

Yoruba Legal Systems

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A visit to the country of Nigeria in summer of 1974 provided the basis of the study along with interviews with local court leaders as well as political leaders in the Southwest Nigeria Yoruba tribal territory. The trip was preceded by research and exposure to culture and language instruction the nine months prior to the trip as part of the Iowa State University Student Project for Amity Project (SPAN).

The blending of traditional and modern political and legal systems fascinated this anthropology undergraduate student, so upon landing in Nigeria and being assigned a family living environment, the researcher sought to make connections for interviews among the various court systems leaders. By investigating political authority which involved a western government administrative system that had been modeled after a Texas U.S. state public model, she learned more about traditional structures. There was also a tribal system of chiefs and quarter chiefs involved in a form of administration and traditional management. This included a visit to the local chief's palace and offering a gift of kola nuts, observing an annual festival of dance performances and high celebration as well as interviews in calmer settings on an individual basis with quarter chiefs.

It was found that there were three types of courts to settle legal matters and disputes in Yoruba society. The town/city environment was Ogbomosho, a regional center but not the capital of Yoruba area which was Ibadan where there was a state university of modern character. In Ogbomosho, there was a university but it was religious based compound established by Southern Baptists of the U.S. Ogbomosho population at that time was 30,000. The three courts systems had different methods of operations and handled various types of cases. First of all were the customary courts at the local level. It was expected that men sit on one side of the room and women on another side. This court level handled most family matters, disputes and local land matters. Local

administrators were in charge of making decisions, administering fines, executing judgements in local matters. It is not known if there was a system of appeals.

The next notable court system was the District Court based on a British system. The judge courteously agreed to meet with me for an interview and explained a bit about their system. He wore a traditional garb of British type robe and had a schedule of taking English tea according to traditions. He handled more high level legal matters and was connected to the state system level of governance and court hierarchy. It is assumed that this connection would allow appeals to higher government channels.

The third and least used system of legal authority was the Sharia law or Islamic law system.

Since the Yoruba area is not predominantly Muslim, it was not an active office and was rather small, dusty and not regularly occupied with clients. Perhaps in some other areas such as the Hausa area to the north, this type of court system is more active in work.

The Nigerian country is comprised of three main ethnic groups, Yoruba to the west, Ibo to the eastern Nigeria and Hausa to the north. Some may recall the Ibo separation war of Biafra in the 70's.

It was the author's experience when traveling to the Ibo area that the TV news was presented in several languages by different announcers in different tribal dresses. Each region has its own language, culture and particular "scarification" traditions if they have any.

The Yoruba scarification is particularly notable for its four diagonal inch or inch and a half marks on each cheek on the face. This is one of their identifying traditional cultural markings. It is in contrast to the Twi of Ghana who has a small scarification mark on an upper cheek on one side.

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Because of the different cultural backgrounds of the different regions as well as their distinct languages, nation building is a challenge. One may have heard of the boko Haram abductions of young girls in the Islamic areas, even in the Yoruba territory. The entire area has significant Islamic cultural influences from the jihads of many centuries ago which is reflected in its art and architecture. Some examples are the gourd carvings, etc. Missionary influence is felt keenly in the Yoruba area and many residents are Christian of various denominations. In turn, many have adopted Christian names to

correspond to their traditional Yoruba given names.

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