A Jurilinguistic Analysis of Proverbs as a Concept of Justice Among the Yoruba

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Abstract—**Polemical surveys of the rich cultural heritage of the peoples of Africa, especially before their contact, and eventual subjugation to the western imperialists have continued to reverberate across Africa and beyond. The surveys bemoan the abysmal disconnect between the African societies and their indigenous socio-cultural and institutional values. It has been pointed out, more than three decades ago, by Nkosi (1981) that indigenous languages formed part of a living organism forever changing to accommodate concepts and ideas which, over time, became the common heritage of all those who speak the same language. This paper examines the jurisprudential concept of justice among the Yoruba of South West Nigeria, with examples drawn from Yoruba proverbs. What linguistic instruments were available to canonize the justice systems and how were they deployed? The plethora of examples, it is found, have become etched on people's consciousness and sensibilities, such that they become canonized into unwritten laws in many of the societies. In strict consideration of jurisprudence as the science of law, the study investigates how Yoruba proverbs constitute a corpus of linguistic materials used in informal administration of law among the Yoruba. Although lacking established benchmarks, many of the proverbs have become the codes in the process of administration of justice, which in many cases is conciliatory and not adversarial. In effect, therefore, the study is a contribution to the growing research on African linguistics and jurisprudential analysis. This viewpoint is ensconced in a metaproverb: "a re ma ja kan o si". (Disagreements are inevitable amongst folks).**

Index Terms—**jurilinguistic/jurisprudence, proverbs, canonized, justice, Yoruba**

I. INTRODUCTION

Language as a social phenomenon is closely tied up with the social structure and value systems of a society, Trudgil (2009). This is further echoed by Nkosi (1981) who asserts that language is *a living organism* forever changing to accommodate concepts and ideas, which in time, "becomes the common heritage of all those who grow up speaking the same language whatever their class or educational background. Herbert (2011), citing Jacobson's (2009), on functions of language, identified the following as ideational functions of language:

(i) Referential
(ii) Poetic
(iii) Emotive
(iv) Conative
(v) Phatic, and
(vi) Metalingual

Of all these, the most relevant to this study is the Referential function as it corresponds to the factor of context and describes a situation, object or mental state. According to Herbert (2011), under this, the "truth-value is identical in both the real and assumptive universe". Language, in this context, consists of both the definite descriptions and the deictic words.

A stringent appraisal of the modern day administration of justice, especially in Africa, would explicitly show a disconnection between the tradition, culture and norms of the people and the colonial – imposed value systems. The indigenous society's ultimate acceptance of its subjugation to the foreign laws and values has created serious dislocation and disorientation in the indigenous value systems in modern day Africa. And this goes to demonstrate glaring inconsistencies and lack of psychological harmony between the people and the societal values.

In what seems to be the re-affirmation of and protestation against the relegation of African values, identity, and "ancestral achievements", Odiowo (1999) examines the term "negritude" and does an extrapolation of negritude as an ideology. He contends that negritude is more than the praise-singing of African culture; that it is "indeed a form of protest, a protest against repression, destruction of native culture and psyche and the imposition of Western Culture created and nurtured by the French under the umbrella of assimilation", (Odiowo 1999, p.78). African culture is expressed in its arts and crafts, folklore and religion, clothing, cuisine, music and languages, Greenberg (1966). It is also to be noted that expression of culture are abound within Africa, with large amounts of cultural diversity being found not only across different countries but also within single countries. What is certain is that even though African cultures are widely diverse, they are, upon close scrutiny, seen to have striking similarities. This is mostly notable in the morals they uphold, the veneration of the aged and rulers. In the same vein, Karenga (2000) gives a succinct description of the richness of the African culture and civilization:

> our culture provides us with an ethos we must honor in both thought and practice. By ethos, we mean a people's self understanding as well as its self-presentation in the world through its thoughts and practice in the other…areas of culture. For culture is here defined as the totality of thought and practice by which a people creates itself, celebrates, sustains and develops itself and introduces itself to history and humanity, (Karenga, 2000, p.45).

Despite the claim to the contrary, especially by neo-colonialists, the African Societies were well organized into empires and municipals with indigenous systems of control and administration. To the sociologists and anthropologists, law is a veritable means of social control; Macionis (2000), Miller (2008), Haralambos, Holborn, Chapman and Moore (2013). From the outset, it should be pointed out that all societies are crime-prone, and the basis for the enactment of laws and observance of norms are forms of social control. Macionis (2000), for instance, defines crime as "the violation of criminal laws enacted by a locality, state or the federal government". By way of extenuation, he identifies two distinct elements of a crime: "an act (or in some cases, the failure to do what the law requires) and criminal intent (in legal terminology, means *mens rea*, or guilty mind). He argues further that "intent is a matter of degree, ranging from willful conduct or to negligence. Someone who is negligent does not set out deliberately to hurt anyone but acts (or fails to act) in such a way that harm results", (Macionis, 2000, p. 144).

This jurisprudential analysis is also purveyed in the account of Miller (2008) who identifies two major instruments of social control: norms and law. He states that a norm is "an accepted standard for how people should behave that is usually unwritten and learned unconsciously through socialization". One cannot but be stuck by the appropriateness of this conceptual clarification to the discourse on social control in traditional societies. The examples cited by Miller aptly mirror the concept of justice among the Yoruba. He argues that norms include the expectation that children should follow their parent's advice and that people on queue should be orderly. The enforcement of norms tends to be informed but in traditional societies, the fear of such informal sanctions could be very effective. More often than not, instant judgment was meted on offenders in form of death, banishment or excommunication.

Law, on the other hand, is more formal and binding rule "created through custom or official enactment that defines correct behavior and the punishment for misbehavior", (Miller 2008, P.456). While Miller enthuses that religion provides legitimacy for law, it is expedient to point at the synecdochic interrelationship between law and morality on the one hand and justice and religion on the other. Elegido (2004) agrees that if a law clashes with ideas "which are vigorously held in the community there is a strong likelihood that the law will be ignored or even positively boycotted".

Writers of differing persuasions have spelt out the distinction between morality and law. In modern legal systems, the two are separate entities but under the indigenous African societies, morality formed an integral part of the norms observed by the people. It is instructive to note that Elegido (2004) toes a startlingly different path in drawing the nexus between law and morality. He contends that it is much more exact "to view law and morality as complementary systems". The import of his argument is premised on what he directs the jurists to do: approach the question (of the complementary nature of law and morality) from the sides of law and morality simultaneously. He states further:

> If we were to look at the law in isolation from these basic moral norms which underpin it, it would appear to us as a mere system of state control which provides for punishment in certain events. On this basis, the rational attitude towards the law would be that of the "bad man" of Justice Holmes who obeys it only when he calculates that he cannot
> "get away with it", (Elegido 2004, p.358)

His argument is further ensconced in the existence, in *parri material*, of the following norms, given a scenario that every man is requested to contribute to the general needs of the community and to sustain its needy members.

    a)   A moral (norm) which establishes a general duty to contribute to the community.

    b)   A (moral) norm which prescribes that laws which "determine" (or specify) the requirements of general moral norms like (a) are also morally binding, and

    c)   One or more (legal) norms which prescribe in detail the criteria according to which individuals must be assessed to tax, Elegido (2004 : 35a). The inference from this is that the general moral obligation of a certain individual's contribution "can only become fully 'determinate' through the operation of tax laws which specify in detail the criteria according to the tax liability of each individual is to be computed.

This paper is a modest attempt at exploration of the traditional concept of justice – the vanishing past- among the Yoruba of South Western part of Nigeria. Of course, this is not just a reconstruct of identity for its own sake, but an extrapolation of a continuous and consolidated tradition to ease the lacuna engendered by the disconnection between the indigenous cultures and the modern legal systems in contemporary societies.

II. PROVERBS

The word "proverb" is derived from the Latin word '*Proverbium*' and, according to the Cambridge Advanced Dictionary of the English language, it is defined as "a simple and concrete saying, popularly known and repeated, that expresses a truth based on common sense or experience". In their attempt at distinguishing between proverbs, idioms or clichés, Zolfaghari and Ameri (2012) contend that a proverb is a short sentence, which is well-known and at times rhythmic, including advice, sage theories and ethnic experiences, comprising simile, metaphor and irony which is well-

known among people for its fluent wording, clarity of expression, simplicity, expansiveness or generality and is used either with or without change", (Zolfaghari and Ameri 2012, P.36).

Notwithstanding the "multidimensional approaches and varied perspectives" of the studies of proverbs, it is generally agreed that the studies "cut across disciplines such as literature, history, anthropology and linguistics, Odebunmi, Oloyede, and Adetunji (2001), citing Barnes (1994), Mieder (1987), Alster (1993) and Yusuff (2001). For example, Mieder (1987) asserts that a proverb is a short, generally-known "sentence of the folk" (anthropological), while Zolfaghari and Ameri (2012) perceive it as "rhythmic" (linguistic) and comprising simile, metaphor and irony (literature). What is basic in all this is that in paremiology, proverbs are a common phenomenon in all human languages, Ogunjimi and Na'Allah (2005), Adedimeji and Alabi (2011), and Irele (1990).

It should be pointed out that there are widespread disputations as to the utilitarian use of proverbs, with regard to meaning signification. It is commonplace to ascribe the following features to proverbs:
- a short, pithy saying;
- generally known and in use by people of a given community;
- stating or expressing a general truth;
- the truth is based on common sense or experience;
- it is in fixed and memorable form;
- it is handed from generation to generation.

From a linguistic and scholarly searchlight on its sources, interpretation, features, spread and use, it is evident that proverbs, generally, are culture-specific. By this is meant that the structure of a proverb derives mainly from the folk lore of the particular society even though some proverbs may express a universal truth. Whatever constitutes the cultural erudition of a given people may be found to be diametrically opposed in interpretation and acceptable in another society. Even in the same language, there exist counter or "antonymous" proverbs! While the English would say that "one should look before one leaps", the same English warns that "he who hesitates is lost".

Thus, in his *Proverbs and Linguistic Meta-criticism: Towards a Re-Reading of Proverbs as Narrative Sublimation in Achebe's Things Fall Apart*", Fashina (2009) laments that a great percentage of African proverbs cannot convey effective meaning and sense if translated into a European language. This is because proverbs carry a density of cultural signification system that can be meaningful only within the context of a shared lexico-semantic and contextual field. Even when there are similar forms and identical components between an African proverb and an English one, the contrastive range of cultural, contextual and lexico-semantic field will direct them toward adjacent meanings.

However, this viewpoint seems oblivious of the fact that in the concept of 'linguistic universals' there exist 'tendencies – "statements that may not be true for all languages", as opposed to "absolute universals". Even though among the lists of cultural universals is translatability of language, it does not imply, by any known standard, that there exist word-for-word meaning signification in translating one language into another. As a matter of fact, Nkosi (1981) has raised a caveat against such task of discreet application of the "exegetic method" of translation. Proverbs, for instance, are heavily steeped in the tradition of a people. So, how profitable would it be to seek a translation of an African proverb through the prism of English?

Quite conceivably, one does not expect an accurate translation of a rustic African Proverb into the complex, modern form of a European Language. As a matter of fact, Nkosi (1981) opines that African critics "ought to eschew 'western' criteria altogether and instead use indigenous critical apparatus". Not only this, he argues that:

> …the relationship between language and national cultures cannot be too strongly emphasized. Like other peoples, black Africans possess a rich and strong heritage in philosophy, ethics, religion and artistic creation, the deepest roots of which are embedded in the rich soil of African Languages. To re-possess that tradition means not only unlocking the caskets of syntax, disentangling metaphysics from poetry and proverb, it also means extracting social philosophy and habits of moral thought from the rhythm, imagery, repetitiousness, sometimes from the very circumlocution of native African speech, (Nkosi 1981, p.9).

Therefore, in this work, an attempt is made to examine Yoruba proverbs denoting the concept of justice from both the jurisprudential and linguistic (Michel Foucautian's) Critical Discourse Analysis. In many instances, across Africa, proverbs are in constant use such that they become indispensable aspects of oral communication and become <u>law</u> on their merit. Hence, this is the justification for the study.

Yoruba language is spoken natively in Southwest Nigeria and in some parts of North Central States of Kwara and Kogi. It is also spoken natively in some parts of the Republics of Togo and Benin, West Africa. As a matter of fact, Adeniyi (2004, p.17) captures the pre-eminence of Yoruba as a nation thus:

> … the 40 million Yoruba ethnic group in West Africa is larger in population than 35 out of the 47 countries in Asia, larger than 52 out of the 56 countries in Africa, larger than 19 out of the 22 countries in North America, larger than 35 out of the 43 countries in Europe and larger than 13 countries in Oceania. The Yoruba within the present Nigeria multi-nation state is larger than 164 countries and only surpassed by 27 countries in the whole world.

III. JURISPRUDENCE: CLARIFICATION OF CONCEPTS

The word "jurisprudence" is derived from the Latin term "*juris prudentia*", which means "the study, knowledge or science of law", Hart (1982). The term "jurisprudence", according to Elegido (1994) is also used alternatively as 'legal theory and/or "philosophy of law". According to Hart (1982), jurisprudence is "the study and theory of law". Scholars of the concept are also known as jurists or legal theorists and they "hope to obtain a deeper understanding of the nature of law, of legal reasoning, legal systems and of legal institutions". By way of historical reconstruction, modern jurisprudence began in the 18th century and was focused on the first principles of the natural law, civil law and the laws of nations.

In order not to create the impression of a jumbled confusion about the concept being a product of modern day philosophy, it is necessary to do a cursory voyage into its historical antecedent. Jurisprudence has its origin in Ancient Rome from the *jus of mos maiorum* (traditional law), a body of oral laws and customs verbally transmitted by "father to son". Under the Roman Empire, Schools of Law were created and the activity constantly became academic. And in the early 3rd century a relevant literature was produced by some notable groups – including the Proculians and Sabinians. After the 3rd Century, *juris prudentia* became a more bureaucratic activity, with few notable authors. It was during the Eastern Roman Empire (5th Century) that legal studies were once again undertaken in depth, and it is from this cultural movement that Justinian's corpus *juris civilis* was born.

Contemporary philosophy of law "which deals with general jurisprudence", addresses problems in two rough groups:

i) Problems internal to law and legal systems;

ii) Problems of law as a particular social institution, as law relates to the larger political and social institutions in which it exists, Hart (1982); Elegido (2000); Shiner (1980); Soper (1982); Hutchinson (1989); Pillai (2016).In a more systematic way, Ashley Dugger, (2006, P.34) in his work, *Schools of Jurisprudence: Theories and Definitions* has pitched tent with the *Black's Law Dictionary* which sees Jurisprudence as the science of law, namely, the science which has for its functions to ascertain the principles in which legal rules are based "so as not only to classify those rules in their proper order and show the relationship in which they stand to one another but also to settle the manner in which new and doubtful cases should be brought under the appropriate rules".

Up to now, we have paid special attention to the clarification of concept (of jurisprudence); we have traced both the early and modern developments of the concept; we shall now proceed to examine the four primary schools of thought in general jurisprudence.

Four Primary Schools of Thought in General

1. **Natural law** is the idea that there are rational objectives limits to the power of legislative rulers. The foundations of law are accessible through reason and it is from these laws of nature that human created laws gained whatever force they have, (http://en_wikipedia.org/wiki/jurisprudence).

2. **Legal Positivism**: By contrast to natural law, holds that there is no necessary connection between law and morality and the force of law comes from some basic school facts. Legal positivists differ on what these facts are, (http://en_wikipedia.org/wiki/jurisprudence).

3. **Legal realism** argues that the real world practice of law is what determines what law is; the law has the force that it does because of what legislators, lawyers and judges do with it, (http://en_wikipedia.org/wiki/jurisprudence).

4. **Critical Legal Studies** is a younger theory of law that has developed since the 1970's. It holds that the law is largely contradictory and can be best analyzed as an expression of the policy goals of a dominant social group, (htpp://en_wikipedia.org/wiki/jurisprudence).

From the foregoing, it is apt to highlight the tasks before the legal theorists. Scholars of jurisprudence hope to obtain a deeper understanding of legal reasoning, legal systems, legal institutions, and the role of law in society. However, there is placed a caveat on the general assumption about the subject matter. It warns that the term jurisprudence is "wrongly applied to actual systems of law or to current views of law or to suggestions for its amendment": therefore the scope of the searchlight would beam only on ascertaining the "principle on which legal rules are based with the intent to classify those rules "in their proper order and showing" the relations in which they stand to one another, and, ultimately to "settle the manner in which new or doubted cases should be brought under the appropriate rules . The whole gamut of the inquiry sees jurisprudence as studying law as a department of knowledge.

IV. THEORETICAL PRELIMINARIES

This section briefly presents the theoretical elements that form the basis for the introduction, extrapolation and linguistic analysis of jurisprudential concept of justice among the Yoruba.

A. Discourse Analysis

Discourse analysis is about studying and analyzing the use of language. It involves a structural analysis of text "in order to find general, underlying rules of linguistic or communicative function behind the text", Hodges (2008); Shaw and Barley (2009); Paltridge (2012). It should be pointed out that the term "discourse analysis has been taken up" in a variety of disciplines in the humanities and social sciences, including linguistics, education, sociology, anthropology, social work, cognitive psychology, social psychology, area studies, cultural studies, international relations, to name a few. This, undoubtedly, forms the basis of our choice of discourse analysis as the theoretical basis of this study.

The term "discourse analysis" was first used by the linguist Zelling Harris in his 1952 article entitled "Discourse Analysis", Kamalu and Osisanwo (2015). According to him, discourse analysis is the method for the analysis of connected speech or writing for continuing descriptive linguistics beyond the limit of a simple sentence at a time, Kamalu and Osisanwo (2015). In what appears to be a more simplified approach, Brown and Yule (1983), Cook (1989), and Georgalon (2007) contend that "discourse" is language in use. The term "discourse" first appeared in French language in 1503 and it was culled from the Latin word "discourses" Abdullahi Idiagbon (2013), citing Baylor and Fabre (1990). According to the Cambridge Advanced Learner's Dictionary (3rd Edition), "discourse" means:

i. Communication in speech or writing;

ii. A speech or piece of writing about a particular, usually serious subject.

The Encarta English Dictionary captures it in these words:

i. Serious speech or piece of writing (about a topic)

ii. Serious discussion about something between people or group;

iii. (Linguistic language) language, especially the type of language used in a particular context or subject e.g. political discourse,

iv. (Linguistics): major unit of language, especially which is longer than the sentence.

The object of discourse analysis (discourse, writing, conversation, communicative event) are variously defined in terms of the coherent sequence of sentences, propositions, speech or turns-at -talk

This, it seems, explains the basis of Wood's (2006) figurative description of and prescription for discourse analysis:

> …may focus on any aspect of linguistics behavior, from the study of pronunciation, through word choice, sentence structure and semantic representation, to the pragmatic analysis of how we organize speech and context (Wood 2006, p. X).

It should be pointed out, from the outset, that the ascription of diverse meanings to the term "discourse" analysis" has been largely due to the multifarious disciplines associated with it. There are wide-ranging disputations regarding the meaning and scope of discourse. To begin with, Brown and Yule (1983) assert that it is the analysis of "language in use", which cannot be separated from "the purposes and functions of language in human life. In the reckoning of the duo the concept is seen in relation to "social life"

In this wise, it is the contention of Ogunsiji and Aboh (2011) that most linguists have accepted Brown and Yule's (1983) description of "discourse" either as a complex of linguistic form larger than the single sentence (a text) or as "language in use", i.e. the linguistic structures usually used by people when they interact. Combining empirical vigorousness with theoretical insights, the terms "discourse" and "discourse analysis" seems to have gained more than marginal status in connoting "scholastic activity, spoken interaction, written text grammar and lexis beyond the confines of the sentence and intonation, Widdowson (2007). Whether or not one shares the viewpoint of Widdowson (2007) that discourse analysis is much more concerned with language in use rather than the more socio-political incline discipline, it is easy to infer from the avalanche of opinions that the concept is ensconced in variegated disciplines.

This matter- of- fact proposition is gleaned from the submission of Shaw and Barley (2008, p.45):

> …discourse analysis is the study of social life, understood through analysis of language in its widest sense (including face-to-face talk, non-verbal interactions, images, symbols and documents. It offers way of investigating meaning, whether in conversation or culture. Discourse analytical studies encompass a broad range of theories, topics, and analytical approaches for explaining language in use.

It is also pertinent to consider the author's essay on different approaches to discourse analysis and language in use. These approaches are itemized below:

i. Socio linguistic Discourse Analysis

ii. Discourse psychological approach

iii. Foucaultian approach (language and ideology in society).

iv. Analytical approach (deconstruction or unraveling taking for granted assumptions, understand what the assumptions mean in the society).

These, put together, are in consonance with Partridge's (2008) philosophical assumptions that underpin most of the approaches to discourse analysis. He considers the relationship between language and the social and cultural contexts in which it is used. He also beams his searchlight on the fact that discourse analysis considers the way that the use of language presents different views of the world and understandings.

B. Critical Discourse Analysis

Michael Foucault's Critical Discourse Analysis involves the study of language and ideology in society. The main theme of the theory is the perception of the role of language demonstrating how and why the language use sets limits on what it is (and is not) possible to think, say or do. As such, it becomes evident that the scope of this paper, in rather practical terms, is captured in the main tenets of Critical

Discourse Analysis, as espoused by Fairclough and Wodak (1997). The main thrusts of the tenets are as follows:

i. Critical discourse analysis addresses social problems.

ii. Power relations are discursive.

iii. Discourse constitutes society and culture.

iv. Discourse does ideological work.

v. Discourse analysis is both interpretative and explanatory.

vi. Discourse is a form of social action.

Of particular relevance is the subsumption of "mind control" as an integral part of critical discourse analysis involving more than just acquiring beliefs about the world through discourse and communication. Van Dijk (1973) notes that if controlling discourse is a major form of power, controlling people's minds is the other fundamental way to reproduce dominance and hegemony". In what appears to be a stringent appraisal of the applicability of Critical Discourse Analysis to communication, Van Dijk (1973) suggests ways that power and dominance are involved in mind control. First, he suggests that recipients tend to accept beliefs, knowledge and opinions through discourse from what they see as authoritative, trustworthy or credible sources. Second, he continues, in some situations participants are obliged to be recipients of discourse e.g. education and in many job situations. Third, Van Dijk (1973) reasons that in many in situations there are no media that may provide information from which alternative beliefs may be derived. Finally, he argues that recipients may not have the knowledge and belief needed to challenge the discourses or information they are exposed to. All these viewpoints would provide the methodological preliminaries for the analysis of Yoruba concept of Justice.

V. ANALYSIS AND DISCUSSIONS

This section involves the analysis and discussions of the concept of justice among the Yoruba using critical discourse analysis involving power and control.

1. *Agb'ejo enikan da, agba osika ni*

(Gloss: it is unethical to adjudicate on a matter without having heard from both sides).This proverb, ostensibly, is on all four with the legal maxim "*audi auterem patem*", that is," hear the other side".

Thus, among the Yoruba, no matter how finely-wrought an argument is, the adjudicators must still listen to the evidence of the other side. This is with a view to having a balanced view of matter for adjudication- in conformity to the principle of fair-hearing.

2. *Afenilaya o je'bi, aya yin ni ki e kilo fun.*

(Gloss: One who commits adultery with one's wife is not as guilty as one's wife).This is akin to an unwritten code that tilts the scale of justice against an adulterous wife, and not against the man with whom she commits the act. The "legal" reasoning is hinged on the fact that the act of adultery is committed consensually with the wife, where no rape is pleaded.

3. *Ejo kii se ejo eni ka ma moo da*

(Gloss: A matter of which one is familiar with is easy to adjudicate upon). In essence, the proverb stipulates that for a matter to be properly adjudicated upon, the adjudicator must be familiar with all the materials facts in the case.

4. *A kii fi egbo se egbo ile.*

(Gloss: One must not be partial in adjudication) Perhaps the most cardinal in Yoruba jurisprudence, this proverb, in consonance with the English legal maxim of fair-hearing, irrespective of whosoever ox is gored, stipulates that even one's household must not be spared of the "sword of justice".

5. *Igba ti a ba fi winka la o fi san-an*

(Gloss: The punishment for any evil deed should be commensurate with the gravity of the offence). On the scale of justice, the Yoruba proverb stipulates an equal modicum of punishment as the offence committed.

6. *Eni to ba mo ebi re l'ebi kii pe l'ori ikunle.*

(Gloss: Admission of guilt abrogates adjudication) It is the position of this school of thought, expressed proverbially, that, quite as obtainable in modern English jurisprudence, there should be room for "summary trial" when the accused person admits guilt. He may be punished or discharged and acquitted.

7. *A kii ti kootu bo ka s'ore*

(Gloss: When the parties insist on having a matter decided in court, bitter rivalry becomes the resultant effect of such adjudication).This, in essence, encourages what in today's jurisprudence is called "Alternative Dispute Resolution or out-of-court-settlement

8. *Ara ile re re e d'aran, o ni ko kan o, nibo lo fi ti akoba si?*

(Gloss: Your neighbor committed an offence and you insist it is not your business, why haven't you thought of the possibility of being roped in?) This is a clarion call for vigilance and exposition of criminality for the general good of the society.

9. *Ibi a wi si ko laa ku si*

(Gloss: Expressing or barring one's mind cannot lead to instant death).This proverb is, yet again, a testimonial evidence of Yoruba commitment to the principle of fair- hearing. Whether as an accused person or a witness, it is incumbent upon the system of administration of justice to allow parties to express their minds freely or without hindrance.

10. *Bi ika ba r'ojo, ika ko ni yoo da*

(Gloss: The act of a wicked person will not be determined or adjudicated upon by yet another wicked judge).

This proverb is an injunction upon judges to be "blindfolded" against partisanship, kinship or nepotistic tendencies.

VI. CONCLUSION

From the discussions above it can be reasonably (and therefore safely) concluded that language as a social phenomenon is closely tied up with the social structure and value systems of the society, especially when such use of language becomes so canonized to become the law. A jurisprudential analysis of proverbs among the Yoruba has also revealed that whether such proverbs are used in adjudication or in social intercourse, the effect is both didactic and legendary, This, in essence, makes the scholarly inquiry ensconced in Foucautian's Critical Discourse Analysis. The precept highlights the use of proverbs within the scope of power relations, ideology and a form of social control. Therefore, it is hoped that this inquiry will open fresh vistas into linguistic research on African languages.

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