

**THE FAMILY, INDIGENOUS EDUCATION SYSTEM AND ADMINISTRATION OF JUSTICE
IN OKUN LAND, NORTH-EAST YORUBA LAND OF NIGERIA.**

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Abstract

It was a common phenomenon in literature to classify societies without centralized systems of administration as 'stateless' societies as if centralization of administration was synonymous with good governance and vice-versa. Okunland unlike their counterparts in other parts of Yoruba land was an area almost void of any form of centralized administration or any formal education. In view of this, where then lies the strength of their socio-political organization? This is what the paper tries to unravel. The study discovered that the family (and by extension, the extended family) formed the basic socio-political unit that played very vital role in local administration. It was where the maintenance of law and order, settling of disputes and justice started. The home was also the foundation, the bedrock of the indigenous education. This education that was value oriented, transmitted the culture, values, religions and occupational activities to the younger generations, thereby preparing and equipping them with skills appropriate for their societal roles. The synergy between the indigenous education system and the family resulted in an effective system of administration that continued to negotiate peace, harmony and development giving stability to Okunland in pre-colonial days. The methodology employed in the study is both historical and descriptive analysis.

Keywords: Family, Education, Justice, Indigenous, Administration, Okunland, Nigeria.

Introduction

Governance as a concept is applied to all sections of the society such as the government, legislature, judiciary, the media, the private sector, registered societies, the corporate sector and the non-governmental organizations (Godbole, 2001). Speaking further, good governance says (Godbole, 2001) must focus on the primary responsibilities of the maintenance of law and order, administration of justice, welfare, protection of the socially and economically weak sections of the society, provision of education, public health and water supply. So good governance relates to decisions that define expectations with the primary focus of the good of all (Ekundayo, 2016). The issue then is, considering the above responsibilities and expectations; are they only achievable under a centralized system of administration? As this work set out to examine these various responsibilities, it is discovered that pre-colonial Okunland demonstrated a high level of good governance yet without a central system of administration.

The term centralization of administration means the concentration of authority at the top level of administrative system. According to Marume and Jubenkanda (2016), in a centralized system administration, the lower levels (called field officers) cannot act on their own, they must refer most of their problems to the higher level (headquarters) for decision-making. They act only as implementing agencies. Decentralization on the other hand means the dispersal of authority among lower levels of administrative systems. In Okun land there was no centralized administration.

There has been a concentration of historical studies on societies that were 'privileged' to have a centralized system of administration in Nigeria, such as the Old Oyo Empire, Benin kingdom, Sokoto Caliphate amongst others, with little focus on societies referred to as 'stateless' societies such as Okun land. The problem is that the lack of adequate studies of these decentralized 'mini' states has impaired people's perception of the

effectiveness of their system of administration. This research gap constitutes the focus of this work. Okun land or Okun Yoruba as they are popularly called (because of their mode of greeting which is not exclusive to them), is located in the North Eastern part of Yoruba land in Nigeria. It is along latitude 7.15 to 8 North, and longitude 5.30 to 7 East. It covers an area of about 28, 032 square kilometres and has a population of 268, 246 (1991 Population Census). The area of study is located near the confluence of the two great waterways of Niger and Benue of Nigeria. Thus lying within the ecological zone of the Niger-Benue. It falls in the traditional zone between the forest region in Southern Nigeria and the savannah of Northern Nigeria (Oboli, 1976). The language spoken in the area falls into the Greenberg's Kwa group of Niger Kordofanian language (Greenberg, 1964). Various linguistic groups in Okun land speak variants of the Yoruba language which are mutually intelligible with slight dialectical differences, the only difference being Ayere (Oral source, Olumodeji Bode, 5/5/1990).

Presently, the area comprises Amuro-Mopa, Kabba-Bunu, Ijumu, East and West Yagba Local Government Areas of Kogi State. Unlike their counterparts in other parts of Yoruba land, Okun land has no tradition of paramount rulers or chieftaincy. Though all had the concept of a well-defined office of headship, they had no dynasty. So before colonial period, tradition of paramount ruler or chieftaincy was absent. In the absence of political centralization, the people found a workable administration in the village organization.

Research Methodology

The research approach was largely based on primary data collected by the author. The author was privileged to interact with and engaged in direct interviews and discussions with individuals knowledgeable on the issues. The data obtained were subjected to critical examination, descriptively analyzed and supported with existing literatures which served as secondary data. The outcome of this study and its scholarly contribution is that the absence of centralized administration

was by no means the absence of good governance.

The Family

As indicated earlier, the people had the concept of a well-defined office of headship and herein come the importance of the family which is a very important unit, not only in the indigenous society but even today. As the smallest social unit, the family is made up of a man, his wife / wives and the children. Polygamy was common because the numbers of children a man has determined his workforce on the farm and consequently his wealth and prestige. The wives, as a sign of unity used materials like mortars, cooking pots, knives, grinding stones and water containers together.

The family is the nucleus of every society, it is universal and this makes the family the primary social institution most common across the globe. Mezieobi and Ibekwe (2017) attested to this saying that the family is the oldest social institution in human history. The family constitute the fundamental unit of social life. Entering into the family was and is conducted through the concept of marriage, for this reason no society takes marriage casually. Life starts for everybody in the family, and according to (Nmom, 2013), all human activities revolve around the family circle. It was the only organized institution known then and all other known human institutions grew out of the family. In the same light Fasoranti and Owagbemi (2012) declared that in all societies in history, institution building began with the family and this made the families the main vehicles of group identity. The family functions as the organizer and stabilizer of social values in any given society, (Nwosu and Uche, 2017). In the opinion of Nmom (2013) the family values are defined by its features of discipline, humility, hard work, mutual respect, integrity, fidelity, sexual chastity and general hospitality. Good to say here that Christianity, modernization and the impact of western influence and education which made both couples to go to work outside the family have had tremendous impact on these traditional family values Obayan (1995). There are different members of the family

men, women and children. While the men and women are independent adults with capability to fend for themselves, the children constitute the helpless minors who depend on the family for support.

Generally referred to as the *Idile*, the family in pre-colonial Yoruba land formed the basic socio-political unit with the husband (father) as the head (*Baale*). In the indigenous society, family followed a strict division of labour based mainly on sex and age. Each had its functions well defined and they were rigidly adhered to. The husband with help of the grown-up children especially boys did the rigorous farm works, the women with the aid of their daughters help in the less-energy consuming work like planting maize, melon, pepper, cassava. The sale of farm produce was also the responsibility of the wives.

This socio-political unit (the family) was never static, an increase in population often resulted into the process of expansion, thus bringing into existence the extended family system or *Ebi* whose members saw themselves as belonging to the same ancestral family (Akinjogbin, 1979). It comprised one's father's brothers, sisters, cousins and so on. Members of the *Ebi* could be resident in a single location called *Agbo-Ile* or they may be scattered over several *Agbo-Ile* which were not necessarily contiguous. Wherever they were resident however, the family ties remained strong. These relationships entailed certain duties and obligations. For instance until 1919 when divorce was introduced into East Yagba, if a man died his brother assumed full responsibility for the wives and children. He also raised children for his deceased brother.

A group of family claiming the same descent constituted the *Aku* or clan. Two or more *Aku* formed the *Adugbo* and the oldest male of the most senior *Idile* became the *Olori-Adugbo*, for precedence was accorded to age irrespective of the economic circumstances of the individual. Where a group of related lineages merged to form an enlarged community, its *Olori* was neither an autocrat nor a paramount ruler, but an

embodiment of wisdom, customs and social norms (Oral source, Frank Aguda, 22/2/2019).

In Owe land for instance, thirteen autonomous clans (*Aku*) existed. These were Odogba, Idugba, Ugbo, Lemila, Ilajo, Okere (from Kabba group); Ogbagi, Iresi, Teko and Ijemu (From Odolu group); and Isoro, Abada and Atipa (From Katu group) (Oral source, Oluyori M.O, 2/3/1990). At the head of each *Aku* was a senior titled chief. The heads of these thirteen clans formed the key members of the *Nko* (village council) which was the highest traditional council among the Owe.

Among the Ayere people, five clans could be identified which were collectively called *Ihen'tu-Nuwu*. They were Eke, Ebu (now Eburu), Ogbe, Ajoo and Okoni (Oral source, Olumodeji Bode, 7/3/1990). As in Owe, each Ayere *Aku* or *Ihen* was headed by a senior titled chief. In Yagba land, the number of *Aku* varied among the various communities. For most communities in East Yagba, the clan was like in Ayere, not governed by a council but by a titled head, while in West Yagba particularly in Egbe each *Aku* was governed by a council of title holders. Originally there were eleven *Aku* in Egbe.

It is also important to note that descent was reckoned patrilineally (Ford, 1951). That is to say that children belonged to the social groups of their father. Inheritance was also through the father. The family played a very important role in the local administration. The maintenance of law and order, settling of disputes started right from the family, with the head of each family playing a very important role. In case of a dispute between two families within the extended family, the heads of the families sat in council while the oldest men acted as the arbitrators. Matters were referred to a higher authority (village council) only when the families have failed to arrive at a reasonable conclusion. So the family formed the basic unit of administrative system in pre-colonial Okun land.

Generally in Okun land and in other parts of Yoruba land, the extended family system provided a kind of social security for the people. The ultimate aim was to help each member of the

family to be able to cater for himself and to ensure that those who were permanently or temporarily helpless such as the old, sick, the unemployed were not neglected. The individual within the social structure had a clear and fix role within the society. He knew his obligations and rights, he was responsibly clear about the norms that governed the social behaviour and he could therefore plan his activities in the light of his expectations concerning the behaviour of his fellow man. In this way, the community (family, Ebi) offered social security in the certainty of material existence and the psychological security in the normative pattern (Wallerston, 1970). Essentially therefore, the extended family system in Okun land integrated the individual to the wider society so that there was no isolated individual in the indigenous system. It is important to state here that current trend which was as a result of wind of change shifting from the extended family structure which used to be dominant in the family system to the nuclear family, (Mezieobi and Ibekwe, 2017).

Indigenous Education System

Different school of thought results in different definitions of education, so there is no universally acceptable definition of education. It is defined as a complex process and network of activities through which the societies familiarize the newborn with acceptable norms of the society, (Umar and Shagari, 2013). Speaking further he said, it is a social process which neither ends in the classroom nor with formal schooling; that education requires value orientation process which an individual needs to acquire through his/her life time for effective adulthood in the society (ibid). Education whether formal informal says (Halmiton – Ekeke and Dorgu, 2015), is capable of catalyzing far reaching changes. Society is dynamic, education for any given society must also change in order to meet the needs of the dynamic nature of the society.

Education is defined to mean the transmission of values, skills, attitudes, knowledge, relevant for the individual to be functional in the society he / she finds him / herself (Paulley, George and

Ogeh, 2017). Therefore good education aims at physical, intellectual and moral development and well-being of the individual (Ekundayo, 2014). Generally, in Africa and in Nigeria where Okun land forms a part, long before their contact with the Europeans, they had their own form of education which is referred to as African indigenous education. According to (Umar and Shagari, 2013), this indigenous education is as old as the existence of any society. Indigenous education took an unorganized setting, with no classrooms and the curriculum was equally unstructured. This is to say that learning activities took place everywhere and every adult was the teacher to the child. This system of education is so significant in that it placed emphasis on honesty, respect, human dignity, while communalism was the basic principle for all and sundry in the society. This system also assisted a growing child to have interaction with several people; this education took place in the family, where the family inculcates the expected values and attitude such as obedience, patriotism, unity, and good leadership qualities to the child. These values were learnt through imitation of parents, siblings and other members of the family at home as the child grows.

Considering what this African Indigenous education is, Fafunwa, (1982), defined it as the aggregate of all the process by which a child or young adult develop his abilities, attitudes and other forms of behaviour which are of positive value to the society in which he lives. In the opinion of Adeyinka and Paulley (2006), African indigenous education is an education of the people by the people and for the people which satisfied the needs of the people. In it all adult members of the society were involved in the process of transmitting the culture, values, religious and occupational activities of the people to the younger generations.

Looking closely at these definitions it is certain that indigenous education is a process of learning which enables every African society Okun land inclusive to teach her younger generations the life

patterns of the society. It is natural to every African society and it is relatively informal in nature. In Okun land as in other part of Nigeria and Africa, indigenous education system had its aims, goals and values. These goals and values Fafunwa, (1970) classified into seven specific goals which are:

- i. Development of the child's latent physical skills
- ii. Development of character
- iii. Inculcating in the child, respect for elders and those in position of authority
- iv. Development of intellectual skills
- v. Acquiring specific vocational training to develop a healthy attitude towards honest labour
- vi. Developing a sense of belonging and to participate actively in family and community affairs and
- vii. Understanding, appreciating and promotion of the cultural heritage of the community at large.

It is understood from the above objectives that indigenous education in Okun land ultimately aimed at producing an individual who had respect for the promotion of the primacy of the community over the individual; a person who abhorred cheating and corrupt practices; who has a sense of justice and selfless in service; moral courage, truthfulness; honesty in dealing with others; producing an individual who was hardworking, with personal discipline and integrity; skilful and one who was cooperative and conformed to the social order of the society amongst others.

Achieving the above objectives, goals and values entailed the teaching of some subjects. So, the subjects taught in Okunland were ethical principles, religious beliefs and various occupations related to the people of the locality. The type of education provided for the male was such that would help him develop leadership qualities politically and militarily, i.e. to be like their fathers and take over from them at the appropriate time. So they were taught hunting, house-building,

the art of warfare and other activities that belonged to the men of the communities. The girls were trained with the type of education designed to produce an intelligent and industrious house wives, good in domestic affairs and general up keep of the family. So the mothers and the old women tried to educate the young females in activities and duties of motherhood in the community. They were taught cooking, cleaning the environment, motherhood and allied occupations. It was an education that prepared and equipped the individual with skills appropriate for their gender in preparation for their distinctive roles and occupation / profession in their family and society.

Therefore as early as possible in Okun land, a child was taught simple etiquette to parents, elders and visitors, simple health habits of washing hands before and after eating, not taking pieces of food that fell on the ground, usual meal habits like eating with decorum (as rushing food indicate gluttonness); the child was taught toilet habits, to respect people older than himself, greet them in the right way (a girl to kneel down while a boy prostrate) whenever he met them, never expecting the elderly to greet him / her first.

In the indigenous education system, children were also made to develop a sense of belonging towards the community, growing to appreciate its culture and its history. Generally in Okun land like in much other African society, indigenous education system had the input of all members of the community. No wonder Adeyinka, (2017) stated that "children in this system belonged to the community and every member of the community shared the responsibility of bringing them up". So with this principle of communalism in the indigenous education system in Okun land, sense of unity, security and togetherness were inculcated among and between all members of the community. So the indigenous education made the individual to fit into their respective society as well as produce a well-rounded individual who was able to live a worthwhile life in the society. It is pertinent to emphasis here that the family was the

provider of indigenous education and primary educator. They prepared the child to become a useful member of the society even before the encounter with teachers. The family was the agent of socialization in pre-colonial Nigerian society. However in contemporary society this role is taken over by new agents of socialization such as day-care centers, schools, peer groups, recreational parks, social media and the like. Likewise the emergence of western education has undermined the indigenous education system. Urbanization, industrialization, work schedule and economic pressure are bringing a decline in the responsibilities of family to the children (particularly education). The family seems to have lost grip of these vital responsibilities.

Administration of Justice

Administration of justice is a crucial part of any government; it is the process by which the legal system of any government is executed. Omoleye and Eniola (2018) refer to it as a cardinal principle of justice in which common man must see the whole process of adjudicating as being fair to all. The Duhaime's law dictionary explains administration of justice as the personnel, activity and structure of justice system (courts and police) in the detection, investigation, apprehension, interviewing and trial of persons suspected of crime.

The conspicuous lack of centralized type of administration in pre-colonial Okun land made each village to be the highest social, administrative and judicial unit. Each had its own rules and regulations, with the affairs of each village being managed by the elders who derived legitimacy from tradition. They were regarded as repository of ancient wisdom and as such were the best interpreters of such customs. They dealt with infringement against such customs Adalumo (1980).

As indicated earlier in this discourse the smallest unit which was the household (*Idile*) was governed by the eldest man who performed both administrative and judicial functions. He settled minor disputes and defended their interests. The

clan council which comprised lineage heads settled disputes involving two households and no dispute was brought to this clan court unless attempts at settlement have failed in the household. A member of the clan who offended another clan member and failed to apologise was reported to the council of elders at the village level. The village council, made up mostly of title holders, elders in each clan and religious priests sat as the highest "court of appeal". No case went beyond its judicial power. Settling disputes referred to it by the clan heads, trials of serious infringements of the village rules and various decisions to be taken on any events or happenings in the village necessitated their meetings. Anybody found guilty by this "court" had to admit judgment passed on him, for justice was pronounced without fear or favour (Ibid).

Justice in traditional Okun land was given in proportion to the gravity of the offence committed. Offence committed could be against an individual, a clan, or against a divinity. For instance at Ponyan, in East Yagba, fighting was forbidden both to the participants and the generality of the people during the thirteen days of the *egungun* festival. For minor disputes between two persons, no payment of fine was involved.

The guilty person only apologised to the offended.

A young thief was punished by parading him round the village amidst abusive songs. This was meant to serve as deterrent to others. If a newly married girl was found by her husband to have violated her 'virtues' before marriage, she was usually referred to the clan women for justice. Ashes were sprinkled on her, and to this treatment tradition forbade her to retaliate. Any man caught having illicit love affairs with another man's wife was usually beaten up by the woman's husband. On the other hand, the culprit might be reported to the clan head. He (culprit) might be flogged publicly or fined (Oral source, Olumirin, M.O, 24/1/2019).

People who went against religious beliefs in Okun land before colonial rule received their own judgment according to the dictates of the particular

priest in charge of the wronged divinity. Fines imposed for offence against a divinity were paid without delay because of the fear people had for the religious priests. They (priests) were believed to be able to will things supernaturally, nobody therefore failed to pay such fines.

A man suspected of evil deeds by mysterious means or a woman suspected of witchcraft faced trial by ordeal. She was brought before the village council for trial. In Ponyan for instance, such a person was taken to *Igbo Ore* for trial. There he / she was made to swear before the clan shrine to either admit or refute the allegations made against him. A person who swore falsely would face certain calamities within a specified number of days (Ibid). Yagba people approved such trial, for peace was their ultimate goal and they did everything possible to curb individual attempt which might tend to threaten it.

A great importance was attached to the administration of justice in pre-colonial Okun land. The unwritten rules and regulations governing the society were considered as *Adaiyeba* (immutable law), and were therefore religiously observed. The society had established orders where offenders were promptly brought to book and redress sought. Here the age grades played vital role in upholding discipline and public morality. Within each age grade, there was established machinery for dealing with erring members. In this way discipline was not only maintained within the grades but in the society at large. Cases of misconduct were reported to the group leader who acted as the sole judge. In this way discipline was maintained and members were made to conform to the rules and regulations of the group in particular and the society at large.

Owe sources revealed that very serious cases involving murder, abduction and the destruction of economic trees were heard by *Nko (Igbimo Alase)* which was the highest judicial tribunal. The judicial members included the red-cap chiefs while the *Olu ilu or Obaro* presided. Members of the public could attend the proceedings of this tribunal which sometimes held in the open space such as

the public playing ground or in the open yard in the residence of the president. Acting as the policemen, the *Gbarufu (or Omeko)* executed the decisions. The one titled red cap chiefs monitored the proceedings and also ensured proper execution (Oral source, Lapinni, 2019). What appeared to be the final or highest judicial tribunal among the Owe was identified as *ile-isin* (symbolically represented by *Okuta Ilajo*), to which cases transferred from *Nko* went for settlement (Ibid).

The dispensation of justice was not based on the Mosaic Law. It was not an eye for an eye. For instance, a man found to have committed a murder was not killed in return, to do so was interpreted as a further pollution of the land (earth) (Apata, 2011). The murderer was simply made to cleanse the polluted earth by way of making necessary ritual offerings. The expenses involved in the cleansing exercise were so enormous and also the social stigma of being a murderer was so damaging and harmful such that cases of murder were rare. Habitual criminals were either expelled from the society or sold into slavery.

Another instrument used to rid the society of vices was the *Opelu*. It was an annual event held at night during which members of the society known to indulge in immorality, stealing, drunkenness, and other vices were singled out for public criticism. This method isolated the offenders from the rest of the society thereby making a deep impression on the citizens (Ibid). The cults of *Imole* and *Ofosi* like the age grades were not left out in the dispensation of justice. Within their ranks and file, every norm and practices of the cults in particular and the society at large were strictly and religiously adhered to by members. Any deviation led to severe retribution in the form of instant repossession of erring members by the *Ofosi* spirit. This could lead to death if appropriate and immediate atonement was not made. This instrument of spirit visitation was also used to protect the individual and collective interest of members against assault or infiltration (Apata, 2011).

Thus, the cults were built strictly on discipline.

Conclusion

This paper discusses the family system, indigenous education and administration of justice in Okun land. By and large the political system was decentralized with each community being autonomous and self-governing but the family formed the basic socio-political unit playing great role in settling intra and inter-family quarrels. It is also indicated that indigenous education which was a process which enabled every child to learn the norms, values and patterns of the society was the responsibility of the entire community. And that the conspicuous lack of kingdom type of administration made each village to be the highest social administrative and judicial unit, each having its own rules and regulations and its affairs being managed by the elders who derived legitimacy from tradition.

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