Female Institutions and the Legal System in Obolo Before 1900

By

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Abstract

No society is devoid of crime, law, and justice as long as they are inhabited by mankind. It is common knowledge that the existence of crime requires adequate law and justice to regulate the attitude, activities, and behaviour of human beings. Therefore, the enactment of customary laws and the system of justice essentially promotes peaceful co-existence, human capital development, infrastructural transformation, protection, security of lives, and property. On this note, the Obolo society from ancient times evolved their peculiar customary laws and system of justice that guides the people, checkmate crime and punish culprits. Some of the customary laws and justice mechanisms that governed Obolo society were enacted by female religious institutions and groups such as *Aman-Obolo.* Her laws include the prohibition of the killing of women in inter-ethnic or inter-communal war, abuse of a woman's private part, incest, insulting a mother, telling lies, etc. It is from this perspective that this paper surveys the various aspects of crimes prohibited by *Aman-Obolo* (Obolo female deity) and the peculiar laws enacted by the women's religious institution which enhances the smooth administration of Obolo. It analyses the mechanism of dispensing justice by this women's institution and its implication on the socio-economic and political sphere of the Obolo and their neighbours. The paper explored primary and secondary sources. The findings of this paper indicate that the customary laws enacted by the *Aman-Obolo* and the justice system contributed significantly to crime control and reduction as well as the social well-being of Obolo. Their laws and justice enhances social, economic and political development of Obolo.

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Introduction

From the earliest times, the Obolo people evolved their peculiar traditional political system which was influenced by their religious deities. The latter were fundamental to the administration of Obolo. The laws, rules, norms and sanctions introduced or enacted by the deities became the basic sources of administration of justice in Obolo.

Principally among the deities were *Yok-Obolo*, (Obolo: national deity), and the subordinates such as *Ewitaraba,* (god of thunder) *Aman-Obolo* (the voice of Obolo), *Ofiokpo* (cult group) and *Adumu* (god of vengeance). These national deities constituted the political administration of Obolo in the ancient period. In fact, *Ewitaraba*, *Ofiokpo* and *Adumu* were male deities but *Aman-Obolo* was a female deity. The deities performed various functions *Ewitaraba*, the war god was a fearful being who struck down with lightening those who offended him. His symbol was the ram. *Aman-Obolo* was a female deity in-charge of women's affairs and of fertility. *Ofiokpo*, performed executive functions of the central government, and *Adumu*, the god of vengeance.[1]

It is from this perspective of Obolo religious philosophy, that they adopted a male dominated political administration in the area. In this patriarchal society, the women also participated indirectly in the traditional political administration of Obolo through their female deity or institution such as *Aman-Obolo*. However, women were not considered initially as stakeholders in the administration of Obolo. They were not installed Chiefs or made kings in various Obolo communities.[2]

There were exceptional cases in the political development of Obolo in which a woman, Princess Ariaunwa became the political leader of Unyeada as a regent in the 18th century on the death of her father, King Ikana Okpok.[3] Chieftaincy stools were created in the name of women with outstanding military bravery, prowess and social status. They included Asakala of Unyeada, Gwun Enenwana (Jiawaoreakon) of Asarama and Horsfall War-Canoe House of Ataba. All these chieftaincy stools are now being occupied by the men of the various War Canoe Houses.[4]

This did not deter the women from participating in the local or indigenous administration of Obolo communities. It was achieved through the female institution, *Aman-Obolo.* In this regard, *Aman-Obolo* enacted laws and adopted justice mechanisms. The laws were intended to eliminate or reduce crime in Obolo. It was also for effective administration, protection of the poor and the oppressed against the powerful citizens in the society and to regulate the attitude and behaviour of Obolo people. The *Aman-Obolo* laws prohibit the killing of women in inter-ethnic or inter-communal war, abuse of a woman's private part, incest, insulting a mother, telling lies etc. Her justice mechanism compelled people to be sincere in any case because of the grave consequences of dishonesty and using vulgar language.

In most patriarchal societies the male and female socio-cultural and religious institutions made laws, rules and regulations which are obeyed and implemented by all. So, it was in

ancient Obolo. The *Aman-Obolo* laws, regulations and sanctions are obeyed by all, including the traditional rulers and noble men in Obolo. It is important to emphasize that, the *Aman-Obolo* laws and justice played a significant role in the administration of Obolo and it enhances the social, economic and political development of Obolo.

Aman-Obolo Laws in the Obolo Administration

Aman-Obolo is a female deity, revered mostly by women as well as men. She was worshipped by women and regarded as the goddess of fertility and in-charge of women affairs. The deity performs some specific rituals of purification and cleansing on men during external wars and cleansing sacrifices of incest culprits. The deity, like its male counterparts earlier mentioned, is headed by a priestess and other shrine attendants. Membership of this deity was exclusively female and its leadership comprises the aged women who have reached the age of menopause. Adult women and virgin girls could also be admitted as members. The shrines of the deity were located in ancient towns and villages of Obolo as well as the Obolo in the Diaspora. A typical example is the Obolo migrants who settled among the Kalabari in a place called Kala Ido (Small Obolo). Ido is the Kalabari name for the Obolo. At Kala Ido, the Obolo people established the shrines of *Yok-Obolo*, *Aman-Obolo,* and other Obolo deities.[5]

It should be noted that the position of *Aman-Obolo* in the traditional political administration of Obolo was not neglected. Thus, *Aman-Obolo* as a religious institution constituted a system of women's government complementary to that of the men. Indeed, *Aman-Obolo* played a significant role in the political administration of Obolo through their laws and policies which had tremendous political effects on both men and women. They had a unique system of government which performed executive, legislative and judicial functions.

As part of its legislative duties, they enacted laws, policies, rules and regulations to ensure discipline and moral value or uprightness in Obolo which affects both men and women. This measure regulated the attitudes, behaviour and utterances of the people, as well as protected womanhood. These laws were accompanied by penalties and sanctions.[6]

Aman-Obolo, as part of her laws, decreed that women should not be killed during war, even if the enemy women are resident in Obolo. In fact, by this law the enemy women are safer in Obolo than in their indigenous homes. The female institution abhorred and prohibited the abuse of women's private part also known as "*Utin Aman-Obolo*" by both men and women. Incest relationship was also forbidden by Aman-Obolo.[7]

Documentary evidence asserts that *Aman-Obolo* whose rules govern the relationship between men and women in Andoni culture and history gave Andoni women some room to maneuver. One of *Aman-Obolo's* injunctions, for instance, was that women must not be killed in a war, a tribute to the spirit of womanhood in war and peace.[8] In another dimension, a daughter is forbidden by *Aman-Obolo* to fight or rain general or specific abuses on a mother or elderly woman. The essence of it was to guarantee respect and honour for motherhood or womanhood in Obolo.[9]

This female institution played significant roles in the religio-cultural activities of some Obolo settlements. Their roles or activities were a precursor to the male cultural festival in Ekede and Asarama. *Uji Mgbek,* the canoe regatta of Ekede women which preceded the feast of Nkirikambam (a male cultural group), will display in their seven canoes regatta. They performed other religious ceremonies before the feast of *Nkirikambam* could hold.[10]

Uji Mgbengbe was another women canoe regatta with religious and cultural relevance in Asarama. It was an annual event usually between July and August. In addition to its entertainment value, it determined when the *Ofiokpo* cult (male cult which performs executive functions in the Obolo system of government) festival activities could commence. The Uji Mgbengbe regatta which was completely paddled by the women colourfully dressed, must perform their religious and cultural activities before *Ofiokpo* cult in Asarama could start its religious rites.[11] These religio-cultural activities were accompanied by laws and sanctions. During cultural festivals and traditional religious ceremonies, conventional laws and sanctions were made by the women to enable them to perform their sacred rituals without anybody transgressing or defiling their pure sacrifice. In this regard, all their laws were obeyed by both men and women.

Aman-Obolo performed another significant religious function that had a holistic effect on the entire Obolo in war and peace. The female deity was a complementary source of military power during external aggressions. Traditionally, before the men went to war, the priestess and devotees of *Aman-Obolo* invoked the deity and other gods to assist the men to fight to ensure victory in external wars. They also performed the cleansing rite on the men, making them fit for the battle. In such a war situation, their laws and sanctions prevailed and were obeyed strictly by the men.[12]

As a deity noted for peaceful disposition among communities, *Aman-Obolo* ensured that they promptly intervene in a crisis capable of escalating into war within a community and between two towns in Obolo. The deity had a symbol of peace (*Akasi, iwaneso* or *iwan egbe*: fish rack and leaves of *Eso* tree used by the *egbe* cultural play, usually tied to a tall stick) to

erect or pin the stick in the crisis compounds' square. The Obolo people respect this peace initiative and obeyed it in totality. This was the period when Obolo people feared their gods and goddesses. This measure was used to avert the clash between Uwo-Ile and Uwo-Ngere in Ngo in the late 20th century. In this way, they helped to maintain peace in Obolo.[13]

A documented source indicates that it is important to note that in the traditional society political power was diffuse. It was not concentrated in one single individual or one level of authority. There were socio-political institutions that exercised political power.[14] This was a common practice in most societies and was applicable to Obolo where both male and female institutions existed.

Women Organizations and Socio-Economic Laws

From the 1950s women's organizations began to emerge in Obolo. In Ataba, the Ataba Women Association (Ntitin Ebibanra Ama) was formed in 1950. The Women Association in Okama Ekede was founded in 1969, while Agwut-Obolo Women Development Association was established in 1971. In Asarama the women had two associations: Asarama Women Association and Ebibanran Ibot Ama. Ibot Ama was a fishing settlement in Ataba territory.[15]

These associations were formed to facilitate social and developmental infrastructure, political and economic development. The women groups were also concerned about lawful society where peace and orderliness prevail. Thus, they enacted indigenous laws to regulate internal trading activities, price control and standards of measurement and other economic activities. Other laws and policies cover social and environmental spheres. The economic laws affected those in the informal sector at home and non-indigenous businessmen and women who transacted business in Obolo. One of such laws was that traders should use a standard size of measurement (cup) for the sale of foodstuffs and seafood and their prices be moderate to enable the less privileged to afford it.

The women's ability to monitor and regulate the economic activities in some Obolo communities enabled them to check and destroy sub-standard goods and cups similar to the function of National Agency for Food and Drug Administration and Control (NAFDAC) in Nigeria today. In Ataba, the Women Association regulated the commercial activities and prices of some essential goods. They recommended and approved the size of measurement cups for the sale of foodstuffs and sea food.

These standards of measurement were regularly checked by them, especially after their monthly meeting. Business transactions such as hawking, trading and fishing on Sundays

were prohibited by the women to give honour and reverence to God, the Creator. No street hawking within the morning hours and stores were under lock and key, because of the grave consequences the owners would suffer should they open the shops to carry out sales. Both men and women complied. This particular law has limitations on the sale of fish because of its necessity. The article being sold must not be shouted out or advertised audibly, rather the hawkers move round silently and the potential buyers who see it can buy. They hawked fishes that were caught in the night and the early hour of Sunday.

Again, on Sunday morning from 7am no person is allowed to embark on a fishing expedition or any form of occupation. After morning service, the women, children and men were free to carry out their fishing and other economic activities. The women and children did harvest their cockles from the farms in the evening for domestic and commercial purposes[16]. This shows that women, irrespective of their deity, still revered the Almighty God above other gods.

However, these laws against selling on Sundays are no longer effective due to some natural circumstances and historical development. One of such conditions is the emergence or establishment of Sabbath Day Churches in Obolo, Ataba inclusive. Their doctrines regard Sunday as the first day of the week and not Sabbath day. With this doctrine, they embark on fishing and other economic activities on Sunday and worship on Saturday as their Sabbath day which they keep as a holy day. The practice or doctrine of the Sabbatarian was one of the strong factors that nullified the Sunday laws in Ataba in particular. It is interesting to note that offenders of the Sunday laws were fined, sanctioned and their goods confiscated by the women's association until the owners of the goods complied with their stipulated conditions.

The above laws and sanctions are mostly applicable to Ataba Town while Ikuru Town Women Association provides another example of economic policy regulation. The women regulated and controlled the prices of goods, especially, food items and the quantity to be purchased by prospective buyers. This was implemented when non-indigenous or external traders brought their goods to Ikuru Town for sell. The law states that, goods brought in by non indigenes should not be sold at exorbitant prices that would have exploitative impact on the indigenous buyers and consumers. Indigenous traders in Ikuru Town should not monopolize the trade or purchase the goods brought by non-indigenous traders in bulk or larger quantity.

The women fixed the prices of external goods, and both indigenous and non-indigenous traders sold their goods according to the prices stipulated by the women group in Ikuru

Town. Those who violated these laws are penalized or sanctioned. They are banned from selling their goods for a period of time and the indigenes are prohibited from buying their goods until the embargo is lifted.[17]

It is also important to state that the conventional law extends to the *ad hoc* fishing women, who engage in the trapping of crayfish, prawns, shrimps, gathering of shell fish, hewing of mangrove for fuel or fire wood, trading etc. Whoever returned home and left any *ad hoc* member in the creek, mangrove forest and market for whatever reason is liable to pay a huge fine to the women authority. The essence of it was to ensure that no calamity befell anybody during the fishing expedition and to enjoy the protection of their members. One is responsible for the whereabouts and wellbeing of their fellow fisher folks.

For the *oket* (women fishing gear) fisherwomen who engage in trapping of crayfish, prawns and shrimps, it is an offence for another ad hoc group to trespass or harvest the creek one ad hock group had already identified by breaking the stem of the mangrove commonly known as *ifana otu nkpo*. It is a mark of temporary ownership. In this regard, women settled minor cases that arose from their social and economic activities. For instance, women who went out in an *ad hoc* group for periwinkle picking and hewing of mangrove wood for fuel, and if any of them incidentally returned home and left other *ad hoc* members behind, they would be drastically penalized.

The women presided over such cases and ensured that such person(s) were adequately disciplined and fined heavily. The culprit(s) bore all the expenses of going to bring her colleague(s). This was serious offense not treated with levity. *Aman-Obolo* officiants and devotees presided over cases of violation of traditional and religious taboos in Obolo.[18]

From the social perspective, women were prohibited from engaging in any form of occupation except going to market for shopping on the day of interment of a deceased member of the community, especially in Ataba. It was designed to give the deceased the last honour. Defaulters are fined. On environmental issues, all women are not permitted to go for fishing or go to market on the day of clean up of the community. The women monitor it and ensure its compliance. Those who violate it are penalized. This is similar to the present-day Environmental Sanitation usually observed every last Saturday of the month in Nigeria.

Similarly, on the marine environment, certain laws were made to protect it from being destroyed since it is the major source of their livelihood. Some fishing methods are not allowed in the Andoni River, such as the use of dynamite and dragnet because of the long-

term negative effect on the ecosystem and other aquatic life. Fishing in the nearby creeks and rivers by non-indigenes like the Ogoni was considered a security risk and therefore not allowed. In the same vein, men and women are prohibited to hew mangrove trees from the mangrove forest proximate to the community either for the building of traditional mud-thatch roof house or for fuel and other purposes.

The mangrove forests are preserved for security reasons and environmental protection. It prevents heavy storms capable of de-roofing houses, especially those along the shore. In Ataba for instance, the Women Association is the traditional custodian of the mangrove forest within its vicinity. They ensure its preservation and forestation. So, they are the watchdogs of the mangrove forest, and they fine any person(s), man or woman who was reported to have hewn the mangrove trees or wood for any purpose.

On the other hand, if they are approached formally to cut the trees, the women may permit such person(s) to cut the quantity needed. At other times they lift the embargo and sell the woods to prospective buyers.[19] These laws, policies, and sanctions initiated or enacted by the female institutions were instrumental to regulating the attitudes, behaviour, and utterances of the people. It is significant to point out that these laws which women enacted constituted the administrative laws of Obolo. Again, it demonstrates the influence of the Obolo women in the politics of the area and their indirect involvement in the administrative machinery of Obolo from ancient times.

Female Institutions and the Administration of Justice in Obolo

In ancient times, every society evolved its peculiar system of justice and its administration. So, to ensure a crime-free society, justice is required by all and for all in accordance with the law of the land, particularly the customary law.

In essence, justice guarantees the rights, privileges, and protection of the ordinary indigene against the more powerful in the society. Justice determines the culprits and equitable punishment to be meted out to such people. In this way, it serves as a deterrent to others in the society. It will help in crime reduction, control and promote peaceful and conducive environment. It should be pointed out that, socio-cultural and religious institutions of both male and female constituted the mechanism of administering and adjudicating justice in the society. Thus, the Obolo female institution performs traditional judicial functions to ensure that justice prevail in the area. Being a traditional religious institution, their temple of justice was the shrine of *Aman-Obolo*. This was where cases involving both men and women were adjudicated; and impartial judgment and justice were obtained.

Truth is usually revealed or established through the dreaded traditional institution of *Aman-Obolo*, especially when the crime involved abuse of women's private part and incest. Peradventure anybody or group of persons contravenes the law and the crime is reported to the priestess of the deity, who therefore consulted the deity to adjudicate on the matter. For justice and impartial judgment, she summons the parties involved for hearing at the shrine of *Aman-Obolo.*

Before the hearing of the case and subsequent judgment, traditional prayers and libations are done by the priestess or spirit medium. The priestess invoked the deity to participate in the decision and verdict to avoid partiality. This justice mechanism instill in Obolo indigenes an element of sincerity because of the fear of the attendant consequences of being found guilty by *Aman-Obolo*.

On the contrary, denial of the allegation and refusal to honour the invitation for settlement of the case; after several attempts, the priestess invoked curses on the alleged culprit(s) and if found guilty by the deity, suffers the penalty curse. In other words, in a normal circumstance, anybody found guilty is penalised within the confines of the provisions of laws of *Aman-Obolo*.

However, the consequences of contravening the laws of *Aman-Obolo* earlier mentioned were grave. Any Obolo community that engages in external war and deliberately kill the women from an enemy's community, such Obolo community would be defeated in the war, except sacrifices of appeasement were offered to *Aman-Obolo.*[20] Specifically, the crime of abuse of a woman's private part *(utin Aman-Obol*o) and incest are severely penalized and cannot be down-played by anybody or authority not even the Okan Ama (King). Defaulters including men of any status were fined and disciplined according to its stipulated sanctions. Failure to comply with the penalty and sacrifices attracted a curse invoked by the priestess on such a person irrespective of his or her position

In the case of *utin Aman-Obolo* (abuse of a woman or women's private parts), the invoked curse led to a swelling size of the culprit's stomach believed to be filled with "spiritual mud". This condition or spiritual pregnancy is regarded as "iwot *Aman-Obolo*" (*Aman-Obolo* pregnancy). Those who denied abusing the genitalia of a woman are usually victims of this kind of punishment (*Aman-Obolo* pregnancy) and they carry it all their life time, if not reversed through confession and sacrifices offered.[21] One Madam Adanma Nkpannam of Ataba provides an example of *Aman-Obolo* pregnancy when she denied the abuse of a fellow woman's private organ in a quarrel in the late 20th century.

One of the justice mechanisms adopted to bring the culprit of this crime to judgment was that the authority of the female institution sent their messengers, the equivalent of a court bailiff to summon the accused in his or her house. If the accused person refused to honour the summons, the devotees of *Aman-Obolo* would converge at the shrine and march down to the home of the accused. They would be beating their drums and other instruments of music and will be singing the traditional songs of *Aman-Obolo.* They would tarry in the accused compound until he or she accepts to appear before the deity. On refusal, they would invoke their sanctions and curse on the person. It should be noted that, if the accused honours the summons and in deciding or judging the matter, the person is found guilty of abuse of a woman's private organ, an adequate penalty would be pronounced and related sacrifices would be required. The items for sacrifice were usually provided by the offender.

In the case of incest (*nlilor*) offence, those involved in incest relationships were penalized according to the provisions of the laws of *Aman-Obolo.* In such an established case, the *Aman-Obolo* priestess performed sacrifices of appeasement and purification on both the man and woman or male and female youth. Both of them on bare body are flogged by men, women boys, and girls as they were marched to the waterfront until they dived or stepped into the river. This marked the end of incest sacrifice *(igwa nlilor).*

Comparatively, an incest offence attracted a more severe consequence on the woman than the man if the sacrifices and purification or cleansing rites are not performed on them. The girl or woman involved in an incest relationship who became pregnant would remain in prolonged or perpetual labour on the day of child delivery, as a consequence of non-confession and commensurate sacrifice offered. On the other hand, while in child labour, her confession led to intercessory sacrifices (*Itet otu uji:* a ple*a to* suspend action) offered but if she remains adamant, she continues to give birth to dead children. The male counterpart would be subjected to cleansing or purification rites *(igwa nlilor)* to avert future social negative effects on him.[22] This manifested in the case of Mrs. Elizabeth Ibifaa Ijoh who was accused of sleeping with two brothers, did not perform the sacrifice before she was impregnated by her husband. She had a still birth for refusing to confess early enough. In Ayama Ekede, through the female institution, *Aman-Obolo* women administration of traditional oath was on ascertained witches, wizards and thieves. It was intended to curtail their evil practices which hinder the progress of human capacity development and the community. This oath solely prepared and administered by the *Aman-Obolo* priestess was meant to prevent them from further witchcraft practices. After the oath, witches, wizards and thieves lived a repented life. Their repentance was premised on the belief that should they continue in their evil practices they would be killed by the deity.

Conclusion

The Obolo ethnic nationality is gender-friendly. Thus, Obolo women played complementary roles fundamental to the overall legal, social, economic and political development of the nation. From the perspective of this paper, the enacted customary laws and the system of justice initiated by the Obolo women religious institutions and other women groups are instrumental to the successful political administration of Obolo. The laws provided the basis for regulating the social behaviour of both males and females in Obolo including the highly placed and ruling class. The paper has indicated that the Obolo nation was not only ruled and judged by laws enacted by male deities and traditional rulers respectively but through the female institution *(Aman-Obolo),* women participated indirectly in the administration of justice in Obolo.

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