GBÀGÀLÀ AS A DEITY FOR INVESTIGATION OF CRIME AMONG THE ILAJE AND IJAW/APOI OF ONDO STATE, NIGERIA*

Abstract

This paper introduces Gbàgàlà a sacred divinity among the Ilaje and Apoi people of Ondo State Nigeria which has recorded few or no literature. It is a traditonal African mode of crime detection. The study design is ethnographic, analytical method of research was adopted while data for the study were obtained from structured interview with 7 indigenes of Ilaje and Apoi the sampled population area where the practice of Gbàgàlà is prevalent and about seven cases successfully investigated by Gbàgàlà were reported. Gbagàlà performed the role of police in investigation of criminal offences, mysterious or strange occurrences like untimely death of a deceased. No doubt, it had worked in the past and presently still working. This paper therefore brings into lime light this sacred divinity as an investigation mechanism in the criminal justice system of Ilaje and Apoi people of Ondo State Nigeria. It showcases its swiftness, effectiveness and potency in investigation of criminal complaints among these people. Integrating African mode of crime detection into the English criminal justice system of Nigeria was recommended.

Keywords: Investigation, *Gbàgàlà,* Sacred divinity, Crime, Offence, Ilaje and Apoi.

1. Introduction

Crime detection formally known as crime investigation is an integral part of criminal justice system and as one of the functions of the police, body or organisation saddled with the responsibility of policing; it builds up public confidence and encourages respect for law and order. Crime investigation when effective and properly done promotes peace and order in the society by unveiling any would-be criminal. Crime investigation therefore, is the process by which the perpetrator of a crime is identified through the gathering of facts (or evidence)- although it may also involve an assessment of whether a crime has been committed in the first place or not. Among the Yoruba of south west Nigeria, divination is mainly the means of investigation. It is used for crime detection and to inquire about the future or for explanation on an issue which appears to be dicey, precarious, uncertain, unsafe, dangerous and unpredictable to them. Divination could be through a medicine man normally called *babalawo, ifa* priest who will conduct the investigation through cowries, *Opelele* while some use sand, water in a white calabash, kola and mirror. However, among the people of Ilaje and Apoi of Ondo State, *Gbàgàlà* is the main type of divination aside *ifa* invoked or used for investigation of criminal wrongs or offences when the offender is unkown or known but, denied. These two groups of people are also known and reported to be custodian of *Ayélála*[1] Awolalu: 1981).

The Ilaje people were said to have left Ile-Ife, their original ancestral home in the 10th Century. They later found themselves in the present day Ondo state through migration. They mainly occupy the Atlantic coast line of Ondo state Nigeria, a large hinterland of 1,318 kilometres square which is bounded by the Ijebu people to the west, the Ikale people to the North, the Itsekiri to the East, the Apoi and Arogbo Ijaw to the North East and the Atlantic Ocean on the Southern part. The Ilaje people are one of the enterprising nations in Nigeria. Their aquatic skill, couple with their ability to conquer their harsh geographical environment and turn it to their advantage is a plus for them. Apart from petroleum which is found in the area, other mineral resources available in Ilaje Land include glass sand, salt, tar sand, quartz and clay[2].

On the other hand, the Apoi people are known as Western Apoi of the Ijaw people and they live in Ondo State Nigeria. The tribe (also called Ijaw Apoi) consists of nine settlements; Igbobini; Ojuala, Ikpoke, Inikorogha, Oboro, Sabomi, Igbotu, Kiribo and Igbekebo[3]. The Apoi inhabited higher ground than most

***By Olubusola Tunde SHEMUDARA, PhD,** Lecturer, Adekunle Ajasin University, Akungba Akoko, Ondo State. Email: shemudara@gmail.com, Phone No: 07039458128.

[1] JO Awolalu, Yoruba Beliefs and Sacrificial Rites (Longman Group Ltd. 1981) 41-45

[2] Ilaje – Wikipedia. en.m.wikipedia.org. Retrieved on the 10/12/2020.

[3] EJ, Alagora, A History of the Niger Delta, Nigeria (Onyoma Research Publication, 1972) pp 1-19.

of the other Ijaw tribe[4]. They speak Yorùbá language and are bounded to the north by the Ikale, to the west by the Ilaje Yorùbá. The group also shares a boarder with the Ijaw to the Furugha Ijaw to the East.

The choice of these two groups is as a result of their uniqueness and differences in religion, beliefs, social life and customary laws which are almost different from other Yorùbá south west of Nigeria. Again, these groups share or have certain things in common, they have similar socio-cultural belief, religious background and their customary laws are the same. They also worship similar deities and celebrate similar festivals. For instance, *Ayélála* as a deity is common to both of them as it originated from them. They are the custodian of *Gbàgàlà* the subject matter of this discourse though its origin in Apoi. It has been observed that while *Ayélála* has recorded literature *Gbàgàlà* has not in spite of its effectiveness and prevalence among the people. It is on this note we are bringing *Gbàgàlà* into a lime light as another means of crime detection among the Apoi and Ilaje people of Ondo State, Nigeria.

2. Crime Investigation under the English Criminal Justice System

Crime investigation is an integral part of policing under the English criminal justice system. The art of policing has always been an integral part of human life. Right from the dawn of creation, the tendency has been rife for human beings to seek to protect what is theirs. The public has always had, nurtured and practiced a police idea, no matter how rudimentary. As long as people live in groups and communes, there was always the need to control and check the excesses and aggression of fellow humans. When personal control broke down, following which an individual deviant behavior endangered the society, a form of a community were responsible for their collective security. Thus, all organised societies display a body of rules, norms or customs, tending to protect the security of individual interest, and at the same time, the survival of the group as a whole[5]. In Nigeria for instance, there are so many organs, bodies or groups that are already put in place or set up to monitor or preserve social order and control same in order to have peace and order in the country. The officers, men and women of Nigerian Correctional Service formerly known as Nigerian prison service are in charge of convicted and non-convicted inmates in their custody to ensure that they are transformed to become better and changed citizens of the country[6]. The custom officers are policing the coming in and out of goods in the country and also cross-border vices[7]. The National Drugs law Enforcement Agency is called with the responsibility of policing the spread of narcotics and psychotropic drugs. Now, having done with policing, the next is investigation which is one of the policing works of the police. Although, the police are not the only one clothed with the power to investigate, private persons too investigate. However, without wasting too much time, it is pertinent to state that investigation in this paper is the one pertaining to crime investigation. Crime investigation is an integral part of criminal justice system and as one of the functions of the police. It builds up public confidence and encourages respect for law and order. Crime investigation when effectively and properly done promotes peace and order in the society by unveiling any would-be criminal.

Crime investigation is the process by which the perpetrator of a crime is identified through the gathering of facts (or evidence)- although it may also involve an assessment of whether a crime has been committed in the first place or not.

There are two basic approaches to managing crime investigation. In some areas typified by jurisdictions with a civil law tradition, the responsibility for an investigating criminal offences is given to a prosecutor or judicial officers, such as *a juge d''instruction* or "investigating judge''. Where this is the case, investigators work under the instruction and management of the prosecutor and or investigating judge and, indeed, there may even be a special law enforcement agency designated as "judicial police''. In the second approach, often found in jurisdictions with a common law tradition, investigations are conducted by the police more or less independently of prosecutors until the case, and the suspect are handed over for prosecution in the courts. There are however many variations within both basic systems. For example, in many common law jurisdictions, prosecutors work closely with police investigators for

[4] Western Apoi Tribe-Wekipidia, en.m.wikipedia.org. Retrieved on the 10/10/2020.
[5] ESC, Ojukwu, *Discovering the Police* (Gold Press Ibadan 2011) pp 69-73.
[6] The Nigerian Correctional Services Bill was signed into law on the 14th August 2019 and repeals the Prison Act, Cap P29, Laws of Federation of Nigeria, 2004. See CSA 2019 S 4 & 34.
[7] Customs & Excise Management Act 2018 (CEMA) S 4, 8, 18-24.

at least some types of crimes no matter what the system is, basic tenets remain the same: identifying who committed the criminal act and gathering sufficient evidence to ensure a conviction. What constitutes an offence or crime can vary.

Many countries categorise minor offences, such as speeding or using public transport without a ticket, as misdemeanors, with either a separate code or portion of the code devoted to these offences. Other countries consider these to be "administrative'' in nature and they do not form part of the criminal code. Such offences are not then subject to neither criminal investigation, nor do they fall within the competence of a prosecutor, but are dealt with inn lower level administrative tribunals. However, generally speaking, the definition of what constitutes a serious crime will be much the same, and recognisable, from country to country even though the specific detail may be different. For instance, the term ''burglary'' in one country may only refer to the entering of a building with an intention to steal. In others, the term may also include an intent to cause criminal damage or to commit rape, but the illegal act of entering of a premises with intent to commit a crime is common to all jurisdictions.

A further issue that should be considered is that limitations in time for which a person may be charged with a crime may apply; this is sometimes called the ''statute of limitations''. In some countries, even some very serious offences may not be prosecuted once the limit set by law (i.e. the ''limitation'') has expired. In other countries, however, especially for serious crimes, there may be no time limit set by law at all; a person may be charged years after the commission of a crime, where new evidence may come to light[8]. Whatever system of criminal investigation has developed or been adopted, there is a universal value that must be preserved in any criminal justice system; that their suspicions are based on an objective evaluation of the facts and that they have not twisted the facts to suit their suspicions

To conduct criminal investigation effectively, an investigator will need considerable powers. These include the power to: detain a suspect, seize property as evidence, search for evidence, both in premises and on persons, interview suspects (and, in doing so, question their honesty and character which in some countries may otherwise be considered to be an act of defamation), require samples, such as fingerprints and DNA, and to take photographs, run identification procedure, interview witness, including victims, ask members of the public questions, keep and maintain personal and confidential information, use technical and personal surveillance and use other intrusive means to observe persons, work undercover (i.e. pretend to be someone else) or use informants, protect and relocate witness, undertake otherwise illegal activity, such as possess illegal substances, carry weapons, force entry to property, or monitor illegal internet traffic.

Police and other officials may use a variety of methods to conducts criminal investigations; sometimes they work with their canine co-workers. They may also use various scientific techniques such as fingerprint and ballastics analysis. A controversial investigation sometimes employed in Nigeria is the use of informants. Many people disagree with this practice because of punishments. It is therefore argued that they can be influenced to say or do whatever will please those investigating the case.

There are some parts of criminal investigations that the police may not be able to handle. Some cases require investigative techniques that demand specialized knowledge or training that the investigators or their colleagues may not have. This is especially true with deoxyribonucleic acid (DNA) testing, although this techniques is popular, it is often performed by third parties. A criminal investigation does not always yield results. Sometimes suspects are accused only for it to be determined later that they are not guilty. At other times an extensive criminal investigation may not produce any suspect. This can mean that no one will be punished for the crime that was committed.

3. Policing and Investigation of Criminal Offences among the Indigenous People

It is part of human nature to keep their environment and themselves free from attacks or threat. While staying in common with nuclear and extended families with kith and kin, human beings have since

[8] For instance defilement of a girl in Nigeria must be tried within 2 months of the commission of the offence section 218 of the CC; *Eze .v The State* (2019) LPELR-47984 CA, Treasonable felony is 10 years, Custom offences is 7 years. Statute of limitation also applies to civil action like tort 6 years, actions against public officers

learnt to be their brother's keepers and ensure a crime free society. It is imperative for every one of us to keep a watch over one's siblings and neighbors, and to be concerned, not just our spirit, soul and body but also about material blessing which God has endowed us with. As long as people live in groups and communes, there was always the need to control and check the excesses and aggression of fellow human beings[9]. It is also the desire of everyman to see that a culprit who commits an offence is brought to book at all time. As Olaleye puts it, before the advent of civilization and its security system, the Yorùbá method of security still persist. The Yorùbá do not treat with levity issues that relate to security because they have realized that it is to this that the economic, political, social and religious lives of the people are anchored[10]. Traditional Nigeria societies guarded and guided their members through a system of indigenous law, customs and sanctions, mostly drawn from traditional beliefs, customs and norms. Religion too also plays an activitive role since these customs and norms arose from it. These discouraged vices and mischief curry and gain the favour of the gods. Shoremi also posits that the aim of religion is to fight with the divine powers to attain what the ancient Romans called *pax decorum,* the favour of the gods[11]. The fear of the vengeance of the gods.Oracles and ancestral spirits, kept everyone on one's toes to be righteous. The Yorùbá are religious in all things. Religion forms the foundation and all-governing principle of life for man. The full responsibility of all the affairs of life including security belongs to the Deity. The duty of men is to obey and do whatever the priests or diviners tell them to do. *Olodumare* is the controller of all things[12]. Oputa also commented: 'Our indigenous religion had that strong moral code and that supernatural sanction that were both able to keep the old village society morally clean and free from crime. Then there was no police force, but rather it was supernatural sanction of their religion that policed the primordial Nigeria village society'. [13]

Among the natives, in addition to the sanctions and deterrence imposed by religion, social norms, as a unit also played a vital role in policing the village society. This unit was made of general individual nuclear families knitted together by a bond of common ancestry and lineage. It provided check against any form of misbehavior. In this regard, the family head and lineage were set on toes of consciousness as to the kind of labeling negatively. The family head was strict and applied iron-hand on his family members. The sanctions meted out include ostracisation and slavery or threats of all. The village associations created a more complex and strong helping hand in preventing and detecting crimes. Therefore, customs and norms play a prominent role in premordial native societies in areas of crime commission and security. In corroborating the position and role of customs and norms in security issues before the natives encounter with western civilization, Tamuno stated[14]: 'This mystical link between dead and living forces, both in the making and enforcement of African laws and customs, before contact with Europeans is of crucial importance. The fear of breaking such laws and customs, involving dread punishment by unseen and allegedly powerful elements in traditional religion, provided an effective preventive factor'. Shoremi while writing on important aspect of the social structure (association) has this to say:

> The process whereby a group of individuals interact to attain specific goals. It is formed a response to the particular needs of a community. In some cases, it may result from environmental presence; which forces men to cooperate with one another. Generally, association provides the mechanism by which men relate to the environment around them[15].

The age-grade system was one of such association that has played a significant role in issues relating to security, crime prevention and management among the people of Nigeria, even prior to colonisation. It involves stratification of the entire village into various classes on the basis age. For instance, among the

[9] J Ferguson cited by EA Agboola, *Traditional Religion in West Africa* (University Press Ibadan 1983) p9

[10] SK Olaleye,' African Indigenous Knowledge as a Cure to the Security Problem in the Contemporary Society' [2013](5] *Proceedings of 2013 Biennial International Religious Studies Conference*, 41-48.

[11] MO Shoremi, '*Indigenous Association in Nigeria*' Cited in *Nigerian Life and Culture: A Book of Reading* (Ago – Iwoye University Press 1989) 219.

[12] Bolaji Idowu, Olodumare: God in Yoruba Belief (Long Man Group LTD. London 1962) 5, 35-43.

[13] CA Oputa, 'Crime in the Society' [1975] Lecture Delivered in African Indigenous Law Proceeding Workshop by Institute of African Studies, Nsukka, 1-2.

[14] TN Tamuno, *Crimes and Society in Pre-colonial Nigeria* (Malthouse publishers Lagos 1993) 129.

[15] Shoremi, op cit., p220

Yorùbá of Lodo district (Èkìtì) and Àkuré, the *Elègbè* were responsible for law and order. This is the same with *ìlàrì* in Oyọ and *Odi* in ìjèbú, as well as the *Ẹmẹ̀sè* in Ilé-Ifè. In the same manner, the Ode (guild of hunters) in Yorùbá land with their Igbo counterparts called *Egbé Liọba* performed guard duties in the villages. Masquerades and various cult groups also performed security sometimes) Oppenheimer[16]. Among the Yorùbá people, it was observed that the age-grade were among the group that performed quasi-police functions in the various communities. *Inotu* among the Ishan people of Uromi performed police duty. In the North among the Fulani Northern Nigeria, they have the '*Dongari'*. Among the ìlàjẹ, they have *jongbe* or *Wama.* They also carried out investigation of crime however crudementary it may be and arrest the culprit in cases where it was considered needless to consult a diviner.

From the statement and facts stated above, it is apparently clear that the idea of policing and investigation is not strange among the native before the advent of the English men. In other words, the maintenance of public order, the protection of persons, property and the prevention of injurious acts were not part of the legacies of colonisation, for as Edward Wislmot Blyden said:

> The tribes have law regulating every function of human life and the laws are known to all members of the tribe and justice is administered by the tribal chiefs in the presence of the whole people in the village or town, where any violation of law may have taken place. The whole people of village or towns are jointly and generally guardian and preservers of the peace[17].

The social structure no doubt performs the duty of maintenance of peace and order and also where crimes are committed, aside the social structure, other means of investigation may also be invoked e.g. Divination or ordeal. This is when recourse is being had to relio-magical influences particularly where the offender was unknown. Now, coming back to the subject- matter of this discourse, among the Apoi and Ilajẹ,. *Gbàgàlà* is the basic means through which investigation of criminal offence is being carried out. They also use divination through medicine man but it is uncommon among them. *Gbàgàlà* performed the role of police in the investigation of criminal offences. No doubt, it had worked in the past and presently still working. Before the introduction of the English court and formal policing to the native of Ilajẹ and Apoi, *Gbàgàlà* would investigate an offence and hand over the person to *Ayélàla* which is common to both Ijaw/Apoi and Ilajẹ where the offender has denied committing the alleged offence.

4. Crime Detection by *Gbàgàlà* among the Apoi and Ìlàjẹ

The Apoi are known as western Apoi ethnic group of the Ijaw people while the Ìlàjẹ occupies the Atlantic coast line of Ondo State, Nigeria. The major way of investigation of criminal offences among these people was divination through *Gbàgàlà* before the introduction of English legal system. In other words, *Gbàgàlà* was the investigation and policing agent. The Ìlàjẹ traced their origin to Ile-Ife as their ancestral home. The major deity for prosecution of criminal offences was *Ayélála*. It is a common divinity to both Apoi and Ìlàjẹ. In fact *Ayélála emerged* as a result of settlement of dispute between the Apoi and Ìlàjẹ. The headquarters of *Ayélála is* at *Ita-Ayélála along* the Atlantic Ocean in the coast of Ondo State.

The Ìlàjẹ and Apoi both have *Ayélála in* common as a deity they worship and serve. Different tribes upon being convinced about the efficacy of *Ayélála had* come in the past to borrow the deity and have it in their locality. Some of these include Akoko people from Ondo State, Edo people from Edo State among others[18].

As we have stated, it is one of the duties of the formal police to investigate criminal offences, so also is the duty of *Gbàgàlà. Gbàgàlà* is a wooden like structure of four edges carried by four men holding each of the four edges. *Gbàgàlà* is not only limited to investigating crime but also civil action or sooth

[16] H. Oppenheiman, *The Rationale of Punishment* (University of London Press London 1913) p121
[17] Edward Wilmot Blyden, *African Life and Customs* (African World Press 1908)
[18] Akhilomen D, The Resurgence of *Ayélála* in Benin Kingdom. www.rig2011electionyoudie@rocketmail.com.posted by Otedo News Udate on September 25, 2009 at 3:46pm. Retrieved on 13th December, 2020.

sayer about unseen problem. It is also used to investigate the cause of death of a deceased person when it is believed that the person has not died a natural death. Complaints were normally lodged with the priest of *Gbàgàlà who* would set *Gbàgàlà* into motion by performing the required rites particularly when the offender was unknown. Upon the invocation of the power, *Gbàgàlà* would lead them to the house of the offender or where the stolen property was hidden. Among these people, when the offender was unknown or the offender had been detected by *Gbàgàlà* and still denied, recourse would be had on Ayélála usually inform of trial by oath taking. The trial began with the open question of whether the suspect is guilty or not guilty? This is synonymous to taking of an accused person's plea under the English legal system. These questions of guilty or not guilty are tantamount to an aspect of natural justice; *audi alteram patem* hear from the other side under the English legal system.

In 1990 at Ikoya in Òkìtìpupa Local Government Area of Ondo State, *Gbàgàlà* was used to investigate the Ọba's crowns that was stolen after the formal police had tried several days and could not get the offenders. *Gbàgàlà* apprehended the person and the culprit was handed over to the police who formalised the arrest and prosecution. Someitime in November 2017 in Okitipupa, Ondo State, a case of burglary was reported where along market Street Okitipupa a rice store was burgled and the thieves looted the shop. Police tried everything within their ambit to apprehend the culprits or recover the stolen bags of rice but all their efforts were fruitless. Recourse was had to *Gbàgàlà. Gbàgàlà* led them to where the bags of rice were hidden and also the respective houses of the culprits. They were all apprehended and handed over to the police, finally prosecuted. A respondent was also interviewed who said in 2013 in Delta State in his office where he was serving as a Divisional Crime Officer 2, he said the suspect was serving his boss and stole eight hundred thousand Naira (₦800, 000: 00) belonging to his boss. He said their office tried in vain and the complainant went to an *Ayélála* priest at Isoko. *Gbagala* was involved in the investigation and it identified the suspect among all other persons arraigned for parade. Still, the suspect denied stealing the eight hundred thousand naira (₦800, 000:00) and recourse was had to *Ayélála*. The priest according to the interviewee had not finished performing the rites to invoke the jurisdiction of *Ayélála* when the suspect had started confessing that he gave the money to his mother. The mother was arrested by the police and they recovered the money from her. Another interesting case reported on the effective investigation mechanism *Gbàgàlà* was relayed by Chief Netufo Oladele a *Gbagala* priest aged 76 and resident of Sabome in Ese-Odo Local Government Area of Ondo state. He said in 1983, in military barracks in the northern part of Nigeria, he was invited by an Apoi man a military personnel who was in charge of the armory in the barracks. Some of the ammunitions, about five rifles were missing in the barracks. *Gbagala* led them to where the rifles were buried in the barracks and identified the culprits among the personnel. This respondent also mentioned that he had successfully investigated so many cases of theft with the aid of *Gbàgàlà*

In 2008 Chief Bolodeoku Segun an *Ayélála* / *Gbagala* priest and diviner said he has been in the practice for three decades and he inherited it from his father. The last prominent case he used Gba*gàlà* to investigate was a case of a stolen baby, a toddler of less than two years. The father had divorced the mother and baby yet to be weaned was with his mother in a village where the woman was working as a laborer for someone. The mother was in the farm doing her normal routine for the day and got carried away with the work, carelessly she did not know when the baby crawled away according to her statement to the police because the matter eventually got to police station at Okitipupa. *Gbàgàlà* detected that the father was actually the one who came to carry the baby.

Another case investigated by *Gbagala* was the one garnered from an interview with Chief Omosua Omopariola Gbose (aged 59 years) residing at Igbobini in Ese-Odo Local Government Area of Ondo State. The respondent said he inherited the knowledge of Gbagala priesthood as a practice from his father, Late High Chief Omopariola Joel Gbose (the Peti of Igbobini), who served as a Gbagala priest for the Apoi people for over six decades until his demise and his father also inherited it from his own father, that is the grandfather of the respondent. He stated that he witnessed so many cases treated by his father as a learner or apprentice or shrine boy and unlimited number of cases he himself had handled. He gave the few prominent ones that gathered the attention of the entire people of Ilaje and Apoi. According to the respondent, he said that there was a homicide matter at Atijere in Ilaje local Government Area of Ondo State in which his father was invited as a *Gbagala* priest to investigate the complaint. The police unit at Atijere had failed hence the matter was transferred to the state Headquarters (State C.I.D). The respondent being uneducated could not

remember the year but informed the researcher that it was the year Olando Owoh released his album, *Lamgbe jina* and by my assessment, that was 1977. *Gbagala* rites were performed at Atijere to invoke its jurisdiction and *Gbagala* identified the culprit one Gbajimi, an Ijebu man. The deceased was a woman. Upon further inquiry from *Gbagala* whether the man was the only one involved, *Gbagala* also identified another man. Gbajimi denied the criminal act while the other man admitted that he was there but never took part in the criminal act but as a palm wine tapper, he was on a palm tree watching Gbajimi when he strangulated the woman and hid her inside the bush but remained mute. He said Gbajimi was not the only person there and they might kill him. They asked Gbajimi to produce his other cohorts he declined insisting that he knew nothing about the alleged offence. He was compelled to be tried by *Ayélála* and since he knew the consequent fast justice of *Ayélála*, he ran to Akure on a petition against the Respondent's father and he was invited by the then Commissioner of Police who picked interest in the case. The respondent further stated that he went to Akure with his father along with all the material necessary for invocation of *Gbagala* jurisdiction. At Akure, his father set in motion *Gbagala* and the Commissioner of Police set up the first case for *Gbagala* to investigate. According to the Respondent, he said the commissioner of police placed three calabashes on a table and kept the cassette produce by Olando Owoh (*Lamgbe jina*) in one of the three calabashes and asked his father to use *Gbagala* to detect the one containing the cassette. *Gbagala* identified the calabashes that had the cassette and he said his father took the cassette that *Gbagala* had confiscated it. The commissioner of police not yet convinced set up another case for *Gbagala* to investigate in his office. He kept the police radio phone in a drawer according to the respondent and assembled four police men before *Gbagala* in his office to detect in whose possession the radiophone was.

Gbagala knocked the drawer and neglected the assembled police officers. It was further revealled that the Commissioner of Police still went on to keep wrist watch outside the police command and asked *Gbagala* to locate it. The respondent said *Gbagala* forced opened the commissioner's office and its carriers out of the office. Immediately, the Commissioner called his father back that he was convinced and ordered the arrest of Gbajimi for the purpose of prosecution. The case gave *Gbagala* serious popularity that same year in the state according to the respondent and corroboration of same from other aged men and women in Ilaje and Apoi communities.

The respondent said of recent in 2005, he personally carried out the *Gbagala* rites investigation. According to him, in Igbobini his home town there was a case of stolen money precisely four hundred and fifty thousand Naira (₦450, 000.00). The Oba in the community directed that they should make announcement and nobody admitted taking the money. Being a *Gbagala* priest, he was invited to use *Gbagala* to unveil the culprit. *Gbagala* identified the culprit but he denied and when *Ayélála's* jurisdiction was to be invoked, he admitted taking the money and the money was recovered but he had spent about thirty thousand Naira (₦30, 000.00) out of it. So many cases had been successfully investigated by Gbà*gàlà.* In fact, these reports show case the efficacy of *Gbàgàlà* which had helped in the past to maintain peace and order among the people in the area.

5. Limitations to *Gbàgàlà*

The development, civilisation and influx of people in our society today have in no doubt affected the consciousness of people about African jurisprudence. The intrusion of the English men in Africa has prodigiously contributed to the factors withering away African beliefs and customs. The groups, Apoi and Ìlàjẹ, where *Gbàgàlà* was being used for investigation could be considered as macro-communities compare to nowadays where we have towns and state that are already over populated; where automobile are used as their means of transportation. Of course, *Gbàgàlà can* be taken to Lagos from Ondo State for investigation since it would be arranged and the rites would be performed over there. This is similar to formal police officer who can travel too any part of the country. The only problem envisaged is where the culprit is not within and there is need for *Gbàgàlà* to search for the person in the metropolitan society, movement of auto mobiles will not permit *Gbàgàlà* to carryout same as the carriers can easily be crushed by automobile. *Gbàgàlà* as an agent of investigation whose jurisdiction is invoked by religio-magical means cannot recognise automobile. Another limitation is the existence of English courts. Where somebody is arrested or identified by *Gbàgàlà* such person may go to the English court to seek redress for either defamation or enforcement of fundamental human right since *Gbàgàlà* is unknown to the English law. It is in view of this we are calling for the incorporation of traditional criminal justice system and the English criminal justice system presently operating in the country which can be achieved once there is legislation to validate and rubber stamp it. However, these limitations though not limited to these alone, cannot stand as a bar to the use of *Gbàgàlà* in the modern society. With respect to automobiles, traffic warden may be placed on the road to direct traffic especially if this could be done during traditional festival of *Èyọ̀* and *Eégún.*

6. Conclusion

Without prejudice to the formal police and the modern modes of investigation, traditional means of investigations are devoid of all protocols, technicalities and failures. It is cost saving, effective, swift, expedient, and potent. *Gbàgàlà* should be incorporated into the criminal justice system of Nigeria. The conjunction and collaboration of the two criminal justice systems would create a striking balance in our criminal justice system more so, that the society we live is theocratic and dominated by Africans who believe in their custom and tradition and are conscious of the efficacy of the societal norms, beliefs and sacred divinities of the land.



***Gbàgàlà* being carried after invocation of the power**
Source: Field work 8th December, 2020



Picture of the Wooden Structure called *Gbàgàlà*
Source: Field work 8th December, 2020