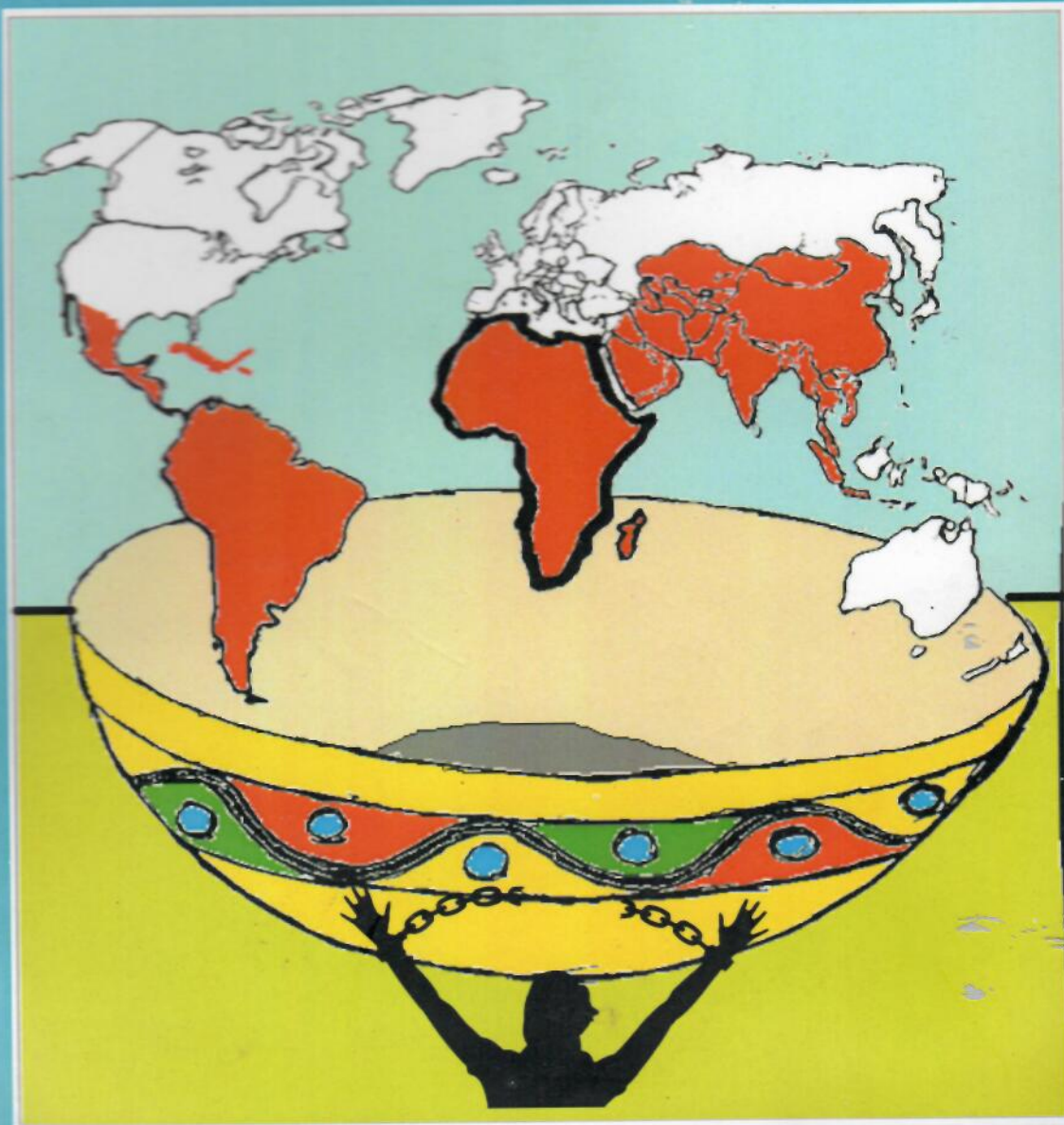


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INDIGENOUS POLITICAL AND JUDICIARY SYSTEMS AND
NATIONAL DEVELOPMENT: A CASE STUDY OF THE
YORÚBÁ OF SOUTH-WESTERN NIGERIA

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ABSTRACT

Every society in the world has its way of doing things. No nation or society is left out. For instance, before the advent of colonialism, Yorùbá societies had political, religious, cultural and even social systems which they followed. Politically, they operate the system of '*Oba ló ni'lẹ̀*' meaning "the King owns the land". Under this system, the King was the head of everything be it political, judicial, religious and the likes. They had their own constitution (though unwritten), which guided the behaviour of every individual in the society. Equally too, they had punishments attached to deviation from the rules and regulations. This implies that offenders did not go scot free but rather, they were justifiably punished. The result of course was a peaceful, harmonious and progressive co-existence. It is unfortunate however, that with the advent of colonialism, the situation changed, and things fell apart and the center could no longer hold. This paper compares the situation in pre-colonial days with what it is at present. The paper concludes that colonialism has done lots of damages on the political and the judiciary system of the Yorùbá and unless something urgent is done, the situation may grow from bad to worse.

Key words: Indigenous, Political, Judiciary, National Development.

Introduction

The Political and Judicial system of government among the Yorùbá of Southwestern Nigeria is as old as the Yorùbá race itself and was known as '*Oba ló ni'lẹ̀*', meaning "the King owns the land". This depicts how mighty the position and the power of the king were in the affairs of his people. In the past, the king was the Alfa and Omega of his domain, including political, judicial and religious affairs. The king's general name

'*Kábiyèsí*' means "*Ká bi ọ ò sí*" (who dare quarry you/your authority tells us about the greatness of the power of the king among his people. Nobody dare look down upon the king, hence the saying: "*eni bá fojá ọba, àwówó á wo*" meaning, whosoever looks down upon the king would be destroyed.

Fálolá and Genova (2006) describe the Yorùbá as one of the most advanced peoples in Africa with complex and sophisticated traditional political, economic and socio-cultural systems. Aṣiwájú (1983) also advanced the fact that: "there is perhaps no other single African people who have commanded so much attention as the Yorùbá" (Àláo 2017, 595).

It is pertinent to note that since the life of a people is summarized by their culture, it follows that every change in culture and the ideology of the people will definitely affect the way they think or act. No wonder, Milner asserts that the ideological change in Yorùbá society is linked to the cultural change brought about by colonialism. (14) 1996.

This paper compares the situation in pre-colonial days with what it is today. The paper concludes that colonialism has done lots of damages on the political and the judiciary system of the Yorùbá and unless something urgent is done, the situation may grow from bad to worse, which is the reason why we deem it necessary to discuss the Yorùbá Traditional Political system in the light of today's realities.

YORÙBÁ TRADITIONAL POLITICAL SYSTEM

Mbiti (1969) and Idowu (1962) opine that the Yorùbá operate on religious laws and taboos which, according to them, is used effectively for social cohesion among the people of the communities. The system assists people to work together to achieve an orderly society. Ejizu (1993) and Hamzat (2006) summarizes the functions of religion in traditional society thus:

The interaction of religion and politics in the pre-colonial background was predicated upon the primary goal to root a firm political order, i.e. the relationship of person to person.... Or communal....in wide concentric patterns to sustain the economic order...as well as the need to maintain the moral and religious order that was embedded in the worldview. (2).

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Under the Yorùbá political system known as '*Ọba ló ni 'lẹ'*' literally meaning "the King owns the land"; which is monarchical, the King or *Baálẹ*, as the case may be, is the head. He was the beginning and the end of everything and nobody quarries his authority. Nevertheless, he was assisted by chiefs and palace officials. In the old Ọyọ Kingdom for instance, such chiefs include: The *Ọnà Èfà*, the Chief Justice in matters decided at the King's Palace especially when the King was unavoidably absent, the *Ọtún Èfà*, who took charge of *Ẹ̀sàngó* Cult administration and the *Ọ̀sì Èfà*, the controller of the palace finance.

Àlào states that:

Divine kingship eventually became the most significant attribute of Yorùbá monarchy. He was assisted in state administration by a council of elders, *Ìwàrẹ̀fà* who constituted the cabinet. (598). 2017.

There was also the *Ọ̀yómẹ̀sì* Council which consisted of eight (8) chiefs which was later reduced to seven (7). Each ward was put under a member of the *Ọ̀yómẹ̀sì* headed by the *Baṣọrun*. As much as they served as Kingmakers, the *Ọ̀yómẹ̀sì* constituted a sort of checks and balance on the King who was liable to removal by them if he failed to work in line with the tradition or if he was despotic. The office of the *Ọ̀yómẹ̀sì* was hereditary and was occupied for life. This made them so powerful that they soldier the major part of the administration of Ọyọ. Because of the importance attached to their position, each member of the *Ọ̀yómẹ̀sì* was expected to visit the palace on a daily basis and to make it a point of duty to be present in their weekly meetings.

Next to the '*Ọ̀yómẹ̀sì*' are the *Èsọ*. These are Captains of the Ọyọ Army which consists of Seventy Soldiers and ten of them are under the tutelage of each member of the *Ọ̀yómẹ̀sì*. The *Ààrẹ̀ọ̀nà kánkánfò*, a powerful man, was the overall head of the army who reports directly to the *Aláàfin* especially on issues relating to the security of the Empire. They are in charge of combating adversaries (attacks) from neighboring towns and cities against their domain. Nevertheless, there are always political tussles among cities and villages. Yorùbá societies experienced several wars during the pre-colonial era.

The roles of the law enforcement agents are highly respected. It is their duty to ensure that citizens obey the laws of the land. In traditional Yorùbá set up, the '*Akòdà*' (Police officers) were empowered to enforce the laws and at the same time, to arrest criminals. These groups were very popular in Ìbàdàn and in the towns and villages that surrounds it. They were to maintain law and order. They detect crimes, arrest and at the same time, prosecute criminals. This is in line with what Àtandá (1973) says.

The Cults are not left out in the administration of the traditional Yorùbá society. They include *Orò*, *Egúngún*, *Ògbóni* cults with the *Ògbóni* the most related to the political organization of the Yorùbá society. The *Ògbóni*' cult is described by Morton-Williams (1960) as quoted in Abejide:

A secret and virtually united corporation of political and religious leaders and its special priests. They worship and control the sanctions of the earth as a spirit. Earth, they hold, existed before the gods and the *Ògbóni* cult before the Kingship....earth and the ancestors....are the source of the moral law (2016).

According to Abéjidé, the *Ògbóni*' cult also served as checks and balances on the powers of the *Aláàfin* and mediates between the *Aláàfin* and the *Òyómèsì*. This claim is disputed by Àtandá (1971) who asserts that *Ògbóni* cult did not exist until the foundation of a new capital in the nineteenth century.

Another important figure in the area of enforcement of the laws of the land are the '*Akòdàs*' (police officers). They were empowered to enforce the laws and to arrest criminals. They were given different names such as '*amúnimádàá*' (one who arrests and does not release on plea), '*onísòkòni pénpé tó ñ ẹ̀ ẹ̀lẹ̀wù ẹ̀tù riyẹ̀riyẹ̀*' (one who puts on short nicker but troubles one who puts on special regalia) and the likes, all indicating the level of respect accorded them. Rótímí writes about the '*akòdà*' that:

Apart from their primary duty as body guards to the king, they performed other police functions. In the Yorùbá Kingdoms, the *Ìlari* and *Emẹ̀sẹ̀* represented the eyes of the populace, their symbol of legitimate force. They apprehend and arrest criminals and execute the commands of justice. The *Ìlari* were not only messengers of the *Aláàfin*, they were also the collector of taxes at the city gate. (34-38). 1990.

This implies that before the introduction of modern police force, the Yorùbá had a standard 'police force' that played important roles in the peaceful co-existence among the citizens. It has been part of the Yorùbá from inception. Party politics is strange to them.

According to Àlào, these groups combine to form a body known as *oba*-in-council who was given different names in different societies such as: *Ọyómèsì* in Ọyó, *Ọgbóni* in Ègbá towns, *Ìwàrẹ̀fà* in Ilé-Ifẹ̀, *Ìjẹ̀sà*, Èkìtì and Òndó towns and *Ìgbimọ̀* in other towns. One of the major duties of the council was to curb the excesses of the king either publicly or secretly. This infers that as powerful and highly respected as the *Oba* was, he had his limitations. For instance, in Ifẹ̀, the *Ọ̀nì* could be dealt with at *Ilé Mọ̀lẹ̀* where he is regarded as an ordinary member. If and when a king erred, he would be called to order and if he fails to make amends, he would be punished.

THE YORÙBÁ INDIGENOUS LEGAL (JUDICIAL) SYSTEM

As earlier mentioned, the Yorùbá had their own laws (though not written) which were meant for the development of the society and the maintenance of law and order. They had laid down rules that determined what are virtuous and what are vicious. For instance, their virtues include: respect for elders and constituted authorities, truthfulness, faithfulness, while the vices include: murder, stealing, disobedience, among others.

The Yorùbá Traditional judicial system is hierarchical from the family/clan head, compound head, to the king. Cases were first settled at the lower level while serious cases were taken to the King's court. Thus, Àlàbí states that:

Justice was administered by the king, his chiefs, elders, spiritual leaders, secret societies, clan/family heads, age grades, depending on the nature of the offence. It is worthy of note that at whatever level judgment is administered, it was without prejudice. Each of the parties involved were given fair hearing. (76). 2002.

Alao gives credence to this claim when he writes:

The Yorùbá judicial process revolved round the maintenance of law and order in the society which succeeded in using the agencies of law and the courts to order the society, maintain social equilibrium, promote the moral health of the

society, and sustain a tradition of enormous respect for law. (600). 2017.

He goes further to say that:

The presence of the gods, the ancestors and other unseen members of the society, past and present provided an atmosphere that was conducive to using the law and the court as agents for conflict resolution at minimal cost to interpersonal and inter-communal relationships. (600).

Although the Yorùbá laws were flexible and stable, yet modifications were made as situation demanded. The king was the overall head of the judiciary since he was regarded as the representative of the gods and the ancestors, yet he rarely acted single-handedly or else, he faces serious consequences even as great as removal from office.

The chiefs meet at the palace daily or every eight days to discuss emanating issues. They advise the king through individual suggestions which the king reviews before he takes a stand and once a decision is made, nothing changes it.

Women also played significant roles in the administration of the Yorùbá traditional society. The *Iyálódé* represented the interest of the entire women fold in the Oba's council. In short, she represented the interest of all women. She acted as intermediary between the king and the community women. In like manner, she also conveyed the kings/council decisions to the women especially in matters that concern women in the community.

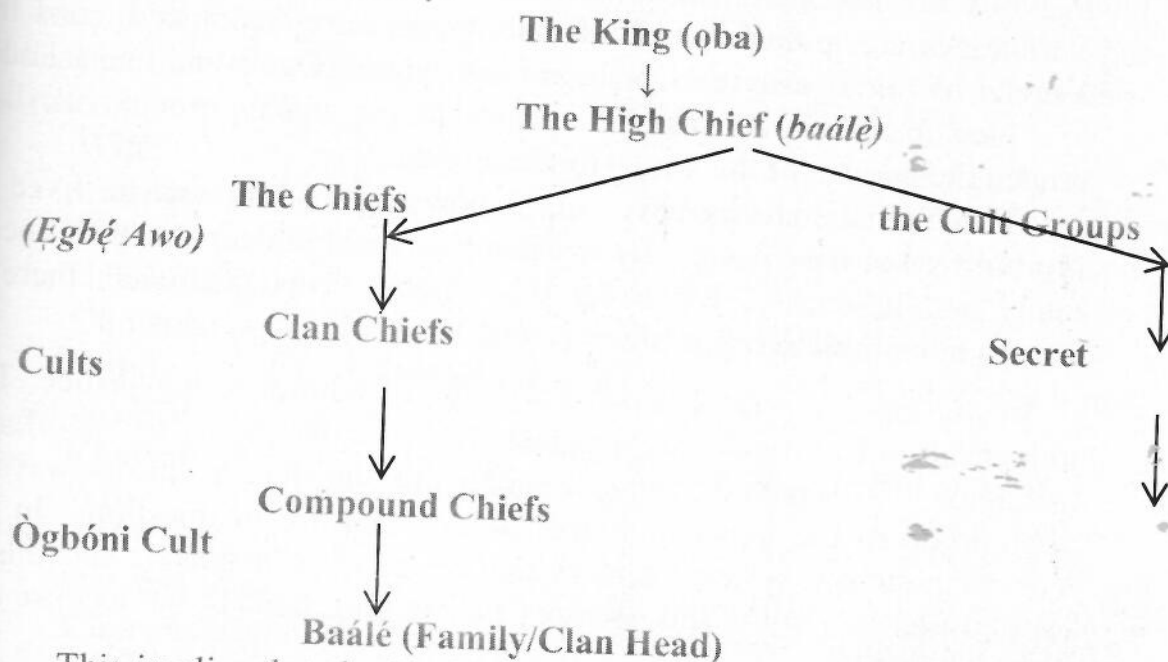
Next in the judicial administration of the Yorùbá society are the judicial courts. There were courts where the king and the chiefs handle cases like it is in contemporary judicial system. The Yorùbá prefer to settle their misunderstandings out of court because they believe in the saying that '*a kii ti kóòtù dé kí a tún maa se òrẹ*' meaning 'one does not make friends after case settlement at the court'.

Yorùbá do set up impromptu courts where case settlements are made. The head of the family may not necessarily be in attendance. Both parties involved were given fair hearing and the guilty party was made to apologize and seek for forgiveness. There was nothing like bribe or god-fatherism in the administration of justice. No fine is imposed at this point. The quarrel ends there if the two parties accept the verdict. On the

other hand, the party who was displeased made an appeal with the knowledge of the family head who will inform the family head of the other party. A court would be set up where the case would be settled again. If no success is recorded, the case can be reported to the ward or village head and from there, to the king when they were supposed to succumb to the king's verdict.

Falola and Oguntomisin (1984) assert that there were three different courts in the Yorùbá tradition namely '*ilé ejò baálé*' (court of the compound head), '*ilé ejò ijòyè*' (court of the ward chiefs) and '*ilé ejò oḡba*' (the king's court). It is important to note that the parties involved in a case and the nature of the issue at stake determines the jurisdiction of such a case. The bottom line however, is that fair hearing is assured at every court.

There was another court called the secret cults. This court handles matters considered to be very serious. The court is saddled with power to decide cases considered as very serious. The name is the '*Ògbóni court*'. They consist of elderly, highly respected, knowledgeable and influential people in the society. These qualities and many more, make them to have a say in the legislative, executive and most especially the judicial proceedings of the community.



This implies that the Yorùbá society had a well-organized and effective political and judicial system before the advent of the colonial government which culminated in the introduction of a foreign system of

government. The Yorùbá societies were well-organized in the areas of politics, economy, social life and the likes.

As earlier mentioned, the king served as the overall head of the executive, legislative and judiciary which were highly respected. People lived in harmony with one another. The Compound heads, the Baálès took proper care of their domains. They also had the compound and community chiefs who assisted the king in the administration of the town or village as the case may be.

Unfortunately, as effective as this system was, the introduction of foreign religions with their attendant civilization bastardized the whole system. Délano, (19) makes us to understand that when the White Missionaries came to Nigeria, the impression they gave was to spread the Christian Gospel/faith. Initially, they promised that they would not tamper with the king's authority and that the king would continue to be in control, but they systematically and steadily relegated the powers of the king and even the local chiefs to the background or do we say they were completely eroded. Through the 'Ajélè, (the Whiteman's representatives in government), the Yorùbá cultures were replaced with the Whiteman's cultures. Civilization was introduced and a completely new life style begun. The result, no doubt is chaotic.

The African political and judicial systems are 'colonized', and the Yorùbá of Southwestern Nigeria are not spared. Ògúnṣínà, using Ládólé's *Ìgbà ló dé*, explains how the introduction of the colonial rule had eroded the powers of the king. He writes that:

The colonial masters have seized power from him and he lived in morbid fear of the "Ajélè". He is often filled with a deep sense of uncertainty and insecurity. Whenever the "Ajélè" visits "Ògbojò", there is always one problem or the other. (299:1995).

In the past, Yorùbá had several ways of administering justice. The judgement to be pronounced depended more on the gravity of the offence as Fádipè (1970) puts it: "deviant people are punished in various ways appropriate to the items of moral code which are in question". In the Yorùbá judiciary system, sinners don't escape punishment, and this is exemplified in Yorùbá folk stories (*Àlò Onítàn*), namely the tortoise and the co-wife tales.

The traditional court among the Yorùbá known as 'àkòdì' (court yard) is the place where the elders in the compound listen to the parties in-

involved and judge them accordingly. If the case was taken to the king's palace, 'gbòngàn' or 'àgbàlá' (a very large yard) was the court, the chiefs were involved in the hearing and fair hearing was given to the parties involved. Some of the judgements usually given include: expulsion for foreigners, stoning to death for witches and/or witchcraft, open flogging or working on the farm of the woman's husband for a man who committed adultery or both if the man had earlier been warned several times. He may also be compelled to pay a ransom for the woman's husband. It was as a death penalty for anyone that killed.

Similarly, offenders or suspects were taken to the family or community shrine where they were made to swear before the gods. It believed that the god will instantly expose the culprit and inflict whatever punishment such a person deserved. This is exemplified in the co-wife tale where the husband, a diviner embarked on a journey and promised to return in three weeks but did not return until after three years. When the money he gave his wives were exhausted, the elder wife took to trading in firewood while the junior wife took to adultery, a vice in the Yorùbá philosophy.

On arrival, the husband suspected the junior wife of committing adultery but the wife vehemently denied the allegation. The two wives were given a piece of 'òdán' leaf each with the instruction that they should attempt at feeding the sheep with the leaf. Whoever the sheep took her leaf and ate was adjudged innocent and *vise vasa*. The two wives chorused in turn pleading to the sheep to take their leaf and eat thus:

Wife: *Gbewé mi, gbewé mi jẹ -* Take my leaf and eat

Chorus: *Àgbò gbewé mi jẹ -* Sheep, take my leaf and eat

Wife: *Odún méta, oko ti lo -* Three years my husband had left/travelled

Chorus: *Àgbò gbewé mi jẹ -* Sheep, take my leaf and eat

Wife: *Èmi ò téní f'ókùnrin sùn rí -* I never lay a mat for any man to sleep on

Chorus: *Àgbò gbewé mi jẹ -* Sheep, take my leaf and eat

Wife: *Èmi ò rò 'bà f'ókùnrin jẹfọ -* I never prepared *gàrí* with vegetable for

any man to eat

Chorus: *Àgbò gbewé mi jẹ -* Sheep, take my leaf and eat

Wife: *Gbewé mi, gbewé mi jẹ -* Take my leaf and eat

Chorus: *Àgbò gbewé mi jẹ -* Sheep, take my leaf and eat

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At the end of the exercise, the sheep took the elder wife's leaf and ate. The younger wife was disgraced and she was sent parking. An adage says: "judgement delayed is justice denied", there is no doubt the fact that the fear of the gods instant judgement creates fear in offenders. In the story above, we are made to understand that the junior wife was trembling as she chorused the verse.

Whenever there was a theft and the perpetrator refused to confess, either the *ifá* oracle or *Şàngó* the god of thunder is consulted. We have heard and we have witnessed situations when an unknown person stole a valuable item but refused to confess, *Şàngó*, the god of thunder was evoked and the person was smashed naked with the stolen item placed on his chest.

These various kinds of punishment did not exclude the king. This implies that judgement in the Yorùbá tradition was no respecter of anybody as everybody is equal before the law. Today however and in the words of George Orwell in the novel titled *Animal farm*, "All animals are equal but some are more equal than others". Abéjidé, quoting Ògúnḃòwálé (49:1966) has this to say:

Bí ọba bá sẹ lóri oyè àwọn èniyàn rẹ lẹ ká a mọ ilé ní òru, kí wọn sì lẹ òun tí àwọn ará ilé rẹ jade ní ààfin. Èyí ní wọn n sọ pé, wọn fi KIRÍKIRÌ gbé ọba náà. (51: 2016).

If a king erred in law, his subjects might visit his palace in the mid night and send him and his people out. This was referred to as using 'KIRÍKIRÌ' (force) to arrest such a king. (51: 2016).

Similarly, a hardened debtor could be jailed. In the alternative, his children may be made to work for the person their father was indebted to until their father was able to redeem his debts.

In the area of morality, formidable changes were noticed. Children no longer respect their parents, leaders became corrupt and so they lost their respect. In the area of religion, the gods were painted black, they became evil, and their voices are no longer respected. Cultures that promote peaceful co-existence are no more visible. Instead, what we hear is violence, kidnapping, murder, and many other vices which results in broken homes or even broken communities.

For instance, the abandonment of the Yorùbá traditional marriage system which involved thorough investigation into the two families by an intermediary (Alárinà) who ascertains whether the lady and the boy could

marry or not has been totally ignored. The system has been described as one of the major reasons for the increase in the rate of divorce known as 'dálémosú' (which refers to a situation whereby the wife leaves her matrimonial to live with her parents). 'Dálémosú' is regarded as part of the Yorùbá culture, but we want to state that no parent would want it for his or her daughter but because in the Yorùbá culture, marriage does not alienate a lady from her family, the parents accept it if and whenever it happens.

The family traditional rights performed for the newly wedded lady plays important roles in the maintenance and sustenance of the family. In the past it was ensured that all family traditional rights are bestowed on the new wife. The belief is that if this is not done, the gods may be angry and this may result in the outbreak of pestilence, death or any other dangerous afflictions.

This is just one of the examples that the negative incursion of colonialism has thrown the entire Yorùbá traditional politics into disrepute. Adéyemí (118: 2008,) also agrees that there has been a conspicuous drift from moral accountability to moral degeneration in the Yorùbá society traceable to colonialism, modernization, western philosophy and life style.

As earlier mentioned, in the contemporary Yorùbá societies, things have fallen apart, it is doubtful if the center can hold any longer. These aspects of the Yorùbá philosophy have been eroded. The morality level has been reduced to the maximum. Committing crimes has been the order of the day. This situation makes us to ask some pertinent questions. For instance, one may ask what kind of 'God' has Christianity and Islam brought to us? This is because fanatical Christians and Muslims alike are likely to see the kinds of judgements highlighted above as crude, uncivilized and devilish.

Today, it is devilish to procure a charm (medicine) that forces an armed rubber to engage in domestic work or to start beating themselves as soon as the visit your house. One then begins to wonder if God (the Almighty) is against preventive or precautionary medicine which they see as having the hand of Satan.

Today, justice is perverted. A thief who is caught red-handed will engage the service of a lawyer who will charge him and they go to court to turn a clear situation into a confused situation. This was not the case in the past. Yorùbá say: "*Ìka tó bá sẹ loba ń gé*" literally meaning that an

innocence person is never punished, but the offender is. Today, our contemporary society does not believe that. This is what Sàngótóyè explained in his play text titled *Adákédájò* where Àrẹ̀mú, a murderer was fined only one thousand naira because he belonged to a powerful cult group which has police officer, court judge and other influential people of the society as members. The cult group sends an emissary to the Police Officer and the judge saying:

Olúwo ilèdì ló ràn wa wá. Wón ní lóri ejò ọ́daràn tí ó wà lódò yín tí ẹ̀ fẹ́ gbé lọ sí kóòtù láipẹ́; wón ní ọmọ awo ni, awo kò sì gbòdò tojú ọ́gbẹ̀rì da ifá nù, kí ẹ̀ bá ní sùjú àánú wò ó. (81 : 2007).

Olúwo ilèdì sends us here. He says concerning the criminal case before you which you intend to refer to court soon. That he is a member of the cult member should not fall before a novies. That you should temper justice with mercy. (81: 2007).

In reaction to this request, the Police Officer responds:

Ẹ̀ ẹ̀seun. Lára isòro tí àwa agbófinró máa ń ní niyẹn. Áwon èniyàn máa fa okùn gbòpòlògbòpòlò wón kò sì ní fẹ́ iyà idí rẹ́. Ẹ́ ẹ̀ni bá fa nìkan tó nípá, ó yẹ kí ojú rẹ́ rí nìkan tó tóbi. Sùgbón ohun tí ẹ̀ wá sí yìi, kín ní kí a ẹ̀se? (82: 2007).

(Thank you. This is part of the problems facing the Law enforcement agents. People will pull long ropes but they are not prepared to face the consequences associated with it. He who does what nobody had done should see big trouble. But for the issue at hand, what do we do?) (82: 2007).

In like manner, after taking bribe and also because they belong to the same cult group, the judge in the case perverted justice saying:

Ọ́gbẹ̀ni Àrẹ̀mú, mo gbọ́ gbogbo àwíjàrẹ̀ rẹ̀ àti ẹ̀bẹ́ tí ó bẹ́, bí ó bá jẹ́ pé bí ó ẹ̀se yẹ̀ ni, ẹ̀sùn ipàniyàn ló yẹ́ kí wón fí kàn ọ́, sùgbón nítorí pé kò sí ẹ̀rí níwájú mí pé o mò nípá ikú Kànmí àti pé àánú tí o fẹ́ ẹ̀se ló di ibi mò n lówó, màá wò ó ẹ̀se. (84: 2007).

Mr. Àrẹ̀mú, I have heard all your statements and your pleas, if I want to apply the law, you should have been arraigned for murder charge, but because there is no evidence before me to proof that you know anything

the Yorùbá had the idea of God before the coming of the Whiteman to the shores of Africa. This is evident in the several names they give God which indicate their belief about the nature and form of the Almighty. Such names include the following among others: *Olódùmarè* (the mighty one who goes nowhere), *Atérerè kárí ayé* (the one who spread/is found all over the world), *Ọba àìkú* (the king who dies not), *Elétí gbàròyè* (the one who have hears to listen to complaints), *Adákédájó* (the silent judge), *Ègbè lẹyìn ọmọ ọrukàn* (the solicitor for the orphan) and the likes. In the Yorùbá believe, the gods are not ends in themselves, rather, they are means to an end. This implies that Yorùbá only speak to God through the divinities. This infers that they don't worship the divinities (gods), they only appropriate them.

CONCLUSION

In this paper, we have succeeded in establishing the fact that Africa in general and the Yorùbá in particular have their political and judiciary system before the coming of the Whiteman. The systems were very effective in maintaining the high moral standard of its people.

We have also succeeded in identifying colonization and adoption of foreign religions and ideas as the major causes for a change in the people's attitude towards their judiciary and political systems. This culminated in the increase in societal vices such as perversion of justice, failure to listen to the voice of the gods who give instant and appropriate judgement.

It also culminated in relegation of the position of the rulers (*Ọbas*) to the background. Today the governor of a state appoints and disposes a king at will. The *Ọbas* now serve as instruments used for the perpetration of crime especially in matters relating to politics.

It is also necessary to mention the influx of fake pastors into our communities. Most devotees to the African Traditional Religions have converted to either Christianity or Islam; hence, the practice of traditional political and judicial systems known to the people is fast going into oblivion. This is bringing more failure to the society than success.

As Akínwùmí Ìṣòlá would ask, in this kind of situation, what can we do? He opines that:

The long neglect of culture by the elites who are always ready to tolerate cultural bastardisation has taken its toll. The disillusioned masses have started imitating the alienated elite. (98: 2009).

about Kànmí's death but that the assistance you wanted to render turned
soar against you, I will consider you. (84: 2007).

The underlined statements say it all. Despite the confession by Chief Lisà that it is obvious that Àrè mú is guilty and his agreement that it is wrong for anybody to behave contrary to what the law says simply because he or she belongs to a powerful group like theirs, the judge imposes a fine of one thousand naira only on Àrè mú.

In the above excerpt, the author makes us to know that members of such cult groups are selfish. They have the ego personality controlling them. To them, no matter how grievous an offence could be, members of the group should be exonerated. Their demand further confirms that people intentionally commit crime because they belong to one powerful group or the other. The pre-colonial Yorùbá society would not allow such to happen.

The author however makes us to believe that the Yorùbá saying that; *Elẹ̀şẹ̀ kan kò níí lo láìjìyà* meaning "no sinner would escape punishment" is still relevant in the contemporary society. Although, the judgement is perverted, all those who have hands in the case are rewarded. They all pay the price. Gbenga vows to avenge the death of his brother on his killers and he does.

Apart from this, Şàngótóyè also gives the impression that in the contemporary society, family members also encourage their siblings to commit crime. In a meeting held to discuss Àrè mú's issue, the *baálé* (family head) supports contributing money to prosecute the case saying: "*a kii lé omọ burúku fún ẹ̀kùn pa jẹ*" meaning "you don't give a stubborn child to the lion to devour". According to the *baálé*, the name of the family is precious and should not be allowed to be spoilt by anybody. This is the situation in contemporary Yorùbá society. Lákúnlé, a member of the family donates the sum of twelve thousand naira and in addition he sells out two of his buildings, all in an effort to ensure that the name of the family is not dragged into the mud.

Today, innocent people are illegally arrested by the police and other law-enforcement agencies who expect their relations to bail them with huge amount of money. Whenever the arrested innocent person insists that his case is taken to the court of law, he gets released instantly.

Today, the gods are no more respected. The alien religions describe them as idols. This is contestable because evidences abound that

BIBLIOGRAPHY

Abimbola, Wande. "Introduction" *Yorùbá oral tradition: Poetry in Music, Dance and*

Drama. Ed. Wande Abimbola. Nigeria: Department of African Languages and Literatures. University of Ife. 1975. 1-48. Print

Agiri, B.A. "Yorùbá oral tradition with special reference to the early history of Òyó

Kingdom". *Yorùbá oral tradition: Poetry in Music, dance and drama*. Ed. Wande Abimbola. Nigeria: Department of African Languages and Literatures. University of Ife. 1975. 157-75. Print

Abéjide, M. "Crime in Yorùbá society: A Marxist study of selected Novels of Kòla

Akínládé", Unpublished Ph.D Thesis, Department of Linguistics and Nigerian

Languages, University of Ilorin. 2016.

Alao, A. "Politics and Government". *Culture and Customs of the Yorùbá*. Ed. Toyin

Falola and Akintunde Akinyemi. Texas: Pan African University press. 2017. 595-606. Print.

Atanda, J. A. *The New Òyó Empire, Indirect rule and Change in Western Nigeria*:

London: Longman, 1973. Print.

Awolalu, J.O. *Yorùbá beliefs and sacrificial rites*. London: Longman. 1979. Print.

Awolalu, J.O. and Dọpamu, P. A. *West African Traditional Religion*. Ibadan:

Onibonoje, 1979. Print.

Durkheim, E. "Crime and Deviance" *Sociology: Themes and perspectives*. Ed. M.

Haralambos & M. Horlborn. Great Britain: Richard Clay Ltd. 1967. Print.

Fadipe, N.A. *The sociology of the Yorùbá*. Ibadan: University Press. 1970. Print.

Ìdowu, E.B. *Olódùmarè: God in Yorùbá belief*. London: London University Press, 1995. Print.

Ìşòlá, A. "Yorùbá culture in education". *Omólúàbí: Its concept and education In*

Yorùbá land. Ed. Adedotun Ogundeji and Adeniyi Akangbe, Ibadan: Ibadan Cultural studies group. 2009. 129-142. Print.

Ladele, T. A. A. *Ìgbà ló dé. Ìbàdàn: Oníḃonòjé*. 1968. Print.

Ọḃẹkúnle, F. "Crime and crime control: Sociology perspective", *Dimensions of social problems in Nigeria*. Ed. I. Ukwu. Kuri: NIPSS. 1986. Print

Ogunşina, B. *Colonization and the writer: A study of Ladele's Ìgbà Ló Dé*. 1995. NP. Print

Şangotoye, O. *Adákẹ́dájọ́. Àkúrẹ́: Lifesteps*. 1997. Print.