

Law and Lawlessness in Yorubá Society: A Critical Analysis of *Ààrẹ̀ Àgò Aríkúyerí* and *Adákédájó*

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Abstract

This essay is centered on the comparative analysis of the justice system in traditional and modern Yorùbá society vis-à-vis equality of rule of law to all and sundry. This paper aims to analyze the effects of an upright as well as a corrupt judicial system on society. The theory adopted for this work is the sociological theory of literature. The model adopted under this theory is the mirror image approach. Proponents of this model believe there is a cordial relationship between literature and society because literature mirrors society. We employ an auto-telic textual analysis approach in our analysis of the two play texts, which are *Ààrẹ̀ Àgò Aríkúyerí* and *Adákédájó*. Our findings in this work show that equality of all and sundry in justice dispensation will bring about peace, tranquility, and development in society why inequality as well as lack of equity, justice, and fairness as seen in the two texts breed lawlessness, anarchy and resort to self-help by those deprived of justice which will, in turn, brings about loss of life and properties as we are witnessing in Nigeria today. Based on our findings in this work, we believe that the solution to this problem is to follow the rule of law which should be above everybody, and to inculcate moral discipline (*iwà omólúàbí*) which is the watchword of the traditional Yoruba society in children through both formal and informal education by teachers, parents, and guardians.

Keywords: Literature, Society, Equality, Justice, and Crime.

Introduction

A variety of scholarly works have been carried out on the authors whose work we are analyzing in this research work. The two literary texts we adopted for this research work are *Ààrẹ̀ Àgò Aríkúyẹ̀rì* by (¹Ogunniran 2007) and *Adákédájó*² by Sangotoye (2007). Few among the scholarly works that has been carried out on the works of these two authors are Adesola 1998³ who did a phonological, morphological as well as the syntactic analysis of Ogunniran's *Ààrẹ̀ Àgò Aríkúyẹ̀rì* in his work titled "The Linguistic Forms of *Ààrẹ̀ Àgò Aríkúyẹ̀rì*", Adeyemi (2006) who adopted the formalist theory in analyzing Ogunniran's poem titled "Má rò mí pin". Also, Ògúnlọ́lá⁴ (2014) used the archetypal theory to analyze "*Adákédájó* by Sàngótóyẹ̀, *Wón Rò Pé Wèrè Nì* by Fálẹ̀tì and *Ayẹ̀ Yẹ̀ wón Tán* by Ìṣòlá". Also, Fákéyẹ̀⁵ (2015) in her work examined *Ààrẹ̀ Àgò Aríkúyẹ̀rì* by Ògúnńíran and three other texts for analysis. On the aspect of justice and its relation to Yoruba literature, Mobólájí⁶ (2016) examined Fágúnwà's concept of justice in Yoruba society using his five literary texts. But little or no research work that we know of has been carried out on these two literary texts i.e. *Adákédájó* and *Ààrẹ̀ Àgò Aríkúyẹ̀rì* for analysis, most especially with the concept of justice as the focal point of their analysis. The aim of this research work is to use this work to fill this void. This essay will concern itself with analysis of notable differences in the traditional and modern judicial system using these two literary texts as our primary source of data. This paper will examine factors that are responsible for partial or mal-judgment and how judicial umpire both in traditional and modern Yoruba society respond to these overwhelming factors of financial inducement by suspects charged to their court for one crime or the other, especially the effects of their actions or in-actions on the less privileged in particular and the society at large in general. We believe this work will improve findings in Yorubá studies, especially on the impact that western and modern civilization has on our current judicial system. This work will be divided into six sections, which

1 Ògúnńíran, L. *Ààrẹ̀ Àgò Aríkúyẹ̀rì*. Lagos: Macmillan Nigeria Publishers, 2007.
 2 Sàngótóyẹ̀, O. *Adákédájó*. Àkúrẹ̀: Life-Steps Publishers, 2007.
 3 Adésọ́lẹ̀, P.O. "The Linguistic Forms of *Ààrẹ̀ Àgò Aríkúyẹ̀rì*". *ALORE: Ilorin Journal of the Humanities* 9.1 (1998)

4 Ògúnlọ́lá, L. "Yorùbá Proverbs and Morality (iwà omolúàbí): The Past, Present and the Future" In *Bringing Our Cultures Home: Festschrift for Bade Ajayi at 70*, ed. A.S. Abdussalam, et. al. Ilorin: Chrimadel Publisher, 2014.

5 Fákéyẹ̀, F. "Yorùbá Worldview and the Context of Irony of Fate in Selected Tragic Plays" *YORÙBÁ: Journal of Yorùbá Studies Association of Nigeria*. 8 (2015):

6 Mobólájí, W.A. 2016. "Ìhà Tí Fágúnwà Kọ Sí Ètò Ìdájó Ní Àwùjọ Yorùbá" In *Òtun Ìmọ̀ Nínú Ìtàn Àròṣọ̀ D.O Fágúnwà*, edited by Olúyémisí Adébòwálé, Dúró Adélékè and Àrínpé Adéjùmọ̀. Lagos: Capstone Publications.

are Introduction, Concept of justice, Theoretical Framework, Synopsis of the two texts, Analysis of the two texts and Conclusion.

The Concept of Justice

Ever since the first man was created, God gave him list of rules and regulations and was told that failure to follow these laid down rules will lead to punishment as was the case with the first man on earth, Adam. The people that determine the fate of offenders are called judges who are known as “*adájó*” in Yorubá. The Yorubá state is a rule govern state which is why they always say “*ílú tí kò sòfin; èṣẹ̀ ò sí nìbẹ̀*” that is where there is no rule; there will not be room for punishment. Olájubù⁷ (1997: 1) explains that, “The Yorubá is guided by an unwritten constitution cutting across all spheres of the individual’s life.” What this means is that there are rules and laws that guide the action of a Yorubá man or woman though not written.

What he implies is that indigenous judicial systems dispense justice without fear or favor. The Yoruba people believe that a judge must be above board and must dispense justice without fear or favor. This is why they always say, “*tíkà bá rojọ́, ikà kọ ni yóó da*” that is if the suspect is bias in his or her presentation, the judge will never be bias in his or her judgment, since the court is the last hope of the common man. The international bar association (2009) explains the cardinal points of rule of law which is the basic tenet of justice as:

- (i). Rule of law must entail an independent, impartial Judiciary
- (ii). the presumption of innocence
- (iii). the right to fair and public trial without undue delay
- (iv). a rational and proportionate approach to punishment
- (v). a strong and independent legal profession
- (vi). equality of all before the law.

7 Olájubù, O. (1997). The Effects of Taboo on the Health of African Women: The Yorubá Experience. In Women in the Commonwealth of God: Circle of African Women Theologians. Accra (Ghana) pg 124-135.

These afore-mentioned features show that law must be above any form of partiality and camaraderie. Omípidán⁸ (2012: 199) explains what the symbol of justice in Nigeria entails when he says:

The symbol of justice is a practical demonstration of what justice means. Thus, it is a blindfolded woman robed in white and wearing a crown, she supports the same with a pair of scales with one hand and an upright sword on the other.

This symbol shows that a judge must not be partial and must dish out punishment when the need arises no matter whose horse is gored. Fálólá and Ò-guńtómísiń (1984) explains that there are three types of courts in Yorubaland. These are “*ilé ejó baálê*” ‘a court of the compound or family head, (ii) *ilé ejó ti ijòyè* ‘a court of the ward or village chief’, (iii) *ilé ejó ti oba* ‘royal court of the king, which is the highest in hierarchy’. These three local courts can be compared to the high court, Appeal court and Supreme courts in the modern judicial system. This paper will examine two literary texts, that is, *Àrẹ̀ Àgò Aríkúyeri* and *Adàkédájó* to examine how judges in the two texts fare in their duty of dispensing judgment that is based on equity and equality and the implication of their actions and in-actions on the society as portrayed by the two writers.

Theoretical Framework

Literary theories are instruments that are used to dissect a literary text. Ori-moogunje⁹ (2015: 76) explains that “a literary theory can be viewed as a set of logically related statements that seek to explain an entire class of events of a given text.” Theories are analytic instruments which literary critics use in the analysis of a given text. The theory adopted for this work is the sociological theory of literature. According to (Adéyemí 2006), it is a combination of two distinct disciplines that is sociology and literature. While sociology entails what concerns man and his environment, literature on the other hand is used to educate and entertain man about his society. The aspect of this theory that we are adopting for our analysis is the mirror image approach. This model sees the work of literature as the imitation of occurrences in society. Proponents of this theory opine that literature mirrors what is happening in society. One of the proponents of this theory is (Lous de Bonald: 1754-1840). According to

8 Omípidán, B.A. 2012 “The Concept of Justice and the Rule of Law” In *General Studies in the Art*, edited by Adélékè, B.L and Abíójè, P.O. Ilorin: Rajah Dynamic Printers.

9 Orímóògúnjẹ, O.C. “Socio-Mythical Approach to Yoruba Indigenous Health Related Verbal Art”. *Ilorin Journal of Linguistics, Literature and Culture*. 5 (2015):

(Adéyemí 2006) Bonald is the first person to explain that we can know about the thought, philosophy, ideology, beliefs, and culture of a particular group of people or tribe if we carefully read their literatures.

Ògúnsínà¹⁰ (2006: 112) explains the connection between literature and society when he asserts that:

Literature is part and product of society; its nature is essentially social. It has no independence from man. For it is produced by people living together, it is a structure of words and ideas which are shared and understood by members of a community.

What this means is that literature in its entirety is about man in relation to his society. (Adélékè 1999) in (Zaccheaus 2022: 149) explains that the focus of literature is beyond aesthetics. He opined that:

The purpose of art, apart from these two overriding goals, is to inform, organize, influence, instigate, incite and stir the member of the audience (that is, a representation of the whole community) into action.

Proponents of this theory are of the opinion that literature can be used to shape society. For this reason, what is paramount for critics using this theory for analysis is to successfully link what transpires in the selected texts to what is happening in society.

Ògúnlólá¹¹ (2014) buttressed this point when he opines that:

The theory (sociology of literature) postulates that there is a very close link between literature and society. It is therefore essential to have a deep knowledge of the social life, economy, history and the entire lifestyle of a society in order to fully understand the society.

Since our work is primarily based on two Yorubá literary texts. We are of the opinion that the theory that fits our analysis is the theory of sociology of literature, and the approach suitable for our analysis under this theory is the mirror image approach. This is the main reason we adopted this model for our analysis.

10 Ogunsina, J.A. *The Sociology of Yorubá Novel. 1930-1975*. Ibadan: Integrity Publication, 2006.

11 Ògúnlólá, L. 2014. "Yorùba Proverbs and Morality (iwà omólúàbí): The Past, Present and the Future" In *Bringing Our Cultures Home: Festschrift for Bade Ajayi at 70*, edited by A.S. Abdussalam, et. al. Ilorin: Chrimadel Publisher.

Synopsis of *Ààrẹ̀ Àgò Aríkúyẹ̀rì*

The drama text *Ààrẹ̀ Àgò Aríkúyẹ̀rì* was written by Láwuyì Ògúnníran in the year (1977)¹². This book is centered on an Ibadan warlord who goes by the name Ògúnrindé Ajé and holds the title of Ààrẹ̀ Àgò to Basorun Ogunmola. On the day he scheduled to celebrate his creator (Orí) mishap befell his household as three of his children died on that same day and Ajé's favorite wife Fátólá was named as the culprit based on the scheme of his first wife Asiyanbí. Without thorough investigation, Ààrẹ̀ Àgò believes the findings of Asiyanbí the first wife, which was based on jealousy that Fátólá is the culprit and killed his wife. After the murder of Fátólá by Ògúnrindé Ajé, hell was let loose between Ògúnrindé Ajé and Başorun Ògúnmólá. As the Ìbàdàn chief, Ògúnmólá believes Ògúnrindé Ajé must pay for his crime with his life as the town constitution state but Ògúnrindé Ajé and the privileged in the town believe that Ajé should be pardon or his punishment be reduced based on his position in the town. Did Ògúnmólá bow down to pressure and subvert justice in favour of his war chief or did he punish Ààrẹ̀ Àgò Ògúnrindé Ajé for his crime? And how is this related to what is happening in our society today?

Synopsis of *Adákédájò*

The drama text *Adákédájò* was written by Sàngótóyè in the year (2000).¹³ This book is centered on Àrẹ̀mú, who was given money to be changed from the old currency to the new currency by Kànmí and his brother Tólání because of the announcement made by the federal government on the cancellation of the old currency notes. But instead of him to help them change the money to the new currency, Àrẹ̀mú squandered their hard-earned money at beer parlors, religious gatherings and at ówàmbè parties. When the time federal government allowed for the change of old currency to new ones expired, Kànmí asked for their money but Àrẹ̀mú was giving flimsy excuses for his failure to return the money given to him. When Kànmí threatened him because of the money, Àrẹ̀mú waylaid him and murdered him in cold blood on his way home. Investigation was carried out and the police report reveals Àrẹ̀mú as the culprit. But because Àrẹ̀mú belongs to a secret cult that has the presiding judge, the prosecution lawyer and the chief police officer of the state as members of a secret cult the case was turned upside down. What later happened to Àrẹ̀mú? Was he punished according to the constitution of the land or was justice subverted and undermined because Àrẹ̀mú belongs to a powerful cult group in the society? And how is what transpired in the book related to what is happening in our society today?

12 Ògúnníran, L. *Ààrẹ̀ Àgò Aríkúyẹ̀rì*. Lagos: Macmillan Nigeria Publishers, 2007.

13 Sàngótóyè, O. *Adákédájò*. Àkúrẹ̀: Life-Steps Publishers. 2007

Analysis of *Ààrẹ̀ Àgò Aríkúyẹ̀rì* and *Adákédájó*

In the two selected plays, a crime of murder was committed by the main actors of the drama, which are Àrẹ̀mú and Ògúnrindé Ajé. This was shown on page (30) in *Ààrẹ̀ Àgò Aríkúyẹ̀rì*, the writer says:

Ààrẹ̀ Àgò padà jáde pẹ̀lú ibínú, ó dojú ọ̀fà kọ́ fátólá, ọ̀fà jáde: Fátólá subú lulẹ̀, ó sì kú. Àwọn èniyàn tóká pẹ̀ẹ̀. Ààrẹ̀ àgò m'òrilé ọ̀nà ìgbéjọ̀ rẹ̀, ó n sọ̀rọ̀ lọ.

(Ààrẹ̀ àgò came out again, with anger he pointed the arrow to Fatọ̀la, he shot Fatọ̀la with the arrow: Fatọ̀la fell down and died, people fled the scene. Ààrẹ̀ àgò walks to his chamber talking.)

From the excerpt above we can see that a clear case of murder has been established against Ogunrinde Aje. We also have a case of murder in the second play which is *Adákédájó*. This was shown on page (72) of the text:

Kíá ni ọ̀dẹ̀ dé, ó yọ̀ àdà nínú ọ̀kọ̀ rẹ̀, ó sì bèrẹ̀ sí í sá ẹ̀ni tí ibọn bá ní orùn, bí onítòhún ẹ̀ ń kígbẹ̀ oró, ọ̀dẹ̀ fọ̀hùn Àtòrun dọ̀run rẹ̀.

(Immediately the hunter emerges, he removed the cutlass from its scabbard, and he started macheting the victim who he has shot in the neck, as the victim was shouting in agony, the hunter said, may you die a thousand times.)

Excerpts from the two texts show that a crime of murder has been committed, which according to the Yoruba traditional judicial system and the (Nigeria 1999) constitution section (33) as amended should result in the killing of the culprit if found guilty after proper investigation. In *Adákédájó*, a proper investigation was carried out by police officers in charge of the case and their investigation showed clearly that Àrẹ̀mú was the perpetrator of the evil act; we have evidence of this on page (73) of the text:

Àwọn ọ̀lọ́pàá mú filà àtí ajá lọ́ sí ibi tí iṣẹ̀lẹ̀ tí ẹ̀. Bí wọn tí débè, wọn fí filà bọ́ imú ajá, aja sì ń sáájú. Lójìjì ní ajá yà sí ọ̀nà oko kan, ọ̀nà oko yìí ní wọn tò débi tí Àrẹ̀mú tí ń sísẹ̀, tí ajá fò fẹ̀rẹ̀ mọ́. Wọn mún un, nígbà tí ọ̀wọ̀ yà tẹ̀, ó jẹ́wọ̀ pé ọ̀un ló se ọ̀sẹ̀ nàà.

(The policemen took the cap and their sniffer dog to the scene of the crime. They put the cap into the dog nose and the dog started moving. Suddenly the dog change direction to a farm path, they were following this farm path

until they saw Àrẹ̀mú where he was working. The dog jumped on him, and when he was arrested and tortured, he confessed that he was the one that killed the victim.

Also, in *Ààrẹ̀ Àgò Aríkúyẹ̀rí*, Ògúnrindé Ajé confirmed that he was the one that killed Fátólá when the Akòdà (King's messenger) read his offense to him thrice on page (56) of the book:

Ìwọ̀ Ògúnrindé Ajé tí ó jẹ̀ Ààrẹ̀ Àgò Balógun Ìbàdàn, o pa iyàwó rẹ̀ Fátólá ní ipa taa-ni-ó-mú-mi nnínú ilé rẹ̀ láì bikítà fún olá Başòrun Ògúnmólá...3x

(You Ògúnrindé Ajé, the Ààrẹ̀ Àgò to the Balógun of Ìbàdànland killed your wife Fátólá in a manner of impunity without thinking about the authority of Başòrun Ògúnmólá...3x)

As it is known that the Yoruba traditional constitution and the Nigeria criminal act of (1999) as amended stated that whoever killed intentionally must be killed, but because of the position of the accused in the two plays, money, power and position was used as a means of pervading justice. In *Adákédájó*, the policeman in charge of Àrẹ̀mú case was bribed with money, evidence of this is on page (81) of the text:

Rítà sí páálí nàà wò, kò sí ọ̀tí kankan nìbẹ̀, bíkò se owó tuntun tuntun, kíkì egbèrún náìrà tí a dì ní itì itì.

(Rita opened the package but it was not drinks that were inside. It was filled with new naira notes in thousand denominations that were packed in bundles).

The writer of *Adákédájó* shows the corrupt practices of security operatives, who should be the protector of law and order in the society who has now turn themselves to destroyer of law and order. The policeman that collects bribe in the play text stands for corrupt police officers in our society. Example of such corrupt corps is a celebrated officer of the Nigeria police force that was caught in a drug scandal by the Nigeria Drug Law Enforcement Agency recently. Also, in *Ààrẹ̀ Àgò*, Ògúnrindé Ajé attempts to use money and his position of power to change the course of justice; we have evidence of this on page (89) when Ògúnmólá said:

Èyin jànmàà, ẹ ráwọ̀n èyàn wọ̀nyí à bẹ̀ẹ̀ rí wọ̀n? Ẹ wo ọwọ wọ̀n wò. Ọkẹ owó kòòkan ni wọ̀n gbé lówó, tí wọ̀n wá gbé fún mí, orúkọ Ajé ni wọ̀n sì fí jé.

(My people, do you see these people or not? Look at their hand. They are holding twenty thousand each, which they brought to me, and they said it is from Ajé.)

This clearly shows that the issue of bribery giving and taking is not absent in Yorubá traditional settings, but it is not as pronounced as what we have today. The dialogue that later ensue between Baṣọrun Ogúnmólá and his chiefs on the issue of bribery also gives credence to our assertion that the traditional settings was not devoid of judicial corruption, though it was not as pronounced as what we have in our society today. Ogúnmólá says to his chiefs:

Ọjú tiyín, yègèdè wò ọ, ẹ n pa ràdàràdà bí aláílèrò. Ẹ n sọrọ bákabàka bí ẹyẹ ibàkà. Balógun, Ọtún, Ọsì, Aṣipa, Ìyálóde... A lẹẹ gbowó, ẹ lẹẹ gbowó. A lẹẹ gbobì, ẹ lẹẹ gbobì. A biyín lórò, ẹ ò mo ohun tí ẹ lè sọ.

(You have been shamed and disgrace, you are acting like a thoughtless fellow. You are acting like a moron. Balógun, Ọtún, Ọsì, Aṣipa, Ìyálóde... We said you collect bribe, you said you did not collect bribe. We said you collect kolanut, you said you did not collect kolanut. Yet we ask you questions, you do not know what to say.)

This monologue by Baṣọrun Ogúnmólá shows that the high chiefs of Ibadan, who should be upholder of equity and justice are themselves corrupt and are bribe giver and takers. In Adákédájó, since both the police and the judge has collected bribe from the suspect (Àrẹ̀mú), he Àrẹ̀mú (the alleged murderer) was discharged and acquitted with the payment of one thousand naira as fine, this shows that a case of murder was dubiously changed to a case of unlawful trespassing. The presiding judge judgment in Adákédájó is as follow:

Ọgbéni Àrẹ̀mú, mo gbọ gbogbo àwíjàre rẹ àti èbẹ̀ tí o bẹ̀, bí ó bá jẹ pé bí ó se ye ni, èsùn ipànyàn ló ye kí n fi kàn ọ, sùgbọ̀n nítòrí pé kò sí ẹ̀rì níwájú mí pé o mò nípa ikú Kànmí àti pé àànú tí o fẹ́ẹ̀ se ló di ibi mó ọ lówó, màà wò ọ se. ọfin kò fi àyè sílẹ̀ fún àimọ̀kan, nítòrí idí èyí, idájọ̀ mí ni pé kí o lo ẹwọ̀n ọdún méjì tàbí kí ó san owó itanràn egbẹ̀rún kan náíra fún ijọba.

(Mr Arẹ̀mu, I have listened to all your arguments and plead, if I wants to act right on this case, I am supposed to charge you with murder, but

because there is no tangible evidence that suggest that you know anything about Kanmi's death. And that it was your act of doing good that wants to put you in trouble. I will tender justice with mercy, but the law does not give room for ignorance, for this reason, my judgment is that you should go to jail for two years or pay a fine of a thousand naira to the government).

The judge himself said it in the above quotation that if he wants to act right, Àrèṃú is supposed to be charged with murder, but because of financial gain, and also because Àrèṃú belongs to the upper caste in the society, he did not act right. This same scenario is what is playing out in our court of law today where the wealthy buy and sell justice and the poor only window shop. For instance, the case of a former governor always comes to mind when we talk of judicial corruption and mal administration in Nigeria. In a tragic-comedy scenario, he was discharge and acquitted on a no case submission rule on a whole 170-count charges bordering on corruption and money laundering brought against him in (2009) by the EFCC by a judge of a federal high court in Nigeria, but was later sentenced to thirteen years imprisonment by a United kingdom judge on a charge of \$250m he confessed to have stolen. Recently, similar to what transpired in *Adákédájó*, a former presidential spokesperson in Nigeria was convicted for laundering 240 million naira but was sentenced to two years of imprisonment with an option of 13 million naira fine which the convict gladly paid before five hours.

Unlike *Adákédájó*, all efforts to turn the case in favor of the suspect (alleged murderer) were thwarted by Başõrun Ògúnṃólá in *Ààrẹ̀ Àgò Arikúyẹ̀rì*. He did not only dispense justice according to the law and tradition of the land, but also punished all the bribe givers and takers including his high chiefs and family members. There is evidence of this on page (98) of the text:

Èyin ni wón rán nísẹ̀ àlùsì t'ẹ̀ ẹ̀ le kò... Mo pàşẹ̀ kí wón ta iwọ̀ àbúrò obìnrin mi fún àwọn Fúlàní; kí wón ta ọmọ ogun mi fún àwọn Ìdòòmì; kí wón sì ta àwọn méjì tó kù fún àwọn ará Kútúwenji.

(You are the ones they send on a stupid mission and cannot refuse... I order that they should sell my wife younger sibling to the Fúlàní; they should sell my soldier to the Ìdòòmì; and they should sell the other two to the Kútúwenji. p. 98)

Başõrun Ògúnṃólá also punished his high chiefs for collecting bribe from the suspect. We have evidence of his pronouncement on this on page (97). When he says:

Mo pàṣẹ kí ẹ gbé òkẹ márùn-ún tí ẹ gbà lówọ Ògúnndé Ajé fún igbimò ilú. Léyìn nàà mo ta ẹnì kòòkan yín lójì òkẹ owó márùn-ún márùn-ún, igò ọtí èèbó kòòkan, ibon sakabùlà mewaá mewaá, agbá ẹtù kòòkan àti ogoogún erú... Léyìn nàà mo pàṣẹ pé kí a gba gbogbo ilú àmòná tí ó n sìn yín fún igbimò ilú tí tí di igbà kan ná. (o.i. 97)

(I order that you return the one hundred thousand you collected from Ogunndé Ajé to the community account. After that, I fined each of you a hundred thousand, one bottle of foreign gin, ten locally made gun each, one drum of bullet each... After that I decree that all satellites towns in your care should be taken away from you till further notice. (p.97)

In addition to the above, qualities of a good judge was shown in Baṣòrun Ógúnmolá, the Balógun of Ibadanland, as he dispense his judgment without fear or favor, he reiterates that base on his position and power, he can release Ógúnrinde Ajé and acquits him from all his crimes, but this will not be in agreement with the supreme being who he is going to account all his actions to, he said:

Nítòótó ni mo lè sẹ, tí kò sì sí ẹnì tí ó lè yomí lówọrẹ wò láyé, sùgbón ẹnìkan n bẹ tó jù mí lọ tí yóó bèrèrè bí mo tí sẹjọ nàà sí. Olúwarẹ ni Olódumarẹ. (p.108)

(Truly I can do it and nobody can dare ask me why, but there is one person who will ask me how I judge this case. He is the Supreme Being. (p. 108)

This quotation above proof that the fear of God, that is present in traditional rulers of yesteryears which makes them not to be bias in their judgment is what is absent in most of our modern judges and security operatives today, and as a result of this they lust over worldly wealth and gains. In Ààrẹ Àgò, Ógúnrinde Ajé was sentenced to death by Baṣòrun Ógúnmolá according to the law and custom of the land; we have evidence of this on (p. 110):

Ìwọ Ògúnrinde Ajé, Ààrẹ Àgò Balógun Ìbàdàn. Wọ́n fi ẹ̀sùn ipà̀nìyàn kàn ó. Mo sì sẹjọ rẹ̀ pẹ̀lú iwàdít finifini pẹ̀lú ẹ̀tọ́ tí ó yẹ̀ fún ọ̀ gégé bí ọ̀kan nínú ijòyè ilú. Nígbà tí mo sì gbé ọ̀rọ̀ nàà lọ, tí mo gbé e bọ̀, mo dá ọ̀ lẹ̀bí ikú. Nítórí nàà, àṣẹ̀ mi ni pé iwọ̀ ní láti kú.

(You Ogunrinde Aje, the Aare Ago to the Balógun of Ibadanland, they charge you with murder. And I attend to your case with diligent

investigation that you deserve as a chief. After proper investigation I sentence you to death, for this reason my judgement is for you to die p. 110)

As it is generally known that any society that fails to follow their laid down rules and regulations will be embroiled in chaos and civil unrest. This was the case in *Adákédájó* as the writer shows through Gbénga, who in the process of avenging his uncle (Kànmi) perpetrates murder and arson; we have evidence of this on (p. 97) in *Adákédájó*. Gbénga said:

Mo fẹ́ kí èmí Àrẹ̀mú lọ sí i, kí iyàwó adájó tó dájó èrú lọ sí i, kí sẹ̀nbà àg-bejórò Àrẹ̀mú jóná, kí ọmọ ọ̀gá ọ̀lópàá tó wà nídii ọ̀rọ̀ nàà méjì máa wolé de bàbá wọn.

(I want Àrẹ̀mú to die, the wife of the judge that presided over this fraudulent case should also die, the chamber of Àrẹ̀mú's lawyer should be set ablaze and two children of the policeman in charge of the case should be killed. (p.97).

This same scenario of corruption and perversion of justice through financial inducement and political power is what is causing problems in Nigeria today. For example, the case of Boko Haram terrorism can be traced to the double standard in which judges, especially Sharia court judges in the Northern region, order that petty thief's hand or leg should be severed while the political thieves are allowed to roam around the street in their luxurious cars. Also, the case of militancy and kidnapping in the Niger Delta region and recently in all parts of the country can be traced to the issue of the people being shortchanged by their leaders. The only solution to this is equity of all and respect for the law and constitution of the land.

Conclusion

In this essay we have analyzed two Yoruba play texts, namely *Ààrẹ̀ Àgò Arikúyerí* by Ògúnńíran and *Adákédájó* by Şàngótóyè to compare and contrast the judicial system in Yorùbá traditional settings with that of modern Nigeria. Our research findings show that, although there is an atom of corruption in traditional Yorùbá settings as confirmed by one of our text *Ààrẹ̀ Àgò Arikúyerí*, it is not as prevalent and viral as what we have today in our modern judicial system where justice is been bought and sold as portrayed by *Adákédájó*. The main reason for this as shown by the two texts is lack of fear of God and the laws of the land.

We propose that inflexible punishment for perpetrators of bribery in the society should be promoted. Furthermore, the teaching and learning of Yorùbá

ethos of ọmọlúàbí should be made paramount in our schools and homes and should be inculcate to our younger generation from cradle. Failure to do this will only result in chaos and anarchy as we are witnessing in the country today.

Recommendation

We recommend that Yoruba and African morality (ìwà ọmọlúàbí) which according to (¹⁴Lawal 2004: 20) is a balanced, healthy in body, sound in intellect and above all, strong in the communal spirit should be inculcate to children early in life, as this will help them to know what is morally good from what is bad. Furthermore, the virtue of hard work and uprightness should be taught to children in schools using poems such as “*ìṣẹ́ lóógùn ìṣẹ́*”, ‘hard work is the antidote to poverty’, “*Kí ni ñ ó folè ṣe*” ‘what will I do with stealing?’ etc. by teachers and guardians instead of teaching them western poems and literatures that add little or no moral value to their life. And lastly, our nation's criminal law must be reviewed as a matter of urgency.

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