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Youth Crime and Justice Administration in Nigeria: The Inmates' Experiences, Perceptions and Outcome

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Abstract:

This paper examined young offenders' perception of youth justice systems operative in contemporary Nigeria. The young offenders' experiences and perception are used as variables to measure the effectiveness of the youth justice systems in reducing youth crime in Nigeria. The data obtained from a Ph.D. research on young offenders committed to custody in the Kaduna Borstal Institute and newspaper reports on Islamic Remand Centres were used to conduct the analysis. It is found out that at each successive stage of youth justice adjudication, the young offenders are dissatisfied with the procedures of the system. The paper concluded that the harassment, intimidation and coercion the young offenders experience rather hardened them, thus, making them perpetual criminals. This in the final analysis led to an increase in youth crime in Nigeria. Because the youth justice systems both the contemporary and the Islamic fail to curb youth crime.

Keywords: Youth, administration, inmate, perceptions, crime

1. Introduction

There is a growing body of literature that has examined the causes and alarming nature of youth crime in contemporary Nigeria. However, most of this literature focused on unemployment as the major cause of youth crime (Olukayode, 2016; Obaro, 2012).

Most research in social studies and psychology has shown that lack of resources; opportunities to work and leisure, opportunity to earn good and reasonable income, inability to have access to good learning, and access to good food and recreation are responsible for a young persons' acts of criminality. Other factors that could be responsible for youth criminality as indicated in the available literature include lack of decent housing and clean environment, suffering from health inequalities and living among people with indecent behaviour. Other researchers attribute youth criminal behaviour to conduct disorder (Rosenblatt and Biggs, 2000).

However, there is a salient issue that is very central in the youth crime phenomenon that is, the youth justice system. The youth justice system refers to the legal systems around the world that reflect the interests of society to promote the rule of law and aims to handle young persons who are accused of infringing the law. In other words, a distinct judicial procedure for the treatment of young offenders (Lacey, 2012; Alemika and Yemi, 2009). In sum, the youth justice system is comprised of those concerned with the apprehension, adjudication and correcting the young offenders.

This paper looks at the causes of youth crime in Nigeria from a slightly different view point other than the usually addressed by researchers. The paper put into perspective the functioning of the youth justice system operative in Nigeria. How effective is the youth justice system operative in Nigeria in tackling the youth crime problem?; does the youth justice system actually work in the reformation and rehabilitation of young persons who had committed crime?; what are the experiences of young offenders who come in contact with the agencies of the youth justice system?; it is assumed here that their how does these young offenders perceive the entire spectrum of the youth justice system? Their experiences with the agencies of the youth justice system informed their perceptions. In this regard their experiences are the independent variable while their perception is the dependent variable and these variables are used to determine the outcome (effectiveness) of the youth justice system in the reduction of youth crime in the Nigerian society. A positive experience with the youth justice system will result into a positive perception and consequently a positive result and vice versa.

2. Conceptual Discourse on Youth Crime in Contemporary Nigeria

It is undeniable that youth crime is a social problem in many societies of the world including Nigeria. Youth crime is not a new phenomenon. Youth crime is a term used to refer to criminal activities committed by adolescents or people who have not yet reached maturity or adulthood (Borstal Institutions and Remand Centres Act, 1962, p. 5). Youth crime in this context refers to illegal or anti-social acts typically performed by young persons of between the ages of 18 – 30 years. Even though no one knows exactly when it started, it is obviously recognizable that youth crime continues and has been reproduced. Youth involvement in criminal activities in Nigeria has assumed a worrisome dimension in recent times. This poses a great threat to the peace, security and harmony of the Nigerian society. Perhaps that is why Onyemachi noted that in past, children were known to be involved in minor offences ranging from stealing some pieces of meat from the cooking pot to robbing their peers and playmates of their foods or toys. But nowadays, a lot of children have been found to have

graduated from such minor offences to more serious crimes such as rape, girl-child prostitution, drug trafficking, armed robbery, arson and vandalism, child-soldiering, suicide bombing and other acts of terrorism (Onyemachi, 2010). Idoko (2007) indicated that youth who are active members of ethnic militia groups, area boys, Almajiris are responsible for 90 - 95% of violent crimes in Nigeria. There are reports of crimes committed mostly by the youths at virtually every corner of the country (Nwogu, 2012; Olukayode, 2016; Ogbebor, 2012). On December 25, 2009, a 23-year old Nigerian suicide bomber-suspect Umar Abdulmutallab was prevented from blowing up- an American-bound Delta Air-plane carrying about 300 passengers from Amsterdam Airport to Detroit (Uche, 2015: p. 15). A young Nigerian 25 - year old Fulani kidnap kingpin, Ibrahim Umar disclosed that, he had not only killed over ten of his kidnapped victims in recent times but also drank their blood (Vanguard Newspaper, January 2, 2018).

It is pertinent to note that youth criminality is problematic because youth is an important development phase in human life and the most energetic forces of the society. In Nigeria for instance the National Manpower Board and National Bureau of Statistics (2017) reported that Nigeria has a youth population of 80 million, representing 60 percent of the total population of the country. If a reasonable chunk of the most productive manpower is engaged in criminality the country therefore, has a crime problem. This strand of criminality (youth crime) is equally damaging like adult crime. Again, youth crime is critical because the perpetrators may grow up-to become adult criminals in the future.

The activities of these youths who had gotten themselves involved in all manner of criminal acts is noted to have reached an alarming proportion in Nigeria (Punch News Paper pg., 5 Monday, February 8, 2010; the Nation Newspaper, May 24, 2017', Daily Post Newspaper, December 17, 2017, Vanguard Newspaper, January 2, 2017). Statistics have shown that Nigeria presently have a crime problem and particularly youth crime (National Bureau of statistics, 2016; Police Crime Statistics, 2016).

The youth's acts of terrorism are the most disturbing aspect of all, which is now sweeping across the entire Nigerian society. In Nigeria now young person's take the riskiest vocation of their lives as suicide bombers, notably sponsored by militants and terrorists' groups like Boko Haram, the Islamic State in West Africa (ISWAP), Niger Delta People's Volunteer Force (NDPUF), the Movement for the Emancipation of the Niger Delta (MEND) etc. Such deadly terrorists' attacks by the youth led to the destruction of the United Nations building in Abuja-Nigeria on Friday, 26th August, 2011 which claimed more than 21 lives and many wounded in the most inhuman, cruel and indespicable manner. In the North-Western States of Katsina, Zamfara, Sokoto, Kaduna, Kebbi and Niger, young persons have now been involved in rural banditry, kidnapping and other terrorists' acts (Yahaya and Bello, 2020; WARN, 2019).

Other instances of young persons' criminality in Nigeria is found in the youth's militancy and political extremism, as a strategy for the actualization of economic emancipation and political freedom through self-determination of the people of the Niger Delta region of Nigeria. These ethnic militia groups operating in the Niger Delta region include; Niger Delta Avengers, Niger Delta Green and Justice Mandate, Joint Niger Delta Liberation Force etc. The militant youths have been engaging Government forces in bloody armed battle. The youths who were recruited to join the militant outfit had employed kidnapping and hostage taking of foreign and local oil workers as a way of forcing the Federal Government into negotiating and addressing their pitiable situation. In addition, they have been vandalizing oil and gas pipelines, in order to slow down the sustainability of the Nigerian economy (Obi, 2006: P13). Generally, the criminal activities of these youths under the platforms of ethnic militias lead to deliberate vandalization and damage of public utilities in the country, These and so many acts of criminality are perpetuated by the Nigerian youths.

3. Causes of Youth Crime in Nigeria

The various criminal behaviours common with Nigerian youths now are kidnapping, banditry, drug use and abuse, alcoholism, pilfering, pick - pocketing, rape, abortion, fighting, rioting and violence in schools, exam malpractice, cultism and ritual killings. Youths are the main perpetrators of heinous crimes of hostage taking, kidnapping, suicide bombing, and cult activities on the Nigerian campuses.

The contemporary terrorist acts that characterize the Nigerian state (which makes some parts of Nigeria theatre of bloodshed) witnessed the increased involvement of adolescents and youths in violent criminal activities. The adolescents drawn from the Almajiri groups, school dropouts and street boys constitute the majority of the Boko Haram sect foot soldiers. A profiling and histories of persons involved in violence and other terrorist activities by ethnic militia groups in the South and Eastern parts of Nigeria indicated that 'many of the people recruited by ethnic militias like O'odua Peoples' Congress (OPC) South-West; Bakassi Boys in the South-East; and Egbesu Boys of Africa are youths and adolescents of between 14 - 27 years of age.' (Adebayo, 2013).

Many murder cases in the contemporary Nigeria society are committed by the youths (Uyang, Festus and Bassey, 2016). The youths are engaged in excessive consumption of alcohol and this act further aggravates some other criminal acts. The youths are found to be involved in taking dangerous drugs such as Marijuana, Heroin, Cocaine etc. this has affected many in very adverse ways. Chiganta (2009) observed that 'most unemployed Nigerian youth survive by engaging in various activities such as petty stealing, prostitution, pick pocketing and other illegal activities.'

The Nigerian youths are not only the perpetrators of these crimes; they also frequently fall victims of such heinous crimes like murder and other violent person crimes resulting from cult and gang activities. This day Newspaper, Jan., 2018 reported that cult wars claims 20 lives of young men in Awka. Recent reports in the national dailies (Vanguard Newspaper, June 28, 2017; Daily Post Newspaper, December 17, 2017; The Nation Newspaper May 24, 2017) indicate that young persons in Nigeria fall victims of such personal crimes (assault, robbery, rape, cult killings) more than people in the older age. The World Health Organization reports that death toll resulting from youths' murders in the Nigerian cities of Lagos, Port Harcourt, Kaduna, Kano, Jos is 200,000 lives in year 2000 (WHO, 2000). Most recently is the report by the Plateau

Police Command confirming the death of five young persons in Jos in Rafiki area along Rukuba road in what the police suspected was a clash between rival cult groups (PM News, September 22, 2018).

Ademola and Olajubutu (2009) argued that unemployment has been identified as one of the major causes of social vices including armed robbery, destitution, prostitution, political thuggery, kidnapping and many more. Anderson (1999) observed that when the wider economy fails, many people particularly the youths go underground and take to crime. They seize such negative opportunity because they see it as an avenue to seek revenge on a system that has provided them nothing but frustration. Thus, most of those who engage in criminality in Nigeria are mostly young, educated persons who complain about hunger and unemployment (Obaro, 2012). An analysis of most of the apprehended criminals in the country shows that large chunks of the young people that engage in criminal activities are those without gainful employment.

Presently, kidnapping is a major criminal enterprise for the unemployed youths in the country. Nigeria Police Crime Records and Statistics have shown that from 2006 to first half of 2012, a total of 2,184 cases of kidnapping were recorded over the past four and half years (Police Crime Statistical Records, 2012). This heinous crime has become a lucrative but unhealthy trade in form of kidnapping for ransom by the unemployed who are mostly youths (CLEEN Foundation, 2010; Vanguard Newspaper, January 2, 2018). The failure of the government at the three tiers (Local, State and Federal) to provide adequate employment opportunities have lured some of the youths into criminality in the country. Thus, Nigeria is currently suffering from a growing crime-problem which is progressively threatening its sovereignty, security and development (Alemika, 2011).

In the preceding discourse it is observed that, scholars have advanced various reasons accounting for the increased rate of youth crime in contemporary Nigeria. Several studies trace the causes of increased youth crime in Nigeria to unemployment (Abayomi, 2013; Egwakhe, 2009; Idoko, 2007). Olukayode reported in his study that 'there is a symbolic relationship between youth unemployment and criminality, because it is one of the cheapest options the young people can choose when confronted with circumstances where social values are defective' (Olukayode, 2016, p. 4). Bassey (2001) also notes that the unemployed youths in Nigeria are involved in armed robbery, fraud, kidnapping and are used for electoral violence.

Other researchers attribute youth criminal behavior to Conduct Disorder (Olashore, Oyunwale, and Adebawale, 2016; Omboto, Ondiek, Odera and Agugi, 2013), that is a complicated group of behavioural problems in the youth and adolescents, which is characterized by 'repetitive and persistent pattern, in which the basic rights of others or major age appropriate societal norms or rules are violated. Challenges facing the youths such as identity crisis, lack of self-esteem, a sense of hopelessness and media consumption are also figured out as possible causes of youth criminality by scholars. As pointed out at the introductory section, this paper examines the causes of youth crime in Nigeria from a slightly different view point other than the usually addressed by researchers. That is, it looks more specifically at the youth Justice Administration Systems operative in Nigeria. How its agencies handle the young offenders to prevent them and other potential offenders from committing crime.

4. Theoretical Perspective

The overall aim of this discourse is to elaborate how the dual contemporary youth justice system (based on the principles of the common law) handle and treat young offenders. The discourse also raises the gender of whether this youth justice system work toward preventing youth crime. In view of the above, a review of theories, ideologies and professional practices of the agencies of this youth justice system become necessary. The essence is to first of all establish the underlying philosophy and ideology of the Nigerian youth justice system based on the principles of the common laws. Secondly, to review/examine its practical reality its stated objectives. If actually the system works practically to prevent youth crime genuinely.

4.1. Youth Justice System Based on the Principles of the Common Law

The Youth Justice System is regarded as a track within the Criminal Justice System of the society and this track of the criminal justice system is guided by a philosophy of concern, care and reformation. The young offenders are deemed to be immature and should not be treated as adult offenders (Alemika and Chukwuma, 2001:P.14). On the contrary, the young offenders should be considered 'misguided' and therefore, rescued or subjected to treatment, or reformation.

The criminological theories on youth crime etiology, punishment and correction based on the conventional/common law are anchored on the hegemonic position of Western conceptualization. It therefore follows that the definition of youth crime (which is a transcultural phenomenon) is also based on the standpoint of the west. Consequently, the philosophical conception of youth justice in countries dominated by the Western countries is also based on the propositions/assumptions of the western criminological theories. These different models can be conceptualized on a continuum, focusing on the needs of the young person at one end and the protection of society at the other end. Thus, Muncie notes that:

Youth Justice in the twenty-first century has evolved into a particularly complex state of affairs. It is designed to punish the offender whilst keeping their welfare paramount. It is at one and the same time about crime prevention and retribution. It makes claims of restoration and reintegration whilst seeking some of the most punitive measures of surveillance and containment in custodial and community settings (Muncie, 2004: P.248)

Most youth justice scholars under the common law jurisdiction are cognizant of the three long-established models of youth justice; namely; welfare, justice, and crime control (Ahire, 1981; Anita, 2004; Muncie, 2004; Corado, Bala, Linden and

Blank, 2010). John Pitts also observed of the British youth justice system as comprising of 'welfarism', which emphasized the central role of social inequality in the etiology of youth offending and the need for robust state intervention to ameliorate the personal and social circumstances of young offenders, and the 'progressive minimalism' of stigmatization (Pitts, 2001, p. 47).

Each model has distinct philosophical principles and, for the most part, different procedures. The welfare model focuses on identifying a youth's problems and needs and then adjudicating dispositions or sentences that address them through juvenile or youth court proceedings. This is the model accepted in Canada and Ireland (Tang, 2003). The justice model emphasizes youth procedural rights and proportional sentencing, while the crime control model places a premium on protection of the public through incapacitation of young offenders and custodial sentences to enhance both the specific deterrence of the young offender and the general deterrence of other potential young offenders. This is the youth justice system operative in Nigeria.

Elements of all these three models are derived from the four generally accepted theories of punishment and correction in criminology, namely, reductivism, deterrence, reformation and retributivism. It must however, be noted that these theories are not mutually exclusive and each of them plays an important role in dealing with potential offenders.

A question therefore, arises, does the contemporary Nigeria youth justice systems adequately respond to the issue of youth crime answer to this question informed an investigation into the procedures, institutions and agencies of the contemporary Nigerian youth justice system. On the basis of the above, an investigation was carried out on the youth justice administration in Nigeria. Young offenders who had contact with the youth justice system that is those who were processed from the stage of arrest by the police to the courts and finally committed to custody were sampled as the primary respondents. Their experiences, perceptions and views of about their treatment forms the basis of this article.

5. Methodology

Two major issues informed the theme of this paper: the report of a Ph.D. Criminology research conducted on young offenders and justice administration in Nigeria in 2019; and Newspaper reports on illegal detention/remand homes operated in Nigeria by Islamic clerics for the reformation/rehabilitation of young Muslim offenders. Data from the Ph.D. research work and the print media substantiate the claims of this paper. The result of the Ph.D. research work which examined the experiences and perceptions of convicted young offenders under the procedures of the conventional youth

justice administration (a youth justice system based on the principles of the common law) indicated that, at each successive stage of youth justice adjudication, the young offenders were dissatisfied with procedures, processes and their treatment by the agencies of the justice system. The respondents (who were inmates of the Kaduna Borstal) further indicated in their responses that their experiences under with the police does not affect any positive affect in them (Zumve, 2019). From the point of entry into the youth justice system to the final stage of incarceration into the borstal institution they observed that the system lacks the capacity to reform them. Exploring and evaluating the facilities in the borstal which in a place that is supposed to be a place where the criminal tendencies of the offender will be eradicated, it was found out that the borstal lacks the capacity to reform them.

Data presented in the table 1 below summarized the inmates' assessment of the borstal facilities.

Data on inmates' rating on facilities in the Kaduna Borstal Institution is contained in Table 4.9. below:

Ratings					
Type of facility		Frequency	Percentage (%)	Frequency	Percentage (%)
	Food	26	33.77	51	66.23
	Vocational Training	40	51.95	37	48.05
	Medical	15	19.48	62	80.52
	Recreational	29	37.66	48	62.34
	Accommodation	10	12.99	67	87.01
	Total	77	100	77	100

Table 1: Inmates' Assessment/Rating of Borstal Facilities

Source: Field data

The purpose of borstal custodial sentence is to take the place of parent and community for a short period, in reforming or effecting behavioural change in the inmates into reasonable and responsible citizens. The expectation is that, a well-balanced and developed human being is sent back to the community after the completion of custodial sentence. The borstal aims to re-educate and re-socialize the inmates on norms of behavior acceptable to society, as well as prepare them for productive and independent lives after discharge. That is why the borstal (in theory) aimed at the provision of focused programme and intensive training in education and vocation.

Based on these inmates were asked to comment on the social conducts training and other facilities within the borstal institution. Most of the inmates noted that the conditions in the borstal were harsh and poor. Most of them complained about overcrowding especially at the observation center. Others said that rather than laying emphasis on rehabilitation, the borstal in more concerned with punishment. They (inmates) noted that they lack basic facilities (sporting) that would have made life more accommodating and comfortable within the borstal. The inmates lamented the condition of equipment and facilities at the workshops for skill acquisition in the various trades. These claims were confirmed through observation by the researcher. The staff and facilities in the borstal are grossly inadequate.

These facilities are relevant because they determine the conditions favourable to the attainment of the objectives of custodial treatments reformation and rehabilitation. The impact of custodial training and reformation is largely determined by the adequacy of staff and such facilities like medical and recreation both in quantity and quality. The educational and vocational training facilities in the borstal are not only inadequate but qualitatively poor.

Comparatively, the data on facilities and training equipment in the Kaduna Borstal is the same with those in the Islamic remand (detention) schools operated by Islamic clerics in Nigeria.

The Human Rights watch reported on the 10/09/2019 that:

'We found around 100 students including children as young as 9, in chains stuffed in a small room in the name of reforming them and making them responsible persons.'

One wonder how meaningful character reformation and rehabilitation of inmates will be done under such horrible and dehumanizing conditions. In a report captioned Nigeria: Police free chained, abused children from Islamic school DeutscheWelle (DW) a German online broadcaster reported that the Nigerian police have freed more than 300 men and boys from an Islamic school in the northern city of Kaduna, where some of the students had been held in chains. Many of them reported being tortured and sexually abused, and about 100 were found chained in one of the school buildings (DW, 2019).

CBS News an online newspaper in a report captioned: new revelations about Islamic schools in Nigeria paints a horrifying picture of physical, sexual abuse, October 2, 2019 reported that the inmates in Kano Islamic rehabilitation school were discovered chained to metal railings and with their hands and feet shackled together. Some bore scars from alleged beatings while other recounted being sexually abused.

6. Conclusion

This paper has sketched out the experiences of young offenders under the procedures of the youth justice system mainly to establish how their experiences informed their perception of youth justice administration. Again, the paper showed how the perception of these offenders informed the outcome of their treatment. Even though there are alternative interpretations of effectiveness of youth justice systems, my conception of effectiveness of the youth justice system is on such consequences like behavioural change and youth crime reduction. This I differ with those who view effectiveness in terms of victim satisfaction. Therefore, given a primary focus on behavioural change and crime reduction, I conclude that the contemporary Nigerian youth justice systems operative in Nigeria has not been effective in youth crime reduction. This corroborates with findings of other researchers in this area (Akinseye-George, 2009; Omoniyi and Comfort, 2014; Okagbue, 1999; Bella et al., 2006). Evidence abound of increased youth crime in Nigeria in recent times and an increased recidivism rate and a high rate of young offenders' population in the Nigeria prisons.

A significant quantum of the views expressed by the inmates are unequivocal that their negative perceptions about the youth justice administration (both the conventional and Islamic youth justice systems) is as a result of their coercive and inhuman experiences and treatment by the police, at the courts by judges, and Islamic clerics during arrest, detention and trials at the courts and periods of commitment to custody.

Surprisingly, it is found out that, though religion plays a central role in the lies of Nigerians, this variable has no significant effect on the inmates' perception of youth justice administration. Both the Christians and Muslim young offenders who have experiences with these youth justice systems expressed their dissatisfaction with these justice systems. Lastly, the facilities in the borstal and the Islamic remand homes affect their perceptions negatively.

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