Nigeria. They will retaliate if the girls do not pay."* [F19] These interventions can be sponsored from France to be carried out in Nigeria: *"So that means, I have a girl, I brought a girl, but she won't pay me, so you destroy her? Er, I want you to send*



*problems to his family and everything. The guy, as long as he has money, he does, he does everything. Even if he is here he can control over there because it is the same cults. They are everywhere. In Italy, Nigeria, Spain. There are everywhere."* [F17]

Furthermore, these services are not limited to Nigeria. Members of "cultist groups" may also, it seems, be involved in the transportation of "girls" in Europe: *"Yes, most cults take girls with them to Europe. The guy who brought me here was in a cult."* [F20] According to the specialized investigative services, members of "cultist groups" are *"involved in the transfer of prostitutes"* [FP]. They play the role of a trolley.<sup>90</sup>

## B - SERVICES PROVIDED IN FRANCE

With regard to services provided in France, the specialized investigative services mention the provision of apartments and conflict management. On this last point, they would then intervene in a manner comparable to a *"justice of the peace between 'madams' in conflict over a particular territory"* [FP].

From the respondents' point of view, it is the fact of putting pressure on the "girls" to obtain the money due that is highlighted: *"The work they do for the 'madam'. [...] When they send them message to give them money. So when you don't pay, the 'madam' sends them to beat you, so the men booze you."* [F2] According to this respondent, they are, through these actions, involved in trafficking: *"Yes because anybody that our 'madam' send message to work to take money for them they are also involved in human trafficking."* [F2] In the same way, their role may be to collect money: *"No direct to her because I know she's very scared, she cannot come to you and then you bring money for me. And she will send another person that connected me to her."* [F4]

Whether the acts were carried out in Nigeria or France, the respondents' comments refer first of all to the fact that these services are carried out on behalf of the "madam": *"They are friendly but when they, when they... when the 'madams' who paid them they can do anything, they don't care. When the 'madam' ask them to do*

*something to someone."* [F3] In this scenario, members of "cultist groups" would act as service providers in a criminal activity that they do not control, in line with one of the means of criminal intervention already identified. However, there is no clear indication as to whether their role is that of a service provider on behalf of the "madam" or whether they are more actively involved in the exploitation process. As "boyfriends", they benefit from the money that their partners - "madams" or victims - bring back: *"Yes they are here for female for ladies' money, for girlfriend's money. They don't use to work. They are there for the money."* [F2] They therefore have as much interest as "madams" in recovering the money from the debt: *"She would tell her boyfriend everything about you, you don't want to give her money. I mean why the boyfriend want the money also because the girl does spend the money we give to her on her boyfriend. So the boy will now use his power try to oppress you also."* [F11] In this case, it seems that they act not for the "madams", but with them. Furthermore, it can be assumed that some members of the "cultist groups" are at the heart of the overall exploitation process. This hypothesis would imply that, conversely, some "madams" are acting on their behalf.

## C - MEMBERS OF "CULTIST GROUPS" AT THE HEART OF THE OVERALL TRAFFICKING PROCESS?

It should be noted that, with regard to criminal services related to human trafficking, we are in fact referring more to individuals who are members of "cultist groups" than to "cultist groups" as a whole. Returning to the issue raised by the specialized investigative services, we cannot define whether individuals act as members and on behalf of the "cultist group" or whether their involvement in trafficking is distinct from their membership of the groups.

Furthermore, while the extracts from the interviews previously discussed do not accurately define the role of these individuals in the trafficking process as a whole, one interview caught our attention. This respondent mentioned the possibility of also working in partnership with the "madams": *"To bring, they can work together. They can bring, most them work in Libya too, they can be payed by the 'madam' who pay them to bring a girl."* [F3] She adds: *"They can even bring a girl to sell in Europe. [...] Most of them, not a lot, have girls in France. Most of the 'cultists' in Europe, they have girl*

90. A "trolley" refers to a "guide who takes responsibility for the people to a given point where other partners can take these people to their final destination" (NT1).

to work for them." [F3] This extract is unambiguous. Here, we are clearly talking about individuals who are members of "cultist groups" that organize the arrival of "girls" in Europe in return for repayment of the debt. This respondent, already mentioned earlier, is also the one who whispered at the beginning of the interview that she did not want to talk about cults. Along the same lines, this extract is worth reiterating: *"Yes, the guy who took me to Europe and who was present at the promise in front of the 'chief priest' was a 'cultist'. [...] It shows in the way he behaves, the way he talks to me, the way he does things, the way he threatens me."* [F20] Here, the individual is involved in several stages of the criminal process.

This information is reinforced by the interviews with the investigating authorities: *"There is definitely a development here, where the 'madams' are now one of the elements of a much more complex organization in which men play an increasingly important role."* [FP] The involvement of members of "cultist groups" in organizing human trafficking in France is perhaps undergoing a major shift. The question is whether they are in the process of gaining control over the whole process, from recruitment to exploitation: the recruitment, transportation, accommodation, and, more broadly still, the transfer of money, production of ID documents and all activities required to establish the exploitative relationship.<sup>91</sup> Nevertheless, another hypothesis is worth mentioning. The main shift may not be related to the recent involvement of cults in trafficking, but rather to their greater visibility. There is nothing that refutes that they have benefited from funds being sent to Benin City since the early 2000s, which would have allowed them to further expand their influence. Their involvement in trafficking would then not be a new phenomenon, but a growing one.

91. Identified in its contemporary form since the late 1980s, this practice was legally defined in 2000 with the Palermo Protocol, which was followed by various international conventions.

## CONCLUSION

The above observations reveal the extreme violence of the practices carried out by "cultist groups", their professionalization in terms of criminal practices, their real influence in Nigerian society and the absence of effective law enforcement on the part of the Nigerian State. The mere fact that a member of a "cultist group" is involved in the exploitation also reveals the seriousness of the risk faced by those being exploited. This risk exists in France, where it has been demonstrated that members of these groups are active on French soil. This risk is even more significant in the event of a return to the country, since the Nigerian authorities are not yet in a position to punish the perpetrators of these acts. Once the importance and seriousness of the threat has been demonstrated, the legal consequences can be examined, both in terms of punishing the perpetrators and protecting the victims.

The criminal penalties imposed on perpetrators are likely to vary depending on the three hypotheses mentioned above: either involvement in trafficking is totally independent of their membership of "cultist groups"; or members of the groups act as service providers at a particular stage of the trafficking process; or finally, the "cultist groups" control the entire exploitation process.

In all three hypotheses, the classification of trafficking may be retained, but in the second and third hypotheses, the fact that an individual belongs to a "cultist group" may be used to recognize the aggravating factor of an organized gang from the moment that the individual acts as a cult. The consequences of this point could therefore be important in terms of choice of sentence handed down.

With regard to the second point, the question here is whether the involvement of "cultist groups" in the trafficking process justifies specific protection for victims, whether in terms of access to refugee status or the sanction of being sent back to their country of origin in terms of a violation of Article 3 of the European Convention on Human Rights.

Refugee status may be granted where there is a risk of the death penalty, torture or degrading treatment in the event of return (Article L.712-1 of CESEDA, the French Code for Entry and Residence of

Foreigners in France and the Right of Asylum), in connection with one of the five grounds referred to in the Geneva Convention, including membership of a certain social group.<sup>92</sup> Since its decision of 9 March 2017,<sup>93</sup> the French National Court for Right of Asylum has considered Nigerian women who have escaped trafficking as a social group: *"Considering that it follows from all the foregoing that Nigerian women forced into sexual exploitation by a transnational human trafficking network, who have managed to escape from it or have taken steps to do so, constitute a social group, within the meaning of paragraph 2 of section A of Article 1E of the Geneva Convention."* Therefore, it remains for the applicants to prove the risk of persecution linked to this membership of a particular social group. The mere fact that victims can prove that members of "cultist groups" are involved in the acts that led to their exploitation should therefore be sufficient to characterize this risk.

# GENERAL CONCLUSION

92. Convention Relating to the Status of Refugees, adopted on 28 July 1951, known as the Geneva Convention, Article 1 A (2).

93. CNDA, 9 March 2017, n°. 16015058.

## GENERAL CONCLUSION

The above observations are of considerable value for jurisdictions dealing with situations of human trafficking, whether they are criminal courts, courts in charge of assessing asylum applications or courts ensuring the protection of fundamental rights such as the European Court of Human Rights.

The three groups identified are highly structured, organized, with a true visibility, if not legitimacy, in the victims' region of origin. Their involvement in trafficking has also been highlighted.

More specifically, with regard to the case law of the European Court, the question is whether a Nigerian woman returned to her country after being trafficked in Europe is at risk of inhuman and degrading treatment under Article 3, which states that "No one shall be held in slavery or servitude". On three occasions in recent years,<sup>1</sup> the European Court of Human Rights has held that sending a Nigerian woman who has suffered acts of human trafficking in Europe back to her country of origin does not constitute a violation of this Convention. In these various cases, the applicants claimed that there was a risk of inhuman and degrading treatment as a result of the reprisals to which they would be exposed by the network that had exploited them, while the Nigerian authorities were not in a position to provide them with adequate protection. The European Courts consistently points out that "the existence of a risk of ill-treatment should be examined in the context of the general situation in the country of return and the personal circumstances"<sup>2,3</sup>.

Thus, the social importance of the three groups studied, as highlighted in the above chapters, is an essential element in assessing this risk. The involvement of these three groups in human trafficking and their influence in the Edo state region are key elements in identifying this

risk, as is the absence of a counterweight from state authorities: the temples have judicial functions parallel to those of the state authorities and the state authorities are currently unable to repress acts committed by cults.

More precisely, the Upper English Court (second instance administrative court), in a judgment of 17 October 2016<sup>4</sup>, identifies the key issue on risk on return to the country, whether in the region of origin or in the context of internal relocation, as follows:

- (a) The risk of re-trafficking either by the original traffickers or other traffickers
- (b) The risk of retribution from those involved in the original trafficking
- (c) Vulnerability to abuse

The extraordinary capacity of cult groups to exert reprisals against victims, at the request of "madams", refers to the first dimension. In addition, the inability of state authorities to regulate the activity of these groups and to protect victims contributes to increasing the risk of repeated exploitation.

Last but not least, all the elements developed in each of the three chapters highlight the vulnerability of victims to all forms of abuse. Each of them appears to be isolated from the rationale behind the three groups studied. Their historical legitimacy, their structure, the coherence of their mechanisms, the effectiveness of their actions in trafficking and their social importance are all elements to which victims, and their families when they are not involved in trafficking, are extremely vulnerable. All these factors make it possible to characterize the risk of inhuman and degrading treatment incurred in case of return to the country of origin.

1. V.F. V. France, 29 November 2011, App. N° 7196/10, Joy Idemugia v. France, 27 March 2012, App. N° 4125/11, L.O. V. France, 26 May 2015, App. N° 4455/14.

2. Originally, in Saadi contre Italie, 28 février 2008, Application 37201/06, § 130. This sentence was taken up in the following decisions: V.F. contre France, 29 novembre 2011, Application n° 7196/10, Joy Idemugia contre France, 27 mars 2012, Application n° 4125/11, L.O. contre France, 26 mai 2015, Application n° 4455/14.

3. B. LAVAUD-LEGENDRE, "Regards jurisprudentiels sur le retour au Nigéria des femmes sexuellement exploitées en Europe", RDLF 2017, chr. n° 10.

4. HD (Trafficked women) Nigeria CG (2016) UKUT 00454 (IAC).

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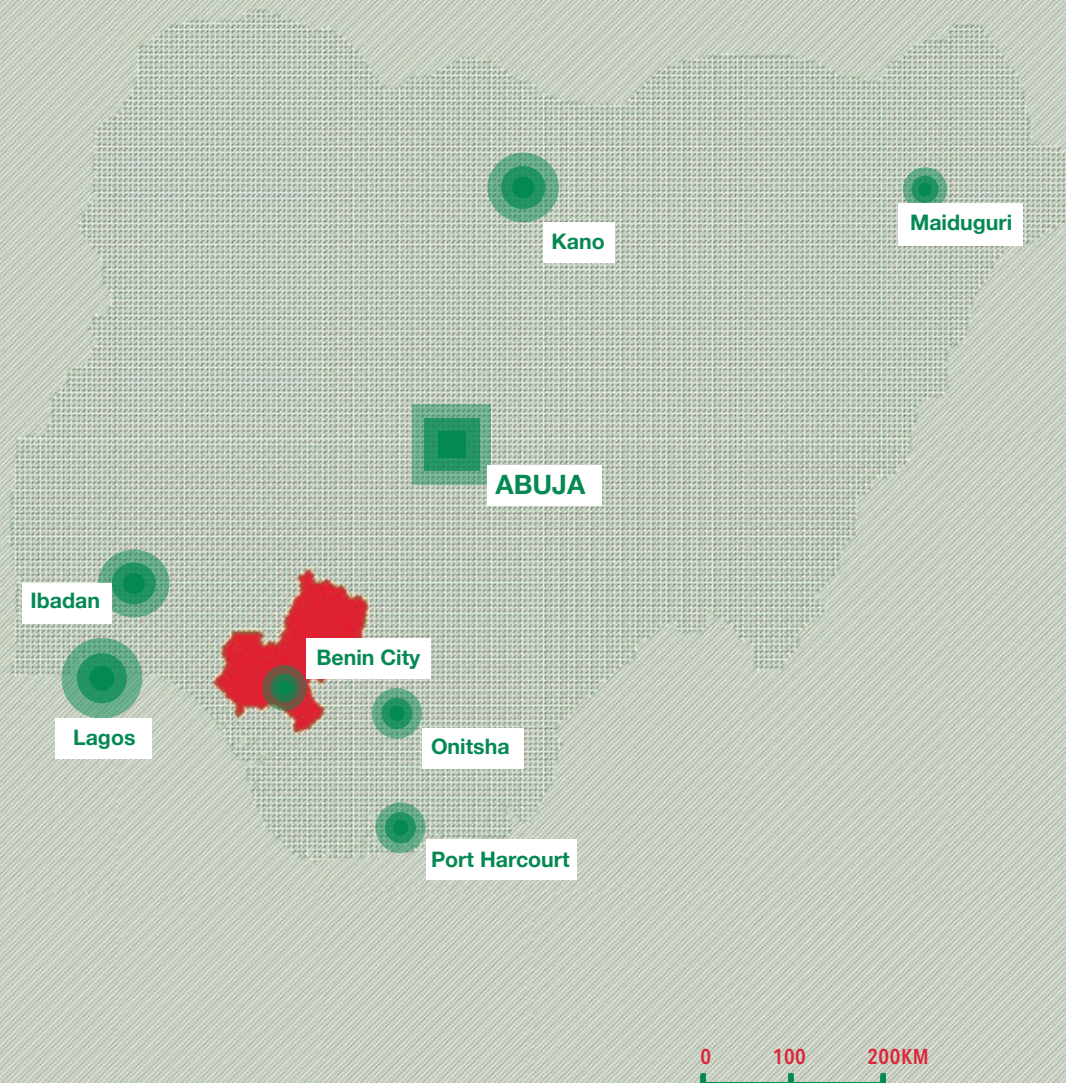
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# NIGERIA



## RELIGIOUS, SOCIAL AND CRIMINAL GROUPS IN TRAFFICKING OF NIGERIAN GIRLS AND WOMEN

### The case of shrines, "Ladies' club" and "cultist groups"

In an innovative manner, Packing research addresses human trafficking from Nigeria to Europe, beyond the perspective of the 'victim/madam' duo as classically analysed. It postulates the involvement of several social groups whose activity does not originate in the practice of human trafficking, neither is reduced to it. The offense of trafficking is therefore perceived as based on an organization that, beyond the criminal activity itself, has a highly structured and legitimized social, community and religious base. More precisely, this research describes the operation - activities and development - of each of religious groups (such as the neo-traditional Temples in Edo State, Nigeria), women's groups (such as the *Ladies' clubs*) and *cultist groups* (including *Black Axe (Aye)* and *Supreme Eiyé Confraternity*) in Nigeria and France and then identifies their role and level of involvement in human trafficking.

This research highlighted different elements that support the thesis of a misuse of beliefs, own practices and operating rules applied by these groups for criminal purposes.

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