

**LITERARY REPRESENTATIONS OF CONTRAVENTION OF THE LAW IN  
SELECTED NIGERIAN PLAYS AND NOVELS**

**BY**

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## CERTIFICATION

I certify that this research was carried out by **GABRIEL KOSISO OKONKWO** of the Department of English, University of Ibadan, Nigeria, under my supervision.

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## **DEDICATION**

To God Almighty whose grace and mercy saw me through the rigours of this study; to Him be praise, forever. This research is also dedicated to my wonderful parents, Sir and Lady Okonkwo, for their enduring love and words of encouragement.

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space indeed limits my gratitude. I can only but pray that God Almighty reward them abundantly.

## ABSTRACT

Nigerian literature has, over the years, reflected different aspects of the law. Existing studies on the law in Nigerian literary scholarship have focused on morality, crime and punishment, with little attention given to representamina (words and actions) and agents contributing to violations of the law. This study was, therefore, designed to examine representations of the breach of the law in selected Nigerian plays and novels with a view to determining the socio-political factors responsible for characters' violations of the law.

Jean Francois Lyotard's approach to Postmodernism and Charles Sanders Peirce's Triadic Semiotics were adopted as framework, while interpretive design was used. Five plays and five novels were purposively selected for their reflections on legal issues in the Nigerian context. The plays were Frank Ogodo Ogbeche's *Harvest of Corruption (HoC)*, Wole Soyinka's *Death and the King's Horseman (DATKH)*, Ahmed Yerima's *The Trials of Oba Ovonramwen (TToOO)*, Chukwuma Anyanwu's *Another Weekend Gone! (AWG)* and Denja Abdullahi's *Death and the King's Grey Hair and Other Plays (DATKGHAOP)*. The novels were Chinua Achebe's *Arrow of God (AoG)*, Chukwuemeka Ike's *Our Children Are Coming (OCAC)*, Eghosa Imasuen's *Fine Boys (FB)*, Okey Ndibe's *Arrows of Rain (AoR)* and Femi Ademiluyi's *The New Man (TNM)*. Texts were subjected to literary analysis.

The law, as a social and moral instrument, is breached through the representamina of characters suggesting contravention in all the texts. The texts foreground the failure of political and religious leadership, the feeling of injustice, Western imperialism, poor parenting, economic hardship, corruption, and peer group influence as agents responsible for characters' violations of the law. Most characters subvert justiciable actions through their representamina, and often suffer paranoia arising from feelings of guilt. In *AoG*, *DATKH*, *TToOO*, and *DATKGHAOP*, which have traditional settings, the corrective functions of the customary law are emphasised in the lives of depraved characters such as Ezeulu and Obika in *AoG*, Pilkings and Elesin in *DATKH*, Eyebokan and Phillips in *TToOO*, and Esutu and Prince in *DATKGHAOP*. The *TNM*, *AoR*, *AWG*, *FB*, *HoC* and *OCAC* signify infractions by characters like Ayo and Layeni in *TNM*, Ganagana and Ugojah in *AWG*, Wilhelm and TJ in *FB*, Ochuole and Aloho in *HoC*, and Isa Palat Bello and Askia Amin in *AoR* from the perspective of common law. While *AoG*, *TToOO* and *DATKH* suggest the moral authority of the law in the colonial administration, *DATKGHAOP* makes the vulnerable natives moral agents. In addition, *TNM*, *AWG*, *FB*, *HoC* and *OCAC* represent the primacy of the law and the consequences of its subversion for dissidents. While the plays project legal processes and representations of the law more strikingly, the novels are stylistically less procedural but saturated with legal motifs. The meanings projected by characters' representamina in the texts are those of subversion. With their mix of metanarrative and maximalism, the texts advocate obedience and caution against deviant representamina capable of undermining the rule of law.

The selected Nigerian plays and novels explore the law through characters' representamina, and socio-political factors responsible for their violations of the law.

**Keywords:** Literature and the law in Nigeria, Violations of the law in plays and novels, Representamina in literary texts

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## **CHAPTER ONE**

### **INTRODUCTION**

#### **1.1 Background to the study**

Nigerian literature has, over the years, reflected writers' interest in the legal status and actions of characters. It has also expressed legal themes and procedures in its bid to create in the reader the consciousness of the sovereignty and immanence of law as a societal muse. Nigerian writers engage the law in interrogating historical archetypes, behavioural dispositions, psychological idiosyncrasies and cultural values which have become antipathetic and defiant to accepted moral values. Since her political creation in 1914, the Nigerian State has struggled with series of socio-political, ethnic, cultural and religious challenges, arguably, as a result of her diversity. Notable among these difficulties are her constitution drafting crises, fight for independence, militarisation of government, civil war, neo-colonial disillusionment, bloody coup d'état, financial embezzlement, corruption, rape, battery and assault, prevalence of stereotypes, cultism, brain drain, nepotism, terrorism, tribalism and so on. All of these and many others have collectively become the Nigerian experience. The literariness of Nigerian literature therefore cannot be divorced from its tie to these motifs which are reflections and refractions of attitudes towards the law in the Nigerian society.

In the words of Kehinde (2008:334), "it is assumed that literary texts are a valuable locus for studying the interplay of arts and politics; literary works offer an interrogative epic of Nigeria's political history over the past 46 years." It is in this sense and critical poise that Nigerian literature acquires its Nigerianness; that definiteness that defines what can be called Nigerian literary art. He further argues that, "Nigerian writers have always found the informing vision of their creativity bound by the socio-political experiences of the nation, which their works both reflect and refract" (Kehinde, 2008:334). Hence, Nigerian literature which is a sub-set of African literature can be said to be a utilitarian literature. Its social significance is

seen in its reflective and refractive nature while its literary elegance and character are conspicuous in its use of satire and parody. Onukaogu and Onyerionwu (2009) corroborate this view in saying that:

Such gory experiences as the slave-trade, the colonial domination, the disappointing post-independence leadership, the carnage of the civil war, military dictatorship and general socio-political anomie, can be said to provide a rough and chequered definition of the Nigerian socio historical experience which has naturally given birth to a national literature of same complexion (57).

Nigerian writers have been generous and patriotic, albeit reactionary, in addressing some of these issues. Their aim has been to enlighten the average Nigerian and perhaps expose him/her to pivotal perspectives on Nigerian problems which have continued to wax as a result of the infraction of law. However, the morale for this enterprise did not solely emanate from the events manifest in the Nigerian socio-political environment. It equally garnered momentum from the psychological and cultural bastardisation of the Nigerian and indeed African spirit by erstwhile colonial events.

The philosophy of Nigerian literature is no less an offshoot of African Literature. Nigerian writers such as Chinua Achebe, Wole Soyinka, Cyprian Ekwensi, Daniel O. Fagunwa, Femi Osofisan, Ken Saro-Wiwa, Buchi Emecheta, Elechi Amadi, Ben Okri, Chimamanda Adichie and the like have been at the frontline advocating a renewed African spirit freed from the manacles of mental, social, economic, physical and religious slavery which often impact negatively on Africans' attitude towards the supremacy of the law. This task has indeed not been an easy one for them. They sometimes have to contend with frontal attacks targeted at the cultural existentialism of Nigeria and indeed Africa. One of these attacks is the malicious belief by some Western European scholars that Africa and her people had no culture before the coming of the Western powers.

Nigerian literature brandishes a philosophy of emancipation. It utilises its tools in fighting for Nigeria's psychological, historical and cultural freedom from the shackles of imperialism which frequently cause quandary in the reaction and response of Nigerians to the law. Critically speaking, what one may call the philosophy of

Nigerian Literature will obviously not be detached from the influence of colonialism on the socio-cultural spheres of the Nigerian cosmology. This is particularly worrisome considering the fact that Nigeria as a proper reference is a colonial and Western creation. However, with the physical exit of the Western (European) colonialists comes the entrance of a new crop of colonialists; Black Africans (Nigerians) – firm, resolved, and well-tutored in the antics and philosophy of the Western colonialists. This new crop of colonialists is indigenous to Africa but little does that fact make any meaningful impact on the fortunes of the law. They have rather helped to institutionalise the mental terror started by the erstwhile Western colonialists. Their moral mantra has often been mediocrity, lawlessness and corruption. For their sake and that of the former visitors; things fell apart and have continued to fall apart in Nigeria.

However, this unfortunate fact of history and Nigerian existence has not deterred the firm and resolute attitude of the Nigerian writer. It has rather given birth to a stronger will and a new humanistic field of literary enquiry called Nigerian literature. Nigerian writers have one thing in common – a deliberate zeal to re-order the battered “Order” implied in the character of the law. Achebe re-wrote the bastardised history of Africa in his classic, *Things Fall Apart* and set a pan-African pace for other African writers. As the literary chronology moves towards the contemporary Nigerian writers, one begins to observe some stylistic variations though not in the communal ideology which privileges the African interest. Since their interest is to address some of the typical Nigerian challenges earlier listed, there is the unalloyed and dispassionate need for a critical attitude. The need for an encompassing approach to those shared experiences that are uniquely Nigerian, sometimes warrants some conscious and unconscious exploration of legal issues.

Law and Literature, a scholarship on the nexus of law and literature, offers a veritable platform for Nigerian writers to scold the public for their postmodernist flaws, advocate forthrightness, protect cultural values and emphasise the supremacy of the law. This scholarship birthed by John Henry Wigmore's *A List of Legal Novels* (1908), Benjamin Cardozo's *Law and Literature* (1925) and James Boyd White's *The Legal Imagination* (1973) is still largely a Western interdisciplinary trend. Thompson

(2012:1) affirms that, “what is clear is that law and literature come together in various ways.” They are both lettered, creative, instructive, moralistic and sociological.

There are four scholarly areas of engagement within this scholarship but two are conspicuously highlighted in most critical essays. This is aptly captured by Hursh (2013:4) as he states that “the law and literature movement contains several distinct approaches. These approaches generally fall into the broader law in literature or law as literature categories.”

*Law in literature* studies the ways literary writers represent the values, procedures and tenets of *law* in their literary works. A notable scholar in this area is Weisberg. Vaishnav (2014:3) corroborates the fact that literature can help the lawyer and the literary critic with a “better understanding of human psychology, human predicament and society.” The functioning of these variables can be found in Liston’s (2009) examination of parental power in her critique entitled *The Rule of Law through the Looking Glass*. She asserts that:

Fairy tales, for example, offer glimpses into the nature and use of parental power whether this authority, resides in monarchic, aristocratic or peasant homes. These narratives often present parental power working in a brutal and coercive fashion to intimidate and discipline children into compliance with societal norms and conventions (43).

Liston’s focus is on power-use both by parents and children but with a loud emphasis on parental (ab)use of power in calling children to order. In her study, she discovers that:

One common feature in these texts, then, is that they alert children to the ever-present danger of power. The sources and uses of power are multiple, and safe heavens are not guaranteed: parents, teachers, and public officials can all misuse their authority, and unjustly or unthinkingly harm children. How such danger can be cleverly avoided, resourcefully confronted, or skilfully resolved becomes a central struggle for the child protagonists (44).

Liston calls this type of power “legal authority” (44). The Law and Literature scholarship indeed offers the Nigerian writer and reader a wealth of benefits woven around the daily experiences of human beings in the society which question the authority of the law. Vaishnav (2014) calls it a character “uniting all humans as equal” (1). In a literary endeavour that privileges the engagement of Law and

Literature as an interdisciplinary concept, the walls of hegemony and pride of professional membership are dismantled because the hoi polloi and the privileged become equal and are given fair justice as the writers deems fit.

*Law as literature*, on the other hand, looks at the literary interpretation of legal texts. The reference to literature here is more generic than technical. In the law as literature sub-set, emphases shift from literary texts to law books. Generally, every orthographic material is a piece of literature. Hence, the officious books which embody the tenets of the law also have the flexibility that allows for literary analyses. However, this does not make them pieces of literature in the technical sense. Turow (2001) makes this position clearer in these lines:

But despite the sort of close analysis that White really practices quite convincingly on a variety of legal texts, I myself don't regard legal texts as literature in the same sense as fiction and poetry because of the intentional lack of a personal voice. I'm always reminded of the notion that the perfect brief would be one that said "On exactly parallel facts to this case, the United States Supreme Court stated," and then quote from the Court's opinion right through to the end of the passage that disposed of your case. The literature of the law itself has an institutional voice and rhetoric, quite intentionally. Writing as lawyers, we're always attempting to demonstrate not personality, but our membership in this profession that we share and esteem together (68).

Notable names here are Benjamin N. Cardozo, James Boyd White and Ronald Dworkin. Dworkin (1982:179) particularly argues "that we can improve our understanding of the law by comparing legal interpretation with interpretation in other fields of knowledge, particularly literature." The proponents of this school of thought largely believe that studying literary masterpieces will produce better lawyers since legal practice depends largely on words either written or spoken. Turow (2001) privileges this position in his seminal responses to conceptual issues on Law and Literature:

The law is only words. And for many of us, especially those who practice in the criminal area and really think of the law as penitentiaries, ultimately, or even execution chambers, that is something that's always a striking revelation: "the law is only words". The law is itself literature. And lawyers are unquestionably word people. As a result, the literature of the law itself can yield to a close word-by-word analysis (67).

Others are *law of literature* and *law through literature*. *Law of literature* studies how the law states canons that protect and regulate intellectual materials. Here we have copyright laws, patents and the law of defamation. This area is rarely a critical concern in a discourse of this nature except for one or two references here and there to actual positions of the law on conceptual and bureaucratic issues. *Law through literature*, on the other hand, investigates the possibility of having an improved legal system through the insights drawn from literature or literary works. It studies how literature can bring about legal reforms. Just as literature is known to be normative in nature, it can improve the ethics of legal practice by recommending standards of good behaviour. Little (2006) corroborates that, “depictions of law in literature can, when used appropriately, provide valuable insights into legal history.” (1) Literature can indeed provide some insights into the history of societal laws and customs through the description of actions and utterances of characters, depiction of settings, events, and mores in literary works.

Law and literature are Siamese intellectual disciplines that share certain features in common. They are both lettered, canonical, normative, ethical, didactic and socially acceptable. The unwritten and written laws are best interpreted, analysed, criticised, evaluated and judged by creative minds. The literary representation and contravention of law cannot be completely divorced from its conceptual miasma. Freeman (2008) argues that any attempt at defining any concept, let alone law, can be conceived as “naming a thing” (33). A practice which he argues would give a horrible result as “this leads to somewhat odd results in many cases, for instance, those of *classes* of things, non-existent things, or fictitious creations” (Freeman, 2008:33). He, however, argues that such a meaning-search could only be possible through “the ways in which a word is used in the context of a particular language”(Freeman, 2008:33). After several conceptual arguments ranging from essentialism to criterion of validity, law and regularity, law and morals, morals as part of law, law and value judgements, and the nature of law, Freeman concludes that, “the question; what is the nature, or essence of law? Has long perplexed legal and political philosophers” (Freeman, 2008:61). Hence, for him, “it is a fact that it is practically impossible to frame a definition of “Law” in short and simple terms that will both include early customary law and exclude modern conventions of the constitution”(Freeman, 2008:58).



Despite the expert arguments going on among the legal clerisy, we do know that laws are made to regulate the conduct of man in the society. They are also there to create a sense of justice and tranquillity in the minds of the people for whom they are made. Literature similarly mirrors the conduct of man in the society with the sole aim of maintaining a social, and moral decorum. A core attribute which is common to both disciplines is character reformation. It is then safe to argue that law and literature are lettered Siamese that cannot be divorced from each other at least for the sake of man's peaceful contemporaneity in the society.

At the core of this argument is the proposition that the legal business is everyone's business irrespective of discipline. We all are supposed to be familiar with the laws which protect and manage our collective human experiences. It is not a sole prerogative of lawyers. Turow (2001:69) concurs that, "the current popularity of legal stories has to do with the intense curiosity of Americans about the law, a curiosity that has grown a great, great deal in the last thirty years, as the law has intruded more and more into their daily lives." Laws exist because there are shared social values, cultural and religious idiosyncrasies which influence the actions and inactions of man in the society. Since man is said to be capricious and erratic because of his/her emotional imbalance and imperfection, laws are needed to manage his/her excesses and help him/her maintain a relative moral and ethical decorum. Hence, the literary man needs to know what the law says about his professional endeavour and how the law helps literature in realising its didactic essence via thematic expressions, plot arrangement, characterisation, setting and so on. The legal man, on the other hand, needs to know how literature linguistically affects his use of language in his legal practice, and how the norms and ethical values prescribed and presented in literary arguments and works influence his personality and business of law. Lawyers find it convenient to express their thoughts in the book form because most delicate and sensitive laws are written down to cater for the flaws of the human memory and nature. In like manner, cultural values and historical experiences of humans are aesthetically pencilled down by the literary/creative writers for easy access, assessment, and evaluation. Literature, therefore, explores human experiences which are regulated by the law. Foregrounding Law and Literature as a scholarship in the humanities is an expression of the understanding that law and literature as disparate intellectual disciplines have become intricate parts of our daily lives and human experiences which mainly originate from

historical and cultural dynamics. The law in literature model of the scholarship which accounts for the preponderance of legal motifs and methods in literary texts is privileged in this study.

## **1.2 Statement of the research problem**

Existing studies on the law in Nigerian literary scholarship have focused on morality, crime and punishment. Studies such as Ejiofor and Kamalu (2011), Jegede (2011), Agho and Aiwekho (2015), Ango (2014), Kehinde (2008), Taiwo (2008), Hunsu (2008), Oriaku (2010), Okwechime (2014), Mikailu (2011) and Eruaga (2018) have discussed either reflections or refractions of morality, crime, espionage, and punishment with little attention given representamina and agents of the violations of the law.

Ejiofor and Kamalu (2011) study how the egocentric microcosm of the centre in Wole Soyinka's *The Strong Breed* neglect the principles of human rights, and use religion as a tool of political coercion. This study which borders on postcolonial disillusionment exonerates the culpability of the vulnerable macrocosm. Oriaku (2010) studies the interaction between literature and human history but only connotes the values of historical jurisprudence responsible for crime. Jegede (2011) and Hunsu (2008) examine the dangers of patriarchal hegemony. They use literature to interrogate gender-based and human rights-based discourses that unfortunately do not reflect the roles women play in projecting criminality and abusive patriarchy. Okwechime (2014) and Ibrahim (2014) interrogate the moral negligence often exhibited by societal nobles as reflected in cases of human rights abuse liable for punishment but conscientiously exculpate the subalterns. They fail to account for the unwholesome and rebellious roles the oppressed play in bringing about such lawlessness, crime and injustice. Agho and Aiwekho (2015), Ango (2014), and Taiwo (2008) interrogate human vindictiveness and criminal behaviour towards the environment from the sociological and moral perspectives undermining the legal underpinnings implied in their investigations – the relationship between environmental laws and the exploration of natural resources. Kehinde (2008) examines the effects of migration and exile on the psychological domains of migrants in Segun Afolabi's collection of short stories: *A Life Elsewhere* but fails to depict their culpability in the bastardisation of the legal

order that hitherto protects their dignity. Mikailu (2011) interrogates the destruction of personal goals on the altar of societal laws and foregrounds New Subjectivity as an ideological voice in characterisation. In downplaying the significance of law in the lives of characters, he makes them culpable dissidents. Eruaga (2018) observes that characters' predisposition to crime comes mainly from the tyranny of political leadership. In blaming the preponderance of culpability on unhealthy leadership behaviour, Eruaga exculpates character-culprits and transfers their culpability to leadership irresponsibility. In exonerating character-culprits of culpability and responsibility for individual misdemeanor, she makes them appear as victims of existential viciousness and inequalities in societies governed by bad leaders. In all these and just like in most studies, critical attention focuses on morality, criminal behaviour, culpability and punishment.

This study was, therefore, designed to examine the representamina and socio-political agents responsible for characters' violations of the law in selected Nigerian plays and novels. It intends to achieve this through a literary analysis that adopts the ideation of the *law in literature* sub-set of the Law and Literature scholarship.

### **1.3 Aim and objectives of the study**

The aim of this research is to examine the representamina as well as the socio-political factors influencing characters' attitudes and directing same towards violation of the law. To achieve this aim, the study seeks to:

- i. analyse the violative representamina used by characters in the selected plays and novels;
- ii. identify and study socio-political agents responsible for the infraction of law in the selected literary works;
- iii. critique the moral burden of the law and underpin its subversive significance as aesthetically depicted in the selected texts.

### **1.4 Research questions**

1. What are the violative representamina in the literary texts?
2. What are the socio-political factors facilitating the subversion of the law by the characters?
3. How does the moral burden of the law aid contravention?

### **1.5 Scope of the study**

As an analytical study within the Nigerian context, the scope of this study is restricted to the four major geo-political zones in Nigeria namely: Western, Eastern, Southern

and Northern Nigeria. Frank Ogodo Ogbeche's *Harvest of Corruption* and Eghosa Imasuen's *Fine Boys* are used to represent Southern Nigeria; Femi Ademiluyi's *The New Man* and Wole Soyinka's *Death and the King's Horseman* are used to represent Western Nigeria; Chinua Achebe's *Arrow of God*, Okey Ndibe's *Arrows of Rain*, Chukwuemeka Ike's *Our Children Are Coming* and Chukwuma Anyanwu's *Another Weekend Gone* are used to represent Eastern Nigeria; Ahmed Yerima's *The Trials of Oba Ovonramwen* and Denja Abdullahi's *Death and the King's Grey Hair* are used to represent Northern Nigeria. The choice of Nigerian plays and novels confirms the reality of this motif in Nigerian literary scholarship. The motif of contravention cuts across the two genres.

While I acknowledge the ubiquitousness of literary texts and splendour in all the regions of Nigeria, it is imperative to note that the choice of four literary texts chosen from the eastern region as opposed to the two each chosen from other regions in this study is informed by the reality of what was available for analyses at the onset of this research. While literary texts with legal underpinnings across ethnic divides were in plethora, literary texts of the prose genre with legal values were tilted more to the eastern region. In addition, this is a representational study and not a scientific research that privileges empirical tools.

Ahmed Yerima's play used in this study was chosen to represent northern Nigeria on the basis of authorial and not textual imperative. Ahmed Yerima, though a detribalised Nigerian, has north-central paternity. Hence, this study naturally sees him as a northerner.

The novels are basically treated as literary fiction because of their literariness and normative conformity – grand characters, visual and emblematic language, copious descriptions of characters, places, and actions, graceful plot and the like which contrast with the pop-culture of crime/thriller fiction. While the legal concerns remain same in the two sub-genres, the styles of rendition differ significantly. Nigerian plays are also selected to aptly capture the practical dramatics of legal procedures which are less visible in novels.

## **1.6 Research methodology**

This study utilises literary and critical analyses in its examination of the selected literary texts. The ideation and principles of the law in literature sub-set are systematically engaged to examine the literary representations of contravention of law in the selected plays and novels. Ten literary texts chosen across the genres of prose and drama and the four major geo-political zones in Nigeria namely: Eastern, Western, Southern and Northern Nigeria were purposively selected for analyses because they focus on legal issues and belong to the Nigerian literary corpus. Characters' defiance stemming from their words and actions and socio-political factors forms the justification for the findings and conclusion of this study. Jean Francois Lyotard's Postmodernism and Charles Sanders Peirce's Triadic Semiotics are used to validate the findings of this study.

## **1.7 Theoretical framework**

This study relies on Lyotard's model of Postmodernism which questions fixed attitudes to metanarratives/cultural norms and Peirce's Triadic Semiotics which accounts for sign-representations as theoretical models. Freud's Psychoanalytic Theory of the Instinct is also used supplementarily to justify emotional and jaundiced responses to the law.

The Postmodernist Theory accounts for the characters' violations of the law – an attitude which Mason (2007) in his *Historical Dictionary of Postmodernist Literature and Theatre* calls “deconstruction; fragmentation, and decentralization” (xxxii – xxxiii). Postmodernism theorises that “truth” and “reality” do not exist as objective forms (Mason, 2007: xxxi – xxxii). Hence, truth and reality are subject to the emotive and eccentric nature of man. In Lyotard's postmodern thinking, the truth is an individual's local narrative as against grand/metanarratives constructed in societal laws, customs, knowledge-system, history, and experience. It is how an individual feels about the law. Most of the characters in the selected texts construct their own definitions of law (truth) and by so doing make the organised law flaccid. They decide to choose what laws to obey and what laws not to obey. This is indeed a postmodern attitude which privileges the primacy of the individual as an objective factor in defining truth. The law is seen by most of the characters as a hegemonic structure, hence, their recalcitrant protests. The weak characters perceive the law as a biased

institution which favours and protects the mighty and powerful to the detriment of the weak while the mighty and powerful see the law as an arrogant threat whose claim of supremacy deflates their fame and ego. Given these binary conflicts, the weak and the powerful engage the law in an eternal duel of justice and supremacy. The characters fight both Western legal hegemonies and native hegemonies.

Semiotics, a system of signs and signification, is used in this study to justify the means through which infraction is executed by the characters. Peircean Semiotics has been deliberately chosen because it is imbued with the tripartite constituents – representamen, object, interpretant – that are vital participants in meaning expression. Peirce calls his Semiotics a complex system that “must be the characters of all signs...” comprising, “an intelligence capable of learning by experience.” (Peirce, 1931:227) Contravention is signified in verbal and non-verbal actions. These verbal and non-verbal actions articulated in sign-fields foreground literary devices such as metaphor, irony, personification, synecdoche, oxymoron, flashback, to mention but a few. These literary devices propelled by the representamina project the aesthetic significance of this research.

Most of the characters in the selected literary texts utter words and do things that violate the law. Regardless of their violative nature, the literariness of the words most of the characters utter and their actions makes the law amenable to interdisciplinary exchanges especially within the humanities – court evidentiary tales, speech histrionics, witty statements in African cultural milieux (proverbs, anecdotes) and the like. Such behavioural exchanges establish the literariness of law within the context of humanistic values. Hence, Peircean Semiotics empirically substantiates the validity of sign-actions responsible for the infraction of law.

The Psychoanalytic Theory has been used as a supplementary theory in this research to account for quandary and schizophrenic tendencies which designate most of the characters – a state which Clyman (2017:1) calls, “fractured consciousness” and Trevor, (1997:108) calls “split personality”. The characters know the law and its tenets but just like in the words of Hamlet in William Shakespeare’s *Hamlet* (Act 3, Scene 1:3, from Meyer 1990:929):

To be or not to be? That is the question, whether 'tis nobler in  
the mind to suffer the slings and arrows of outrageous fortune,

or to take arms against a sea of troubles, and by opposing, end them? To die, to sleep- no more- and by a sleep to say we end the headache and the thousand natural shocks that flesh is heir to- 'tis a consummation devoutly to be wished! To die, to sleep.

They are confused as to what to really do with the law. Most of them do not trust the law hence, their rebellious attitude. According to the psychological theories of Freud (1895, 1900 and 1905), the human mind is capable of being compliant at the unconscious, preconscious and conscious levels but when it is affected negatively by existential factors, depression, schizophrenia, psychopathy, stress and psychosomatics set in. In his *The Ego and the Id*, Freud developed a structural mould of the human mind consisting of the id, ego, and superego. He called these the “psychic apparatus”(Freud, 1923:1-66). He subdivides the Id into the Eros and the Thanatos and called the Eros the “life instinct” (self-centredness) and the Thanatos, the “death instinct” (aggression). Hence, the id contains the vital spur for all human actions– it is that selfish nature of humans which often gets aggressive (Thanatos) when it is not gratified. The ego which is the “reality instinct” reconciles any dispute between the id and the superego – the “morality instinct”. However, because of its nature, the id will often resort to violence (Thanatos) against the superego (law) when its selfish desires are not gratified. This vicious nature of humans often succeeds in weakening the influence of the ego hence, the lingering duel between the id (the selfish nature of man) and the superego (the law).

Therefore, in the minds of the defiant characters, postmodernist realities help the id to react negatively through the use of subversive representamina against the superego (law) when its self-indulgent needs are not met. Most of the dissident characters rebel against the law in order to satisfy their personal interests and some self-centred desires that are often against societal laws. Since the superego is at the unconscious level of the human mind, it therefore follows that the defiant behaviour of the characters is largely innate and deliberate. They are aware of the ever presence of the morality instinct (superego – law) but they will rather respond to postmodernist tempers which find comfort in the id. In doing this often, they psychologically identify with the id and become dissidents. Hence, quandary and schizophrenic tendencies set in whenever the superego (morality instinct – law) tries to call them to order. Their dilemma is usually a function of their defiant behaviour because they

hardly get realistic with the ego – the reality instinct. Their troubled minds simply result in insubordination to the law (superego).

### **1.8 Significance of the study**

This study validates the need for more critical attention on literary works expressing legal issues and procedures. It also establishes that characters' representamina – words and actions – can foster contravention of law in literary settings. Also, postmodernist tempers bordering on social, economic, religious, gender and cultural inequalities in the literary texts are also identified in this study as crucial reasons for the contravention of law by the characters. This study equally establishes that the law has a moral burden which is geographically and culturally determined and it influences the interpretation of the law in a way that aids contravention. This study also corroborates the prospects of addressing legal issues involving literary characters and the law with the principles of the Law and Literature scholarship. The experimentation of the ideation of the *law in literature* sub-set with Nigerian plays and novels corroborates this fact. Insights drawn from this research can help improve the corpus of interdisciplinary studies in the humanities, and inspire more work in other related fields. This study can also be a meaningful contribution from the literary perspective to the existing scholarly studies on the rule of law in Nigeria and Africa in general.

This study emphasises Nigerian novels which fall under the traditional class of novels called literary fiction mainly because of their literary merit – grand characters, visual and emblematic language, copious descriptions of characters, places, and actions, graceful plot and the like which contrast with the scientific and pop-culture nature of crime/thriller fiction. While the legal concerns remain same in the two sub-genres, the styles of rendition differ significantly. Nigerian plays are also selected to aptly capture the practical dramatics of legal procedures which are less visible in novels.

### **1.9 Justification**

Existing studies on the law in Nigerian literary scholarship have focused on morality, espionage, crime and punishment, with little attention given to representamina and socio-political agents bringing infraction by characters in literary texts. Therefore, this study examines representations of contravention of the law in selected Nigerian plays



and novels with a view to determining the extrinsic social agents responsible for violations of the law.

### 1.10 Operational definitions of terms

The main technical terms used in this study are defined below:

- i. **Contravention** refers to the deliberate efforts made by the literary characters to breach the law through their words and actions.
- ii. **Jurisprudence** refers to the different schools of thought, scholarly notions and approaches which are employed in the reading of law.
- iii. **Law and literature** is a broad term referring to the Western scholarship that centres on the interdisciplinary nexus of law and literature.
- iv. **Law** refers to the moral code of good and bad behaviour established to govern the behaviour of the characters by each of the societies in the literary texts.
- v. **Literary jurisprudence** is a narrow term referring to the interaction of jurisprudential notions and literary methods which aims at an aesthetic make-believe that fosters the development of Law and Literature as an interdisciplinary scholarship.
- vi. **Moral burden** refers to the degree of justice, discipline and firmness expressed by the law as a moral factor.
- vii. **Representamina** is used in this study to refer to the words and actions which identify with contravention. These words and actions have literary merits. They are aesthetically portrayed, described, suggested and presented to the reader by the writers.

### 1.11 Organisation of the study

This study is divided into six chapters. Chapter One introduces the Background to the Study, Statement of the Research Problem, Aim and Objectives of the Study, Scope of the Study, Research Methodology, Theoretical Framework, Significance of the Study, Research Questions, Operational Definitions of Terms and Organisation of the Study. Chapter Two dwells on the review of related literature under the following sub-headings; Conceptualisations of the Law-*Natural Law*, *The Positive Law*, *Sociological Law*, *Historical and Anthropological Law*, Traditional Law in Nigeria, The Legal Fiction: Literary versus Pop Fiction Dichotomy, The Conceptual Irony: Legal Dramaturgy and Classical Nascency, Previous Works on Law and Literature

and Previous Works on the Selected Plays and Novels. Chapter Three is entitled: Conceptual Clarification: Literary Representations of Infraction of Law in the Plays. Chapter Four is tagged The Narrative Imperative: Law and Defiant Subjects in the Novels. Chapter Five is entitled: Moral Burden of the Law and the Weight of Violation. Chapter Six contains the research findings and conclusion.

## **CHAPTER TWO**

### **REVIEW OF RELATED LITERATURE**

#### **2.1 Introduction:**

It is an empirical given that no research is an island unto itself; therefore, this section will engage, critically, scholarly notions and efforts that are related to this research. In doing so, it looks at the research efforts that have so far been carried out in this area of topical interest and that interrogation will indirectly divulge the uncharted topicalities tied to the focus of this present research. Hence, the review will become a premise upon which the arguments and findings of this research will be built and established.

#### **2.2 Conceptualisations of the law**

Law, as a phenomenon, has been with man since time immemorial. In every society, man has been known to follow a set of rules instituted either by the supernatural through mystical revelation or by humans themselves through dictatorial intuition or democratic processes. The term law is so ambiguous and significant for the cordial existence of man in the society that no one flipping assertion or comment about it would hold without a thorough examination of its nature and expected function in the human society.

Over the ages, scholars have tried to examine the nature, content and function of law in the human society. Starting from the religious law supposedly handed over to man by God, preached by most world religions, to the human laws created mainly by man for man, scholars have dealt with the different shades and contents of law. Hence, the task of defining what constitutes law may be difficult given the complexity of the universal concept. Elegido (1994) corroborates that, “many different definitions of law have been proposed in the course of the long history of jurisprudence. This

reflects the fact that law is a very complex phenomenon which can be studied from many different standpoints” (331).

The innate idiosyncrasies of man are responsible for these differences. Corroborating, Elegido (2010) acknowledges that:

This is only to be expected, for in framing a definition of law a writer will wish to condense the more important conclusions he has reached in his study. In so far as authors differ in their global philosophical views about reality, knowledge, man, and society, and have different ideas about the functions, nature and mode of operation of the law, it is only logical that their definitions of law will differ (331).

These individual differences in phenomenal perception are undoubtedly what Dias (1985) in his book entitled *Jurisprudence* interrogates in saying that, “The identification or as Jeremy Bentham put it, ‘Individuation’, of ‘a law’ is a matter of definition and reflects the definer’s way of organising legal material” (59). However, despite all these conceptual miasmas about the meaning of law, scholars have always agreed on some semantic characteristics that are known only to law. He further defines law in its broad sense as, “a group structure designed to secure obedience to group prescriptions” (Dias, 1985:60). Dias’ definition presupposes that law is a communal property meant for the harmonious existence of everybody in a community. It also shows that law is a supreme canon that is designed by a given society.

On the contrary, Freeman (2008) argues that any attempt made at defining any concept let alone law can be conceived as “naming a thing” (33). A practice he argues would give a horrible result as “this leads to somewhat odd results in many cases, for instance, those of *classes* of things, non-existent things, or fictitious creations” (Freeman, 2008:33). He, however, argues that such a meaning-search could be only possible through “the ways in which a word is used in the context of a particular language” (Freeman, 2008:33). After several conceptual arguments ranging from “essentialism” to the “criterion of validity”, “law and regularity”, “law and morals”, “morals as part of law”, “law and value judgements”, and “the nature of law”, Freeman concludes that “the question; what is the nature, or essence of law? Has long perplexed legal and political philosophers” (Freeman, 2008:61). Hence, “it is a fact that it is practically impossible to frame a definition of “Law” in short and simple

terms that will both include early customary law and exclude modern conventions of the constitution” (Freeman, 2008:58).

However, it should be noted that Freeman does not say that the task is outrightly impossible but he does say that such a semantic ambition in just short and simple terms will portend the assumed challenge. It is in the light of this that the explication of *Oxford Dictionary of Law* (2006) beams some light of hope. It asserts that law refers to “the enforceable body of rules that govern any society”(306). It further states that it is also “one of the rules making up the body of law, such as an Act of Parliament” (306).

Four key terms can be deduced from the first definition and they are “enforceable,” “rules,” “govern,” and “society”. In other words, there would be no law or laws without rules, an enforcement apparatus, someone to govern or manage such enforcement and finally a society. Remember that Dias (1985) had earlier emphasised the terms “group,” “structure,” “secure,” and “prescriptions” in his conceptual attempt. The need to have at least a frame work of law as a concept has become exigent given the cultural-pluralism of the 21st century world, cramped in the so-called global village. This need is admitted by Adaramola (2008) in his *Jurisprudence* where he asserts that, “although Jurists through the ages have attempted to define law with varying degrees of success; it is by no means impossible to define or at least describe the concept fairly satisfactorily” (7). He goes on to say that “law, strictly so-called, may be defined as a normative psychological instrument of social management, social motivation, social control, and social change, produced from practical social necessity by which a politically organized society influences human conduct within its jurisdiction” (9). Adaramola’s ambitious run, no doubt, achieves the aim of exposing the legal novice to the ubiquitous attributes of the law which constitute part of his daily experiences, though oblivious to him. He again highlights some cogent terms that can help in the de-mystification of law – *psychological instrument, social management, social motivation, social control, social change, politically organized society, influences human conduct and jurisdiction*.

His conceptual list is not a deviation from the views of the earlier cited sources. These terms have rather built a harmonious symphony with the conceptual canons of Elegido (1994), Dias (1985) Freeman (2008) and *Oxford Dictionary of Law* (2006).

Perhaps the most exciting attempt in situating the meaning of law can be found in Malemi's *The Nigerian Legal Method*. He itemises possible assumptions:

Generally, law means:

1. A rule
2. A rule of behaviour. A code of conduct
3. The rules and regulations of a particular country.
4. The rules usually made by the legislative arm of government which order the way persons, bodies and society should behave; and
5. The whole system of rules of a country (Malemi, 2012:6).

However, he is very quick to admit that his definitions may not be able to satisfy the messianic conceptual expectation. Hence, he states that:

These apart, many people have tried to define law. No definitions as there are writers. No definition is authoritative and free from criticism, and there are as many definitions as there are writers. No one can give a definition of law that will end all definitions (6).

I do not seem to agree with the pessimistic stand of Malemi here given the fact that he is a legal luminary and as such a correct assumption of an authority whose opinion on issues such as this would ordinarily pass as a canon no matter how controversial. Malemi's attitude to the conceptualisation of law is bereft of positivity which is a constant truth of human's existence.

The clause "No one can give a definition of law that will end all definitions" is pessimistic. This position is sharply antithetical to that of Adaramola (2008) which assumes a more objective evaluation of the concept hence, "it is by no means impossible to define or at least describe the concept fairly satisfactorily" (7). However, his ambitious views on what law should be are worthy of commendation. Consequently, judging from the position of all the sources traced so far, it is conspicuous that the term law has some distinguishing features which readily acquaint any curious legal mind with an idea of what law is all about. Law can therefore be said to possess these qualities – it is a communal code of behaviour, it is enforceable, it is a body of rules, it is either made by nature or humans and it is meant for the human society.

Having made attempts to name and describe the possible attributes of law, it is important at this point to note and examine the various notions held by scholars over the ages as to what may constitute legality and the meaning of law given the fact that

our efforts at defining law have mainly limited the scope to the features which are widely regarded as legal possibilities by legal scholars. No matter how successful and unsuccessful, such practical efforts will be better appreciated through the logic in the various arguments presented by legal scholars over the ages. Almost all of their views have come to be taken as the bedrock of any serious enquiry into the nature and what I call *beingness* of the term, law.

Therefore, the term Jurisprudence has come to assume the nature of an avatar in this age long quest. It will suffice as a value framework upon which rational assumptions and conclusions are reached. *Oxford Dictionary of Law* (2006) defines and explains jurisprudence as:

The theoretical analysis of legal issues at the highest level of abstraction. Jurisprudence may be distinguished from both legal theory and the philosophy of law by its concern with those questions (e.g about the nature of a particular right or duty, or a particular line of judicial reasoning) that arise within or are implied by substantive legal disciplines. Legal theory is often used to denote theoretical enquiries about law as understood by professional lawyers (e.g the economic analysis of law or Marxist legal theory). Legal philosophy or the philosophy of law, as its name implies, normally proceeds from the standpoint of the discipline of philosophy; that is, it attempts to unravel the sorts of problems that might concern moral or political philosophers, such as the concepts of freedom or authority (299).

The philosophical angle to the explication of law stems from that age long need to unravel the mystery behind the rationality and functionality of every human-made concept or phenomenon. The philosopher would want to know for instance the reason for the creation of law(s), the function(s) it/they is/are meant to perform and the subject(s) of the law. This critical need to fully understand the inner workings of the law has led to several schools of thought on the possible source(s) and powers of the law(s) governing different groups of people. Many of these suppositions and assumptions have come to be known as the theories of law or simply put Jurisprudence. Elegido (2010:3) corroborates this in saying that, “Although Jurisprudence has been for many years the favoured name, legal theory and philosophy of law are also used sometimes.”

However, it is pertinent to show the difference between Jurisprudence and legal theory. Although obviously related, the two concepts differ in functional scope.

Adaramola (2008) in his *Jurisprudence* quotes Hall as doing justice to this. He observes that:

While legal theory is concerned with the general principles involved in branches of positive law (i.e, state Law) e.g murder, theft, self-defence, ownership etc. Jurisprudence describes the search for ultimate conceptions of law “in terms of which all legal knowledge can be significantly expressed (5).

Well, there is only a tenuous difference of scope here, while jurisprudence covers a broad territory of legal enquiry, legal theory limits itself only to the positive law principles. However, the term theory” has become a relative interchangeable term given its conceptual usage by many legal scholars. While Freeman (2008) sees jurisprudence as a body or embodiment of legal theories in asserting that, “traditional theories in jurisprudence reflect the old “ideologies” (1). Adaramola’s reference to Cohen and Cohen presents a notion of jurisprudence that is symmetric, parallel and analogous to the views expressed by Freeman. Hence, he says, it is “The Jurist’s quest for systematic vision that will order and illumine the dark realities of law,” while legal theory is “the philosopher’s effort to understand the legal order and its role in human life” (5).

In its literal sense, jurisprudence means the “knowledge of the law” or “skill in law” (Adaramola, 2008:1). Hence, one can basically be looking at the different shades or understanding of this knowledge. The differences in the way people understand the term law have come to be known as approaches, schools of thought or simply put-legal theories. Elegido identifies some notions of law ranging from Natural Law to Legal Positivism, the Marxist Theory of law, Historical School, Pure Theory of Law, American Realism and Sociological Jurisprudence(Elegido, 2010:4-101). Apart from the traditional jurisprudential schools mentioned above, Elegido (2010) also identifies some recent approaches to jurisprudence namely “Critical Legal Studies, The Work of Ronald Dworkin, And the Economic Analysis of Law” (102). These approaches are testimonies to the dynamism and open-endedness of the legal discourse.

Of all the jurisprudential schools, this study is mainly interested in the views of the Natural Law Theory, Positive Law Theory, Historical and Sociological Theories of Law. This selection is necessitated by the peculiar nature of the Nigerian polity and



cultural milieu – all these four notions of the law are needed to truly understand how the law works in the Nigerian society.

### **2.3 Natural law**

Adaramola (2008) traces the origin of the natural school to the ancient civilization of the Greeks. According to him:

Natural law evolved into a universal concept as the ancient Greek city States collapsed at the wake of the conquests of Alexander the Great and new empires and kingdoms rose in the then Greek world. This evolution was brought about by two groups of Greek philosophers called the Sophists and the Stoics, respectively (13).

He asserts that the Sophists call nature the innate “nature or order of things” and the Stoics marry nature with humans’ reason. Hence, to live reasonably is live “naturally” (13). However, Salmond (1913) in his *Jurisprudence* creates a mental picture of the notion of natural law in the then Greek society:

Natural law was conceived by the Greeks as a body of imperative rules imposed upon mankind by nature, the personified universe. The Stoics, more particularly, thought of nature or the universe as a living organism, of which the material world was the body and of which the Deity or the universal reason was the pervading, animating and governing soul; and natural law was the rule of conduct laid down by this universal reason for the direction of mankind (15).

Salmond’s views on the origin and Greek conception of natural law are not so different from those of Adaramola. However, Salmond further states that, “Natural law has received many other names expressive of its diverse qualities and aspects. It is Divine Law (*Jus divinum*) in the command of God imposed upon men” (15). Natural law has always been acknowledged as the progenitor of other forms of law. It is basically so because humankind has been in touch with nature since time immemorial and the laws of the universe have since left that indelible imprint in their consciousness. Consequently, *Oxford Dictionary of Law* (2006) corroborates that natural law is:

The permanent underlying basis of all law. The philosophers of ancient Greece, where the idea of natural law originated, considered that there was a kind of perfect justice given to man by nature and that man’s laws should conform to this as closely as possible. Natural law is both anterior and superior to positive law (351).

The primacy of the natural law has never been in doubt. Hence, Adaramola (2008) asserts that:

Natural law jurists through the ages conceive natural law as a collection of objective moral principles based on the very nature of the universe and discoverable by human reason, and designed to serve as a model to which state law, i.e, positive law, must conform. They contend that if it does not so conform, it is not genuine law but a corruption of law-lex injusta non est lex (13).

The words “model” and “conform” are very key here. This means that the natural law is a pace setter. It is the standard for the operations of the other forms of law. The significance of this notion of law is particularly important for the position and peculiar nature of the Nigerian cosmology with an overt religious population belonging mainly to any of the three major religions- Christianity, Islam and Traditional religion. The freedom to practise and engage in any of these three main religions is guaranteed in the constitution of the Federal Republic of Nigeria. It is no surprise then that the 1999 Constitution clearly states in section 38, sub-section (1) that:

Every person shall be entitled to freedom of thought, conscience, and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance.

The mentioning of this reality is very important as it conforms to the principles of the natural law theory which emphasizes the supremacy of Nature and God, the causer of Nature in the affairs of humans. It also explains the conspicuous presence of the African traditional legal motifs and the contemporary legal themes and practices in all the plays and novels purposively selected for this study.

## **2.4 Positive law**

The direct opposite of the Natural Law Theory is Legal Positivism. Elegido (2010) quotes Austin, one of the leading positivists as saying that, “every law simply and strictly so-called, is set, directly or circuitously, by a sovereign person or body, to a member or members of the independent political society wherein that person or body is sovereign or supreme” (50). In other words, positivism regards the sovereign of a

nation as the final authority and this is opposed to the natural law principles which are based on the mantra “law as it ought to be”. The positivists see law as it is. Salmond (1913) calls legal positivism imperative law and defines it as:

Any rule of action imposed upon men by some authority which enforces obedience to it. In other words, an imperative law is a command which prescribes some general course of action, and which is imposed and enforced by superior power. The instrument of such enforcement-the sanction of the law-is not necessarily physical force, but may consist in any other form of constraint or compulsion by which the actions of men [be] determined (17).

Any nation that is said to be sovereign has this form of the law enshrined in its constitution whether a military or democratic sovereign state because such a state pledges its allegiance only to the sovereign constitution or dictator, king or queen. Nigeria cannot truly be said to be operating either of the two forms of law discussed so far. But a truer assumption would be to acknowledge the co-existence of the two. This is further obvious when Nigeria is seen as a deep cultural entity making up a dynamic embroidery or hybrid of some sort with the contemporary postmodernist values of the twentieth and twenty first centuries.

Dias (1985) in his *Jurisprudence* explains the Positive Law as a nineteen century trend. He observes that, “the start of the nineteen century might be taken as marking the beginning of the positivist movement. It represented a reaction against the priori methods of thinking that characterised the preceding age”(331). It is also important to state that the nineteen century coincidentally was the direct antecedent of the twentieth century which gave birth to the entity called Nigeria. The Nigerian sovereign entities had before the time of their amalgamation practised with so much religious decorum the ordinances of Nature. Many of the pre-Nigerian nations practised sovereign monarchies and the kings and queens were seen as direct representatives of God, hence, their words were considered law. At this point, it is indeed difficult to separate a socio-political discourse of this nature from its union with the Natural and Positive Law. The king is seen as getting his powers or authority from nature and he is sovereign in the use of that power. This represents the cultural make-up of the supreme entities formed in the pre-Nigerian Societies. It is no surprise then seeing these idiosyncrasies in the entity called Nigeria as the country is composed of different nationalities with their peculiar values. Hence Western civilization with all her

attendant values and legal knowledge can only be said to be in communal harmony with the existing social canons and religious values of the people thereby forming some kind of cultural hybridity.

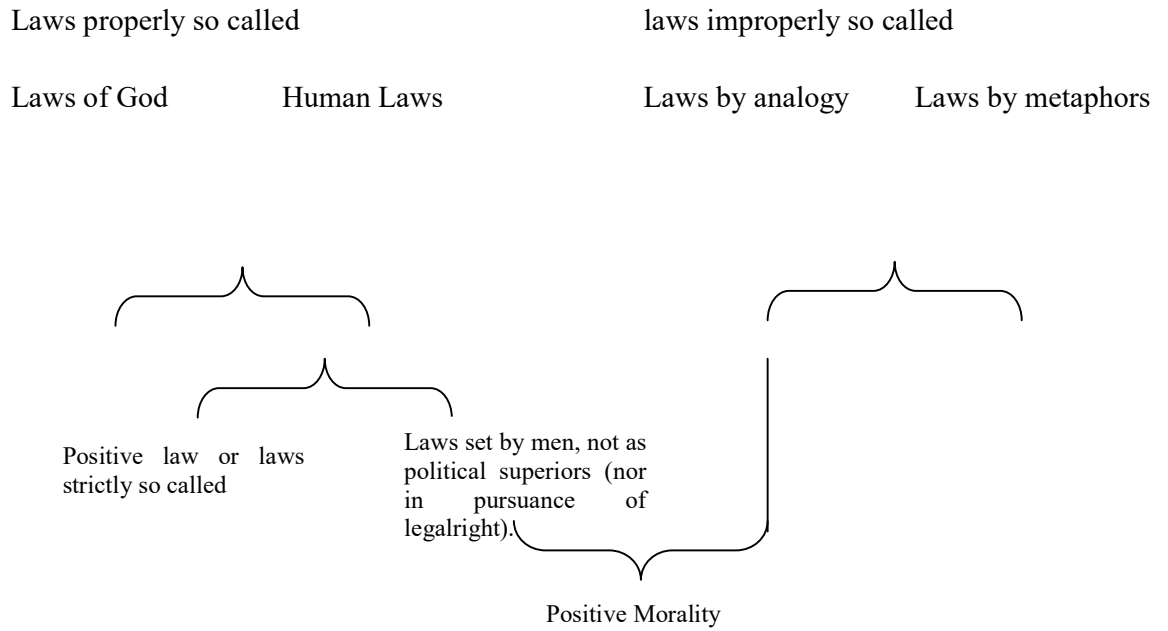
It must also be stated that the sovereigns of most of the pre-Nigerian societies acted as earlier stated as the representatives of God as they constituted themselves into very small ruling classes or cults called the nobles. The royal class represented the workings of the law. This explains why Dias (1985) further asserts the conceptual implications of the term “positivism”. According to him:

The term “positivism” has many meanings, which were tabulated by Professor Hart as follows: (1) Laws are commands. This meaning is associated with the two founders of British positivism, Bentham and his disciple Austin, whose views will be considered in this chapter. (2) The analysis of legal concepts is (a) worth pursuing (b) distinct from sociological and historical inquiries, (c) distinct from critical evaluation. (3) Decisions can be deduced logically from predetermined rules without recourse to social aims, policy or morality. (4) Moral judgments cannot be established or defended by rational argument, evidence or proof. (5) The law as it is actually laid down, *Positum*, has to be kept separate from the law that ought to be (331).

In doing this, Dias has stated the characteristics of the positive law as tabulated by Professor Hart. However, these characteristics and their attendant alleged points of divergence are in tenuous relationship with those of the Natural law. There cannot be that fine juxtaposition and contradiction as Hart is trying to make us believe. This is the reason Freeman (2008) in his book entitled *Introduction to Jurisprudence* makes a clear distinction between two familiar concepts “positive law” and “positive morality” Freeman opines:

There are two capital classes of human laws. The first comprises the laws (properly so called) which are set by men as political superiors, or by men, as private persons, in pursuance of legal rights, the second comprises the laws (proper and improper) which belong to the two species above mentioned (294).

Freeman’s elucidation is particularly instructive as it is common knowledge in Africa that laws equally emanate from the wisdom of the elders via proverbs and parables. Hence oftentimes, people are reminded of the position of the law in a particular community or society via the words and critical contents of proverbs and parables. Expectedly, such citations of proverbs and narration of parables are considered often not only just as the wisdom of the elders and the forefathers but also as the final moral authority on cultural issues. Freeman’s classification would be better appreciated in his schematic arrangement:



**Figure 1: Freeman's classification**

**SOURCE: Freeman, M.D.A. 2008. *LLOYD's introduction to jurisprudence*. London: Thomson Reuters Limited.**

Aside his position on “laws by metaphors” already explicated above as African proverbial equivalents, laws made by private individuals not as political superiors as in the case of rules and regulations in a particular corporate organization have also been identified as “human laws” and “laws by analogy” respectively and broadly termed “positive morality”. Hence the term positive law would rightly be considered amorphous but at least not in the sense of a complex entity because its basic form can still be recognised.

## **2.5 Sociological law**

Just as the name implies, Sociological Law relates to the human society. Adaramola (2008) asserts that, “it emerged in the late 19th century as a reaction against analytical positivism” (253). It appears the legal sociologists favour a legal system which incorporates the ideals of the positive law with those of the moral law knowing full well that laws exist in a human society. This is what Adaramola means in saying that:

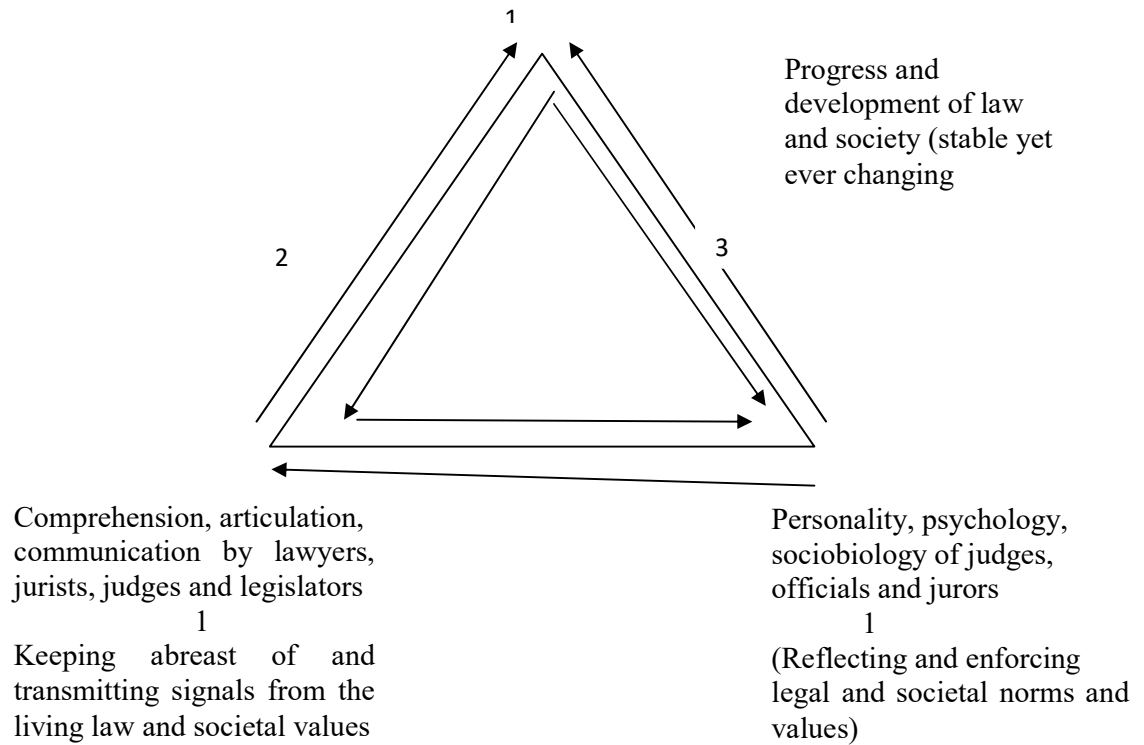
Sociological jurisprudence is an idealist science of law based on a conceptual fusion of the central idea of legal positivism, (i.e, the separation of law from those extra-legal phenomenon such as morals, history, religion, etc, if only as an initial hypothesis), and the need for a continuous advancement of civilisation. The main message of this school of jurisprudence is that, while we must accept positive laws as a means of social control here and now, it must always be with an awareness that they shall be constantly improved upon both as a system and as a catalyst of progress and positive change in society (253).

In the heart of the legal sociologists’ belief is the rejection of law as a closed ended concept, a feature espoused mainly by the positivists. Freeman (2008) highlights this as one of characteristics of the sociological concepts of law. He observes, “there is a belief in the non-uniqueness of law, a vision of law as but one method of social control, there is also a rejection of a “jurisprudence of concepts”, the view of law as a closed logical order” (835). Rather than have a regimented legal structure, the legal sociologists propound the need for the law to be seen as a tool of social engineering. At the heart of this argument is the argument that laws that govern a people should emanate from the social variables in the human society and not from the idealistic perception and psychological notions and emotions of a sovereign. Dias (1985) succinctly captures this in asserting that “in the nineteenth century the focus of attention began to swing away from individual rights towards social duties, and carried

with it an emphasis on the function of law in communal existence” (420). Before the onset of the nineteenth century, Dias observes that, “such matters as health, welfare, education, economics, were not the concern of the state” (420). Therefore, “This implied regulation through law, which compelled legal theory to readjust itself so as to take account of such preoccupations” (Dias, 1985:420).

The need to privilege a people oriented law captures the postulation and fight for a sociological reading of the law by legal sociologists. Such social amenities as itemized by Dias above are some of the reasons for a complementary relationship between the law and the society. The legal sociologists’ arguments are largely reasonable given the fact that laws are made to serve the interest of the people whether negatively or positively. Without the people or the society, the law will not functionally fulfil its reason for existence since according to the positivists, it cannot serve only the sovereign without his subjects and neither can it serve only God without his created nature. Adaramola (2008) presents a triangular model which espouses the legal dialogue between the society and law:

**Diagrammatic presentation of the Sociological Jurisprudential Culture**



**Figure 2: Adaramola's classification**

**Source: Adaramola, F. 2008. *Jurisprudence*. Durban: Lexis Nexis Butterworths.**



Adaramola's diagrammatic explication buttresses the points made by the legal sociologists. Every effort is ultimately geared towards the development of the law and society which are also considered dynamic variables, ever changing to reflect the nuances of their time. Eso (1990) in his book entitled *Thoughts on Law and Jurisprudence* quotes Ruscoe Pound, one of the notable proponents of sociological law as saying, "the existence of law" is to serve social interest and once that ceases to happen, law becomes sterile (124). One tends to appreciate Pound's position on this issue in the light of its social philosophy. Pound's classification of interest into three categories of *public, social and private*, according to Eso, is also fascinating because he portrays the State as a protector of the social interest of a society. Therefore, this study will also favour the interpretation of the law as a wheel set in motion for the safe movement of the society from one phase of time to another.

## **2.6 Historical and anthropological approaches**

The historical interpretation of law delves more into the realms of antecedent analysis and practical influences drawn from pre-existing legal structures. Dias (1985) asserts that:

The Historical School arose more or less contemporaneously with Analytical positivism at the beginning of the nineteenth century, and should be regarded as another manifestation of the reaction against natural law theories. It did not emerge as something novel in European thought, for it had been germinating long before then. The reaction against natural law theories provided a rich bed in which the seeds of historical scholarship took root and spread (375).

Dias' Historical evaluation does agree with the position of Freeman (2008) who opines that "Two principal movements emerged as a reaction to the natural law thinking of the eighteenth century. One was the school of legal positivism; the other, by way of contrast, relied upon a mystic sense of unity and organic growth in humans affairs" (1077).

Having commented on its historical significance; the historical school, according to Dias, queries, "to what extent the "oughts" of contemporary laws have been fashioned by the past" (375). This is in conformity with Adaramola's explication that, "the historical approach seeks to answer the question as to how much the norms of the present day have been fashioned by the past". Since this diachronic enquiry into the

nature of the law as a factor of history is intrinsically tied to the anthropological engineering of man and his values, most critical analyses of the historical view of law go with anthropological enquiry. In this regard, Dias observes that “there are inquiries into the past, especially into primitive and undeveloped communities, which are conducted for their own sake in order to discover what “law” might appropriately be taken to mean in them” (375). One thing is common to the two shades of enquiries; they are “past-seeking”.

The historical and anthropological schools are committed to the principles of Volkgeist propounded by Puchta, a devoted disciple of F.K Von Savigny. In reading the intent of Savigny in his essay entitled *On the Vocation*, Dias explains Savigny’s thought to be saying that, “the nature of any particular system of law... was a reflection of the spirit of the people who evolved it” (378).

There is basically a weak difference between the ideals of the sociological school and those of the historical and anthropological schools because in all the three schools, there is a deliberate attempt to situate the functional essence of law in the heart of the people and their experiences. This is also important in the context of this study since Nigerians are not only cultural people but also historical people who cherish the presence and roles of the ancestors in their everyday life.

Most of the Pre-Nigerian Societies’ Laws were made by the forefathers and any reasonable restructuring of such laws would only naturally privilege a careful retrospection of the wisdom of the forefathers. Even in the present political existence of the entity called Nigeria, no meaningful attempt at creating new laws would be practical without a rigorous and careful look into the nature, origin and functionality of existing laws. This reality has largely informed the need for the examination of the selected schools of jurisprudence in this chapter.

## **2.7 Literary theoretical approaches**

Very much like the legal theories discussed above, literary theories situate the values upon which the peculiarity and classification as well as the reading of literary texts are based. They enable us to choose among sprouting literary texts; hence, literary theories serve as a sifter to literary texts. Wellek and Warren (1982: 38) corroborate that “Obviously, literary theory is impossible except on the oasis of a study of

concrete literary works. Criteria, categories, and schemes cannot be arrived at in Vacua.” Ann Dobie (2009) equally concurs that:

Academic survival depends on developing skills that will allow you to explore the meaning, aesthetics, or craft of a text and then write about the insights you’ve discovered. They are skills of a literary critic, a person who examines how a piece of writing works, what it has to say about the culture or author that produced it or about human nature in general, why it was written, in what ways it is similar to other works, and how it ranks in comparison with them (1-2).

Indeed, academic survival depends largely on the ability of scholars to acquire and express skills that are hard-nosed and inventive in literary criticism. Theories raise philosophical questions dealing with the relevance and applicability of literary texts. According to Selden and Widdowson (1993), “One can think of the various literary theories as raising different questions about literature, theories may ask questions from the particular point of view of the writer, of the work, of the reader, or of what we usually call ‘reality’” (3).

It is the business of the creative writer to concretise literary values and concepts which are also human-made and make them accessible to every reader. Eagleton (1983) acknowledges the ingeniousness of the writer as he maintains that, “... It was the beginning of reification of the literary work, the treatment of it as an object in itself, which was to be triumphantly consummated in the American New criticism” (44). Each theoretical model works uniquely in different textual contexts. The text provides us with the raw materials with which theoretical assumptions are experimented. Corroborating this, Blamires and Jeffares (1991) argue that, “The structure is the story, the object, the situation or whatever, which gives us the “argument” of the poem. The texture “is the “thingness” of the things by which it is particularized” (355). Hence, theory and text combine to provide a full didactic and aesthetic experience to a critical reader.

## **2.8 Postmodernism**

In his critique, *The Postmodern Condition: A Report on Knowledge*, Jean-Francois Lyotard (1984:xxiv) opines that postmodernism is “incredulity toward metanarratives” – narratives about grand narratives of universal concepts of meaning,

experience, culture, value, law, enlightenment and the like. He observes that postmodernism is characterised by a certain level of mistrust and misgiving on the part of the vulnerable – a mistrust coming from the nostalgia of the days of innocence. In his thinking, these shades of conventional meanings are chaotic and so, should be replaced with “petits recits” (9) – small or narrow narratives. He basically points at narratives that are localised and individual-centered rather than society or culture-centred. Corroborating this point, Baudrillard ([1984:38-39] in Ashley 1990) observes “that of the Twentieth Century, of postmodernity, which is the immense process of the destruction of meaning equal to the earlier destruction of appearance. Whoever lives by meaning, dies by meaning.” Hence, universal and societal ideas of meaning are portrayed as being toxic and inimical to the human existentiality; only personalised narratives of meaning suffice as being in the pink.

Fran Mason (2007) defines postmodernism as that which:

...refers to critics and theorists who have a “postmodern” or poststructuralist philosophy that focuses on the privileging of deconstruction; fragmentation, and decentralization. This view takes as its premise the belief that “truth” and “reality” do not exist as objective forms, but are called into existence in the act of representation through which they are created as discursive systems of meaning by language, narrative, or any other structure that generates signifying forms, whether this is a system of logic or a set of mathematical symbols (xxxii – xxxiii).

Postmodernism seeks the essence of actions and not the nature; the essence of an action in a given environment defines its need and appropriateness and same essence maybe counter-positioned in another situation. As a theoretical model, Postmodernism draws its root from the squabbles of the 20th century which staged two major world wars. The main actors in the wars were Caucasians and the issues necessitating their belligerent reactions were philosophically Caucasian. Quayson (2007) concurs that “Postmodernism is related to a literary and philosophical tradition of representation which could be said to have its own peculiar historical and social trajectory in Western thought” (647).

It is a theory that started with the modernist cynicism and resurgence resulting from the First World War and climaxing philosophically in the later years of the twentieth century as a result of the overwhelming consequences of the Second World War

which saw a near annihilation of the whole human race. Some scholars have argued that industrial explosion and technological advancement in the 20th century Western world are responsible for the adventurousness and inventiveness of the actors of the time and the attendant philosophies that developed. In advancing this, Olaniyan (2007: 637) argues that, “postmodernity, a historical condition that is said to emerge out of the contradictions of over-developed modernity in Euro-America...” has come to stay.

Having created an artificial world, it is therefore not unexpected to see postmodernists seeking asylum and meaning in psychosocial repugnance of societal norms; the ethical codes of the years of innocence. The postmodernists subvert and deconstruct human-made notions that derive meaning from religion and culture. Their life is that of disillusionment and resignation. As a result, they propose that every ostensible truth is indeterminable and, hence, can be deconstructed. Similarly, Quayson argues that, “Some postmodernist critics maintain that no reality can be thought of outside the way in which it is represented, and that any attempt to do so is to ignore the implicatedness of any perspective within the very object that is being described and vice versa” (647).

Postmodernism and modernism are theoretically different but ideologically related. It is important to explore this conceptual discrepancy so as to properly situate the ideology implicated in this study. According to Selden and Widdowson (1993) “During the last twenty years and more, critics and cultural historians have debated the term ‘post modernism’ some see it as simply the continuation and development of modernist ideas, others have seen in postmodernism art a radical break with classical modernism”(3). This philosophical perception is what Barry (2009:62) calls fragmentation of ideas. Barry observes that modernists like Eliot fragment with reminiscence of the years of innocence while postmodernists venerate fragmentation guiltlessly. Postmodernists tackle contemporary issues with a firm and stern sense of judgement bereft of a foreknowledge. Quayson (2007:648) quotes Ihab Hassan as contrasting some of the principles of postmodernism with those of modernism:

Paraphysics/ Dadaism, antiform (disruptive/ open), play, chance, anarchy, exhaustion/ silence, process performance/ happening, participation, decreation/ deconstruction, antithesis, absence, dispersal, text, intertext, rhizome/ surface,

against interpretation/ misreading, anti-narrative/ petite  
histoire, idiolect, Schizophrenia, difference-difference/trace,  
indeterminacy. The Holy Ghost, Immanence.

In the selected literary texts, actors/characters choose to determine the legality of their actions not minding the actual positions of the law. Many of the characters deliberately indulge in unlawful acts as a reaction to what they perceive to be the uncomfortable weight and avoirdupois of the law. The reality of magical realism, paranoia, temporal distortion, historiographic metafiction/narratives, pastiche, irony, parody, maximalism, and fragmentation in the literary texts accounts for the general ambience of subversive behaviour.

## 2.9 Semiotics

Semiotics and representation date back to the days of Plato, Aristotle, Socrates, Augustine of Hippo and other classical minds. Plato and Aristotle, for instance, examined the correlation between signs and the material world. In Plato's theory of Forms, "ideas" or "forms" as he calls it are the non-physical manifestations of objects in the material world which are sheer imitations. For him, the real objects/forms of the material objects exist in the world of form. This ideation is not only representational but also semiotic. Hence, Semiotics, as a system of signs and signification, deals with representations of existential ideals and phenomena. It is also concerned with sign process – an ideation Charles Sanders Peirce, a more contemporary and notable semiotician, calls "Semiosis" in his *Sign Relations and Theory of Semiotics*. Peirce calls Semiotics a "quasi-necessary or formal doctrine of signs," and further argues that this doctrine of signs considers, "what must be the characters of all signs..." constituting, "an intelligence capable of learning by experience" (227). Another leading, modern semiotician is Ferdinand de Saussure who calls his Semiotics, Semiology. However, Saussure's dyadic Semiology (signifier, signified) takes a more limited outlook as it is more interested in syntax and semantics – the linguistic coordinates of referential knowledge. The limitation in Saussurean Semiology is also highlighted by Derrida in his explication concerning its fluidity. He, then, proffers "differance" – infinite indeterminism of meaning – as a solution to that inadequacy. On the contrary, Peircean Semiotics comes across as a more generic signification

system as it has a triadic form (sign, object, interpretant) covering both linguistic and non-linguistic realities. Peirce defines and captures this triadic correlation as follows:

A sign or representamen, is something which stands to somebody for something in some respect or capacity. It addresses somebody, that is, creates in the mind of that person an equivalent sign, perhaps a more developed sign. That sign which it creates I call the interpretant of the first sign. The sign stands for something, its object. It stands for that object, not in all respects, but in reference to a sort of idea, which I have sometimes called the ground of the representation (228).

Therefore, a representamen is akin to the words and actions of the characters which contravene the law. For instance, the word, “kola” is ordinarily harmless as it is an edible nut which literally designates communion and acceptance in some Nigerian cultural milieu especially that of the Igbo. However, the same word can be uttered in some other contexts to mean, “bribe”. Hence, the taking of or aiding of “bribe” is a criminal offence which contravenes the criminal law. So, semiotically, “kola” as a word can be both a positive and negative representamen. It is negative when it is used to mean “bribe”. In the negative context, therefore, it is a representamen which has to do with the object, “law” and gives the negative meaning of contravention “interpretant”. Going forward, therefore, it is obvious that a representamen can be used to positively further the rule of law and can also be used negatively to further anarchy and bring about contravention – hence, the schema in Chapter Three of this study talks about conformist and non-conformist characters as evident in the selected literary texts.

The importance of semiotics to this study is strongly underscored by the postulation of Eco (1976:22) in his *A Theory of Semiotics*. He argues that, “the whole of culture must be studied as a semiotic phenomenon,” and law is, indeed, a cultural and moral value. He further asserts that, “all aspects of culture can be studied as the contents of a semiotic activity” (22). Eco envisages a semiotic theory that will cater for all sign-expressions. These cultural dimensions to semiotics foreground the significance of signs and sign-knowledge for cordial relationships among nations and peoples. The norms and values of the law are expressed as *objects* through *representamina* which

propel either positive or negative interpretations. The contraventional predilection of the deviant characters is firmly expressed through verbal and non-verbal representations.

## 2.10 Psychoanalysis

This theory is self-mirroring as it tends to be reflective and refractive of a person's personality through the mind. This mirroring sometimes reveals mental relics that are symptomatic of schizophrenia and paranoia; a major cause of irrational disposition. Eugen Bleuler's *Dementia Praecox* (1911:8-18) explicitly states the possibility of extra-clinical factors for Schizophrenic conditions. Pointing out other clinical factors, Gureje (1993: VI) and Onongha (2005:448) observe that schizophrenic conditions are also materially visible in the forms of drug abuse, accident, death of a beloved one and failures.

Psychologically, the modern African person is disillusioned as a result of the influence of Western values. He is indoctrinated with the belief that he is an inferior person who is incapable of making any meaningful impact on the world stage. Going forward, Turner (1997:108) suggests that schizophrenia is a "split personality". Hence, there is that quandary that defines the *beingness* of the modern African who is split between two ideologically different worlds and has to decide from time to time what may constitute an identity for him. In situating these issues ideologically, Buckley (1986) asks some pertinent questions which are suggestive of the extent of damage done to the psyche of Africans as a result of slavery/colonial experiences. He asks:

How does our significant early relationship with others become internalized and affect our subsequent view of the world and other people? What aspects of our early relationships determine those whom we choose as lovers, spouse, or friend? What is the dynamic nature of our internal object world, how does it evolve and what are the implications for therapy? What is biologically innate in the psychology of the individual and what is modulated by direct environmental experience? What is the nature of motivation, the pressure of instinctual wishes or the seeking of relationship with others? (XI).

The outcomes of these questions will no doubt be far-reaching and significant in shaping the focus of a discourse of this nature. In his psychological theoretic, Freud (1895, 1900 and 1905), observes that the human mind is capable of being compliant at



the unconscious, preconscious and conscious levels but when existential factors affect it negatively, depression, schizophrenia, psychopathy, stress and psychosomatics set in. Freud (1923:1-66) *The Ego and the Id* developed a structural model of the human mind consisting of the id, ego, and superego. He called these the “psychic apparatus”. He subdivided the id into the Eros and the Thanatos and called the Eros the “life instinct” (self-centredness) and the Thanatos, the “death instinct” (aggression). Hence the id contains the the vital spur for all human actions– it is that selfish nature of humans which often gets aggressive (Thanatos) when it is not gratified. The ego which is the “reality instinct” often reconciles any dispute between the id and the superego, the “morality instinct”. However, because of its nature, the id will often resort to violence (Thanatos) against the superego (law) when its selfish desires are not gratified. This vicious nature of humans often succeeds in weakening the influence of the ego; hence, the lingering duel between the id (the selfish nature of humans) and the superego (the law).

Therefore, in the minds of most of the characters, postmodernist realities help the id to react negatively through the use of satirical language and subversive actions against the superego (law) when its self-indulgent needs are not met. Most of the characters rebel against the law in order to satisfy their personal interests and some self-centred desires that are often against the societal laws. Since the superego is at the unconscious level of the human mind, it therefore follows that the defiant behaviour of the characters is largely innate and deliberate. They are aware of the presence of the morality instinct (superego – law) but they will rather dance to the non-conformist tunes of the postmodernist era which find comfort in the id. In doing this often, they psychologically identify with the id and become dissidents. Hence quandary and schizophrenic tendencies set in whenever the superego (morality instinct – law) tries to call them to order. Their dilemma is usually a function of their defiant behaviour because they hardly get realistic with the ego – the reality instinct. Their troubled minds simply result in insubordination to the law (superego).

Being a psychological disorder, schizophrenic complex disposes the victim to a debilitating state of quandary. The social conditions that the lower class characters find themselves in make them precarious and vulnerable to stress and hopelessness. Such conditions such as bad leadership, poor infrastructure, low economic gains,

corruption, tribalism and diseases pave the way for schizophrenia and insubordination. For them, there is a tendency to resign to fate. They grow up to only integrate into the depraved system with little or no will-power to cause a change. They are apathetic to the consequences of their actions and inactions. The laws of the land lie vulnerable before them and theirs is a disillusioned consciousness of the law. There is that continuous nostalgic graving for the lost glorious past, and the painful wasted generations based on the Middle Passage horror, colonial quandary and the re-definition and reconciliation dilemma.

### **2.11 Traditional (customary) law**

Human beings have constantly practised law since time immemorial. Their contact with the natural (divine) law has always been firm with different cultures practising this pristine law in diverse ways. Some relate directly with the Supreme Almighty, others go to Him through lesser gods or deities. There are some others who go to the Almighty through the ancestors. In all these, human beings get insights into the mind of God and nature and that knowledge of supernatural control and supremacy culminates in the many laws which ancient people practised and passed on to their posterity. Hence, *Oxford Dictionary of Law* asserts that natural (divine) law is “the permanent underlying basis of all law” (351). The supremacy of this ancient mantra is re-echoed in Elegido (2010) who states that, “custom is the oldest source of law” (243). Those laws which started as rituals and sacred practices later came to be known as customs. *Oxford Dictionary of Law* also corroborates this point:

A practice that has been followed in a particular locality in such circumstances that it is to be accepted as part of the law of that locality. In order to be recognised as customary law, it must be reasonable in nature and it must have been followed continuously, and as if it were a right, since the beginning of legal memory. Legal memory began in 1189, but proof that a practice has been followed within living memory raises a presumption that it began before that date (144).

Buttressing this point, Eso (2003) states that:

In Roman times, this was referred to as *diuturnus usus*. People started by following a uniform practice, by virtue of the uniformity, it is called custom, then, it gains hold on the mind and it is accepted as law. That is customary law. In this regard, custom would be regarded as a source of law and this would be so in the history of every nation, be it the so called primitive, advanced or ancient (359).

In animist Nigerian milieu, many of those laws which were based on human's interaction with the supernatural were unwritten but their continuity has engraved them in the hearts of their adherents. Even though most of the laws were unwritten, they were functionally potent in the societies where they were practised in pre-Nigeria era; "were" because most of them are today functionally passive. The presence of the Western common law in Nigeria poses great threat to the continuity and functionality of customary laws. Elegido (2010) concurs that, "in some tribal societies studied by the anthropologists it is still the only one. Usually, as societies become more complex, customs are first complemented with and then substituted by other sources like judicial precedents, statutes and the writings of jurists" (243). However, he swiftly points out "but even if the relative importance of custom tends to decline as society and law become more sophisticated, it is still far from negligible nowadays" (244). Indeed, the effects of the traditional justice system of Nigerian nationalities are still very much felt despite their ostensible precariousness in the face of globalisation and (neo-) colonialism.

Many notions of custom have also been depicted in various works by legal scholars. However, the link almost in all cases leads back to continual inexorableness. Eso (2003) opines that Austin had earlier called custom *positive morality* (359) but later "admitted this to be an error" (359). Eso continues that "Austin's error lies in his basing his generalisations on observations only of western communities" (359). Every law indeed emanates from customs and traditional judicial practices of a people. This trend is unique to every human society and neither is one superior nor inferior to the other. Being the source of other forms of law, customs cannot be jettisoned but would only have to exist side by side with our more refined legal forms. If there is any weakness visible in customary law, it is that cultic nature of its system which excludes democratic principles and rather glorifies the wisdom of the patriarchal sages who create customary law and impose its philosophy on the people. As would be expected, their personal values are almost always reflected in the outlook of the local laws, hence, their largely subjective views.

In addition, it should be noted that it is not all cultural observance that can pass as customary law. Elegido (2010) states the difference between a customary law and moral habit:

The fact that a given pattern of conduct is repeated regularly within a given community does not turn it into a binding custom. For a common practice to become a binding custom, the practice must be seen by the members of the group as *a standard of right behaviour* that the members of the community are expected to observe. This distinction between a mere habit (e.g. sleeping siesta everyday) and a rule (e.g. students greeting each other when they meet) is clear (244).

That which can be termed customary law must have a conscious communal acceptance and a general moral perception. Elegido (2010) further classifies greeting as a “social custom” and the issue of bride price as a “legal custom” (245). He supposedly calls any issue of legal custom quintessence of “right behaviour” (245). Elegido’s classificatory paradigm is faulty because it does not exclude most issues of social custom he pointed out as standards of right behaviour. For instance, we all know that greeting is a standard of right behaviour even though it will not qualify as a customary law in the polemics of Elegido. However, his emphasis on good behaviour is not very true of all Nigerian customary law.

There are indeed some obnoxious and vindictive folkloric laws in Nigeria. For instance; the shaving of a widow’s hair at the instance of her husband’s death, girl-child genital mutilation as a precaution for promiscuity, the killing of twins, the life-time quarantining of people suffering from life-threatening diseases, the Caste System and many others. These are some aspects of Nigerian customary legal systems that are fast losing popularity as a result of better awareness and knowledge occasioned by globalisation and the arrival of Western education, religion and values. These are issues that question the moral burden of the law; much of it will be discussed later in this study. However, besides those grey areas of the Nigerian customary judicature, the traditional laws are largely moderate, moralistic and value-driven.

Having said that, the wisdom of the forefathers, indeed stems from that age long quest of man to fully understand God and nature. God is a subjective supreme factor and so man’s quest to understand and do His bid, has to also be subjective. Walter (2004) corroborates that “natural law’s “subjective” nature appears to certain critics to be little more than a pretext for the judiciary to justify its decisions not based on positive law” (7). Hence, this theological world view of ancient Nigerian and indeed world societies informed their animist practices which gave birth to the values that ruled their lives and were passed on to their posterity. Okpokunu (2002) captures this in

saying that “...in many parts of Africa, culture often refers to the way of life of our fore fathers” (99).

To ensure the continuity of customary laws, contemporary judicial institutions in Nigeria recognise the significance and importance of those folkloric values that help to maintain law and order in pre-Nigerian nations. This is particularly so, given the heterogeneous nature of the country whose federal leaders cannot be very versed in the cultural values and mores of all the ethnic groups. There is the need for continuous and constant negotiations with cultural judicial institutions in Nigeria whose traditions are largely based on natural law; the progenitor and precursor of other forms of law. Affirming this, Elegido (2010) states, “custom is still an important and vital source of international law. As such, it affects Nigeria in many important ways” (244). Indeed, the customary laws of Nigerian peoples are important but can be reviewed by the traditional stake holders to reflect not just moralistic principles alone but also the democratic realities of the 21st century world.

#### **2.12 The legal fiction: literary versus thriller dichotomy**

The use of the term fiction in this study is in the sense of prose fiction - that sense of narrative types like novels, novellas and short stories. However, the conceptual implication of fiction as a prosaic form is sustained since creativity, imagination, and inventive prowess are essential elements of fictional endeavours. However, the restricted sense of fiction is certainly what Michael Meyer (1990) in his book entitled *The Bedford Introduction of Literature* implies in his thoughts on responsive fiction reading. He says “consider the following brief story by Kate Chopin, a writer whose fiction (like Melville’s) sometimes met with indifference or hostility in her own time” (12).

In furtherance, the legal fiction has been coined to mean a generic description of stories, novels or any narrative scheme devised to further the tenets or ideals of law and the legal profession. This category will cover the scope of legal thrillers, detective novels and crime fiction. However, the classification does not in any way imply some exclusiveness of form and function since every imaginative work of arts especially the prosaic forms possess the didactic and recreational potentials. It is in this last sense that this study privileges or advances an analyses of legal fictions that cover beyond the restricted scope of legal thrillers, detective and crime fiction to include the literary

novels which in themselves have every potential of legal expressions. This pop-predilection to ascribe everything legal or law to criminality as exemplified by the American popular fictions of legal thrillers, detective novels and crime fiction is what Luyster (2002) contends in her essay *Layering Skills in Law and Literature*. She observes that “we tend to think that most literature in which law plays a major role concerns only criminal law, ignoring the many disputes in literature over inheritance, contracts, divorce and real property” (57). Hence, it may amount to subjective reasoning or even misleading to think of legal fiction only as narratives with criminal themes and elements. The popular criminal novels come together with the *lawness* of the literary fiction to form the literary corpus called the legal fiction. In the words of Emmanuel Yewah (2015) “a quick survey of oral literature and African literature written in received languages reveals an overwhelming amount of works dealing with legal subject matters and an almost obsessive appeal to legal stories by African writers”(109).

Having said that, it is also pertinent to say that the delimitation of formal and functional scope of novels christened Crime Fiction, Legal Thrillers and Detective Novels is largely a function of the professional pride and functional exclusiveness of the legal and criminal professions. Writers drawn from either of these two spheres have over the decades taken ambitious steps aimed at institutionalising this trend to suit their professional norms. It is this professional pride in creative engineering that Chong (2009) examines in her thesis entitled *The Anthropomorphization of Law: Fictional Judges and Lawyers in Contemporary North American and European Settings*. She studies, “The varying roles of Lawyers and Judges in Canada, The United States, England, France and Germany in a selection of “fictional legal narratives”: novels, movies, television shows and plays that explore legal themes.” (ii). Turow (2001) who is himself a lawyer examines some of these arguments in his seminal paper *Law and Literature: Introductory Remarks and Panel Discussion by Scott Turow*. He had written legal fiction and plays notable among which are, *Presumed Innocent* (1987), *The Burden of Proof* (1990), *Pleading Guilty* (1993), *The Laws of Our Fathers* (1996) *Personal Injuries* (1999), *Reversible Errors* (2002) *Ordinary Heroes* (2005) and *Limitations* (2006). His reason for legal experimentation with literature is simple. As he states it, “The other perspectives on law and literature

that I tend to favour look to what fiction and poetry can teach us, as lawyers about the law” (68).

In effect, the lawyer anticipates complementary synergy in his interest in literary studies. He seeks to know how literature can help in his understanding and appreciation of the law. Hence, Luyster (2002) states the tools for the actualisation of that relationship, “Law in literature and Law as literature” (56). Luyster goes further to state that the lawyer’s interest in literary studies “Looks back to and restores the image of lawyers as “men” (and women) of letters” possessing a broad liberal education and being well versed in languages, rhetoric, and literature, who view law as an aspect of the humanities and the public life, not a science or a business” (56).

Perhaps another reason for the professional exclusiveness of a fictional genre like the legal thrillers is in the words of Luyster (2002) the fact that:

One of the skills literature teaches lawyers is the power of the imagination so that lawyers learn to place themselves in the shoes of the client, the opponent, the witnesses, the judge, and the jury in order to anticipate reactions to their pleadings, presentation of evidence, arguments and settlement proposals (56).

For all these objectives to be achieved, the feeling is that a sub-genre of the larger literary corpus of Legal Fiction has to be created. In addition to this professional ardour and prediction, one other notable reason for the proliferation of legal fiction and the attendant professional identities is the particular interest of the reading public to know and identify with the workings of the law. This intense public curiosity is bogusly evident in the United States of America and also growing in other parts of Europe. This trend is what Turow (2001) specifically addresses in his first person singular affirmative “And I would venture to say that the current popularity of legal stories has to do with the intense curiosity of Americans about the law, a curiosity that has grown a great, great deal in the last thirty years as the law has intruded more and more into their daily lives” (69). The success of the legal fiction may not be too surprising when considered in the light of America’s passion for human rights and civil responsibility.

Crime which is also an aspect of legal criminology equally enjoys a special treatment in the discourse of legal fiction because crime has over the years and centuries shaped the thinking and understanding of people of what constitutes right or wrong behaviour. Human history is riddled with tales of wars and crises most of which are based on criminality and wrongful mental dispositions on the side of either of the conflicting factions. The world has indeed not been spared of the antics of mischief makers who continually devise issues of conflict and do well to fan the embers of crises and war. Duty calls and infantry poise have therefore become the mantra on the lips of security agencies. Consequent upon this, the writer who is mainly a social activist and loud conscience of the society cannot but join in the war against the forces of evil. However, the fighting of the writer is not done with bombs, tanks, jets and guns but rather with the pen which can be said to be functionally mightier than the gun. The writer has never been tired in that quest for a renewed humanity.

This quest for a renewed humanity has undoubtedly given birth to a new corpus of criminal sub-genre called the crime fiction. The thoughts of Scaggs (2005) are worth citing, 'it is worth noting at the outset that while the old adage that crime does not pay might well be true, crime has nevertheless been the foundation for an entire genre of fiction for over one hundred and fifty years.'(1). Different appellations have over the decades also come up as class designation for novels having criminal themes and motifs. Scaggs equally observes that throughout its history, various titles have been coined to classify and describe the sub-genre, "From Edgar Allan Poe's 'tales of ratiocination' to the mystery and detective fiction of the turn of the twentieth century and the whodunnit of the period between the first world war and the second world war, a focus on crime, but only sometimes its investigation, has always been central to the genre" (1).

Just like Scaggs observes, this sub-genre has not only taken interest in intelligence gathering in criminal issues but has also re-defined the whole essence and meaning of investigative policing. America's quintessential identity as the best intelligence system in the world today cannot honestly be divorced from her pragmatic exploration and experiment with the crime fiction.

The history of the detective novel is always generally traceable to Edgar Allan Poe; the man famously known as the father of the detectives novel. However, crime fiction



which is the umbrella under which the detective novel/fiction shields has an earlier history dating back to many centuries. The events that come together then to be known as crime-potential-narratives were just criminal stories or crime-based stories. Sayers (1929) in her *Introduction to the Omnibus of Crime* identifies four stories as precursors of the genre. She draws two stories from the book of Daniel, one from Herodotus and another from Hercules myths. In *Hercules and Cacus the Thief*, Cacus falsifies evidence by forging footprints so as to confuse the pursuer. Besides that, *King Rhampsinitus and the Thief* is widely regarded as the first “locked-room mystery” (Scaggs, 2005:8). A serious crime (such as murder) is committed in a near impossible space, a room tightly secure. The criminal tampers with the crime evidence just like in *Hercules and Cacus*. However in the biblical story of Susanna and the elders, Susanna is falsely accused of adultery by two depraved judges and Daniel acquints her after a cross-examination of the judges which exposes their lies. Given this instance, the detective novel or story in the view of Symons(1993) does not privilege the kind of stories and examples presented by Sayers. She postulates that, “Those who search for fragments of detection in the bible and Herodotus are looking only for puzzles’, and that while puzzles are in essential elements of the detective story, they are not detective stories in themselves (19).

Symons sees these positions as depictions of crime and punishment which do not in themselves portray the more technical features of crime investigation, rigorousness and discovery as are more current features of that which is called a detective novel today. The emphasis on good moral conduct and the attendant punishment that goes with any bohemian act are two main attributes of crime narratives or stories until the mid-nineteenth century.

On most occasions, crime and its victims are always identifiable by social and moral labels that accompany wrongful behaviour in most societies. When this stigma is physically absent there is usually a huge psychological plague that torments the criminal either in the form of conscience dementia or a particular turbulent awareness that the heavy hands of the law are after him. In Nathaniel Hawthorne’s *The Scarlet Letter* (1850), the border between social rules or conventions and punishment is presented in the functional form. Such borders are usually parts or sub-codes emanating from the law such that when there is a friction or unruly trespassing, their functional impact is felt by the culprit. Hester Prynne’s punishment for a wilful sin of

adultery is the scarlet letter displayed on her bosom. She has allegedly violated the moral code of the seventeenth century Boston Puritan society. The idea of crime and secrecy which draws the attention of investigative intelligence surrounds the nature of Hester's scarlet letter. An accomplice, Mr. Arthur Dimmesdale, the possible father of Hester's daughter, Pearl, is tracked by Chillingworth, the missing husband of Hester, who now goes by the name Roger Chillingworth. The motif of secrecy or mystery is very evident in the play with Hester and Chillingworth hiding their knowledge of each other from the public and Hester shielding her knowledge of Mr. Dimmesdale from the knowledge of the public and the Chillingworths. As with every other criminal or crime related event, the price of punishment is paid by not just Hester alone but also Mr. Dimmesdale whose punishment was fatal. Mr. Chillingworth equally dies for his lack of professional finesse in the intelligence business.

The same punishment is given to Sophocles' King Oedipus by the gods for killing his father, Laius and marrying his mother, Jocasta. However, Sophocles' *King Oedipus* questions the moral authority of the gods as the symbol of purity, integrity, honesty, holiness and truth. This is pertinent as the horrible fate that befalls Oedipus is prophesied in his infancy when the boy, Oedipus, is naive and ingenuous. Humanity's helplessness in the hands of the gods and laws is portrayed here. The eternal truth in Williams Shakespeare's *King Lear* Act 4, scene 1 describes the nature and supremacy of the gods over the affairs of human beings. Gloucester replies the old man. "... As flies to wanton boys are we to the gods. They kill us for their sport" (2). Hence, the gods who are the repository of all good are also the progenitors of all evil. Man replicates the nature which he shares with the gods.

In effect, the corpus of crime fiction or what I prefer to call the legal fiction, an exclusive macrocosm of the more limited genre of crime fiction has evolved over time dating back to ancient civilizations of Rome, Greece and Egypt and has now metamorphosed into a modern corpus of legal and investigative aesthetics. There has also been a burden of classificatory paradigm and nominal identity which I think is more complex than what has been portrayed over the past decades. The conceptual difficulty in mapping out a clear genre border has also remained a puzzle to many scholars. In effect, one can safely assert that it is indeed difficult to have a clear, independent and distinct literary genre of legal and criminal embroidery devoid of the

formal and functional interference of other genres of literature. One can say it is all interwoven and fluid.

To have a legal fiction is indeed a statement which assumes the interplay and operations of all the elements of law which include crime itself. This nomenclature will also lay to rest the confusion and conceptual disputes brought about by the professional pride and personal idiosyncrasies of some scholars over the decades. To have a legal fiction is to indeed dispel the confusion and show the other side of “the amazing success-story of fictional texts in western societies since the eighteenth century, which gained full force with the arrival of the novel.” (Fluck, 2014:1) To have a legal fiction is to show the amazing legal features evident in every literary text, irrespective of genre, nationality, geography, ideology and scope. Since fiction is itself a product of humans’ complex relationships in the society, it follows also that it is a recreation of humans’ complex romance with the laws that govern their day to day activities and existence.

The really fascinating thing is that no serious discourse on crime fiction would jettison a chronology of the literary history of great works of classical minds which in themselves are mainly in form of poetry and drama. Prose fiction is itself a more recent development in literature, even though it has come to enjoy a better patronage in our twentieth and twenty first century worlds. Despite this significant obvious fact, it will indeed amount to literary blindness to say that there is a clear demarcation serving as a rigid boundary for the genres of literature. Hence, the more reason ambitious works of modern minds like John Grisham, Agatha Christie, Edgar Allen Poe, Boris Akunin, Margery Allingham, Eric Ambler, Edward Attard, Desmond Bagley, Pat Brown and the like could only be said to belong to the popular fiction genre which has a more commercial and scientific outlook as opposed to the literary fiction which prides itself on its literariness and aesthetic qualities.

However, it is worth noting that the term ‘fiction’ has recently enjoyed a more inclusive and holistic definition bringing together all genres of literature in its creative and imaginative sense. This is what Fluck (2014) privileges in the interrogation of justice in *Fiction and Justice*. She examines the place and roles of fictional works as semantically implied above in the development of world legal systems and the actual dispensation of justice in world’s societies. Hence she asks “can fictional texts such as

novels, plays, or films offer meaningful contributions to the question of what constitutes justice? In what way can they authorize claims of justice?”(19).

In another sense, crime fiction as a term and literary concept has also been envisaged as a macrocosm covering the microcosmic branches of literature – the dramatic, the prosaic and the poetic. However, the appeal of this classification might be to the literary, aesthetic and legal sense of literary and legal scholars, it is very obvious that the coinage is indeed ambiguous and confusing. Thus, I propose the more embracing term “legal fiction”. That notwithstanding, this study takes a liberal look at how that which could be called legal fiction bridges the professional gap created between popular fiction and highbrow fiction. While it is a well known fact that the tenuousness of the border between literary and popular fiction sometimes erroneously portrayed as general or mainstream fiction holds little or no significance, it is equally true that the genre demarcation does exist. However, I would rather prefer to showcase the literary and legal merits of all literary genres although in a restricted scope here covering only the Nigerian dramatic and prosaic legal examples.

Literary fiction is examined with a view to depicting its almost equal thematic, procedural and legal relevance with the more popular American-Styled Crime Thrillers, Legal Thrillers, Hard-Boiled, and Detective Fiction. Features which could be found in any of the crime fiction sub-genres could equally be found in other genres of fiction.

### **2.13 The conceptual irony: legal dramaturgy and classical nascency**

This subgenre of the legal literature has, over the years, been an invisible entity even though it exists functionally alongside the legal fiction. This has unfortunately been a result of a flourishing mainstream fiction market in the United States of America and elsewhere in Europe. Writers from these parts of the world ideologically and structurally favour the prose genre as a working tool for their creative legal expressions thereby creating a dearth of major interest in the dramatic genre even though it is a favoured genre for the practical expression of legal processes and dialogic exchanges. Till date, there has not been any serious effort aimed at blooming legal plays and dramaturgy save for few television legal drama series mainly found in the United States.

Just like I earlier argued, it is common knowledge that the term fiction is ambiguous, meaning variously *imaginative writing* which includes the genre of drama, *forms of prose aesthetics* and ultimately a *technical term for novels or short stories*. Of all the notions attributable to fiction, the third on the list above is implied in most literary discourses involving fiction. Shipley (1966) in his *Dictionary of World Literature* correlates this position in quickly redirecting the researcher to the meanings of the novel and short story in a research of the word 'fiction'. "Fiction. See Novel; short story" (158). Dale et al (1981:255) equally see fiction as "story, tale, legend, myth, novel, invention, fabrication, imagination" in their book entitled *The World Book Complete Word Power Library*. Those are the synonyms of fiction as identified by Dale et al. Therefore, the legal fiction cannot plainly include any law and literature discourse in dramatic form. The question then is; do we not have plays with legal motifs and colourations?

In order to effectively answer this question, it is important we go down memory lane and indeed back to history to find out what roles, if at all there are, plays have played in shaping the Law and Literature scholarship.

Drama is widely believed to have emerged from rituals whose practice usually involves some performances. The performer will use dramatic tools such as costumes, impersonation, songs, dialogue, spectacle, dance and drums to further his interactions with the gods. In classical Greece however, drama had a more developed form with the exploits of the likes of Aeschylus, Sophocles, Euripides and Aristophanes. However, its exploits in Greece are still very much tied to the influence of religious festivals. Meyer (1990) corroborates that, "classical Greek drama developed from religious festivals that paid homage to Dionysus, the god of wine and fertility" (958).

During Dionysian era, plays enacting the stories of enigmatic interactions between Dionysus and other mortal heroes emerged. However, Meyer points out that, "Among the works of the three great writers of tragedy, only seven plays each by Sophocles and Aeschylus (525 ?-456 B.C.) and eighteen plays by Euripides (480?-406 B.C) survive" (958). During this period, plays or dramatic performances were seen as part of the societal values of the people; hence, the much attention they got.

In Sophocles' *Oedipus the King*, the customary law which is based on the values of a people is highlighted in the roles of the gods in the lives and everyday activities of the

people. The play presents the law as a phenomenon that is not only supreme but terrifying. Despite its obvious and strong presence in the lives of the people, many of them would still not allow the dictates of the law which are supreme to rule their lives. Hence comes a prophecy from the gods (law) saying that the son of King Laius and Queen Jocasta, Oedipus, will kill his father and marry his mother. On hearing this, the royal couple are resolute in ensuring that the so called obnoxious law is breached and so they instruct a servant to leave the boy Oedipus on a mountain to die. However, since the law is always there to control the people, it usually wields more power and advantage over the people. Therefore, the law is set to take its full course and the result is a most blatant and proud fulfilment of the law. In our everyday lives, we see people trying to run away from the tenets of the law. The two commonest forms of law present with humans in their cosmology are the natural and positive laws. It is either the gods are commanding human beings to do something or such commands are coming from a human sovereign. Oedipus' destiny is shaped by the wishes of natural law.

The opposite of what happens in Sophocles' *Oedipus the King* is found in his *Antigone* where a supreme sovereign is the one anchoring the law. Witnessing the horrible fate that has befallen Oedipus who blinds himself upon realising that he had killed his father and has been married to his mother, Creon, his brother-in-law is made the ruler of Thebes; Antigone and Ismene, daughters of Oedipus are placed under his tutelage. Meanwhile, Oedipus' sons, Polynices and Eteocles have rejected their father for his deeds and have now engaged each other in a mortal conflict about the throne which eventually consumes them. Oedipus had willed the throne to Polynices but Eteocles refuses to obey that law.

Creon, furious about the resolve of Polynices, decrees that his body should be left unburied while that of his brother, Eteocles, should be honoured. This is the actual conflict which unravels in the play with Antigone refusing to obey the civil law of the king, leaning rather on the shoulders of the natural law, the law of the gods. The result again is a bath of blood as Antigone who wants her brother buried and Creon's son, Haemon, betrothed to Antigone commits suicide for the reckless tyranny of the positive law of the land. Creon's wife Eurydice equally disappears in grief for the death of her son Haemon. Creon is left forlorn bemoaning the consequences of his action.

Following the fall of the Roman Empire in 47AD in Medieval England, there was a strong rejection of the theatre by the church which saw it as having some entanglement with Roman paganism. However, it is interesting to note that the renaissance of drama eventually started in the church. Dasyuva (2004) notes that:

The enduring impact which actual performance has on the human mind largely informed the dramatization by the church of the Resurrection during the Easter service. The officiating priests had acted the various parts; the angels, the disciples etc. The huge success it recorded had encouraged the dramatization of plays connected with Christmas and other holy days. These were called mystery plays (4).

Shortly after the take-off of the mystery plays came the miracle plays which were “based on the lives of saints showing scenes of torture and martyrdom; or simply showing secular romance with occasional appearance of a saint or the Virgin Mary acting as Deus ex machina” (Dasyuva, 2004:5). In such Miracle plays where scenes of torture abound and are portrayed with so much inhumanity and reckless impunity, the roles of the divine law or natural law are once again called into question. Man has the laws of God or Nature to guide him in righteousness but he would rather choose to define and decide what laws govern him. Those Saints who were tortured to death by the State and the English society of the Middle Ages were so tortured because there is that innate tendency in man to want things done in his own ways thereby making laws made by either God or a sovereign to guide his harmonious co-existence with his fellow human beings functionally passive. Although as we would find out later, this does not just happen all the time because of man’s ego but some other factors and fears sometimes predispose him to those defiant behaviour.

Similar trend is also found in John Bunyan’s *Pilgrim’s Progress* which chronicles the excruciating experiences of Christians on their journey to Heaven, the home of bliss. Heaven represents the laws and conventions of God who is the author of natural law. In their bid to obey the laws of Heaven (nature), the pilgrims are faced with multiple challenges and struggles of life to which they must pledge an allegiance of obedience or disobedience. Those challenges of the journey such as *family, thoughts of friends, one’s likes, temptations and personal afflictions* are obstacles already resolute in subverting the laws of God (Nature). It is then left for the pilgrim to either join them in disobeying the laws of God (nature) or resolve to obey them.

In the Elizabethan theatre of William Shakespeare, we also find plays and dramatic performances playing key roles in the shaping and definition of what we call today law and literature. In Shakespeare's *Hamlet*, the law is portrayed as a supreme canon which can be physically attacked. Even here in Nigeria, there had been series of coup d'état in the later part of the 20th century as a result of man's stubbornness and innate desire to dominate and rule over others. Of course this desire always hides under the pretence or excuse of bad leadership and corruption in actualising its dreams of supreme domination. Man has that jealous nature which covertly and ultimately wields a lethal blow whenever the opportunity avails. So Shakespeare recounts this selfish unwillingness of man to obey laws and constituted civil authorities. He knows what the law says but he is not willing to obey it.

Claudius, of course, knows that murder is a crime in both natural law and civil law but his selfish desires push him to a wilful disobedience of the law. The law is physically visible but functionally invisible to him. He kills his brother king Hamlet and then marries his wife, Queen Gertrude. In King Claudius' action, we see that conscious preponderance of human nature to be dissident and stubborn and in it is one of the many ways the leaders themselves indulge the led or followers to be disobedient to the law. When a leader who is supposed to be the custodian of the law is found wanting or setting bad precedence for the followers, it naturally follows that the law will remain functionally inactive or passive in the hearts of the followers. Hence, Young Hamlet who had hitherto suspected King Claudius and Gertrude his mother following their rather hasty conjugal union at the fresh instance of his father's death gets a worrisome revelation from the ghost of his father Hamlet who informs him that he was killed by Claudius and orders young Hamlet to avenge his death.

This study also argues that one of the factors which predispose man to wilful disobedience of the law is his personal belief system. Sometimes, people make the laws of the land passive not because they ordinarily would love to disobey the law but because they have other personal convictions and ideological stands. Despite its unnaturalness, Young Hamlet is convinced that he has heard from his late father. Consequently, he fights for what he believes and pays a price with his life in a fatal fight with Laertes. While dying, he stabs King Claudius with his poisoned sword. We are indeed all entangled in a complex eternal relationship with the laws which guide our daily existence.



Unlike what he does with the law in *Hamlet*, Shakespeare, in *The Merchant of Venice*, portrays a society that is relatively aware of the existence and workings of the law. Starting from Shylock's reluctant but vindictive willingness to nail Antonio through his seeming offer of financial help without interest to an actual legal agreement of a surety (pound of flesh) should Antonio renege, the eventual misfortune at sea, the pleas for mercy, the reversal of Shylock's legal fortune and the final judgment which sees Shylock having to forfeit all his property for an attempted murder on a citizen of Venice, Shakespeare depicts the helplessness of humans before the law. The readiness of the plaintiff, the complainant and all the parties concerned in the legal matter portrays a particular awareness of the workings of the law which is lacking in *Hamlet*. In other words, the dramatic genre is a veritable tool for the depiction of the various dynamics of law – its positive and negative influence on humans' behaviour and conduct.

In animist Africa, the law plays out in the form of masquerades that represent the spirit of the ancestors in most festivals especially the masquerade festival. It equally manifests in the authority of the monarch to speak life or death in contentious matters and the enigmatic position of the 'Dibia' or 'Ifa Priest' to speak the mind of the gods in conflicts. In whichever form it manifests, the presence of the law illuminates the being of the people and guides them in the path of rectitude. The dramatic nature of festivals found in most African societies and the significance of the supreme figures found therein lay credence to the pioneering place of drama in legal and literary experimentation.

#### **2.14 Previous works on law and literature**

Considering its relative novelty, the law and literature scholarship is still largely a Western project. Apart from some Nigerian critics like Ejiofor and Kamalu (2011), Jegede (2011), Agho and Aiwekho (2015), Ango (2014), Kehinde (2008), Taiwo (2008), Hunsu (2008), Oriaku (2010), Okwechime (2014), Mikailu (2011) and Eruaga (2018) who engage legalistic literary texts from the perspectives of morality and retribution, there are a few Africans, non-Nigerians, who are beginning to take interest in it. Notable among them are Emmanuel Yewah (2015) and Deji Olukotun (2012). Unfortunately, they are migrant scholars currently plying their literary trades in the United States of America. Yewah works at Albion College, a private liberal arts

college situated in Albion, Michigan, and Olukotun on the other hand shuttles Myanmar, South Africa, Haiti and Nigeria advancing PEN American Center's digital freedom programme.

In *The Depiction of Law in African Literary Texts*, Yewah (2015) studies how legal stories have become immanent in literary texts. He observes that the “ texts attempt to undo, indeed, deconstruct legal structures and traditions by superimposing what is clearly the inner workings and mechanism of indigenous courts on Western court setting. For instance, court participants are allowed to tell their stories unrestrictedly, that is, “*without evidentiary constraints.*”(109)This interdisciplinary veracity is equally apparent in Olukotun's (2012) *Going Mad by Grains: Reflections on Law and Literature*. He argues that “if the law permeates our lives before we are born, reaching even into the womb, so too stories, guaranteeing that law and literature will remain intimate bedfellows in the years to come”(1). Despite this nexus, not much has been done on this scholarship in Africa.

This is certainly what Yewah (2015) observes in saying that, “...in spite of that recurrent depiction of court scenes or situations, interdisciplinary scholarship that brings together African literatures and the various traditions in the law, from which a good number of the writers draw their inspiration, remain rare”(109). He goes further to state his conviction for the dearth of this scholarship in Africa:

As I have stated elsewhere, such lack of interest could be attributed to a number of reasons: the unease by literary writers to venture into a relatively unsafe and somewhat intimidating space, a long desire on the part of legal scholars and the practitioners of the law to maintain and defend the autonomy of the discipline, even though, as Christopher Norris points out, recent trends show that disciplinary boundaries are beginning to break down and legal discourses no longer possess anything like the sovereign autonomy it has always claimed (p.109).

Of a truth, much of what is written at the moment comes mainly from the West and there are even a couple of scholars with Caucasian ancestry investigating African lore, values and experiences with law and literature standards. That is indeed how worrisome this concern has become. Three of such scholars are Dustin A. Zacks (2014), Nicholas Matlin and Nienke Boer (2015). Granted they have the right to write about Africa and African experiences at any level, the truth remains that their western orientation will not allow for a bias free assessment just as this is also true about an

African writing about Western experiences. As at the time of filing this information, Matlin and Boer are planning a law and literature conference entitled “Law and Literature in Sub-saharan Africa” and Zacks had written a critique entitled “A Blend in the Law and Literature: Greed, Anarchy and Dictatorship in the African Worlds of V.S.Naipaul and Ngugi wa Thiong’o”. According to Zacks, (2014) the “...article examines two giants of colonial and postcolonial fiction involving African states that heretofore have been largely ignored by the law and literature movement”(19). This is what African scholars are supposed to be doing. The aesthetic and functional potentials of this scholarship have really been underutilized. Justifying this, Olukotun (2012) observes:

Truly studies within the law and literature movement that incorporates a diversity of voices across cultures and geographies are harder to find. Most studies are written in English and are concerned with common law systems in the US and Great Britain. This excludes, for the most part, civil law traditions in Francophone countries and hybrid legal systems such as Cameroon or South Africa, which contain a hodgepodge of customary law, Roman Dutch law, common law, and civil law (2).

However, there is a very rich corpus of related studies on law and literature from the Western world. Three major pioneering studies in this area include John Henry Wigmore (1908) *A List of Legal Novels*, Benjamin Cardozo (1925) *Law and Literature* and James Boyd White (1973) *The Legal Imagination*. Other popular studies include Deborah Luyster’s (2002) “Lawyering Skills in Law and Literature”, Allen Dunn’s (1993) “A Tyranny of Justice: The Ethics of Lyotard’s Differend”, Melanie Williams’ (2013) “Literary (In) Justice: An Interview with Melanie Williams”, Julie Stone Peters’ (2005) “Law, Literature and the Vanishing Real: On the Future of Interdisciplinary Illusion”, Nicole Thompson’s (2012) “Follow the Reader: Literature’s influence on the Law and Legal Actors”, John Hilla’s (2008) “The Literary Effect of Sovereignty in International Law”, Winfried Fluck’s (2003) “Fiction and Justice”, Mary Liston’s (2009) “The Rule of Law through the Looking Glass”, Harmik Vaishnav’s (2014) “Literature and Law: Mirrors Facing Each Other”, Lesley A. Walter’s (2004) “Law as Literature: Illuminating the Debate Over Constitutional Consistency”, John Hursh’s (2013) “A Historical Reassessment of the Law and Literature Movement in the United States”, Gavin Little’s (2006) “Literature and Legal History: Analysing Methodology”, Scott Turow’s (2001) “Introductory Remarks and Panel Discussion by Scott Turow”, Stephanie Chich-Ying Chong’s

(2009) “The Anthropomorphization of Law: Fictional Judges and Lawyers in Contemporary North American and European Settings”, and John Scaggs (2005) *Crime Fiction*, to mention but a few.

Wigmore (1908) examined the legal features in a collection of novels. Wigmore particularly emphasized the intellectual authority of the creative writer to teach certain values of law in his novels and other creative efforts. Cardozo (1925) studied how the potentials of literature can help in building legal judgments and principles. However, it was White’s (1973) *The Legal Imagination* that really shaped the movement and gave it its scholarly footing. His work aimed at instructing law students on the linguistic prospects and charm of literature. It was particularly necessary when considered in the light of a lawyer’s burden of words. Hence, White’s book represents a dais upon which every discourse of law and literature builds its theoretical and scholarly base.

Hursh (2013) assessed the historical development of the movement and was fair to point out that the more popular and celebrated history of the scholarship may not be entirely spot-on considering the fact that classical literatures and much earlier aesthetic antiquities had envisioned and portrayed features of law and literature in their great literatures ever before the systematic efforts of Wigmore, Cardozo and White. In his words, Hursh (2013) corroborates that, “this account also overlooks the law and literature scholarship that predated Cardozo or the scholarship completed in the nearly fifty-year gap between Cardozo’s *Law and Literature* (1925) and White’s *The Legal Imagination* (1973)” (4). One readily remembers how man and his society were implicated in the draconian and animist laws of classical Greece, Rome and England and how same laws were implied and depicted in their creative works. Notable among those aesthetics are Sophocles’ *King Oedipus* and *Antigone*, Shakespeare’s *Othello*, *The Merchant of Venice*, *King Lear* to mention but a few. Hursh equally emphasised the significance of the United States of America as a key founding layout of the movement- a land that has been largely magnanimous with her precious intellectual possession. Today, the scholarship is fast spreading across Europe and moving very fast to other parts of the world.

Walter (2004) examines the legal dynamics of the Irish constitution which is built on the principles of Christianity and democracy. He particularly looks at the intertexture

of Catholic theology, a replica of the natural law and the positive law which is largely implicated in contemporary judiciaries and observes that this reality arguably hinders the smooth process of law and justice –a process which is supposed to be neutral. Hence, he posits that this predilection and usability of the natural law which is quite subjective by the Irish nation is “...the confusion of the Irish society as a whole and its indecisiveness about political identity, morality, and religion”(2). Walter’s choice of words indeed reeks of personal values and creed which are equally subjective, although his intent aims at a compromise. Natural law is not just the mother but also the basis of all law. Hence, any nation may build its political system on a jurisprudence of her choice. Going forward, he uses the postmodernist theory to show and “facilitate more reasoned justification for the controversial decisions based upon natural law-thus lending an air of legitimacy to the process” (2).

Thompson (2012) observes that law and literature remain litigious but embody some basic features that might enable a conceptual leeway. In his words, “the relationship between literature and the law remains uncertain and contentious. What is clear is that law and literature come together in various ways.” (1) Evidently, the scholarship does come together in many facets especially in the social domain where law and literature are seen as human communal factors. However, he contends the perceived confusion created in the assumption that law and literature have interdisciplinary identity. He observes “that law and literature cannot be combined because they are too different; that although the two could be combined, this is not ‘interdisciplinarity’ but something else”(5).

Thompson further argues that, “the first challenge to the interdisciplinary nature of the law and literature movement is that the discipline of law has nothing to gain from the discipline of literature because the law already encompasses the traits and tools that authors seek to use from literature”(5). Thompson’s argument is indeed very controversial because dynamism is widely considered the only constant factor in man’s experience. It is fallacious for Thompson to assert that law has nothing to gain from the field of literature considering the fact that law and its methods are largely objective and empirical relying more on evidential details than subjective constituents of nature which are usually espoused by the natural law. This is particularly true in a 21st century world that is largely democratic and dependent on the positive law. Nevertheless, same cannot be said of literature which is largely subjective relying

more on an individual's perception and creative finesse. Having said that, it is then true that there is an obvious connection between the two scholarships given the fact that law as it is known today started mainly as a natural factor encompassing countless subjective qualities.

In further positioning the relationship between law and literature, Vaishnav (2014) makes a point which is quite contrary to Thompson's claim. He highlights one of the striking similarities between law and literature. According to Vaishnav (2014):

Literature and law are separate branches of social science, yet they share tremendous proximity and commonness in many aspects. The most striking is "uniting all humans as equal". In the eyes of the law all are equal so is the case in literature. Literature is the only place where humans are treated as humans, not with their caste, creed and status. Literature, be it in any language, draws us to the universal principles of human emotions, psychology, human predicament, the aspirations, fears and so on and so forth of human beings. In literature there is a universal approach to human beings. It is where all are equal, dealt equally like humans with its myriad dimensions. A king like Lear is shown as weak and vulnerable, mighty man like Julius Caesar is defeated, simpletons like old Santiago becomes heroes (1).

Indeed, law and literature as separate intellectual disciplines obliterate every social barrier and stratification constructed by man to create inequality and social difference. Every person is supposedly equal before the law and in literature; one sees an Elysium where every person is treated equally, irrespective of his social standing and status. In the literary world of phantasm, no one is above the law as can sometimes be seen in the material world. These two worlds surely help in maintaining a harmonious coalescence in humans' cosmology. Liston (2009) studies children's narratives and highlights the impact of parental powers in the control and management of children in compliance with the laid down codes and laws of a given sphere. This also portrays the law as a product of social realism and artistic dexterity. Frye (1970) concurs that, "...all respect for the law is a product of the social imagination, and the social imagination is what literature directly addresses..." (70). Going forward, Liston calls this power use "legal authority" (44), and it is "an authority that takes both its shape and purposes from the political order in which it is embedded, and that obtains its legitimacy and validity from a commitment to the rule of law" (44). However, it is also an authority that gets easily abused and misused both by parents and care givers.

Fluck (2003) examines the possibility of justice in fiction. He studies the function(s) literary texts could have in the context of justice in a given cultural milieu. Being a mirror of life, literature can engage the justice system and integrity of a people in a social discourse. Its didactic content is based on human experiences which are implicated in the design of justice. Fluck corroborates this clearly:

Culture – and for reasons yet to be discussed, fiction – has played a crucial role in articulating this sense of injustice and the individual’s claim to justice. In fact, the broader the definition of power gets and the more radicalized the individual’s claims to self-realization, the more important fiction becomes as part of the search for individual justice (21).

Not only can fiction help in situating the significance of justice “fiction has played a pioneer role in introducing the claims of the individual into culture and, more recently, in broadening the meaning of the term justice” (21)

Peters (2005) identifies three major designs associated with law and literature, “humanism (dominant in the 1970s and early 1980s and focusing largely on literary texts), hermeneutics (dominant throughout the 1980s and focusing largely on literary theory), and narrative (dominant in the late 1980s and 1990s and focusing largely on legal cases)” (444). Even though each of these has its own methodology, there is that point of convergence in intellectual function and essence. Peters concurs that, “despite these differences, however, one might trace, if not an entirely coherent program of action, at least a set of shared preoccupations and a set of recurrent aspirations...” (444). The writer goes further to describe this interdisciplinary union in therapeutic terms:

Law and literature might be seen as having symptomized each discipline’s secret interior wound: literature’s wounded sense of its insignificance, its inability to achieve some ever –imagined but ever-receding praxis; law’s wounded sense of estrangement from a kind of critical humanism that might stand up to the bureaucratic state apparatus, its fear that to do law is always already to be complicit, its alienation from alienation itself. Each in some way fantasized its union with the other: law would give literature praxis; literature would give law humanity and critical edge (p.448).

The three elements identified by Peters are embroidered in the twosome nature of law and literature. Law is created to project the tenets of humanism and literature

expresses its values. Law is also implicated in hermeneutics as it seeks to interpret human behaviour in accordance with the stipulated laws of a people and literature examines the social implications of humans' actions through satire. Literature employs narrative techniques in its genres and same technique is used in legal interlocution where the plaintiff, complainant, accused and witnesses are inspired with the evidential skills of narration. Peters' use of medical words goes further to depict the unification of law and literature as functional social fields.

Little (2006) traces the history of law and literature and states that "depictions of law in literature can, when used appropriately, provide valuable insights into legal history"(1). Citing the difficulty encountered by legal historians in the process of exploring legal history, Little sees literature as a ready messiah in this quest hence the historians' personality and their longing for antiquity have been described by Shama (1991:320) as, "forever chasing shadows, painfully aware of their inability ever to reconstruct a dead world in its completeness..."; in the light of this, Little (2006) asserts that "if it is impossible for legal historians to go round the corner and catch up with the past, the use of law in literature can assist them in inching closer towards the corner" (5). Little and Shama will then pass as proponents of law through literature since their interest lies not only in the synergy of law and literature but also in the functionality of literature.

Turow (2001) states the linguistic character of law and literature and the need for all, the lawyers and the literary scholars to unite in establishing that inevitability of law and literature as necessary and compulsory fields of social linguistics. Law and literature are processed through language and their values are meant for man's happiness in the society. Hence, Turow affirms that, "The law is only words. The law itself is a literature. And lawyers are unquestionably word people."(67) Turow's argument here borrows a clue from White's propositions in his *The Legal Imagination* (1973). He espouses the principles of law as literature in projecting the possibility of literary interpretation of legal books. Hence, he avers that "the literature of the law itself can yield to a close word-by-word analysis" (67).

However, that was Turow's acknowledgement of White's pioneering finesse in designing and institutionalizing this scholarly field of enquiry. He goes on to state his critical conviction "...despite the sort of close analysis that White really practises quite



convincingly on a variety of legal texts, I myself don't regard legal texts as literature in the same sense as fiction and poetry because of the intentional lack of a personal voice" (68). He would rather prefer to see how literature can teach certain values about law and how such values would be of immense value to the legal practitioners. So he states "the other perspectives on law and literature that I tend to favour look to what fiction and poetry can teach us, as lawyers, about the law" (68). Indeed, literature has so much to teach lawyers about the law- the meekness of heart, creative dexterity, human nature, social realities, moral probity and linguistic prudence/decency.

Luyster (2002) states some of the benefits of a law and literature fusion. She argues that:

Literature forces reconsiderations of such concepts as the infusion of sympathy in legal decision-making, the meanings of justice and mercy judicially and extrajudicially, and the tension between natural law and the positive law. The latter division of this interdisciplinary study applies literary analysis to legal discourse and texts and demonstrates how literary strategies can participate in legal interpretation(56).

She further argues that the novelty of this scholarship has attracted a lot of positive accolades from many scholars. The seriousness of the trend now informs the influx and interest of law students in law and literature. In her words:

A 1994 survey of 199 North American law schools indicated that 84 offered some variation of a law and literature course. The websites of Michigan's six law schools show three offer courses relating to law and literature. I am certain that we have only begun to discover the innumerable lessons for lawyers and law students from combining legal and literary studies (57).

Luyster has largely spoken as a lawyer expressing her legal values but also outlines the merits of engaging literature in the legal enterprise. As I argued earlier, the literary person equally has a lot to learn from law and literature.

Hilla (2008), in line with Blanchot's thoughts, argues that the phrase *sovereignty* has no political undertone but rather a lexical and semantic essence that is very much tied to literature. He further observes that, "an autonomous, non-signifying language has developed that eradicates its own meaning with each use. As a part of literary

language, sovereignty is without political and legal effect” (81). Hilla, basically, contends the impression political scientists create that privileges *sovereignty* as a term denoting political independence and autonomy. Instead of this, he argues that, “sovereignty was originally a domestic political concept remarking upon the locus of supreme power within a state’s internal hierarchy of powers” (81).

Hilla’s argument is particularly interesting given the fact that words are ambiguous and are never anticipated dogmatically in Hilla’s stance. Words are generally in free linguistic and semantic movement, hence, Randolph Quirk, and Sidney Greenbaum (1973:19) classify such content words as open class items. Words in this class are semantically mobile and flexible. In effect, Hilla’s rigid polemics that sovereignty “...should not be used but merely contemplated as a literary term in a non-legal reality” (81) can be considered linguistically flawed and void of structural merits. The irony in Hilla’s argument is visible in his conclusion where he naively sticks to Blanchot’s conceptual position despite earlier citing its indistinctness:

Sovereignty, with its varied meanings, connotations, and implications, perfectly fills the literary space described by Blanchot and operates exactly as he describes literary language as operating. The lengthy history of the prescriptive use of “sovereignty” has rendered it referentially ambiguous, indicative of no single political or legal concept, and incapable, as Koskenniemi has stated, of raising a determined consequence declaring whether a state in a particular relationship is “free” through simple reference (146).

One also wonders if Hilla is familiar with the deconstructionists’ indeterminism of meaning because that knowledge would have helped his argument to maintain some objective balance.

Dunn (1993) examines Lyotard’s *Differend* and identifies the dynamics of justice in satisfying human wants and needs. He asserts that human “needs will produce a type of unintended justice nonetheless.” (193) Dunn contends the usual politics that often accompany matters that border on the needs and desires of the common person using Lyotard’s philosophy. Some sorts of injustice emanate from man’s indifference to the conditions of his neighbours and the most indicted here are the aristocrats and the bourgeoisie. In revealing this, Dunn studies the interplay of linguistic items and the expression of power in the text.

Williams (2013) re-echoes the history of law and literature in a seminal interview granted the editors of *Interstitial Journal*. She captures the pioneering efforts of Benjamin Cardozo and James Boyd White but slightly differs with the *law as literature and law in literature* classificatory paradigm often referenced in most law and literature discourses. In her words:

I feel rather resistant to the categorising tendency-of sourcing a 'history' or a 'movement' or even a 'discipline' of law and literature. For example, a number of scholars and commentators suggest that law is divisible into two main categories (students are always quoting this in essays) - 'law as literature' and 'law in literature'. In my view, this is misleading (1).

Well, this is why the field is open to critical thoughts but I do disagree with Williams to the extent that such classification helps in positioning any conceptual analysis of law and literature and makes its theoretical standpoint clear and obvious. She also reacts to questions dealing with feminism and women's rights. She avers that gender is a very sensitive field to plough but insists that women's social, economic and political rights must be respected but regrets that her biological rights like right "...to contraception and to access to abortion, are much more vulnerable to power struggles and become tragically hijacked by religious and ideological powers and belief systems in which there is poor appreciation of the fact that women- and all persons- are persons first, gendered persons second" (3). For this reason, she insists that "...feminist and gender-sensitive readings will always be needed to challenge and re-balance inherent prejudices..." (3). Williams' expression of concerns on the biological rights of women reeks of feminine sentiments because the issues surrounding those biological factors are religiously and morally classified; It is arguably common knowledge that religion and morality are hidden instincts in every man irrespective of his belief system.

Many other critical comments abound but these few have been used to situate the canonical nature of the law and literature scholarship. Our focus now as Nigerian scholars is to do a lot that will properly position the content and essence of this scholarship in Nigeria and indeed Africa.

## 2.15 Previous works on the selected plays and novels

Ukala (2010) does a comparative reading of Ola Rotimi's *Ovonramwen Nogbaisi* and Ahmed Yerima's *The Trials of Oba Ovonramwen*. He observes that:

Ovonramwen is too weak to effectively participate as an antagonist in the dramatic action that the White man foisted on his Empire, and his weakness is traced to Rotimi's poor constitution of Ovonramwen's three dimensions- physiology, sociology and psychology- which contrast(s) remarkably with Ahmed Yerima's, in the latter's play, *The Trials of Oba Ovonramwen* (1).

Ukala's focus stems from the perceived weak portrayal of Oba Ovonramwen in Rotimi's play. For one to better appreciate Rotimi's effort, it is pertinent to note that art is first, fiction and imagination. The playwright has simply used his finesse in creating a world of phantasmagoria wherein fictional characters operate fictionally as opposed to the factful presumptuousness of his critics. Yerima's recreation tilts more towards historical dynamics.

In his essay entitled "Deconstructionist Interpretations of Rotimi's Ovonramwen Nogbaisi in Yerima's *The Trials of Oba Ovonramwen*", Ifeanyi Ugwu (2013) applies the principles of Derrida's Deconstruction in dismantling binary contradictions in the two plays – the oppressor/ oppressed bifurcation.

*Fine Boys* happens to be Eghosa Imasuen's second novel after a laudable success with his first novel *To Saint Patrick*. Reviews by Garricks (2012), Uzoatu (2012), Ikheloa (2012), and Sylva (2012) have all been tailored towards a marketing end. While they briefly summarise the thematic concerns of the text, they equally make deliberate attempts at marketing and advertising the text. Garricks (2012) sees Imasuen's story as an allusion and a meek nostalgia of the pains of yester years. According to Garricks (2012), "It's uncanny how, in many ways, Eghosa's *Fine Boys* is the story of me, from many lifetimes ago..." (1).

Similarly, Ikheloa (2012) uses the phrase, "On Fine Boys and Yellow Girls" to capture the impacts of the military regimes on the Nigerian Youths. Those were desperate and depraved regimes which would ordinarily predispose the youth to, "... attempted suicide, alcohol and drug abuse..." (1). Ikheloa equally asserts that the reader will find Imasuen's palette a colourful world in which light-skinned women

are described as “yellow” and only the initiated would understand what would be a slur in the West because Imasuen dispenses with the convenience of glossary (Ikheloa, 2012:1).

Basically, Ikheloa’s criticism is based on literary elements available in the text. He is particularly worried about the novel’s lack of descriptive dexterity. In his own words, “Imasuen struggles mightily between personal narrative and fiction. This is a fat novel that should have been pruned a bit. No detail escapes Imasuen, no matter how banal. It is a problem...” (Ikheloa, 2012:1)

As much as Ikheloa makes a valid point, it is equally worth noting that the author has only done what is necessary based on the literary rules at his disposal. No number of details made available by a writer about any event or character would be adequately enough to quench the didactic thirst of a serious reader. A good writer is usually very careful not to take the reader to the point of diminishing marginal returns; that point of redundant waste and boredom.

Sylva (2012) reviews the text from a postcolonial perspective. He says that the unhealthy socio-political atmosphere in the novel contributes significantly in making a beast out of each of the characters we find in the text. Sylva’s sociological analysis comes as a satire for the political excesses of the then military regime in Nigeria. A regime that was anti-people and vicious. Its amalgam of influence on the youth was overwhelming. Uzoatu (2012) sees the narrative as a re-enactment of the pains of a wounded generation. In further explaining the reality of postcolonial disillusionment, Uzoatu says that what commands the most demanding attention is the age of structural adjustment across the African continent that he names the wounded Generation. He further says that, “it was a generation that laid bare the modern – day fall of man, the destruction of a whole people and unconscionable unraveling of societal and communal values.” (Uzoatu, 2012:2). Such was the nature of Nigerian polity of the 1990s; a society that had no regards for human lives and brandishes its pride against the rule of law. In its awful disregard and disrespect for due process, it had negative influences on the younger generation who only grew up with the lessons they had learnt from their society. Their maturity eventually became a good platform for the manifestation of the monstrous beast in them.

Frank Ogodo Ogbeche's *Harvest of Corruption* is a relatively new play that suffers a dearth of reviews and critical comments at the moment. However, Okubule (2015) examines the play and identifies corruption as the most visible and obvious topicality portrayed by the playwright. She does a postcolonial analysis of the play and concludes that, "The play is a satire illustrating how corruption permeates the fabric of the Nigerian Society and affects institutions like the police force, the judiciary, and government ministries" (1). Okubule only succeeds in identifying some of the postcolonial effects of colonialism in Nigeria prominent among which is corruption but fails to state clearly the interplay between the dictates of the law and the eventual actions and inactions of the dramatic gladiators in the play. Aloho is presented as an ingenuous jobless Nigerian graduate who is ready to dance to the tune of her friends in order to leverage in the nasty and harsh Nigerian economy. However, the writer only presents the effects to us without revealing the cause of the effects. The cause of course is the unfortunate infraction of the law which is supposed to be a just standard for all actions in Aloho's Nigerian society.

The bastardization of the tenets of law by the supposed custodians is obviously the reason for Aloho's loss of hope in the Nigerian project. More interestingly also, as a graduate, the expectation is that she is supposed to understand better; however there is little or nothing to understand in the bizarre examples she gets from the so called superiors who should be the protectors of the law.

In Wole Soyinka's *Death and the King's Horseman*, there is a re-enactment of history and a people's cultural values. Billington (2009) opines that Wole Soyinka's interest in the play "cannot be reduced to a study of 'the clash of cultures'" (1). Over and above that, Billington says that the play is a "rich turbulent piece, which starts as folk comedy and ends as Greek tragedy," (1). He further identifies the topical concerns of the play as "identity, tradition, the passage from life to death" (1). Hence, Billington sees beyond the surface radiance of clash of cultures. Soyinka hopes to first project the cultural values of his people and indeed the African people to the Western world. There is that sharp contrast of experiential views of death as portrayed from the Western and African perspectives. Benedict (2009) queries the depiction of death in the play:

The word “death” may be in the title, but Western expectations of sombre, silent mourning are blown away by the opening. African calls and drumming break the silence, flames are lit at the stage’s edge and, strewing red sand on the gleaming stage floor, the company bursts into leaping, exuberant life (1).

Benedict’s view of death as a cultural variable is intriguing considering the fact that death is usually depicted generally as an unwanted visitor/omen. The Europeans are indeed shocked to see a celebration of death in Africa, quite contrary to the universal perception of the phenomenon.

However, Gilbertova (1995) looks at the legal import of the play from the cultural perspective. The law implicated therein is the customary law. In his words, “Elesin is a prominent Chief and the King’s chief horseman. The king died a month ago and is to be buried this night. According to the local law, his dog, his favourite horse and his horseman must accompany him to the world of ancestors” (86). Hence, one can also talk about legal conflict in the play as depicted in the oppositeness of European common law and African customary law. This contradictory legal orientation of the two worlds explains why the European colonialists felt very uncomfortable with the death ritual of the late Alaafin which is itself an aspect of the customary laws of the people. Consequently, one can safely talk about a clash of legal values.

Furthermore, Boyejo (2011) examines the use of language and style in the play as representations of African literature. In the pioneering years, language as a critical factor of definition of that which is termed African literature garnered a lot of arguments and criticisms with some scholars like Chinua Achebe believing that the Western languages could be indigenised to reflect the African colour and cultural milieu and some others like Ngugi wa Thiong’o suggesting the dangers inherent in the conscious and unrepentant abandonment of indigenous African language in creative writing. Achebe (1997:260 qtd in Gallagher) had argued that “Britain did not push English language into my face while I was growing up.” Gallagher (1997:260) concurs that, “he chose to learn English and eventually write in English as a means of ‘infiltrating the ranks of the enemy and destroying him from within’.” This is indeed antithetical to Ngugi’s (1993) position that, “language carries culture and culture carries particularly through orature and literature the entire body of values by which we perceive ourselves and our places in the world” (1). The raging arguments have

indeed been very interesting especially when considered in the light of African colonial experiences and their attendant ravaging effects on the personality of the African person.

Boyejo (2011) capitalises on the strengths and weaknesses of this language controversy in her reading of the play. Her position corroborates that of Achebe who calls for the manipulation of the Whiteman's English to African advantage. She argues that Standard English was assigned to White characters in the texts, Pidgin, to the lower class individuals and African English to the African Elders. She observes that, "in the text under review, there is the use of standard English as can be seen in the speeches of Pikings (a European Character in the play)" (33). In respect of Pidgin, she asserts that "this variation of the English language is spoken by some Africans and predominantly by the uneducated in the African society" (34). She concludes that, "African English is the type of English spoken by characters like Elesin, Iyaloja, the women and praise-singer" (35). For Boyejo, this last form of English carries with it witty elements and condensed African linguistic forms like proverbs. In her words, "This variation of the English language does not break the grammatical rules of the English language but the meanings are usually inferred" (36). These are indeed arguments that have come to define our understanding of language use especially the Western linguistic forms like English in most of our speeches and writings as Africans.

Gover (2004:101) examines the significance of Sacrifice in the play. In his view, "Olunde considers his father's death as self – sacrifice, essential to the continuity of the culture." Of course, sacrifice is a recurrent motif in African cosmology such that whenever it is made, it is usually to appease the gods and seek their continual protection and blessings. It is always for the continuity of the common values shared by a people.

Chukwuma Anyanwu's play *Another Weekend Gone!* is relatively new and currently suffers a drought of critical comments. The title, *Another Weekend Gone!*, points to the conflict that unravels and results in the contravention of the law. In addition to Anyanwu's critical intentions, the play copiously reflects on the state of the Nigerian society and exposes the ills which are visible in the physical landscape of the country and the psyches of most Nigerians.



Another notable creative piece chosen for this study is Chinua Achebe's *Arrow of God*. This is a classic that continues the cultural tradition of Wole Soyinka's *Death and the King's Horseman* and *The Lion and the Jewel*. Achebe's Afrocentrism indeed does not strike one sceptically largely because of his open commitment to the development of the African worldview. In her review of the novel, Okeke (2012) examines the cultural conflict in *Arrow of God* and observes that, "The story is about Ezeulu, a chief priest of the god of six villages, who, with the presence of the European was finding it difficult to demonstrate the power and relevance of the god of the land" (1). Change is only inevitable in human relations and existence and it is only but a natural order of our cosmology. However, in Okeke's view, change is not only constant but predestined. She says, "Finally, I understood and learnt that changes are persistent and preordained" (1). This is indeed the beauty of literary criticism; every view is considered truthful and subjective in its perspective because sooner or later, such a view would be deconstructed.

Yee (2007) examines Ezeulu's precariousness in the midst of his ordeals as the custodian of the people's law and mouthpiece of Ulu. He says, "Ezeulu is unlucky in facing challenges outside his experience, but his fall is also the result of his pride and his refusal to take advice from friends and family" (1). Ezeulu is the complete revelation of a man's pride and ego.

Going forward, Diwan (2013) examines the conflict in *Arrow of God*. He identifies the ceremonial roles played by Ezeulu which are devoid of real executive intent as the first cause of rift in the novel. Being a high priest, Ezeulu sees himself as having a worth much more than just a ceremonial figure. Diwan observes that, "Ezeulu's plea against war with Okperi having been overruled by the villagers in favour of his rival, Nwaka, it causes him to question the validity of the political extension of his religious power" (1). Diwan further notes that "This internal turmoil regarding his place in society stems from the common knowledge that the honour of being the chief priest was attributed to a "weak" member" (1). Therefore the conflict that eventually manifests physically in the novel stems firstly from Ezeulu's psychological crisis. His inability to assert his spiritual and political authority to his own satisfaction is what Diwan calls "The limits of individual power in a system controlled by tradition" (1). This same power scuffle plays out in Marchetto's (2014) thoughts on power and conflict in *Arrow of God*. Marchetto observes that, "this is a story of the unintended

consequences of power, and the inevitability of its leading those over whom it holds sway into the ways of those who wield it” (2). Indeed the high priest never believed that his actions could lead to such a monumental cultural submission as seen in the overt rejection of the values of Ulu by the people.

Akachi Adimora-Ezeigbo extends the motifs of power and leadership in her review entitled “Beyond the Boundary: Leadership and Abuse of Power in *Achebe’s Arrow of God*”. Adimora-Ezeigbo sees *Arrow of God* as a metaphor for the numerous challenges facing the newly birthed Nigeria of the 1960s. The European colonialists had infiltrated the ranks of the native rulers of Nigerian clans of the time and had started introducing their values, for this and many more reasons, things fell apart. Things were equally falling apart in the new Nigerian nation following tensions of political and economic autonomy/control. So, she says, “*Arrow of God* is a metaphor for the tension, animosity and disunity already beginning to divide the young nations”(1). The writer also seems to suggest that the various autonomous tribes and communities of pre-Nigerian nations had less socio-political issues before the coming of the Europeans. The presence of the colonialists brought about a complex existence which now manifests mainly in the leadership attitude of the leaders (paramount rulers). The writer observes that “in *Arrow of God*, Achebe explores the idea of leadership and the levels of power devolution in a community under foreign rule but at the same time experiencing internal squabbles and communal conflict with its neighbours” (3). Ezeulu’s attitude to the plights of the people has become depraved and inhuman. He has become proud and full of himself. Although, we know Ezeulu too well as an egocentric man who ordinarily abuses power even in the home front, one ordinarily expects some psychological decorum from him in the handling of public affairs.

In analogical and euphonic resonance of Ayi Kwei Armah’s *The Beautiful Ones Are Not Yet Born*, Chukwuemeka Ike’s *Our Children are Coming* brings back that common nostalgic expectation of a better future which has now assumed the form of a tired mantra. Nigeria and indeed Africa has continued to battle with the negative legacies of her compromised history and the end is not imminent. In *Our Children are Coming – In Style!*, Sotunde (2011) observes that, “In the novel “*Our Children are Coming*”, Chukwuemeka Ike x-rays the level of moral and social degeneration in the society and its implication on the youth and society at large” (1). The foregrounding

of the youth as the victims of a depraved and sick society is reflective of the failure of the older generations. This older generation has indeed succeeded in creating loopholes which pose great threats to the future and survival of the youth. Hence Sotunde further says that “Our Children are Coming” depicts the yawning gap between parents and children in any average society today” (1). These parents have lost touch with reality and can no longer wield that much needed influence on their children.

Ajeluorou (2015) quotes Kanchana Ugbabe as reading Ike from three main perspectives: “Reading Ike for pleasure, Reading Ike as a scholar and Reading Ike as a teacher/teaching Ike” (1). Ugbabe then states that:

Ike lashes out in vehement anger and satire in this text. Nigerian society of the 1990’s had changed for the worse. The injustices meted out to young people had changed for the worse. The injustices meted out to young people by adult society form the focus of this novel. The young are victims of a corrupt adult society which throws up its hands in despair (1).

Ugbabe indeed emphasises the reasons for Ike’s focus on the youth in his novel. Isidore (2010) does a stylistic analysis of the novel. In examining diction, Isidore identifies three main conceptions of diction in the novel, “The selection of vocabulary in descriptive passages, the use of forensic diction, and a few idiosyncratic coinages” (162). Analysing the description of Apolonia, the Archdeacon’s amoral daughter, Isidore states that the excerpt, “the *purring* sound of an air conditioned car had *heralded* her arrival at the parsonage” (162), foregrounds the key significant words *purring* and *herald(ed)*. *Purring* is a soft sound known with cats and *herald* announces Apolonia’s arrival. Isidore’s stylistic concerns are quite symbolic, acoustic and visual.

In *The New Man*, Femi Ademiluyi establishes a social discourse that also portrays the functionality of the law. In every human society, there are the bold and the timid. In most cases, the bold not only rule the timid but also function as the conscience of the timid. However, when the bold that are usually in the minority are confronted sternly by the idiosyncrasies of the timid, there is that tendency to compromise. This reality is what Ademiluyi portrays in his novel. Falonipe (2012) re-echoes the irony in the newness of *the new man*. A pitiful one though, which sees the forger suddenly becoming the forged. In Falonipe’s words, “Badejo determined to change the corrupt

situation and stand distinct... he later becomes hardened with frustration, and escapes in the long run, only to become a significant part of the corruption and injustice he had always preached against”(1). This exposition presents yet another instance of the law and its mitigating factors.

Moving further to the northern part of Nigeria, one notices a rather recent phenomenon which hitherto was almost absent or literally lacked patronage and sympathy in the North. That phenomenon of course refers to the alien Western European values which the North of Nigeria has continuously rejected. Many thanks to the recent trend of globalisation occasioned by the popularity of the internet and other new media platforms which have greatly contributed to the current nursing and acceptance of Western values in the North. However, this success has been very little compared to the acceptance of technology and global tenets in other parts of Nigeria and indeed the world. Having said that, one cannot excuse the Islamic religion which has largely made this trend difficult and almost impossible in that region of Nigeria for many decades now. Taminu Abubakar (2012) corroborates this point in stating that “The challenge facing writers from or in the North is how to attain eminence in a complex, contradictory and competitive context that is increasingly corporate and global in its dimensions” (480). Abubakar further says that:

The most singularly significant dimension of some of tradition in Northern Nigeria since the 14th century, is the displacement of some indigenous elements from the cosmology and cultures of various peoples and the grafting of new ones, occasioned by contact with the Arab world, the spread of Islam, slavery, the series of mergers and displacements due to conflicting processes of state function, the Jihad and colonialism (482-483).

However, there are a few charitable northern writers like Ahmed Yerima and Denja Abdullahi who have remained resolute and strong in the face of all these ordeals. They have continued to rekindle the light of hope in the face of hopelessness such that one can now relatively say that the literary and academic renaissance has started in that part of Nigeria.

In Denja Abdullahi’s *Death and the King’s Grey Hair*; the folkloric kingship myth of the Jukun people is re-enacted by the playwright to depict some natural realities in human nature. Man by nature is greedy and ordinarily asks for more of everything. There is a desecration of the customary law guiding the kingship tradition of the

people by king Esutu. Sule (2015) observes that, “the throne is for “young kings and short reigns”(1). Hence, any greedy attempt at prolonging one’s reign beyond the youthful limit is usually met with the anger of the gods and the people. Esutu’s voracious attempt at discarding this sacred tradition gives birth to the conflict in the play.

Unlike Abdullahi’s mythological intent in *Death and the King’s Grey Hair*, Ahmed Yerima engages history and arts in his very ambitious play entitled *The Trials of Oba Ovonramwen*. It is worthy of note that Ola Rotimi had earlier written *Ovonramwen Nogbaisi* with a more aesthetic poise. It needs be mentioned also that Yerima’s play is a commissioned research. Unlike Abdullahi who is relatively new in the literary business, Yerima suffices as one of the very few minds working assiduously for the promotion and development of Northern Nigerian literature. There are other notable minds like Abubakar Gimba and Zaynab Alkali. Understandably, Yerima’s play has more critical comments and reviews which sufficiently stems from the writer’s popularity and contributions to the development of Nigerian literature.

Rantimi (2013) studies the historical objectivity of Yerima’s play and observes that:

At the time that this play was being written by Ahmed Yerima, a few of the people who own the story were readily available for interview; as such, overt distortion in the presentation would hurt the pride of these people. As the audience was familiar with the story, the playwright often relied on information derived from distinguished members of the group and archival materials for the creation of the drama (80).

Despite all these painstaking efforts; the golden question is, just how true or historical can a historical aesthetics be? Well, that is to the very extent that all those research efforts were made painstakingly but all of that honestly cannot void the final result of some human sentiments and values.

## **2.16 Conclusion**

All the works reviewed studied the focus of this research from different expert points of view. The law is given legalistic and juridical evaluations which only help to further the conceptualisation and understanding of the term “law”. The mainstream fiction, preponderant in the West, is famed for its methodological and scientific approach to narratology. Hence, it naturally limits the literary focus of a study like this which mainly examines literary representations as well as the moral burden and

postmodernist tempers responsible for infraction. The drama genre, though less patronised in the West as a good form for legal exemplar, also shows a lot of procedural flexibility. The jurisprudential notions reviewed here are privileged as an analytic compass meant to guide the utilitarian purpose of this study. The literary theories as reviewed are intrinsically compatible with the literary styles and methods inherent in the selected texts. Finally, the reviewers of the selected texts examined them from different topical perspectives. While some were mainly cultural, others were moralistic, political, sociological, and linguistic. It is then the desire of this study to view the previous literatures related to this research as directional scholarships as this study analyses the representamina and the socio-political agents responsible for characters' defiance in the literary texts.

## CHAPTER THREE

### CONCEPTUAL CLARIFICATION: LITERARY REPRESENTATIONS OF INFRACTION OF THE LAW IN THE PLAYS

#### 3.1 Introduction

This Chapter responds to two research questions raised in this research as they are evident in the plays. It analyses and reacts to the violative representamina employed by characters in compromising situations. The verbal and non-verbal representamina which contravene the law are driven by literary figures such as metaphor, simile, suspense, hyperbole, improvisation, parody, sarcasm, gesticulation, hubris, and so on. It equally identifies and studies socio-political agents such as corruption, poor parenting, leadership failure, injustice, economic hardship, and the like which also contribute to the infraction of law in the plays. These socio-political factors often rouse verbal and non-verbal representamina which amount to contravention of the law. Therefore, these two – the verbal and non-verbal violative representamina and the beguiling socio-political agents – will be examined in the plays in this section because they are fluid and overlapping in relation to the focus of this study.

#### 3.2 Conceptual clarification: literary representations of contravention – verbal and non-verbal representamina –and socio-political forces in the plays

The word representation is used in this study to refer to the manner in which law is presented by the writers. They portray the law as a State-instrument having literary disposition expressed mostly in the words and actions of literary characters. These words and actions which are called representamina (signs) in the Peircean Semiotic tradition emanate from the self-centredness of the id, Freud's Psychic Apparatus, and they are a direct response to the postmodern experiences and disillusionment of characters in the texts. These postmodern experiences are the socio-political agents confronting and testing the will of the characters.

In the animal kingdom, a complex body of laws transcending the realms of the natural law is not needed because animals are generally weak in reasoning and intellectual capacity. This, of course, cannot be true in the case of humans; hence, the need for not just leaders and administrative institutions alone but also for a supreme body of principles which must be binding on both the leaders and followers. In effect, nobody should be an epitome of law to other human beings. The blatant and tyrannical manner in which kings and queens of the ancient times operated and ruled their people is a vivid testimony to humans' weakness and ineffectuality as legal tenements. Given this flaw, there is then the need for a neutral and impersonal justice-system which is not only impartial but also firm. Even though this explication favours the positive law, it also supports the natural law because it is a form of law that is known to both humans and nature. For instance, every element of nature knows and respects nature's climatic laws. This is an example of a body of laws that cannot be manipulated with impunity. Even in our traditional systems, there are laws that cannot be blatantly contravened even though they are unwritten. In the latter instance, what makes this possible is the checks and balance system usually pinned to the powers of the king or queen. This system is often managed in most Nigerian indigenous cultures by the elders and priests.

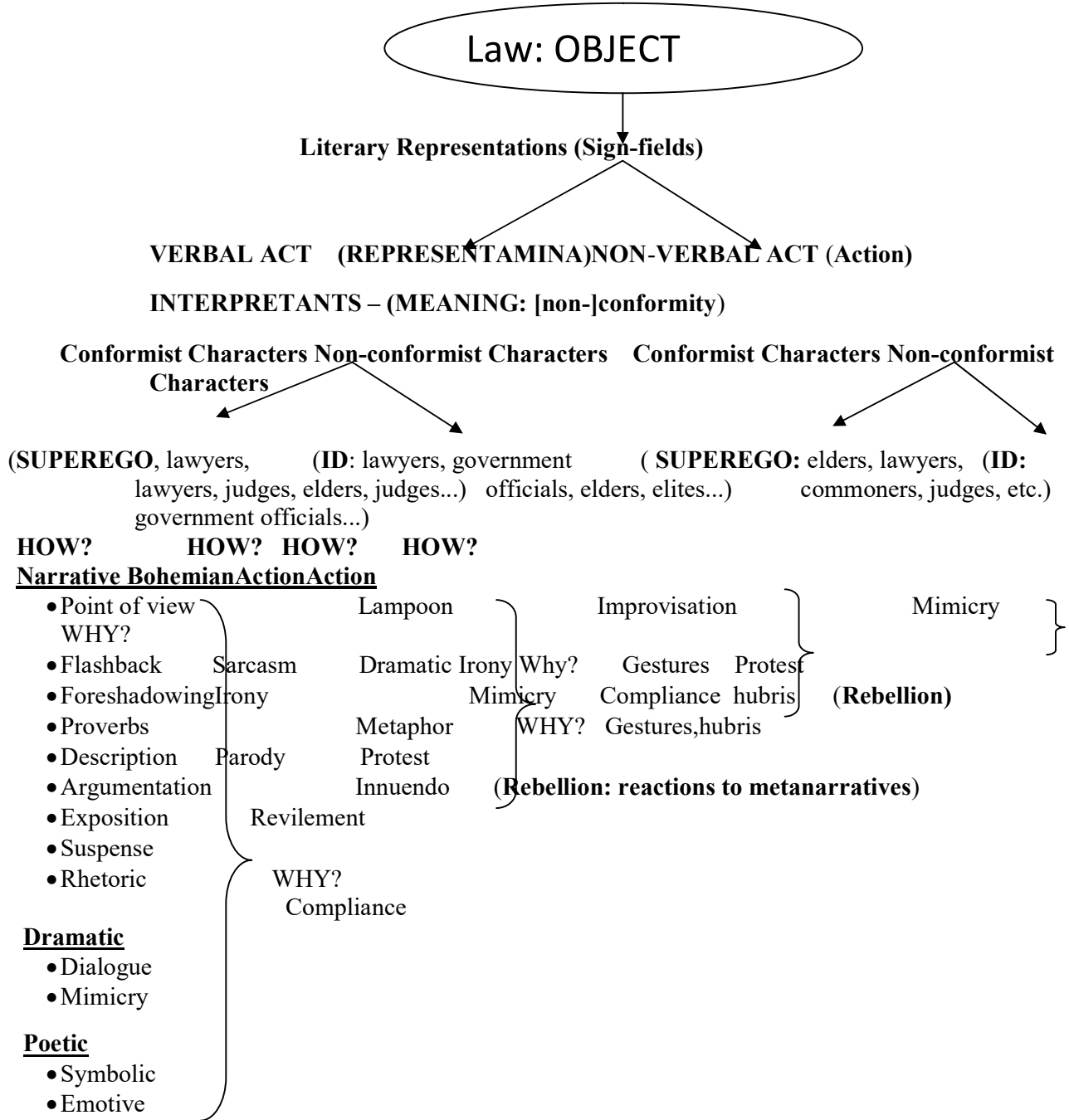
In our twenty-first century world, most of our laws are written. Graphology is an exemplary feature of the positive law; that strand of law that was popularised by the invention of letters, the printing press as well as the gross abuse of power exhibited in the reigns of ancient kings and queens. Our existing traditional laws have been carefully subordinated under the authority of the contemporary (common) law. However, despite these notional and structural differences privileged in jurisprudence, the law as it is known to all and constructed by cultural and historical forces is a supreme and mighty canon that is above human beings. As such, laws are supposed to be obeyed, respected and honoured. Any deliberate or calculated attempt designed to weaken law is a rebellion against its sovereignty over societal forces and affairs. Hence, the knowledge of law is the business of everyone (the leaders and the followers) because its ignorance is indeed no excuse.

The literary text which is a quintessential make-believe reflects and refracts the experiences of human beings in the society. These experiences include people's behavioural responses to the sovereignty of law. Writers consciously or unconsciously



satirise these diverse behavioural responses in their literary texts. They depict how literary characters contravene law through their words and actions which are indirectly given violative impetus by socio-political agents such as unemployment, bad leadership, injustice, cultism, and so on. Their representation of the law is literary because it shows how characters' representamina project literary devices such as lampoon, sarcasm, irony, flashback, foreshadowing, metaphor, parody, paradox, mimicry and the like in bringing about either compliance or rebellion. The diagram below illustrates the literary representation of law by the selected writers. It is bifurcated into the verbal and non-verbal sub-categories:

The literary representations of contravention of law by the writers



(Figure 3: The Researcher's conceptual model)Themoral character of law

- Supreme Canon
- An Arbiter
- Generic Interest

Law is basically created by Nature (God) as evident in the cosmic harmony and cohesion and expanded by humans to reflect their peculiar idiosyncrasies on earth. It is portrayed as a supreme canon for their compliance and peaceful co-existence. From

the diagram above, law is represented as a literary exercise that can be viewed from two semiotic significations: *the verbal and the non-verbal*. From the verbal signification, the characters use language narratively, dramatically and poetically in talking about law. In this verbal signification of the law, they sometimes behave compliantly and at other times, defiantly. Most of the submissive characters are elitist characters that mainly belong to the legal intelligentsia, academia and government agencies. Postmodernist tempers make most of the lower-class characters defensive and reactive. However, there are also some noble characters that deliberately violate law for their own selfish interests. The creative manipulation and rendering of law are essential functions of the wise and learned in the texts. Every character is assumed to know the law but it is not every character that can interpret, argue, narrate, explain and describe same law.

It is the duty of the learned characters to interpret law but that act of interpretation is never done carelessly. It is usually done with so much linguistic, creative and oratory skill. To make people fully understand the position of the law in the instance of confusion and misunderstanding, the lawyer or elder cannot afford to be casual with their representamina. Such elders and lawyers use every creative means possible to drive home their explanation. This is even very pertinent when one considers the fact that the person who is seeking the right interpretation and understanding of the law already has a confused interpretation and understanding of it.

As a creative process, the law is presented as a narrative, dramatic and poetic exercise. At the narrative level, the positions of the law can be explained by elders with the use of representamina characteristic of proverbs, parables and anecdotes. In the texts, the lawyers (plaintiff or complainant) use representamian signifying different points of view, flashback, foreshadowing, suspense, description, argumentation and exposition in arguing their case(s). By so doing, such characters creatively attract and sustain the interest of the judge, witness (es) and spectators. In all, language is used positively to foster compliance and understanding.

In the traditional setting, the elders do not speak in plain language when they are discussing the laws of the land. When they start their legal exercise, one is likely to hear such axioms and proverbs like, “Our fathers used to say that ...”, “In the days of our forefathers...”, “It is against the laws of our land to...”, “If a child washed his

hands, he could eat with kings...”, “If the vulture fails to hover at the end of a sacrifice, then you know that something happened in the land of the spirits...” and the like. They could go as far as narrating parables and anecdotes to buttress the position of the law. The customary law as earlier argued is inexplicably tied to the hands of the gods (nature); hence, the need to talk about such a law in the language of the gods. This is in line with the position of Yewah (2015) who argues that:

As I have suggested elsewhere “any interpretation of legal stories in African works of fiction must take into considerations the role of the ancestors and other supernatural agencies that act as third parties in the management of cases. These unseen agencies are important components of the indigenous judicial process that have been left out of rule-centered systems (118).

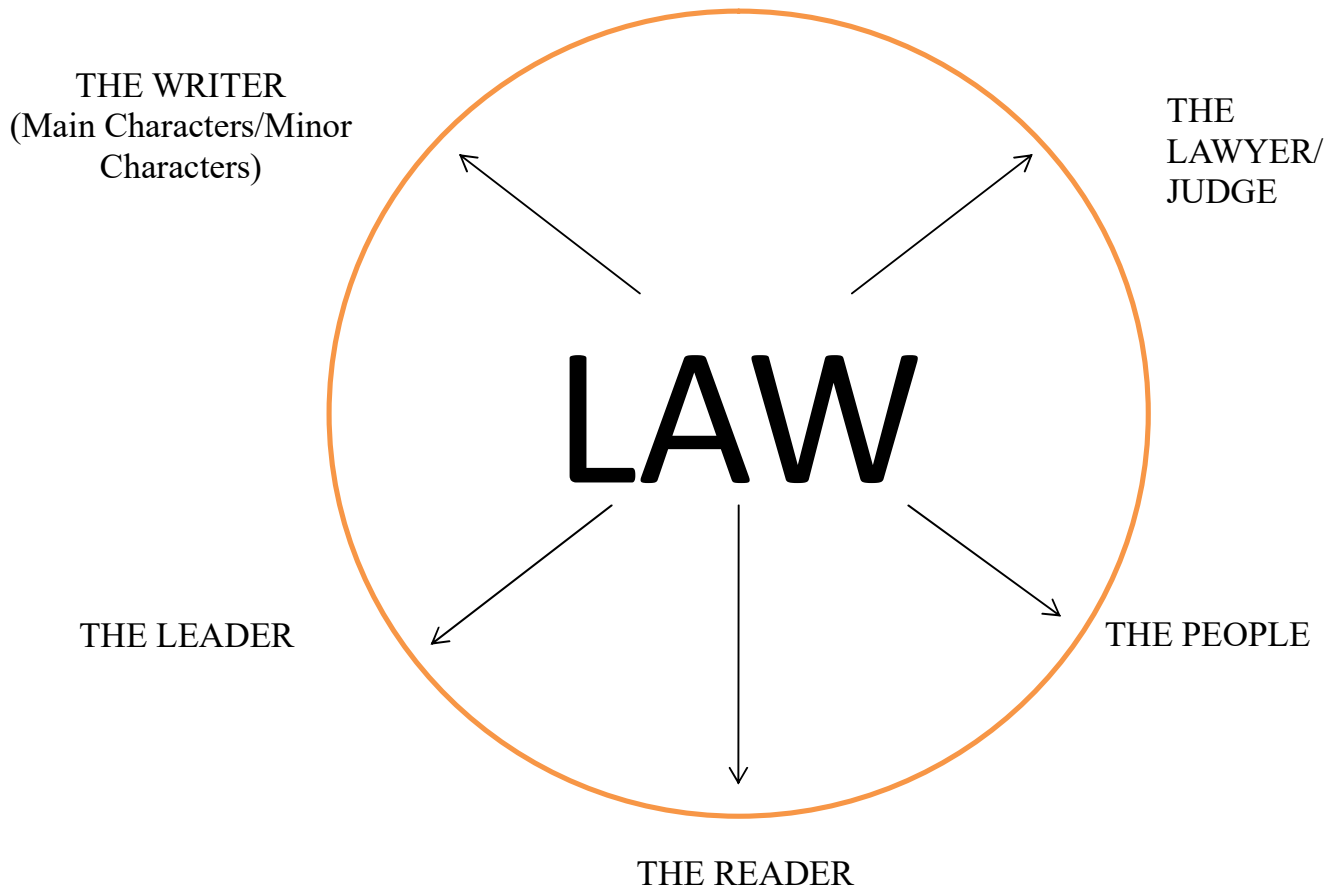
As a poetic exercise, the recitation of the law by the learned characters is usually a witty exercise. The language of the law is indeed poetic. At the customary level, the Dibia or Ifa-priest usually recites what the Yoruba call Odu Ifa “Divination Poetry” in the process of seeking the mind of the oracle concerning a particular legal matter. The poetic chants and axioms that the elders recite in the process of explaining the law are poetic and symbolic representamina. In contemporary law, the lawyer-characters use a unique type of language and register that is called the legal language. This unique language is very creative and symbolic with lots of Latin maxims which further heighten its literariness and poetic nature. Hence, language is used by the conformist characters to advance obedience to the law. However, the non-conformist characters use language to violate the law.

From the non-verbal point of view, the characters also contravene law through their conscious and unconscious actions. While some of them act compliantly, others act defiantly. The actions of the compliant characters protect the supremacy of the law while those of the iconoclastic characters breach it. As a dramatic exercise, the explication of legal positions and concepts demands a lot of extra-linguistic and dramatic gestures.

In the traditional African society, an elder explains aspects of the law via body gestures and dramatic expressions. He uses every dramatic means possible to explain his point. When the elders are unable to clearly explain their knowledge of the law, in

some African societies, the services of the Dibia or Ifa-priest “Diviner” would be sought. For instance, in most Igbo societies, the attention of the masquerade that is seen as the living symbol of the ancestors is sought. When any of these traditional officers come, they interpret and explain the law using extra-linguistic and dramatic expressions. From the perspective of modern law, however, lawyers argue their cases dramatically with lots of body gestures. As a matter of fact, the defendant and complainant are usually upstanding during the cause of argumentation. They do not just stand up; they speak sternly with so much conviction about their proposition accompanying such vocal expressions with body-movement. They could demonstrate their point via evidential experimentation. They could equally impersonate, mimic and improvise contentious contexts and concepts; all in the bid to better explain their points and give a better interpretation of the law. In acting out the law, they indirectly entertain and educate their visible audience in the court room and the invisible ones enthusiastically following the proceedings through their television and other media platforms.

Basically, all the characters are conscious of the law (superego). When they breach it either through their representamina – words or actions – it is because they want to gratify some personal interests which are often in conflict with the law. These verbal and non-verbal actions of the characters towards the law show its moral character. Their behaviour shows that the law is a supreme canon that should ordinarily be obeyed. As a respecter of nobody, the law is completely blind to human sentiments. This dispassionate nature enables it to be fair and impartial in its dealings with human beings; hence, it is said to be impeccable. Ironically, state laws (The positive law) are made by human beings and placed above same humans after creation. Behaviouraldispositions also show that the law is an arbiter when there is a conflict between the conformist and non-conformist characters. Lastly, same behavioural dispositions show that the law is a social entity that is of generic interest to every member of the fictional societies. The law is indeed at the service of all. It is there to control not just the affairs of the led alone but also those of the leaders. It is the business of the writer, the reader, the lawyer, the police and the leader; nobody is exempted. Hence, it would be limiting to restrict a study of this nature to the domain of lawyers alone. Everybody is implicated in the legal circle:



**(Figure 4: The researcher's conceptual model)**

The law is indeed at the service of all. What we basically have are shades of attitude towards the law. While some characters are very committed to the cause of the law, others are less committed.

### **3.3 Of Law and corruption: deviant representamina, social agents, and the legal justice**

The title of Frank Ogodo Ogbeche's play, *Harvest of Corruption*, is not just a violative representamen but also a direct consequence of the infraction of law. Laws are objectively made to curb corruption but when corruption becomes the order of the day in any society, then the law can be said to be infringed upon. *Harvest of Corruption* is one of the plays written by Ogbeche, a Nigeria-based playwright. The play tells the story of Aloho, a young Nigerian female graduate, who is not only desperately looking for a job but is also ready to sacrifice her long nurtured moral and legal values for same.

Ogbeche's *Harvest of Corruption* succinctly and systematically examines the consequences of the violation of law. He identifies corruption, desperation, despair, stubbornness and nonchalance as some of the direct consequences of postmodernist experiences. The playwright paints a picture of the natural law in Aloho's knowledge of God and her friend, Ogeyi, who is a foil to her. Aloho laments the seeming inability of the law to save her from her ordeal of joblessness despite her faithfulness to its principles "You? Work here? What on earth is happening to me? (She looks upward, hands skyward.) God in heaven what have I done wrong? Why is it that those who try to serve you never get it easy?"(3). Her rhetorical questions – representamina – in apostrophic voice suggest her depression and resignation – interpretants – to the desires of her Eros. She muses about the seeming good life her former schoolmate, Ochuole, now enjoys despite her predilection for pranks in their school days:

Imagine how we despised you and your group for living reckless lives. First we thought you won't even make your papers but you came out in a two two class and here, again, you are comfortably working while I am still searching for one. (She addresses God above.) Look at me, where do I belong now? What have I done wrong? Have I not served you faithfully? (Tears dropping from her eyes) (3).

As earlier argued, the Almighty God is the progenitor of the natural law and indeed all other forms of law. Hence, Aloho acknowledges the supremacy of God as the basis of all law. She is very much aware of that exalted position of the natural law and the need for a total allegiance by all human subjects. However, the unfortunate socio-economic circumstances around her – her apparent postmodernist disillusionment – continue to question the authority of the natural law in her consciousness. She wonders why a social and moral dissident like Ochuole who is not academically brilliant in their days in school will be so fortunate and comfortable at the expense of good girls like her. This fact challenges her moral will and resolve.

Having endured the psychological trauma of obeying the natural law and not getting much positive results for too long, Aloho makes a u-turn. She is psychologically ready to violate the law. For her, it is the way of the world, if you cannot beat them, you join them. There is always something about the law which confronts us positively or negatively; our perception of its principles and the social influences we have around us. As a moral foil to her friend, Aloho, Ogeyi continues to play her emphatic roles. She scolds and admonishes Aloho for fantasising about her meeting with Ochuole:

And she what? (Clasps her palms together) say again, have you forgotten her life style? And why should you get yourself mixed up with Ochuole of all people, why? That girl, who has soiled the reputations of all decent girls in this Jabu. Is that the girl you ran into? I won't have you associating with her (8).

It is ironical that Aloho now chooses to be like the bad Ochuole that she once despised because of her behaviour. Ogeyi uses a satirical representamen in calling her friend to order. To emphasise the seriousness of her point, Ogeyi makes a sarcastic and hyperbolic assertion: “that girl, who has soiled the reputation of all decent girls in this Jabu.” To her advice and show of concern, Aloho simply doles out her plans and newly acquired socio-economic characteristics to her friend. She sounds heartbroken and reborn. For her, of what use is an unalloyed obedience when life hits you so badly, and you know full well that your supreme factor has the power to shield you but has refused to do so. In her newly found resolve, there is no going back “Ogeyi!...I believe she was changed. Anyway ...she asked me to come to her ministry tomorrow morning. She assured me that her Oga will employ me. Ogeyi, I am



going. Right now, I want to get a job” (9). There is an implied sense of innuendo and parody in her subversive words and postmodern poise. In other words, her moral and legal consciousness can be suspended as she really does not care about the consequence of her actions anymore. At the moment, it is about the gratification of the Id.

Ogeyi’s doting concern is not necessarily about Aloho’s willingness to get a job but about her willingness to do just about anything good or bad to get it. Ogeyi knows that Aloho’s readiness to explore other options having tried the positive option will only end up in misery; hence, her doting concern. But Aloho looks unperturbed as she continues:

Look at me... with all the decency what have I achieved. Where has decency or dignity taken me to? I am tired, I need some rest. Just leave me alone I need to think (soberly). But Ogeyi, you see, I tried to live outside the world all along right from my youth. I see that the world is leaving me behind, can’t you see? You can call me a rebel, but I need a job. That’s what matters to me now. Have I not tried to live a holy life all along? What has become of that, joblessness! Failure, eh? People look at me as a failure. Can’t you see? (9).

Aloho tries to justify her reasons for resolving to breach the natural law. Again, she uses lampoon and euphemism as her representamina in violating the law. Her anger is actually directed at the law (her superego) but she uses mild expressions such as “decency” and “...live outside the world” to suggest her disillusionment with the law and her satirical intent is implied in the word “rebel”. Her action mocks the law. In a similar instance, Scene Two introduces another set of moral dissidents – the Commissioner of Police and Chief Haladu Ade-Amaka, the Honourable Minister of External Relations and a cabinet member of the Federal Republic of Jacassa. The Commissioner understands the law, its sovereignty and the fact that they both have been defiant. So, he admonishes Chief, “Chief, I do hope you will soft-pedal and begin to keep your hands and nose clean?” (19). From his representamina, it is ironic that the Commissioner who is supposed to be a symbol of legality is symbolising illegality. In his obstinacy and depravity, he simply placates the Commissioner:

(Looking relaxed) Commissioner, I have always told you not to bother yourself unnecessarily

about these things. Here, take this. (He opens his portfolio and brings out bundles of naira notes and places them on the table. The commissioner grabs them with the agility of lightning and puts them into his drawer). That should be able to soothe your nerves, commissioner and if you need more, do let me know (19).

Corroboratively, the Minister's use of language is sarcastic as it insults the moral sensibility of the Commissioner and infringes on the criminal provisions of the law. His action of giving bribe is equally sarcastic. It is also paradoxical to hear the Minister say that the bribe should soothe the Commissioner's nerves. One ordinarily would expect these men to understand the laws of the land better since they are top government officials and elder statesmen. Unfortunately, that is not the case as Chief, a supposed elder statesman, gratifies his insubordination to the law with a bribe. His many years of depravity and immoral living have rendered him morally bankrupt and conscienceless. He hides under the shadow of his high position in the society to keep violating the law and by so doing recruiting more defiant individuals to his illegal camp. He sees himself as being above the law by virtue of his affluence and social status hence, he intimidates the Commissioner, "See that the law is on my side and I shall make sure that the good things are on your side too and that means keeping your job too and of course the Inspector-General seat. I am sure you are still interested?" (21). He uses a satiric representamen to make his selfish point emanating from his id.

Certainly, a rational law can never be on the side of corrupt and evil men. People simply manipulate the law to favour their eccentricity. In this case, Chief is simply telling the Commissioner to join him in disobeying the law. He wants an accomplice in his crime. But in his disillusionment and psychological quandary, the Commissioner answers, "Chief, I shall try, but you have to be careful. I have sensed the signal and I know the danger sign when it appears on the dashboard" (21). It is metaphorical to hear the Commissioner compare their perverse and disobedient act to the interpretant, a "danger sign". It is also ironical and comical to see a Commissioner of Police who should ordinarily be militant and lion-hearted get jittery while an appointed Minister is bold.

When people who are supposed to be role models and icons of legality and justice fail in that expectation, they end up setting wrong examples for other people that look up

to them as role models. Madam Hoha lets the reader into the character of the likes of Chief and the Commissioner in her reaction to Ochuole's expression of dissatisfaction with her job, "Of course, most of them are dubious. All they do is stashing government money somewhere through some conduit pipes for the rainy day and he has so many of the pipes in people like you and your types around him there" (12). Madam Hoha uses representamina – sarcasm and symbolism to condemn the defiant actions of the corrupt government officials.

The Commissioner of Police who is supposed to be a law enforcement officer becomes a law infraction officer. His answer to Chief's enquiry about his cocaine goods betrays him as an enemy of the law. The Chief asks him, "by the way, how did it go with my goods? My boys told me all was well" (20). And he answers, "Chief, there was no problem at all. Your goods are safely in the ware house. I directed the DPO there to personally supervise the operations" (21). Chief and the Commissioner of Police know the positions of the law on hard drugs yet they choose to be iconoclastic. They both use the representamen "goods" as a euphemism in masking the strong term "hard drugs." The term, "goods" violates the criminal provisions of the law. The Commissioner's act of supervision of the illegal operation equally infracts the law.

Meanwhile, Aloho is obviously into the drug business. She has wished for a government job despite her desperation. Chief deceives her into believing that she will be nothing more than a protocol officer. He informs Mrs. Obi, "Yes. We are about to have a new staff. She is in fact going to be one of my protocol officers. See what you can do to assist her settle down. The permanent secretary will handle the necessary appointment formalities. Okay?" (35). It is ironic and euphemistic for the Chief to use the representamen "protocol officer" to indirectly mean a peddler.

By deceiving Aloho, Chief once again wins another dissident to his illegal camp. Upon hearing the news of the new job, Ogeyi continues to warn her friend, Aloho, about the company of Ochuole since she is involved in the new job, "(Frowning her face) Ochuole again! (Aside to herself). This name keeps bouncing back like a bad coin. (Facing Aloho directly). So, you are not prepared to listen to advice eh!" (37). Ogeyi uses innuendo, a representamen of resentment, to caution her friend and seek

compliance, “So you are not prepared to listen to advice eh!” The use of simile is also evident in the sentence “This name keeps bouncing back like a bad coin.”

It is evident that while the law operates on the Freudian principle of superego; characters’ interests often resonate the pride and selfishness of the id. Hence, the perpetual conflict between these two unconscious fields sometimes leads to psychosomatics. Aloho is obviously disillusioned by the perceived excesses of the legal system and its components. She practically gives up on the law and decides to locate meaning within the confines of her feelings. Her friend, Ogeyi, continues to perform that all-important function of a moral force (ego) as she consistently mediates between Aloho’s psychological rivals – the id (her selfish feelings) and the superego (the law). As a neutral and liberal arbiter, Ogeyi is defeated by the arrogance of her friend’s id.

Aloho allows her desperation and selfish desires to push her into disobeying the law and incurring its wrath. She has suddenly become an outlaw. She has probably been emboldened by the lawlessness of Justice Odili and the Commissioner of Police. Their audacity in violating the law erases all awe that was hitherto held by Aloho for the law. She has earlier been mysteriously extricated from the angry web of the law which catches her for nicotine crime. The registrar points out Aloho’s offence before Justice Odili:

My Lord, the case is that of one Miss Aloho vs the State. The fact of the case is that Miss Aloho is charged for carrying substances suspected to be cocaine, an offence which is punishable under the law of the land. It is alleged that she was arrested at the Airport on her way to the United States of America when luck ran out on her. The case ... (51).

The depraved Justice cannot deliver justice in the case because he has collected bribe. He has told Chief “... The amount should be raised to one million naira to take care of all the people involved in the case. You see”(49). The use of “people” signifies synecdoche because that is a part representing the whole – criminal-minded individuals and pretenders involved in the corrupt deal. Therefore, there is no way justice could have been expected from the corruptible Justice. Given this premise, it is

then not surprising that he discharges and acquits Aloho "... The prosecutor is not present; it goes to establish the fact that there is no seriousness in the charge being brought before this honourable court, therefore the case is thrown out. The accused is hereby discharged and acquitted" (53).

His hastiness to strike out the case based on a perceived technicality breeds suspicion in the minds of ACP Yakubu and Constable Ojo. Ironically, that judgment exposes the Achilles heels of both Justice Odili and the Commissioner of Police because they are able to spur their prosecutor's moral alertness. Justice Odili and the Commissioner of Police are simply trying to find truth and order outside the domain of the law and in doing that; they make themselves recalcitrant children of the law. As a firm factor, the law has specific ways of enforcing obedience from its subjects. ACP Yakubu represents that triumphant supremacy of the law over every individual in a given society no matter how highly placed. He confronts his boss, the Commissioner of Police, over the unfortunate legal incident and sensing the culpability of his boss in his responses, he dares him to do his worst, resolving to see the case to its logical conclusion:

Sir, you cannot threaten me and do not bother at what hits me but I shall ask you this, since only those who have skeletons in their cupboards need fear. (He lowers his face to him) Sir, do you have any skeletons in your cupboard? Well, as a friend, I have come to warn you to start some sanitation exercise on it because these boys will open the cupboard so wide that the skeleton will not only smell, it will stink (63).

ACP Yakubu implies innuendo in warning his boss and securing obedience to the law. The depraved behaviour of Chief and the Commissioner of Police completes the beastly metamorphosis of Aloho which starts when she first encounters Ochuole. She is willing to disobey the law having deliberately ensured its moral death in her consciousness. Her new attitude to the law is visible in her response to the doctor's insistence that her intention to commit abortion was a crime in Nigeria, "my dear young lady, you know that it is against our profession to do such things. Indeed, it is criminal and one can end up in jail for life and even lose his medical license for ever"(66).

To his worry and concerns, she replies, “please Doctor, help me. I am ready to pay any amount you charge” (66). She has suddenly become defiant and hardened. In fact, she is able to recruit the doctor into their bohemian camp because he succumbs to her postmodernist appeal. In submitting to her emotional concerns, he makes the law functionally passive in his heart, “okay lady, how much can you pay! I shall assist you even though I am taking a risk” (66). Her response reeks of negative interpretant – total despair, “the whole life itself is risk Doctor. I shall give you whatever you charge” (66). Aloho is not willing to negotiate reason with her ego because she has become drunk with the recklessness of her id. Obviously; the failure of her leaders cannot be exonerated from the bestiality that has become her new identity. It is also indiscreet for Aloho to say she can give whatever the doctor charges. The statement is also hyperbolic because it is made out of desperation.

From the explication so far, it is evident that the business of law is not that of the lawyers alone; it is indeed the concern of everybody in the society. The law as a supreme canon will not also spare anyone in the human society who claims to be above it.

As a creative process, the literary corpus of narratology, dramaturgy and poetry entangle to create a ravishing and mesmerising synergy needed for the effective understanding of the law. It is also argued that the aesthetic representation of the law from the conformist signification is the business of the learned and informed, that is, lawyers and elders while the witness and the accused only corroborate the position (s) of such lawyers or elders depending on which side of the argument they belong. They simply react to whatever question they are asked – hence, the reason they have been designated pseudo interpreters in this research.

ACP Yakubu has successfully charged Chief Haladu Ade-Amaka, the Honourable Minister of External Relations, and four other accused persons to court. Poetic euphonies are evident in the charges as they are read out by the registrar:

That you, Chief Haladu Ade-Amaka, Honourable Minister of External Relations and a cabinet member of the Federal Republic of Jacassa,

On the 21st of May, 1997 falsified figures thereby altering the original amount purportedly to be contracts awarded by your ministry to the tune of one

point two billion naira on P.V. No. 293 dated 21st May, 1997, an act which is contrary to the provisions of government's financial regulations governing the award of government contracts.

That you Chief Haladu Ade-Amaka on 3rd June, 1997 illegally authorized Miss Ochuole, a Chief Administrative Officer attached to you to apply, sign and collect the sum of five point eight million naira to purchase capital items for your office, a purchase which never took place, an act which is contrary to the provisions of the Financial Regulations guiding Supplies and Finance and Government Stores regulations.

That on 9th October, 1997, acting on an anonymous tip-off, a team of law enforcement agents were dispatched to your residence and in the search that was carried out, large quantities of substances suspected to be cocaine were found there, an act which is contrary to the provisions of the decree establishing the National Drug Law, and on further investigations, more of the substance was found with one Madam Hoha, the proprietress of Akpara Hotel.

That you Chief Haladu Ade-Amaka recruited the Commissioner of Police and Justice Odili and gained their confidence thereby aiding and abetting your obnoxious activities. Guilty or not guilty?(95-96).

The uniqueness of the structures and the repetition of the relative pronoun (that) mark the excerpt with some poetic significance; a supposed protector of the law is now charged with four heinous crimes. The prosecution counsel exemplifies the narratological strand of the aesthetic representation of law in his submission:

Your lordship and members of the jury, the facts are these: in reaction to an article in one of the dailies alleging a fraud against Chief Haladu Ade-Amaka, the Hon. Minister of External Relations to the effect that one point billion naira could not be properly accounted for Assistant Commissioner of Police in charge of the CID, Mr Yakubu swung into action. His investigation took him to the ministry where a clerical assistant in the office of the minister, Mr. Ayo agreed to give information on the acceptance of two thousand naira tip. He agreed to make available photocopies of vouchers connected with the fraud. My lord, if it pleases the court. I shall tender the vouchers marked exhibit A. Also, on a tip-off, law enforcement agents

were dispatched to his house where large quantities of substances confirmed to be cocaine were found and were further traced to the hotel of one Madam Hoha, which was discovered later to be indeed a warehouse for the Chief's nefarious activities, a crime which has been effectively covered and protected by very highly placed government public **officers who are themselves supposed to be the custodians of the law**, the Commissioner of Police and a Justice of the law, a situation which has made it impossible for the law to take its normal course on this man and his accomplices. But now, it seems, the law finally catches up with them. These are the facts of the case, my lord. With your permission I shall now call two witnesses to confirm these facts: I call the first prosecution witness, inspector Inaku (My emphasis, 97).

The duty of the witness as a pseudo interpreter of the law is to corroborate the position of either the prosecution or defence counsel. Description, argumentation, exposition, flashback and other key narrative features are evident in the prosecution counsel's argument. He skilfully weaves all these for the effectuality of his submission.

The significance of the law as a creative process can also be found in the dramatic gestures of the prosecution and defence counsels:

Prosecution counsel: My lord, permit me to tender the newspaper as exhibit B, and these wraps as exhibit C.

Judge: You may do so.

Defence counsel: (stands up) with whose permission did you extract that information? I put it to you Mr. Detective that you obtained those vouchers through the applications of duress and intimidation on the greedy and unsuspecting young man.

Prosecution Counsel: (Jumping up) Objection my lord. My learned colleague is insinuating ...

Defence counsel: (Heated up too) My lord, I am not insinuating anything and I want the witness to answer the question (100 – 101).

In this dialogue, the dramatic import of the legal process is foregrounded. Such representamina as, 'Jumping up' and "Standing up" when not invited to, raising of the pitch, expressions of belligerence as suggested by, "Heated up too" are all suggestive of the dramatic import of the law as a creative process. Ogbeche skilfully



presents to the reader the rottenness of the Nigerian society occasioned by her postcolonial bestiality as well as her blatant negligence and insubordination to the supremacy of the law.

### **3.4 Of Law and negligence: the depraved society, words, and actions**

*Another Weekend Gone!* is Chukwuna Anyanwu's third play. It continues the motif of infraction. Published in 2010, *Another Weekend Gone!* satirises the defiance of most Nigerians, both the leaders and the led – attitudes that violate the established laws of the land.

The title of the play is a strong metaphor as well as a representamen for the injustice that has become a definition of the Nigerian prison system. A system that relishes the swelling number of suspected individuals who have been awaiting trial for offences ranging from small to big for too long. The play opens with an argument between John Ganagana, a Prison Warder, and Mike Eneh, the Chief Warder and Ganagana's boss. They are arguing about the strange disappearance of a prisoner in the early hours of the evening. The metaphorical ideation of disappearance in this context comes across as an oddity since it refers to actual death:

Eneh: When last did you see the prisoner?

Ganagana: Some four hours ago, Sir, when he was still alive.

Eneh: I beg your pardon?

Ganagana: Yes, sir. He died a few hours ago!

Eneh: Without completing his sentence? That's nonsense! Outrageous nonsense!

Ganagana: Yes, Sir! That is why I sent out a search party! (8).

It is indeed hyperbolic and ridiculous to imagine a prisoner continuing his prison sentence after his demise. That is a rather weird interpretant of the representamen "disappearance". There is already a shared intrinsic knowledge between Eneh and Ganagana of the primacy of the law. They cannot understand why an accused and guilty prisoner will want to opt out of a prison sentence knowing full well that the idea of the prison enclave is a correctional measure. If anything, it is their expectation that every prisoner should be remorseful and sober. Hence, the two prison officers are ready to enforce a compulsory obedience to the law in this instance. The law (object) has stipulated some degrees of punishment for offenders and for Ganagana and his

boss – Eneh, the authority of the law must triumph. Ganagana comes out with the weird measure as a way of discouraging other prisoners from contemplating suicide and death while serving their sentence. The idea comes as a really strange one to Mr. Eneh who, though baffled, is equally thrilled and excited about it:

Eneh: (Exasperated) Mr. Ganagana, why did you send out a search party for a dead man?

Ganagana: Because, Sir, you know how it is, sir.

Eneh: Be calm. Mr. Ganagana, and tell me.

Ganagana: Because, sir, he died without completing his sentence, sir.

Eneh: So?

Ganagana: In doing so, sir, he has set a bad precedence. A bad example, sir. So, sir, the search party took him to the hospital in order to discover why he must die. He cannot escape his sentence by dying, sir (9).

Mr Ganagana's ardour and fondness for the law can be seen in his attitude in the affirmation "He cannot escape his sentence by dying, sir" (9). This interpretation is ironical, satirical and sarcastic. He is talking about a dead person as if he were alive with a sarcastic tone. He believes his ridiculous actions are supposed to be correctional in the end. For the enigmatic Ganagana, the loss of the fellow's life means little as far as the supremacy of the law has been breached. Therefore, he unofficially indicts the dead prisoner of insubordination to the law. In doing this also, he indirectly suggests a wilful breach of the law on the part of the dead prisoner.

Mr Ganagana has so far operated from the psychological point of view. He allows the selfishness of his id to becloud his sense of reasoning and sound judgment because one sees a law officer who stealthily seems to forget that the law also guarantees the human rights of the prisoners. His irrational and pretentious predilection for the law forces him to trivialise the enormity of the death of a prisoner, a first time offender for that matter as would be revealed shortly. Leaning more on the pillar of ego, Mr. Eneh seeks why the dead prisoner is brought into the prison in the first instance:

Eneh: I see and what was his sentence?

Ganagana: He was to serve three months with hard labour, sir.

Eneh: And his offence.

Ganagana: Obstructing traffic by neglecting to use the pedestrian bridge, thereby endangering his life and the lives of other road users and law abiding citizens! (9).

From Mr. Ganagana's response, it is clear that the late prisoner was incarcerated for a traffic offence which runs contrary to the provisions of the law. He has consciously or unconsciously contravened the law and encouraged same violation in the hearts of those who might have joined him intentionally or reflexively in his disobedience. However, given the fact that he is now late, one will ordinarily think that the case will be dismissed and forgotten but for Mr. Ganagana, "No way" is the answer to that thinking. His response to Mr. Eneh's rational question is not only suggestive of that affirmation but also vindictive, "Eneh: And now he has escaped. What are you going to do? Ganagana: Well, Sir, he must complete his sentence" (9).

Ganagana's response is an interpretant of a more elevated interpretant. It is paradoxical and many steps removed from reality and rational understanding. His next response exposes his selfish interests and vindictive vendetta in the case:

Eneh: How?

Ganagana: If he is allowed to escape, sir, others will follow his example. They would have discovered a cheap way to avoid their due punishment. (Getting worked up). Who do they want to cut the grass, clean the toilets and do other menial jobs? Not the warders, surely, sir, even though all of us are prisoners! (9).

The playwright is able to let the reader into the psychological state of Mr. Ganagana whose utterances and actions reek of depravity. He tries to run away from the natural presence of his shadow by trying to placate his conscience. Through his rhetorical question, one can clearly notice his selfish interest as seen in the elevated interpretant of his argument. He insists that the late prisoner's sentence be converted to death sentence. He is not willing to reason with his reality and morality instincts. He gives an absolute answer to Mr. Eneh's question, "Eneh: So, what is the solution? Ganagana: I suggest, sir, we convert his sentence to death sentence. That will stop others from planning any tricks of that nature in future."

While that puzzling interaction between Mr. Ganagana and Mr. Eneh is going on, Jane, the fiancée of the late prisoner, also known as James, is visibly worried about the absence of her fiancé another weekend as she chats with her friend, Carol. It is

ironical that Jane obliviously thinks that James' absence in the weekend is as a result of the quarrel they have had earlier, not knowing that her fiancé is arrested for a traffic offence, a dramatic irony for that matter. Jane's thinking is an ironical interpretant of the representamen "absence". She suggests "still, he's never taken it this far before. A mere quarrel. Can't even recall the cause" (11). She is ignorant of the information the reader already has; a ridiculous dramatic irony.

The literary representation of the law is conspicuous in Scene Two of the play. Through the use of flashback, the playwright takes the reader back in history. The reader is made to experience the ordeals Mr James endures before his eventual death. This scene is a trial scene depicting the military trial system. The judicial officers are high-ranking persons in the context of a mobile court. The mobile court is a pseudo court where traffic offences are tried. The trial judge is Sergeant Kolade, a military officer. He is assisted by Ugojah and Aminu. Together, the three officers preside over the trial of James, the alleged traffic offender. The trial process is flanked by series of dramatic displays. Ordinarily, the accused is supposed to be the one taking the plea but in this ironic and dramatic context, Ugojah and Aminu, colleagues and subordinates to Sergeant Kolade, respond sarcastically on behalf of James who merely stands transfixed, watching the whole drama with a comic interest. There is no regular registrar to read the charge(s) as Sergeant Kolade declares the court session open "*Kolade*: I, Sergeant Kolade, a sergeant of the Federal Republic by the powers conferred on me, by the authorities in the profession, hereby convene this court session. Now, which of you reads out the charge or charges as the case may be?" (22).

Upon hearing the question, Ugojah absolves himself of the burden of the task hence, shifting same to Aminu, "That should be Aminu, Sah!" (22). Aminu reads out the first charge, "Sah! There are three charges against him. The first, disobeying the laws of the land which is an offence of a general nature" (22). This is followed by an abrupt "Guilty or not guilty?"(22), asked by Sergeant Kolade. Dramatically, Ugojah takes the plea instead of the helpless looking James, "Guilty, my lord" (22), Ugojah replied. Irked by the melodramatic display, one of the bystanders asked, "Are you the accused" (22). For that reflexive interference, Sergeant Kolade orders the arrest of the onlooker immediately but he is smart enough to quickly mix with the crowd hence, incapacitating the reality of Sergeant Kolade's order: "Ugojah: You, who said that? Second onlooker: (points to a running figure) it must be him. Third onlooker: Na him,

officer, eh don run away! Kolade: Aminu carry on!” (23). The satirical and sarcastic action of the onlooker is an expression of postmodern temper and defiance because spectators in a law court are not supposed to make a noise let alone interfere in the judicial process.

After that comic interlude, Aminu reads out the second charge, “Obstructing traffic by refusing to use the pedestrian bridge thereby endangering his life and the lives of law abiding citizens” (23). Once again, Ugojah responds to the plea. However, the third charge arouses a real sense of humour in James who has to burst into laughter from his hitherto mute silence. The third charge is, “Looking disrespectfully at an officer of the law when he was apprehended!” (23). For ridiculing the judicial process with his laughter, Sergeant Kolade orders that his comic-satire/black humour be added to his charges and Ugojah reads the new charge “Ridiculing the law of the land and making fun of the officers of the law” (23). As the whole legal drama progresses, James – the accused is just mute looking curiously at the legal actors. His opinion is officially sought when Sergeant Kolade tries to give his verdict and suddenly remembers that the accused is standing right in front of him. He says, “Guilty on all five charges! Now, the court wants to confer before judgement, sorry, before giving its verdict. Do you have anything to say in your defence, young man?” (24). To his ridiculous question, James simply answers, “Officer, I like your sense of dramatics! Let’s just suppose you are serious” (24). James’ interpretation of the judicial process is subliminal and incredible. For him, all of that must be a joke. He probably thinks he is dreaming. The reader will sympathise with James’ bewilderment because the judicial process is not only illegal but also ridiculous. Nonetheless, Sergeant Kolade goes ahead to give his judgment not regarding James’ response as anything worth considering:

By the powers invested on me as the Chairman of the mobile court, I hereby find you guilty on all charges! As to my sentence, because of your ignorance of the ways of the military, even though you call yourself a journalist, you are hereby sentenced to three months imprisonment with hard labour, with an option of a fine to the tune of one thousand naira only, payable with immediate effect! Court! (25).

Sergeant Kolade’s judgement is sarcastic as evident in the lines: “...as to my sentence, because of your ignorance of the ways of the military, even though you call yourself a

journalist, you are hereby sentenced to three months imprisonment with hard labour...”, it is also ironical for him to say that James, a journalist, is ignorant of the ways of the military. His court is objectively flawed as it merely sacrifices justice on the altar of impunity. James is not given a fair hearing in his own case. The Sergeant only considers the merit of the case brought before him as presented by his colleagues and not as argued and defended by the accused. This is an indictment on the moral burden of the law which this research shall consider in the fourth Chapter. It re-echoes a key question which is, how just is justice? However, the law once again proves its supremacy over humans. It is a well-known fact that as human beings with personal values and certain sentiments, the handlers of the law sometimes get rationally switched off hence, often endangering the dispensation of justice. James gets punished for breaching the law. A further psychological analysis of James reveals his disillusionment occasioned by a subtle mistrust of the sincerity of the judicial system. Once again, he jettisons the rational promptings of his ego and superego and rather chooses to establish his own definition of the law, a definition that has become his own truth and ironically, his downfall.

*Another Weekend Gone!*, shows the corrupt nature of Mr. Ganagana who often collects bribe from prisoners to render certain assistance:

1st Prisoner: let's not go into that. Em, sir, I need your help.

Ganagana: (Glances quickly around) watch your mouth!

(Drops his Voice) What sort of help?

1st Prisoner: I need writing materials, a few books; somebody is bringing them. I want you to assist!

Ganagana: you know the price and the risk.

1st Prisoner: I know the price and you know there is no risk but – (26-27).

This dialogue ironically reveals the debasement of a seeming law officer. Mr. Ganagana represents that group of government and legal officials who make laws, and disobey same – a postmodern temperament. They also choose to interpret the law to suit their own idiosyncrasies and often execute the law in consonance by their personal interests – id. Ganagana infracts the law by taking bribe. Bribery is a criminal offence that goes contrary to the dictates of the law.

Scene Five foregrounds the postmodernist quandary which has brought Mr. James into his present ordeal. Given his poor trial and eventual sentence, he is brought into the prison as a new arrival. While all the initial prison protocols and razzmatazz are still unfolding, James who is simply referred to as “A new prisoner” begins a monologue but speaks to no one in particular about his alleged crime:

Oga, ah abeg make una forgive me! My wife born twins! Na how to get money to pay hospital bill ah dey think when dem catch me say ah cross road. Ah no even know say bridge dey there! Ah beg, dem go think say motor don kill me or say me don run away make ah for no pay hospital bill! Make una no lock me! Ah take God beg una! Ah beg show mercy make my wife for no die when she no see me as she go think say me don run away! Ah beg, ah no get job, ah no get money. Even sef, ah no get person wen go bail me comot for prison! Na die be dis, o! God! (He swoons and falls) (39).

Undoubtedly, this is an instance of the use of apostrophe. He talks to no particular person. Mr. James carefully lists all the socio-political challenges confronting him and indeed most Nigerians in contemporary times. Prominent among all is unemployment. This is the view Agho (1995: 24) holds in saying that, “Postcolonial literature of Africa is replete with the seeds of disillusionment, disassociation and alienation.” Africans are disillusioned about Africa and indeed the law for so many reasons. Ikiddeh (1986:136) suggests that disillusionment “...carries with it disappointment in unfulfilled hopes, leading to mixed reactions of frustration, anger, cynicism, even self-contempt...” This background helps one to better appreciate the plights of the conspicuously disappointed and defeated James. His firm anger is directed at the supposed supreme law which, he believes, has become politically and economically incapacitated to handle most of the social challenges facing people like him. His hope for a better tomorrow now seems dashed. His eventual incarceration in a cell meant for hardened criminals further gives some credence to his fears. James is simply not in the right frame of mind to obey any law. The effects of disillusionment on him are enormous so that while in the criminal cell, he is once again caught napping. He is not able to respond positively to the laws of the criminals in the cell even after he has been given clues:

Chief: (Addressing James) Journalist, you don't meet the members of our club! Now, introduce yourself and sing and dance to entertain us!  
James: I'm obviously in the wrong club!  
Chief: Welcome, no matter! (He nods to BADBLOOD, who casually walks up to James and gives him a slap)  
James: What was that for? (48)

The representamen – BADBLOOD, is a moniker and metaphor for viciousness. The bearer symbolises the draconian laws of the corrupt inmates. BADBLOOD's action is unlawful as he commits an act of bullying while under the punishment of State law. However, his subversive orientation forces him to create an unlawful law within a lawful system of the State. With his recalcitrance and puerile callowness, James is given a serious beating for not obeying their phoney laws and that makes him faint. He starts vomiting blood – a serious consequence which forces the inmates to beckon for attention via a pseudo and make-believe fellowship whose dramatic import is improvisation. James is consequently taken to the hospital by a Prison Warder but he never survives the horrific experience. This is the third time James is alleged to have violated the law. Unfortunately, he never survives the third attempt which basically deals with decadent and draconian laws. James cannot psychologically understand and reconcile the rationale behind the contradictions in the philosophies of these laws. He has earlier introduced himself to the prison officials and even made an embarrassing public appeal to them hence, the difficulty he encounters in understanding who truly deserves his unalloyed allegiance. Therefore, he does not understand what the “prisoner” who is later revealed as the Chief means by asserting firmly:

Listen, everybody. You know say we get tradition for this place. When we get new member like this, we do introduction so that we go sabi who bi who. So, ah go begin with me. Na me bi the chief for this place, so everybody day call me (45).

Postmodernist quandary forces James to escape into the world of phantasmagoria – that hell of indeterminism and many truths. James' experiences show that when people infringe on the law, it is not always deliberate. Some postmodernist tempers build up to distort and disturb his psyche and all of those result in defiant behaviour.



### 3.5 Of Law and duress: the defiance, the social pressure and the colonial order

Ahmed Yerima is a prolific playwright who boasts of a plethora of creative writings especially plays. Among his many plays are *The Wives*, *Aetus*, *Erelu-Kuti*, *Idemili*, *Hard Ground*, *Ameh Oboni the Great*, *The Limam and Ade Ire*, *The Angel and Other Plays*, *Otaelo*, *The Lottery Ticket*, *Yemoja*, *Dry Leaves on Ukan Trees*, *The Sisters*, *The Sick People*, *Attahiru*, *The Trials Of Oba Ovonramwen*, *Kaffir's Last Game*, *The Bishop and the Soul*, and *The Silent Gods*. The play under consideration in this study, *The Trials of Oba Ovonramwen* is a historical re-enactment of the pre-colonial/colonial exploits of Oba Ovonramwen and a re-reading of Ola Rotimi's *Ovonramwen Nogbaise*. The play succinctly depicts the nature of law and its contravention by the key actors portrayed in it. It portrays and describes representamina such as inordinate quest for power, desperation, coercion, hegemony, selfishness and pride as some postmodern feelings responsible for the infraction of law. These representamina – attributes of the id – are interpretants of violative behaviour.

The play opens with a scene describing the derogation and desecration which the Oba is forced to experience at the hands of the British colonial powers. His lamentation is subliminal and analogous to the contravention and insubordination the Nigerian law often suffers at the hands of its supposed loyalists. The Oba represents the laws of Bini Kingdom as the custodian of the people's tradition. He is simply a representamen for the object, law. Therefore, any act of insubordination to the Oba's authority is synonymous with an act of defiance directed at a written law. As a legal institution, the Oba of Bini enjoys the privilege of infallibility from his subjects and indeed all Bini sons and daughters. Hence, to have the White man come to belittle the Oba and question his legal and moral authority is conceived as an abomination. Ovonramwen cannot but lament the pains of the unfortunate event:

Here I am, seated in my glory. The once most feared, most respected. Oba Ovonramwen, son of Adolo here in subdued glory with the Whitemen's feathers fluttering like a peacock unsure of what weather of the day to spread its wonderful, colourful wings. Here I am posing for the Whiteman's jeers. How can I discredit myself when the truth is that the story at the middle of 1896. I had spent nine glorious years on the throne of my father. **I ruled strong, powerful,**

**supreme, independent and unquestioned. No one dared the leopard.** No one... but... The Whiteman. He desired my empire and envied my position, and wanted my throne. Like a Whirlwind cursed by the gods he came and now, I am gone. Here I am aboard the British Yacht in leg irons (My emphasis, 19).

Oba Ovonramwen's position as the legal institution of the Bini Kingdom of his time is premised on the principles of Natural law. He is the custodian of the values and mores cherished by the Bini people. As a legal institution excised from his monarchical reality, Ovonramwen lists the features that could rightly be described as his moral and legal representation as follows, "...**strong, powerful, supreme, independent and unquestioned**" (My emphasis, 19). Given these qualities, there could not have been the existence of any other law or neck and neck legal authority in his kingdom. Absolute monarchies are conspicuously noted for these characteristics. His speech is an act of soliloquy and his use of the apostrophe makes it look as if he is addressing a person. There is an allusion to one of his forefathers in the phrase "son of Adolo here in subdued glory with the Whitemen's feathers fluttering like a peacock..." There is also an allusion to time in the phrase: "the story at the middle of 1896." It is metaphorical for Ovonramwen to describe himself as a leopard in this clause, "No one dared the leopard." The interpretant from the quote – representamen – is connotational. It is also symbolic to call the colonialists from Europe "The Whiteman" and metonymic to refer to his government and kingship as "throne". These representamina are literary imageries which describe the enormity of the contravention by the colonialists. He further describes his moral and legal representation and finds solace and strength in his excitement:

**Me, Oba Ovonramwen. The leopard whose eyes emit fire, the giver of life and death.** (pause) The ashes of the thrower in an ill-wind follow the thrower. Pity? No, never! Regret? Never! Death never regrets the taking of a soul. The gods ordained this and like a sacrifice fit for the gods, I must look good and bear my new garb with dignity (My emphasis, 19).

The image of "leopard" is a metaphorical interpretant while the whole quotation foregrounds the enormity of the Oba's powers. There is the use of personification in the representamen, "Death never regrets the taking of a soul." The British colonialists

have come as imperial dissidents. The same insolent and dishonourable fate which has befallen the Oba of Bini who also doubles as the constitution of the people also confronts the British law. A letter comes from the house office to Phillips, the Acting Consul-General, bearing the Seal of Her Majesty, Queen Victoria, with a strict directive restricting the planned expedition in the present year. Burrows reads the letter, “You will have learnt from the telegram sent to you on the 8th instant that Her Majesty’s Government has decided that the expedition should not take place this year and ...” (21).

Seeming rather uncomfortable with the content of that paragraph, Phillips instructs Burrows to go to the last paragraph. Burrows continues, “His Lordship fully recognizes the influence exerted upon the protectorate by the attitude of the king of Benin and the loss of revenue which it may entail, but for the reasons which I have stated, Her Majesty’s Government are unable to sanction operation against the king during the present year ...” (21) But to the chagrin of Burrows who sees the instruction as a laudable one, Phillips counters:

Not in my books, not a mile, not in my books. I am an officer of the British Army, even though I am in acting capacity the Consul-General, I am also the officer on the spot. My discretion tells me that we attack Benin. I have assessed the situation and I feel that for a better grip of the trade area, Benin must fall (Aside) the home office will be proud of me after the expedition. They could confirm me Consul-General with all the power I need to establish a government in Benin. They might jolly well tell Moor to go to India or give him a desk at the Home Office (22).

It is from Phillips’ actions and words that the reader knows that his overriding interest is selfish and personal. He exemplifies the adventurousness, carelessness and voraciousness of the Freudian id. He foregrounds his id over his ego and superego. For whatever good reason or reasons, Phillips is supposed to obey the last order like a responsible military man. The position of the military or absolute order/command is not subject to argument. By arguing and actually making a personal decision contrary to the directive, Phillips violates the Queen’s directive which is law in itself. He redefines the established truth by defining his.

In Scene Two, the aesthetic representation of the law comes alive vividly. Ologbose acknowledges the supremacy of the Oba, as the custodian of the mores of Bini kingdom in these poetic lines:

Oghogho no, Oghogho no – o  
Oghogho no – o ivbiagbo – o  
Oghgho ghi degbe Ova mwan

Joy abundant joy  
Real joy for all  
Joy as I behold our king (24).

Ologbose is not just a son to the Oba by the virtue of his marriage to the Oba's daughter but also a palace chief and elder. In most pre-colonial African societies, it is the duty of the sages, the elders, to make and interpret laws. In this customary context, it is unethical to talk about the laws of the land in plain language. Oba Ovonramwen engages Ologbose in a legal discussion reminding him of his customary duty to the throne in a unique and symbolic language:

As my beloved son who for six years now has  
been husband to my daughter Evbakhobokun.  
As my chief, one that I can stand behind in a war  
and expect him to face off the arrows with his  
chest or receive the Whiteman's bullet before it  
touches the royal flesh (24).

It is paradoxical for the king to expect his chief to shield him with his bare chest just because he is of royal blood. To this, Ologbose seeks to ascertain if he is going contrary to the expectations of the law, "Is there a cause to doubt my loyalty, my king?"(24). Oba Ovonramwen replies proverbially, "When rain begins to fall, little child plays free and naked. But when the child begins to sneeze and feel giddy with cold, he runs home to his mother. Ologbose, are you home for me?"(24). Ovonramwen doubts Ologbose's allegiance to the throne. He needs to reassure the king that he is not in any way trying to breach the throne. Hence, he says, "The red-necked lizard climbs the wall of the house freely assuming always that the walls were built there for his sake. Do I assume too much, my lord?" (24). Ologbose's effort to exculpate himself is not good enough to placate Oba Ovonramwen. Hence, he forces him to swear. He swears:

He takes the King's right hand and kisses it) with my mouth I swear total allegiance to the king. With my mouth I swear to shed my blood or the blood of my king's enemy if need be. With my soul I give my king my life which is worth nothing to me if my king is angry with me (25).

Upon hearing those words, the king is pacified and urges him to rise, "Rise, son. You shall live long" (25). Apart from the poetic rendition of the law in these instances, one will also appreciate the dramatic import of the whole exercise. One can imagine the impact of a character kneeling down before the king, reaching affectionately for his royal right hand as he swears his allegiance to him. This dramatic scenario is akin to the oath an accused person takes in a contemporary court before the start of his case. The accused often pledges his/her honesty and truthfulness holding or placing his hand on a Bible, Quran or other religious elements as the case may be; any detection of false evidence after that pledge is considered a perjury which is an offence in the instance of the common law. The business of law is indeed not a feeble one. Having established his loyalty, Oba Ovonramwen begins to discuss other salient issues concerning the law in succession with Ologbose. He wants to see if they are on the same page:

Ovonramwen: Secondly, when the pillar of chalk falls and breaks, my son, Aiguobasimwin, must be king.

Ologbose: Does the leopard allow himself to waste a thought on the Enogie of Ekpoma's case! In Benin and as it is with tradition when the leopard's eyes are shut, the young leopard must take his place as king.

Ovonramwen: So when the pillar of chalk falls and breaks and deceit and ambitions take over, and common foxes begin to dream and eye the crown?...

Ologbose: The thunder of Osanobua will blind them, Ogbaisi. The foxes know their place. None can dream or eye the throne, not when Ologbose is alive.

Ovonramwen: The foxes murmur. And in their eyes... I see ambition...cunning and calculated moves and, most of all, their hearts sway easily. You must give me your word, Ologbose. With your life, can you swear again and again with your life?

Ologbose: Do you continue to doubt me? I shall give my life first, than see the chiefs tussle with your son for the throne. The cobra's son can never claim to be a viper. Ogbaisi, Ogbaisi, I swear by my ancestor (26).

The literary representation of law is aptly expressed in this dialogue. This condensed and poetic expression of law is more visible in matters relating to customary laws. Through the use of proverbs, symbolism, metaphors, imagery, and eulogy in the dialogue, the reader is able to understand the actual position of the law in succession matters. Oba Ovonramwen in his fears seeks to ascertain that Ologbose has no intention of infracting that law in the foreseeable future.

In scene three, mutual suspicion is once again foregrounded. Obaseki and Omatsola have come to the Oba's palace to discuss a cassava transaction which involves the Whiteman. Again, Obaseki acknowledges the supremacy of the king:

(kneels) N'oyan nwen!  
The leopard. Ekpan no'wa!  
The one with paws of soft velvet.  
Bangles of rich coral beads  
The leopard whose eyes twinkle like gold (32).

Feeling gratified, Ovonramwen responds, "Agho, my golden Ivory" (32). Knowing full well that allegiance is a serious and sensitive matter to His Majesty, he goes on to express his allegiance:

You made me so.  
How can I not stand by my lord?  
In thick and thin, by the bush forest, by the  
muddy clay, even in the heat of great burning  
fire.  
I shall stand by my Oba to the death.  
(Obaseki goes to the Oba who stretches his hand  
for Obaseki to kiss) (33).

There is alliteration in the use of "thick and thin" which expresses Obaseki's allegiance. Feeling safe now, he confesses, "Then I can count on you?"(33). To that expression of satisfaction, Obaseki affirms, "To the death, my lord" (33). Seeing his perceived sincerity, the Oba opens up to him. He brings to his notice the stealthy feelings of his chiefs about his recent activities and seeks to know his reaction to those allegations, "My chiefs murmur. They feel that you admire the Whiteman. You have friends among the Itsekiri people, and that you devote more time to trade than the affairs of the State" (33).

Chief Obaseki is quick to debunk all the allegations:

I only go to where the leopard sends me. Have I a mind of my own? Can the banana shoot stand on its own? Is it not an offspring of a stronger, older shoot? The murmurs of the chiefs did not start yesterday. The murmurs have become part of me. Since the day my lord laid eyes on me and gave me refuge from that cuckold old man. Sometimes, the thought of what would have happened to my neck if my prince Idugbowa had not come to my rescue frightens me to this day (33).

There is the continuous and metaphorical use of the animal image, “leopard”. Rhetorical questions are asked in these sentences: “Have I a mind of my own? Can the banana shoot stand on its own?” The playwright makes “thought” symbolic of fear in this sentence: “Sometimes, the thought of what would have happened to my neck if my prince Idugbowa had not come to my rescue frightens me to this day.” The abstract entity, “thought,” in this context is said to frighten Obaseki because it is a symbolism of phobia. Oba Ovonramwen tries to rewrite the seeming honest history of the people which is under serious attack by the colonial masters. The Oba has become so worried and suspicious of everything and everybody around him as a result of the foreign values which are creeping inordinately into Bini kingdom. He psychoanalyses his subjects to be sure that they are not playing in the domain of the id. They have to put on their ego and superego and reassure the Oba of their unalloyed commitment towards the good of the kingdom.

In Scene Four, Ague festival is around the corner. The Oba is customarily not allowed to see anybody during this period. To the Whiteman, that is a story for the gods. Phillips and his cohorts insist on seeing the Oba. They send words to him through one of his chiefs, Eyebokan. Immediately, he sees Eyebokan looking distressed, one of the palace chiefs, Okavbiogbe, reminds Eyebokan of what the law says about his errand following his insistence of seeing the Oba, “I say you cannot see the Oba. The law of the land forbids it” (35). But Eyebokan is less concerned about the position of the law now; he is only interested in pleasing the appetite of the Whiteman; hence, his readiness to infract the established law of the Bini. He insists, “I must see him, it is a matter of life and death. He told me to come at anytime. You saw me here two months ago, did you not?” (35). In order to further press home his demand, he eulogises the supremacy of the Oba in poetic chants:

Tell the king that it is Eyebokan. The king's shadow. When he hears my name the leopard will see me. (Shouts) Emw'oba rho mwunu-o! Leopard! I am here! Shining eye of the hawk. The king of the big forest, Ovonramwen, son of Adolo, the great market king, I salute you. I call you! Son of...(35).

Eyebokan deploys the use of animal imagery in the excerpt above. He compares the king to the "shining eyes of the hawk." He uses that to depict the mental agility of the king. It is metaphorical for Eyebokan to compare himself to the King's shadow. It is equally ironical and paradoxical to read that the human king is the "The king of the big forest" Instead of a kingdom. In that reference, we see the king as a symbolism of the lion which signifies loyalty in most sub-Saharan African cultures. Eyebokan represents those depraved aristocrats in Nigeria who will do just about anything to show that they are above the law; whereas, they know so much about the law and its demands. They are represenamina of neo-colonial hegemony. They are unruly; always ready to bribe their way through any encumbrance not minding whatever impressions their actions leave on the minds of their close law-compliant observers.

Unfortunately, he does not get a rebuke from the law for his derogatory actions rather what he gets is commendation. Iyase's rebuke holds no water because the Oba already has an interest in him. The moral burden of the law is called into question in this instance. The urgency of his message is not enough reason to disobey the rule of law popularised by Dicey in his book entitled *Introduction to the Study of the Law of the Constitution* (1885). The rule of law emphasises due process and legality of all actions. Eyebokan gives his excuse: "That is why I am here to tell him that the full moon is up, the rain wants to fall, and the wind is blowing, so the river cannot refuse to receive the rains" (35). His excuse for opting to violate the law is not acceptable to Iyase who replies: "Your proverb makes no sense to me" (35). But just like the contemporary written constitutions have provisions that allow presidents and their equivalents the privilege of exercising prerogative of mercy, what is often called in the federal system of government, presidential pardon, the Oba quickly interjects and absolves Eyebokan of all his sins, "your proverbs make sense to me. Eyebokan, friend of the throne, talk to us. Speak plainly, there are men here who do not and who cannot pick lice safely from the head of an old man, without drawing blood" (35).



In this excerpt, it is metonymical to know that Eyebokan is a “friend of the throne”, instead of the king. The words, throne and king are closely related. Eyebokan tells the Oba that Mr. Phillips insists on seeing him despite all explanations, “I told him more than that, I even told him that it was instant death to anyone who dared to see the Oba. I had even told them the Oba’s message that the Whiteman waits for three months” (36).

Mr. Phillips is full of pride and inordinate quest for power. He disobeys the Queen’s directive first and now, he cares less about the weight of what Eyebokan says about the laws of Bini kingdom. He is so immersed in the irrationality of his id and subversive predilection such that all that matters to him is his pride. Anything that gratifies him is in order; his actions contravene these laws. In his rebellious thinking, valid laws are laws made by him and for his selfish desires.

Given Mr Phillips’ infraction, Oba Ovonramwen is forced to once again alter the tenets of the law. He orders Ologbose to fetch Mr. Phillips even though such an order is against the established customary laws:

My back scratches me, and all my friends offer to help me scratch it, they even tell me how to scratch it, but no one knows the spot. No one even asks me how the pain goes. No one! Ologbose, no harm must come to the Whiteman. I repeat no harm! Eyebokan shall take you there. Tell them I will see them but only for some hours. No more. Bring them in the dark through Urhokpere (38).

The Oba’s action – representamen – demonstrates the fact that laws, whether written or unwritten, are subject to modification or outright repeal. It is ironical to see that the Oba’s friends who offer to help him scratch his back do not even know the spot to scratch. The peculiarity of human needs and wants at any given point in history determines the complexion of the law in any society. Oba Ovonramwen’s order and desire to see the Whiteman at a time he should be in communion with his forefathers for the success of Ague festival did not go down well with the elders. Challenging the law is a postmodernist attitude that allows an individual the opportunity to rationalise the reliability of the law. It allows one the opportunity of deconstructing the established truth. Ologbose starts the game of incitement:

My fellow chiefs, I greet you. We have all heard the command of the Oba. We should go to the bush near Ughoton and bring the Whiteman to him. I fear what impression the Bini people would have of us if we allow the Oba to see strangers at this time. I even fear more for the Oba who, at the period of Ague when he should be with his forefathers, is ready to meet the Whiteman (39).

Ologbose understands the essence of Bini law from the sociological and historical perspectives. He knows the law is supposed to be at the service of the people and properly represent their history and cultural identity. Hence, he finds it difficult to understand the reason for the legal adventurousness of the Oba at a time he believes he should be strong and firm on issues. The notions of the law most times create unhealthy quandary which often challenges the supremacy of the established laws in different societies. Uso concurs by affirming: "I, also, have strong reservations about the Oba's command" (39). Other chiefs present also join in the opinionated euphony. They disobey the Oba's order and render it inconsequential.

Ovonramwen is apoplectic to know that his order was disobeyed. His discovery happens after a series of firm interrogation. The last is threatening. "I can see that you are all here. I thank you for it. The throne appreciates your keeping awake to keep vigil with your king. But, Ologbose, we ask you for the last time, where are the White men?" (47). To that last opportunity, he answers "Dead, my lord" (47). The Oba is not happy because all he thinks about in the imperial tussle is peace. In deciphering what might have gone wrong, Ovonramwen seeks the help of Obiro, the native doctor, and the answer he gets is not pleasing. The Oba's fear is palpable:

The sea is calm. My canoe, big enough. I wish to take my lover, the Bini people, across the sea. To the safety of my mother, I have the might, but I need more wisdom. My lover doubts my prowess now. For the man she had been made over to, by her uncles, is strong, is wise, and has not uttered a word. Help me, wise one. Help me break the riddle of the lover's heart (49).

There is the use of personification in the clause: "the sea is calm." It is equally paradoxical and metaphorical to compare the Bini people to a lover. Ovonramwen acknowledges the seeming superiority of the colonialists. He knows he does not have

what it takes to fight the Whiteman. Obiro tells him the unfortunate obvious: “the gods are angry; they felt you neglected them when you turned to the gods of other lands?” (50). Seeing that the much desired solution is not coming from Obiro, the mouth piece of the gods, Ovonramwen resigns to fate but in a rather brave manner:

I asked the gods what they wanted, and they said nothing. So nothing do I give. I asked the gods what they would drink, and they said nothing. And then I asked the gods what I should do, and again they said I should do nothing. Here I am seated, waiting and doing nothing. If the gods want to give away Bini, I shall not flee like a frightened mouse either. They shall meet me seated on the throne of my fathers. Oba Ovonramwen n'Ogbaisi of Bini kingdom (54).

There is a tone of sarcasm and innuendo in the Oba reference to the gods. There is also the repetition of the personal pronoun “I” and indefinite pronoun “nothing”. Simile is also evident in the sentence “I shall not flee like a frightened mouse either.” These literary representamina help him as a conformist character in defending his dignity as a legal tenement. The Oba who is the custodian of his people’s mores comes in direct face off with the gods, the progenitors of his power and authority. He confronts the natural law which is the source of his powers. He has sinned and his sins have been declared too great for mercy, but that will not deter his courage and resolve to protect the throne of his fathers. Ovonramwen goes into hiding.

Falling for the divide and rule tactics of the colonialists, Obaseki is set to sell his values for some personal gains:

It is my honour to be of service to you, your Excellency. May your ...er...our reign be full of interesting times. The markets, Sir. Bini is a big trade post, the markets need to be open for us to survive after the war. Our neighbours depend on us for their trade. If the fighters hear the markets have opened, they will leave the battle front and abandon the warrior chiefs still fighting (61).

His hypocrisy is already known to the desperate colonialists so much so that Captain Carter, the Acting Political Resident, affirms his greed, “not Obaseki. His ambition whets his appetite for preferment. A little pressure here and carrot there ...” (52).

At the trial scene, the Oba who has come out of hiding stands accused before Consul-General Moor. He stands accused for the death of Captain Phillips and his men. As the trial commences with all the dramatic glamour and razzmatazz, Oba Ovonramwen is forced to accept the supremacy of her Majesty's government over the Bini Empire but he would not surrender his royal authority. The aesthetic representation of the law is once again emphatic in the scene. As the Oba comes into the court, there is a poetic rendition recognising his supreme presence:

Ovonramwen nogie  
Edo we rue iyare – o  
Iyare no obamwan – o  
Edo we rue iyare- o  
Aighi tetuzo aighi tete rue – o

Edo we rue iyare – o  
Omaen n'ero khie ghi riokpo – o  
Edo we rue iyare – o  
Iyare no obamwan  
Edo we rue iyare-o

Ovonramwen, the lord  
The Bini wish you safety  
Safety, our king  
The Bini wish you safety  
You will not be supported to walk  
The Bini wish you safety

The aged and strong one that  
Would not have need for a  
Walking stick  
The Bini wish you safety  
Safety, our king  
The Bini wish you safety (66 – 67).

The repetition of the words “ Bini” and “safety” suggest eulogy and complete loyalty. As the Oba takes his position, Moor begins to mock his legal authority and supremacy in Bini Kingdom reminding him that a higher authority has now been enthroned in his place. But the Oba is not giving in:

Moor: Your Excellency, I found that greeting intriguing. What does it signify, if I may ask?  
Ovonramwen: You may, Consul-General. **That is the total subjection to the wish and will of the Oba.** I am reassured that you may have the use of their bodies, but their souls belong to the Oba.

Moor: For you are the great conqueror of the Bini country.

Ovonramwen Yes. The great conqueror of the Bini Empire.

Moor: That was before we came.

Ovonramwen: The Bini Empire...

Moor: I mean, as at today, most of your vassal States are gone. Your empire, or whatever you call it, is crumbled. You are now under a new empire. The British Empire. Am I right?

Ovonramwen: If you say so (My emphasis, 67).

Mr. Moor is not ready to recognise the legal authority of the Oba as he would rather expect the Oba to submit to the authority of Her Majesty's government. This brings about a conflict of legal interest. While the British colonialists are ready to show their superiority over the Oba and his subjects, the Oba is ready to defend his throne. Mr. Moor forces him to bow to Her Majesty's authority but that will never happen until a mortal threat has been issued by Moor and amidst much pleading from several chiefs. At the expiration of the ninth minute of the ten minutes he is given, Oba Ovonramwen gives in:

Alright, tell them to stop. Enough Bini blood has been shed already. Tell them to stop. I clear the earth, and another says the land belongs to his mother. I plant my seeds, and another says it belongs to his father. My seeds grow and he says he works hard during the planting season. Like the lazy python he has always had his eyes on my eggs. I will do it (70).

Employing innuendo, the Oba laments the actions of the colonialists. He also does a comparison with simile in the sentence: "Like the lazy python he has always had his eyes on my eggs." The sociological import of the law is seen here. The Oba understands that the law is first and foremost supposed to be at the service of his people. He hides his pride and accepts to fraternise with his superego for the sake of his people. He will not sacrifice innocent lives because of pride. Having listened to the testimonies of Aigbedion, Aganmwonyi and Uwubamwen, the three boys who admit that they saw Chief Obakhavabaye and his cohorts as they commit the crime, Mr. Moor sentences Chief Obakhavabaye and his cohorts to death after he admits to the crime. He pronounces:

Yes, let it be entered that the testimonies of the other prisoners agree with the fact that the Oba did not

order the massacre. Let it also be entered that this court finds Ologboshi, Obaradesagbo, Uso, Obakhavbaye and Ugiagbe guilty and hereby sentences them to death. As for the deposed Oba, the court recognizes the strength of the power he has over his people but Britain must be seen to occupy and enforce preponderant influence over the Bini territory. The Oba of Bini cannot be allowed to stand in the way of British occupation and control of the Niger territories. The British government has already made its presence felt in Warri, Akassa, Opobo and Lagos. The Oba of Bini cannot pretend not to know about those developments. Because of his influence on the Bini people, therefore, and our need for Bini as a trade post, it is necessary to make recommendations for his early departure to Calabar. As for the convicted murderers still at large, I wish to call all the Bini people to help in their arrest in order to stop further bloodshed. I thank you all for coming (77).

One can easily see some narratological representamina: explanation, description, persuasion, argument, and example in Mr. Moor's judgement. As a pseudo-interpreter of the law, Obakhavbaye's testimony equally depicts the law as a creative process:

No. I was in the palace when the Oba said that no harm should come to the Whitemen. Even at the meeting in Ologbose's house, we decided not to kill the Whitemen when we got to Ugbinen on our way to Ughoton, we did not know that the Whitemen had followed their second message. We panicked and decided to scare them off. In the ensuing confusion to stop them, the leader of the group was mortally wounded. The Whitemen were running up and down. Dust had been raised. The remaining eight Whitemen were trying to bring out their guns from their boxes, when we decided to continue shooting. Two had run away and our slaves were detailed to chase them and kill them. Five had died instantly. Two were left wounded. We later killed them. We had thought that if we killed all of them, there would be no trace. We did not expect the other two to escape and report our action. The Oba did not know what happened. We later went to report to the Oba who was waiting to meet the Whitemen and told him what had happened (76).

The narrative impact of Obakhavbaye's account is significant because of its richness of description, explanation and argument. As a pseudo-interpreter of the law, he

presents an insightful account that helps the trial judge to reach a fair conclusion in his judgment. Beyond the narratological representation of the law, Obakhavbaye's call for *mea culpa* is not only dramatic but also highly condensed in poetic imagery.

He admits dramatically as he kneels before the Oba:

Ogbaisi!  
The leopard who hunts down the prey relentlessly  
Ogbaisi  
The second only to the gods  
We, your chiefs erred  
And now our act like  
An oily finger has stained your white robes  
Ogbaisi we should have listened  
We should have known  
That like the seer, you saw this end.  
But set like the lost dogs  
We galloped ourselves into disaster  
Ogbaisi, for the sake of our souls  
Don't turn away (75).

Simile and metaphor are richly used to underscore the mood and tone of the plea. To his plea, the Oba laments his sin and acknowledges his precariousness in the matter, "indeed, you stain my white robes and bring to shame my towering crown, only the Bini people can forgive you now" (75). Of key significance is the use of metaphor in both speeches. Obakhavbaye compares the Oba to a leopard. Synecdoche is used in the expression, "An oily finger has stained your white robes." "An oily finger" is a part being used to represent the whole "a depraved person." It is also metaphorical. The African customary law is usually expressed in condensed language. It is normal to find a lot of proverbs and metaphors. Obakhavbaye's reply shows his unrelenting spirit:

Enaenwan  
But do not turn away  
The bad child belongs to his father,  
The bad child belongs to his mother  
When death comes, give us the succour  
To say the Oba smiled  
And our blood would have been shed with respect.  
Nonyan-Enwen, don't turn away... (75).

Obakhavbaye and his accomplices eventually face the wrath of the British law for their crime while the Oba is exculpated, but that is after he has acknowledged the

supremacy of the British law over his legal authority thereby demoting himself and contravening his legal authority/essence.

### **3.6 Of law and societal ideals:rhetorical and non-rhetorical allegiance**

Denja Abdullahi is an accomplished writer who has written quite a number of creative works. One of his works, *Mairogo: A Buffoon's Poetic Journey around Northern Nigeria* (2001) received honourable mention for the 2001 edition of ANA/CADBURY Prize for poetry. In *Death and the King's Grey Hair*, a play in his collection of plays, entitled: *Death and the King's Grey Hair and Other Plays*, Abdullahi reconstructs an inspiring historical custom (law) of the Jukun in the present day middle belt of Nigeria which premised on young reigns. In his words:

Inspiration came to write this play when I was an undergraduate at the university. It was at a sociology class where we had to contend with the dynamics of various traditional African societies. The lecturer, himself looking rustic, made mention of an ethnic group, the Junkuns, in the middle Belt Region of Nigeria, who in the ancient past never permitted their kings to grow old and feeble on the throne. At the first sprout of grey hairs, indicating ageing, the king has to take poison and die. His body is then taken to a sacred forest where it decomposes and is believed to be reborn as a lion (9).

This ancient practice is the main topicality of the play. The play begins in a serene sacred grove where elders of Shakaga are gathered discussing a legal matter. They are worried that the king who is the custodian of the law is probably trying to be defiant. Their king, Esutu, has unusually stayed longer than necessary on the throne and this is prompting them not to only worry about the fate of the law but also the sincerity and honesty of the king.

The literary representation of the law is expressed here. The poet, Gabisi, praises the gathering of the elders which he says happens when there is a serious matter of legal importance to be discussed:

I am Gabisi, the poet of the ancients. Those who don't respect what is old should await the sting of my tongue. Wherever you see brave grey-haired men bent with many moons of wisdom, look for Gabisi. Gabisi is the messenger of tradition, the poet of



the ancients. **Hail you seven wise men! I fear for the land when I see you gathered in this grove. Great and fearful things must be on their way to our land, for wise men like you never gather to tell jokes about women's behind.** That is for lustful young men whose loins are yet to father many children. From your fertile forge generations have been born. You hold the keys to the secret of our land. Those who want to know the land must pay you homage. With you wise men lies what makes us a race (My emphasis, 13).

It is metaphorical for Gabisi to compare the impact of his representamina to the sting of a scorpion. The representamen, “grey-haired” is a symbolic reference to old age. “Women’s behind” is also symbolic of the buttocks. In the representamen, “Keys to the secret of our land”, keys are metonymic of a denotative lexim like solution. It is equally paradoxical to talk about an abstract representamen, like “secret,” as if it were a door that requires a key. In the representamen “Great and fearful things must be on their way to our land.”, “great and fearful things” are personified as they are expressed as animate entities that are on a journey. It is obvious from the poet’s words that the elders in this traditional and cultural context make and interpret the laws of the land – a customary interpretant. They are gathered now to discuss a legal matter which has been a source of worry for every son and daughter of Shakaga. Affirming their constitutional roles, the 1st Wiseman asserts:

That is enough, Gabisi. You are truly the poet of the ancient. You have always been with us. You and your offspring will continue to fraternize with this esteemed gathering, just like your ancestors. You said the truth. We do not gather to crack nuts like little children. **But from time to time we gather to tie or untie the knots of tradition.** You said you are the messenger of tradition? (My emphasis,13).

Gathering “to tie and untie the knots of tradition” is a representamen that is metaphorical and having an interpretant that implies dual responsibility, one being to make laws, modifying same when necessary and the second, their interpretational dexterity. The literariness of the Wiseman’s rendition is conspicuous as he gives credence to the fact that the business of interpreting law is the sole responsibility of the learned and wise in Shakaga – a symbolism of pre-colonial African societies. The 1st Wiseman having acknowledged Gabisi’s eulogy and affirmed the validity of his claims, states the reason for their gathering:

You all know the footpath to the gourd of my words. As the chief keeper of our ancestral culture, I summoned this meeting because of Esutu's unusual long stay on the throne. We all know that it is a taboo for a king to show signs of ageing in our land. Our land is a land of young kings and short reigns. But something tells me that Esutu has stayed longer on the throne than any other king we have had since Jigulu, our founding father. The trees are asking, the wind is asking, the rivers are asking, the land is asking, the people are asking: why? (14).

It is symbolic to refer to the substance of his words as having a footpath: "you all know the footpath to the gourd of my words." The use of an animate quality is also evident in the excerpt, "The trees are asking, the wind is asking, the rivers are asking, the land is asking..." The literariness of the law as a creative process is conspicuous in the Wiseman's reference to the tree, the wind, the rivers and the land as performing human activities. The lines suggest pathetic fallacy which is an elevated form of personification. The special place of proverbs in the dealings of the elders can be seen in the 5th Wiseman's contribution to the serious matter at hand. He says:

I must enter the dancing square now, for the man who refuses to dance in his wife's birth hole must expect to be disobeyed. Chief Keeper and everyone here know that it is the presence of grey hairs that terminates the rules of kings in our land. And I, Otolofon, am mandated by tradition to examine the king's head season by season. I have been doing this since the death of my father many moons ago. These two hands of mine have ruffled many royal heads in search of that terminal sign. With king Esutu, grey hairs seem to be afraid to appear. Every new season, I meet Esutu's head blacker than it was the season before (15).

The first line of his speech is a Jukun proverb which suggests bravery and responsibility. Narratological features such as explanation and description can be seen in his speech. The use of "grey hairs seem to be afraid to appear" is metaphorical. It is euphemistic to refer to the vagina as a "birth hole". The invisibility of grey hairs on the king's head is compared to the cowardice of fear. The 1st Wiseman suggests that the elders brainstorm on possible solutions to the quagmire rather than relish in the enormity of the problem, "We are not here to lament, wise one. The land needs a new

king if peace is to be kept. Esutu is gradually growing fangs of misrule because he has stayed for too long. When a woman stays in her husband's house for too long, she becomes a witch" (15). It is ironic and sarcastic to see an Afrocentric proverb, though used metaphorically, describing a wife who enjoys longevity in her husband's house as a witch. Although that is on the literal level, it actually means she is a discerning woman.

The 1st Wiseman who also doubles as the Chief Keeper suggests a revolutionary attitude to the king's behaviour. The king's authority as the custodian of the people's laws is challenged because as the Chief Keeper puts it, he is perceived as "growing fangs of misrule" (15). In response to the Chief Keeper's words, the 2nd Wiseman calls for caution since the gods have not spoken clearly on the matter: "How do we catch a witch if not by the god's anger or confession?" (15). In his firm response to the 2nd Wiseman's question, the Chief Keeper challenges the elders to stand up against the tyranny of the king, "The gods have not spoken. But shall we wait for thunder before we take refuge from the rain?" (15) Through his answer, he reminds the elders that they need not wait for the gods to speak clearly on the matter since the signs of the king's insubordination to the laws of the land are obvious. But the Chief Keeper's firm position is contrary to the quandary of the 6th Wiseman who tries his ego, "Not at all. But the only sign of kingly transition has not been seen by Otolofon, the ruffler of royal heads. Do not take this as a sign that the gods are too happy with Esutu's rule or that someone is trying to block the passage of the river in times of rain?" (15). The 6th Wiseman wants Esutu to be considered innocent until proven guilty. The firm use of proverb in these dialogic exchanges buttresses the significance of the literariness of any legal discourse in pre-colonial Afrocentric settings.

Of course, the 6th Wiseman's quandary brings about the necessary argumentative balance that should be evident in a gathering of this nature. Reaffirming the infallibility of the Elders' Council as earlier affirmed by the Chief Keeper, the 3rd Wiseman replies the 6th Wiseman's perplexity, "That is impossible. Who can engage thunder in a lightning duel? Esutu is no child to wish to eat with the gods. And a king like other ones in the past cannot just be the gods' most beloved. **Traditions and taboos must be kept!**" (My emphasis, 15). The use of the representamen, "like" in the penultimate sentence makes the comparison, simile.

As custodians of the people's laws, the elders must be seen to be firm on issues concerning the traditions of Shakaga, reworking such traditions when necessary only to inflect the interest of the people. Hence, the Chief Keeper corroborates the 3rd Wiseman's position:

**That is the knot we are here to untie, and in untying that, we tie the shaking land more firmly to its root.** The day the oracle pronounced Esutu as our king, it did not tell us he will rule forever. As I said before, ours is a land of young kings and short reigns. Esutu has ruled and handled enormous powers for fifteen seasons, the longest in the history of our land. And surprisingly the sign for departure refuses to come... (My emphasis,16).

Having deliberated extensively on this constitutional issue without a definite and an objective stand, the elders send Otolofon, the ruffler of royal heads, to the Esutu to ascertain why things are eccentric in his own reign.

King Esutu is ready to contravene the existing customary law in his kingdom by all means possible, whether positive or negative. His postmodernist attitude is an expression of the selfishness of the id. He has set himself against his own people and the laws that he vows to protect during his coronation: "I pledge that I will obey the laws..." (22). His lawlessness breaches the significance of the law. This corroborates the position of Akinwale (2016: 3) which states that, "when the State is more powerful than the citizen, the State itself [sic: become] the primary agent of lawlessness, its functionaries will steal and oppress." Having noticed the handwriting on the wall, the elders, as an independent constitutional body, set machinery in place to investigate the eccentric trend. Otolofon is blunt with the message of Shakaga:

Oh king, the wise men sent me to ask, the land sent me to ask, the people sent me to ask: **if you or anyone is blocking the march of tradition.** I was also asked to remind you of the pledge you made before climbing the throne. Our land is a land of short reigns and young kings. The land feels you have ruled for too long. And a king who rules for too long courts disasters into our land. According to our tradition, the glory of our kings lies in their being reborn as a lion after their reigns. King, these heavy questions must be answered if the wise men

should return to the palace and peace to the land.  
Remember king, remember... (My emphasis, 21).

It is amazing and incredible that a human king will reincarnate as a lion in his next life. The elders, as makers and interpreters of the law, are worried at the seeming disregard for the law and the rule of law under King Esutu's reign. Confirming their genuine worries, the king replies Otolofon sarcastically:

Ah ah ah ah ... I now see what you foolish lot are up to.  
You've spent the days away from the palace to plot my  
downfall. Let me tell you one thing, even if the priest will  
suffer, it will never be in the presence of his acolytes.  
You've forgotten that I am the viceroy of the gods in this  
land, I can summon my wrath on any mortal (22).

As a constitutional and legal authority in his kingdom, the Esutu has forgotten that such powers and authority are conferred on him by the culture and laws which he now disdains and contravenes. Hence, Otolofon is quick to remind him the criteria that will guarantee the operationalism of his authority as the king of Shakaga, "**my lord, that is as long as you obey the laws of the land and as long as the people obey you for that.** No matter the power of a king, he becomes nothing when the people decide not to obey and respect him" (My emphasis, 22).

Having failed the soft approach of the people in the grave matter, they are left with no other choice than to warn him sternly with the use of the banner, the traditional symbol of caution usually shown to recalcitrant and defiant kings and citizens. Despite all the subtle evidence in their possession, the wisdom of the elders is seen in their cautious and considerate approach to the fix. Corroborating this, the Chief Keeper advises:

Remember Esutu is still the king. We only suspect he is obstructing the march of tradition. We have no proof yet. Until we have that proof or until we see grey hairs on his head, we cannot tell him to take poison and die and be reborn as a lion. We can only warn him to cut his growing fang of tyranny (30).

Tradition is personified as it is said to "march" amid obstructions from the throne. The meticulousness of the elders is witty. This attitude is manifest as a result of their consciousness of the rule of law made possible by the ego. This consciousness is also fortunately the consciousness of the superego; that morality instinct. King Esutu's

lawlessness also rubs off on his son who has become a miscreant and an alcoholic despite his royalty. Esutu laments the unfortunate fate that has become Inimisi's reality, "Accursed be the day you came into this world, you drunkard! The palm that you worship will receive your bloated body, for you shall drown in its fluid..." (34).

While king Esutu mourns the naughtiness of his son, his very good friend, a prince from another land, arrives. He shares his grief with him:

My friend, forgive me if I met your joy with words that drip of grief. I know you to come always before the onset of a faster or right in the middle of it. May you never enter a land in a time of sorrow. Let joy always welcome you wherever you go (36).

They relish the fondness of their friendship. Esutu says, "two thousand needles do not amount to an axe, one thousand stars do not shine like the moon, and the loyalty of two thousand servants does not compensate for the absence of a true friend" (37). To these words, the prince replies, "Wise words, king. True friendship like lost virginity can never be undone" (37). The repetition of the word "thousand" is emphatic. True friendship is metaphorically compared to virginity. After eulogizing their long cherished friendship, Esutu brings shame to himself and the throne by reporting the wise men to his friend who knows little or nothing about the land of Shakaga. He laments:

The king is bereft of friends in his own land. Even the king does not need friends to rule the land. His is to command and his subjects are to obey. But what do we say of toothless old men who teach village urchins how to beat the drums of malice against the king? Are they friends or enemies? (37).

By bringing private matters of the land into the wrong domain, Esutu makes himself the number one enemy of his people. He does not only infract the law but also disrespect his own people. Expectedly, the prince gives him an evil advice which of course is designed to breach the law, "In my land, such toothless heads are detached from their foul bodies before the shrine of the iron-god. But, king, what is this talk of toothless old men urging village urchins to treachery?" (37).

By his actions and words, king Esutu gives the young and naive prince the guts to infringe on the legal institution of Shakaga. Hearing the traditional greeting people offer to the king from Gabisi, “Oh king, may you not live long, and may your race to get reborn as a lion be swift.” (42); he advises Esutu to abolish the law. “This awful greeting again! King, why not decree this greeting out of existence?” (42). King Esutu and his friend are an example of political hegemony – a postmodern reflex. Akinwale (2016: 3) asserts that, “this lawlessness is itself rooted in our human tendency to neglect and exploit, no doubt.” Human beings are indeed selfish by nature and this exploitative and voracious nature is what Freud situates in his theory of the id, a component of the Psychic Apparatus. The day a person starts being selfish, that day, he or she makes himself, or herself weak and insignificant. Esutu’s weakness soon creeps into the ears of a villager simply known as Man – a synecdochic representamen. Man, here, is a part used to represent the capricious nature of all human beings. He brings his eerie report to the wisemen: “the king’s visitor, after too much wine, boasted to the tapper that he has with him the ageless gift, which he gives the king whenever he visits our land.” (46) Seeing that his secret is now in the open, king Esutu opts to go on exile rather than stay back to behold the shame that is to befall him. He tells his subjects:

Must we remain to get engulfed by their treachery? Look, the toad likes water but not when it is boiling. We must leave this land and find fortunes in other places. Guards! Prepare the horses and everybody. We must take flight before sunrise. Before I forget, take out that mad poet and kill him! (51).

“Must we remain to get engulfed by their treachery?” is a rhetorical question needing no answer. Esutu metaphorically compares himself to a toad that must run for cover in the midst of a precarious chaos like the imminence of water at the boiling point. Here, the king shows his human weakness. He makes the reader see that he is also human with the consciousness of fear, anxiety, anger and the like. Having been messed up with treachery, he hardens his heart and unleashes the deadliest of his evil blows by ordering the killing of Gabisi and the Royal Bard. Esutu’s iconoclastic reign closes a long chapter of kingly reigns in Shakaga land as a voice echoes from the crowd: “we will welcome no king in this land again!” (54). And to that, all responds: “we agree!”

The contravention of the law in the play is championed by one who is supposed to be a custodian of the customary laws of Shakaga.

### **3.7 Of law and history: colonial intrusion, societal strain, and representational infractions**

Wole Soyinka is a Nobel laureate renowned for his dexterity in dramaturgy. *Death and the King's Horseman* is one of his many plays. It reconstructs the Yoruba cosmology; a cosmology that acknowledges the reality of tripartite existence. These worlds include: the world of the living, the world of the dead and the world of the unborn. The play centres on transition – the connection between the three worlds.

The play opens in the market arena with Elesin Oba, The king's horseman, lost in a mystic dance and accompanied by a praise-singer, singing an *oriki* (praise poetry) about the tripartite cosmology of the Yoruba:

Death come calling  
Who does not know his rasp of reeds?  
A twilight whisper in, the leaves before  
The great araba falls? Did you hear it?  
Not!! Swears the farmer. He snaps  
His fingers round his head, abandons  
A bard-worn harvest and begins  
A rapid dialogue with his legs... (12).

Death is personified and addressed with the masculine pronominal possessive “his”. Elesin Oba's mystic performance is a representamen heralding his imminent suicide which is a customary practice that enables the late king to travel safely to the land of the dead. Apart from its cultural reality, the play is also based on a historical event as clearly pointed out by the playwright in the “Author's Note” page:

This play is based on events which took place in Oyo, ancient Yoruba city of Nigeria, in 1946. That year, the lives of Elesin (Olori Elesin), his son, and the Colonial District Officer, Intertwined with the disastrous results set out in the play (6).

Just like Ahmed Yerima's *The Trials of Oba Ovonramwen*, Soyinka re-enacts a historical event which does not only border on the cultural milieu of the Yoruba of the old Oyo empire but also depicts the blatant and arrogant contravention of a sacred law which derives its meaning from the people's firm belief in the tripartite essence of



existence. Elesin Oba as a symbolic guardian angel must accompany his late king to the land of the dead – a defensive duty which transcends our human rational comprehension. Elesin is firm and resolute. He is ready to listen to the voice of tradition:

My rein is loosened  
I am master of my fate. When the hour comes  
Watch me dance along the narrowing path  
Glazed by the soles of my great precursors.  
My soul is eager. I shall not turn aside (14).

“Fate” – an existential representamen – is personified as it is made to look like a servant who has a human master in the clause “I am master of my fate”. This is a metaphorical interpretant stemming from a comparison of master/relationship. The transitional rite is enriched by the positive presence and participation of women headed by Iyaloja, the market women leader. Everybody encourages Elesin to be strong and do what he has to do for the sake of the customs of the land. The praise-singer eulogises Elesin and participates in the aesthetic process of interpreting the law as a pseudo-interpreter. He chants his oriki and uses strong metaphors for Elesin to help his courage:

Elesin Oba! Are you not that man who looked out of doors that  
stormy day  
The god of luck limped by, drenched  
To the very lice that held  
His rags together? You took pity upon  
His sores and wished him fortune.  
Fortune was footloose this dawn, he replied  
Till you trapped him in a heartfelt wish that now returns to  
you. Elesin Oba!  
I say you are that man who chanced upon the calabash of  
honour  
You thought it was palm wine and  
Drained its contents to the final drop (15).

While Elesin Oba is being prepared for his defensive journey, the next scene reveals a visibly happy Simon Pilkings and Jane, his wife, dancing to tango music. Then suddenly, an agitated native administration police officer, Amusa, emerges uninvited but only gets noticed when he kicks a flower pot. Upon getting their attention, Amusa is awfully frightened by the ornamental masks worn by Pilkings and Jane; his worry stems from the reality of their sacredness as they are masks confiscated forcefully from the *Egungun* men (masqueraders). He advises the romantic couple to pull them

off suggesting that they belong to the occult world. “Mista Pirinkin, I beg you sir, what you think you do with that dress? It belongs to dead cult, not human being” (24). Despite his colonial baptism, Amusa sympathises with his Africanness: that communal spirit that relishes the relevance and significance of the gods. His body language is protestant and anti-hegemonic. His psychological dilemma is evident in the irony of his colonial membership and African appetite. His behavioural disposition betrays the reality of his colonial identity. He is not willing to deliver his message to the couple because of their unwillingness to remove the sacred masks. Amusa’s behaviour is loudly Yoruba as opposed to the expectations of the colonial couple. Having been ordered to convey his message, he replies, “Sir, it is a matter of death. How can man talk against death to person in uniform of death? Is like talking against government to person in uniform of police. Please sir, I go and come back”(25).

Death is personified as it is said to be a uniform – an item of clothing usually worn by human beings. It is also metaphorical to compare death to a uniform. The conquering colonialists have no respect and regard for the laws and traditions of the people. Their defiant attitude towards the law can be seen in Jane’s appeal to Amusa who is now transfixed with eyes fixated on the ceiling:

Oh Amusa, what is there to be scared of in the costume?  
You saw it confiscated last month from those egungun men  
who were creating trouble in town. You helped arrest the  
cult leaders yourself – if the juju didn’t harm you at the time  
how could it possibly harm you now? And merely by  
looking at it? (25).

To this allusion, Amusa quickly exonerates himself, “Madam, I arrest the ring-leaders who make trouble but me I no touch Egungun. That egungun inself, I no touch. And I no abuse’am. I arrest ring-leader but I treat Egungun with respect” (25). Amusa appreciates the significance of the masquerade in the African world view – a sacred representamen. In most parts of Nigeria especially in Igboland, the masquerades are not only seen as judges but also as the spirits of the ancestors. Seeing the hopelessness of the situation, Mr. Pilkings orders him to write his report on a pad. He does that fearfully. The report reads:

I have to report that is come to my information that one  
prominent chief, namely the Elesin Oba, is to commit death

tonight as a result of native custom. Because this is criminal offence I await further instruction at charge office. Sergeant Amusa (26).

The mood of the note clearly shows Amusa's psychological state. He is stranded in the ocean of quandary. His allegiance to the British crown is not full neither is his allegiance to the customs of his people full. He now suffers split-personality syndrome. The seriousness of the note's content did not strike Mr. Pilkings significantly. He dismisses it as a rumour relishing in the potency of his arrest tactics: "I'll have the man arrested. Everyone remotely involved. In any case there may be nothing to it. Just rumours"(26). He is ready to crush any essence or practice that goes contrary to his Christological sense of morality and the supremacy of the English crown.

To be sure his is not over-reacting, Mr. Pilkings interrogates his servant, Joseph, to ascertain the firmness of his Christian Faith, "Does seeing me in this outfit bother you?" (27). Joseph answers, "No sir, it has no power"(27). Pilkings cannot hide his feeling of relief at Joseph's firm answer. He relishes this honesty as he tries to find out what is happening from him, "Thank God for some sanity at last. Now Joseph, answer me on the honour of a Christian. What is supposed to be going on in town tonight?"(27). Again, he answers firmly "Tonight sir? You mean that chief who is going to kill himself?" (27). "What?" (27). Pilkings exclaims and further asks, "What do you mean, kill himself?" (27). Seeing Pilkings' shock and the possibility of misunderstanding in the matter, Joseph enfeebles the weightiness of his earlier answer, "No master. He will not kill anybody and no one will kill him. He will simply die" (27). Joseph's testimony corroborates that of Amusa which is taken with a pinch of salt. Mr. Pilkings' erudition and philosophical acumen can be seen in his next question, "But why Joseph?"(27). It should be noted here that the motivation for that seeming honest question is nothing more than the colonial interest. He is not asking because he wants to honestly learn about the customs of the Yoruba. He asks simply so that he is able to protect the British interest. In his predictably veracious manner, Joseph replies, "it is native law and custom. The king die last month. Tonight is his burial. But they cannot bury him, the Elesin must die so as to accompany him to heaven" (28).

Away from Mr. Pilkings' willingness to rescind the customary death-ritual of the Elesin, he has earlier wrestled with Elesin's rejection of the idea of having Olunde, Elesin's son, go to England to study medicine. He explains to Jane:

Olunde hasn't replied to his last letter. Come to think of it, The old pagan wanted him to stay and carry on some family tradition or the other. Honestly, I couldn't understand the fuss he made. I literally had to help the boy escape from close confinement and loaded him onto the next boat. A most intelligent boy, really bright (28).

In having his way forcefully, Pilkings succeeds in infringing on the customary tradition of having an existing Elesin's son succeed him in his demise as the new Elesin. Joseph's reply to Jane's question about Olunde's biological status in Elesin's family corroborates this point "Oh yes madam. He was the eldest son. That's why Elesin cursed master good and proper. The eldest son is not supposed to travel away from the land" (29). Jane equally corroborates sarcastically: "If he was his eldest, it means that he would be the Elesin to the next king. It a family thing isn't it Joseph?" (29) Not minding her dishonest intent, Joseph answers, "Yes madam. And if this Elesin had died before the king, his eldest son must take his place" (29).

Mr. Pilkings issues an order for the arrest of Elesin Oba through Sergeant Amusa. On getting to the ritual venue, he is confronted by a determined group of women who have vowed never to allow the arrest of Elesin. They start a protest against the Western hegemonic structure represented by Sergeant Amusa. They are not just fighting for a citizen of Oyo known as Elesin, they are fighting for the soul of their laws, customs and values. One of the women who engage Amusa in a confrontational argument tells him the reason for their firm stance:

You ignorant man. It is not he who calls himself Elesin Oba, it is his blood that says it. As it called out to his father before him and will to his son after him. And that is in spite of everything your white man can do (35).

They lampoon Amusa for his seeming disloyalty. Blood – a symbolic representamen – is personified in the following sentence, "it is his blood that says it." However, in fighting for the soul of their laws and cultural values, they contravene the colonial law as they intentionally hinder a colonial officer from performing his duty recognised by law. Blood is equally symbolic of that custom. Amusa reminds them of the

implication of their stubborn protest, “I hope you women know that interfering with officer in execution of his duty is criminal offence” (35). A woman replies him defiantly: “interfere! He says we are interfering with him. You foolish man we’re telling you there’s nothing to interfere with” (35). One begins to see supremacist ego on the part of the colonial government which is supposed to factor in the reality of the customary law in the administration of her colony. For this flaw, the colonial law finds it difficult to command majority obedience. As a matter of fact, Amusa is given an embarrassment of his life by the women. His coming coincides with the hour of virginal ritual – a ritual which bids farewell to Elesin’s virility. Iyaloja calls it a “wedding night.” Amusa and his men are forced to retreat after all the mock-colonial displays of eccentric servitude acted sarcastically by the girls. Olunde returns from his study abroad to meet the cultural fix created by the recalcitrance of the ignorant and arrogant colonialists. He educates Jane on his firm communion with his roots:

All these things are part of it. And anyway, my father has been dead in my mind for nearly a month. Ever since I learnt of the king’s death, I have lived with my bereavement so long now that I cannot think of him alive. On that journey on the boat, **I kept my mind on my duties as the one who must perform the rites over his body. I went through it all again and again in my mind as he himself had taught me.** I didn’t want to do anything wrong. Something which might jeopardise the welfare of my people (My emphasis, 57).

It is paradoxical and metaphorical for Olunde to say that his father has been dead in his mind for nearly a month – an interpretant of neglect. The statement shows the desertion only analogous with the forlornness of the dead. He compares his pathetic thought of his father with the abandonment of the dead. Despite his strong opinion about his culture and its values, Jane makes no sense out of it all. She insists that the customs must be breached because in her view, they are barbaric. She says “Not so fast Olunde. You have learnt to argue I can tell that, but I never said you made sense. However cleverly you try to put it, it is still a barbaric custom. It is even worse – it’s feudal! The king dies and a chieftain must be buried with him. How feudalistic can you get!” (53). Olunde tries hard to balance Jane’s argument sarcastically against the horrible events of the second world war championed by the “reasonable and intelligent” West with its attendant destruction of lives and properties but Jane refuses to be impressed with that line of argument. Olunde wants to actually speak to Pilkings with the intent of probably convincing him on the mortal sacrifice. However, his

absence necessitates his unwilling conversation with Jane. Pilkings has gone out to avert a possible embarrassment on the eerie eve of a royal visit of the Prince of Wales. The series of arguments that ensue between Olunde and Jane suggest his disapproval of the West's irrational tendency to distort history.

Olunde's father is incarcerated by Pilkings for allegedly trying to take his own life. Elesin having been relieved of his suicidal spirit begins to relish the sweetness of life. He is set to depart for the journey when Mr. Pilkings interrupts his imminent itinerary. Iyaloja is not happy with Elesin, having been granted permission to see him from a certain point through a letter written to Pilkings by Olunde. She accuses him of abandoning the land to lie in ruin, "How boldly the lizard struts before the pigeon when it was the eagle itself he promised us he would confront" (67). She continues, "You made so bold with the servant of the white king who took your side against death. I must tell your brother chiefs when I return how bravely you waged war against him especially with words" (67). Overwhelmed by the scorn and dejection, he replies, "I more than deserve your scorn" (67). Iyaloja's sorrow is compounded by the roles she plays in making sure that the cultural practice is not interrupted. She further laments:

You have betrayed us. We fed your sweetmeat such as we hoped awaited you on the other side. But you said No, I must eat the world's left-overs. We said you were the hunter who brought the quarry down; to you belonged the vital portions of the game. No, you said, I am the hunter's dog and I shall eat the entrails of the game and the faeces of the hunter... (68).

The sentences in the excerpt are in antithetical relationship. Iyaloja does not hide her feeling of disillusionment. It is more painful that the perceived betrayal is coming from people who, she believes, know better. She is not happy that Elesin has chosen to infract the customary practices and laws of the people. She is unfortunately evaluating Elesin's woeful plights through her highly limited binoculars. While all these unfold, Elesin goes through a psychological renewal and purgation; the events gradually return him to his superego, that communal and moral crescendo he has earlier attained.

The women enter the prison enclave carrying on their shoulders, “a longish object roughly like a cylindrical bolt, covered in cloth”(73). Iyaloja removes the covering to reveal the lifeless body of Olunde. He has died in place of his father and by dying for the sake of the law; the boy has paradoxically become the father of the man, Elesin Oba. The tables have turned, roles have changed. Hence, Elesin is portrayed as a rebel of the law. His fate has been interpreted by his people as a deliberate attempt at rendering their much cherished cultural custom comatose. Having the shame and humiliation too much to bear, Elesin strangles himself to death. Pilkings and the guard try in vain to resuscitate him. Customary and common laws are contravened in the play.

## CHAPTER FOUR

### NARRATIVE IMPERATIVE: LAW AND DEFIANT SUBJECTS IN THE NOVELS

#### 4.1 Introduction

This Chapter is a continuum of the research reactions established in Chapter Three in response to two research questions/objectives – characters’ predilection for iconoclastic words and actions and the predisposing socio-political factors for contravention. Chapter three discusses the former in the plays and this Chapter will be examining same objectives in the selected novels. These two objectives are overlapping because they manifest simultaneously in the plays and novels. The words and actions of characters which contravene the law are often stimulated by certain socio-political realities such as injustice, unemployment, bad leadership, negative peer group influence, and the like which are in themselves negative and potent stimuli for verbal or non-verbal contravention. Given the fluidity of this relationship, it will be very difficult and perhaps, analytically counterproductive to separate these two objectives in actual analysis. Consequently, verbal and non-verbal representamina as well as some socio-political factors will be identified and interrogated as predisposing agents of contravention in the novels.

#### 4.2 Law and infamy: the narratological perspective on societal realities and defiant representamina

In the words of a popular Igbo proverb, “When a woman scorns her husband, her rear end dries up,” so it is with humans; they lose their moral essence when they contravene the law. The law is often infringed upon by the subversive words and actions of characters. Writers like Chinua Achebe have continued to respond meaningfully and constructively to this negative behaviour in their literary works. One of such notable works by Achebe is *Arrow of God*. First published in 1964,



*Arrow of God* mirrors Ezeulu, the chief priest of Ulu and the custodian of the spiritual and moral laws of the people of Umuaro. Ezeulu's position and status as the priest of Ulu is analogous to the legal status of lawyers and judges in most societies. Ulu is a spiritual persona who is highly revered and acknowledged as the summit of everything concerning the customs of the people of Umuaro. Ulu is created to maintain peace and tranquillity in Umuaro.

The name, Umuaro, is an onomastic macrocosm representing the now defunct microcosms –Umuachala, Umunneora, Umuagu, Umuezeani, Umuogwugwu and Umuisiuzo that have come together to foster a common interest premised on security by installing a powerful deity and appointing a chief priest for it. The legal status of Ulu as a unifying deity can only be appreciated from the perspective of natural law. As a symbol of natural justice, Ulu stands as a supreme unifying factor for all the seven villages which make up Umuaro having severally suffered attacks and social injustice from marauders. As a legal entity, Ulu plays vital roles in the daily lives of the people of Umuaro, firstly, to give them a sense of security, secondly to serve as a moral institution ensuring law and order and lastly, to give them a sense of identity. Given these crucial roles, Ulu can be said to perform more than just a religious function in the lives of the people; its supremacy transcends religious communion to include social, economic, military and political relevance.

The conflict that leads to the eventual contravention of the legal status and supremacy of Ulu starts from the egocentric and supremacist attitude of Ezeulu who sees himself as somewhat a demigod. He exploits his position as the arrow of god to engage his people in a moral fight. His pride is very unbecoming of a legal interpreter as his inebriation with power drives him frenzy:

**Whenever Ezeulu considered the immensity of his power over the years and the crops and therefore, over the people; he wondered if it was real.** It was true he named the day for the feast; but he did not choose it. He was merely a watchman. His power was not more than the power of a child over a goat that was said to be his. As long as the goat was alive it could be his; he would find it food and take care of it. But the day it was slaughtered he would know soon enough who the real owner was (My emphasis, 3).

Ezeulu will not concede the truth of that thought. Judging from his egocentric fondness of his id, Ezeulu finds it difficult to believe that his power as the arrow of god has limitations. He believes that he is the ultimate driver of the law (Ulu). Hence, no one has the right to challenge him, not even the elders who are co-interpreters of the law with him. Those thoughts that creep into his consciousness are too harsh and blunt. His authority is metaphorically compared to the pseudo influence of a young child over a goat that is said to be his/hers. He very often forgets that he is simply the arrow of god. Ulu is the progenitor of his office and significance. Hence, due honour should ordinarily go to him only. But he is just not ready to be reminded of his boundaries in his handling of the legal business: he protests:

No! The chief priest of Ulu was more than that, must be more than that. If he should refuse to name the day there would be no festival, no planting and no reaping. But could he refuse? No chief priest had ever refused. So it could not be done. He would not dare (3).

Ezeulu's psychological fix is a moral battle between his id and his superego. His soliloquy reveals so much about his quandary. While the former reassures him of his personal qualities as a supreme leader, the latter tries to make him realise his subordination to Ulu and his limitations as the mouth piece of the gods. He shuts his mind to the moral promptings of the latter and tries to assert his supremacy, "Take away that word dare; he replied to this enemy. Yes I say take it away. No man in all Umuaro can stand up and say that I dare not. The woman who will bear the man who will say it has not been born yet" (3). "Dare" becomes key representamen signifying and symbolising wilful and innate subversion.

His egocentrism becomes a good fertilizer for the eventual maturity and growth of rebellion against the law in the novel. In asserting his own selfish idiosyncrasies, he indirectly contravenes the relevance of Ulu who is the main supreme factor. Another instance of the infraction of law can be seen in Obika's reaction towards the alleged beating of his sister by her husband. Ordinarily, a good citizen of any society is not supposed to take the law into his/her own hands no matter the magnitude and enormity of the crime committed against him/her. The law provides ways by which conflicts are resolved amicably. In the common law system for instance, the police

and judiciary handle cases of infringement, victimization and assaults of whatever kind. However, the situation is slightly different in a pre-colonial native setting like the one found in Achebe's *Arrow of God*. Achebe's setting is particularly unique because the Igbo are known to have no kings. Osage (2002:20) corroborates that "...the Igbo people have variously been described as segmentary or acephalous people. This is because the people had no centralized states and operated a kind of government without kings." It, then, means that the roles performed by the elders, who are seen as the sages of any Igbo society cannot be trivialised. The Elders' Council represents the assembly of the people who are sometimes called en masse to deliberate on urgent and serious matters of political and economic interest in the village square.

In Obika's case, the matter should ordinarily go to the elders for hearing but he decides to craft his own definition of law and justice. The narrator makes this incident picaresque in this excerpt:

Not very long ago Obika had come very close to committing murder. His half-sister, Akueke, often came home to say that her husband had beaten her. One early morning, she came again with her face all swollen. Without waiting to hear the rest of the story Obika set out for Umuogwugwu, the village of his brother –in-law. On the way he stopped to call his friend, Ofoedu, who was never absent from the scene of a fight (11).

It is euphemistic to talk about Ofoedu's predilection for violence as if he were usually a mere observer or peace maker at the scene of any fight – this is also an ironical interpretant. The belligerent attitude of Obika is akin to the obstinacy of his father. The alleged wife-beater, Ibe, is equally culpable given the blatant assault he inflicts on his wife thereby infringing on her fundamental human rights. Obika has only become a partner in crime for not being patient enough to allow the law to determine the punishment for the alleged crime. He has not only ascribed the personality of the law to himself but has also become a judge. His uninformed action is described below:

On their heads was Akueke's husband tied to a bed, almost dead. They set him down under the Ukwa tree and dared anyone to move him. The women and the neighbours pleaded with Obika and showed him the threatening ripe fruit on the tree, as big as water pots (12).

It is satirical to have Akueke's husband treated like a common criminal. The Ukwa tree is symbolic of fatality. It is a metaphor for death. The use of simile is also evident in the comparison of the fruit's size to that of a water pot. Despite all the pleadings, Obika is headstrong and unyielding. He affirms, "Yes. I put him there on purpose, to be crushed by the fruit – the beast" (12). Unfortunately, Ezeulu's eventual arrival and interference did not help matters at all. Ezeulu's corrupt nature once again shines brightly. As an instrument of the law and a judge, Ezeulu is supposed to hide his personal values and completely detach himself from every bias as much as possible. Rather than express his expectation, he simply interprets the law from a sentimental and nepotistic point of view thereby implicating the moral burden of the law. He responds unfairly to the worries of Ibe's kinsmen who have come to know why their son is treated so badly by Obika. The narrator says:

Ezeulu tried to placate them without admitting that his son had done anything seriously wrong. He called his daughter, Akueke, to stand before them. You should have seen her the day she came home. Is this how you marry women in your place? If it is your way, then I say you will not marry my daughter like that (12).

It is ironical for Ezeulu to deny the obvious culpability of his son. The question: "Is this how you marry women in your place?" is a rhetorical question. Instead of Ezeulu accepting the fact that his son erred, he prefers to defend and justify his action with the assault suffered by Akueke. On their part, Ibe's kinsmen are not against Obika's vengeful spirit but his presumptuousness in assuming the position of the law. They argue:

We cannot say that your son did wrong to fight for his sister. What we do not understand, however, is why a man with a penis between his legs should be carried away from his house and village. It is as if to say: you are nothing and your kinsmen can do nothing. This is the part we do not understand. We have not come with wisdom but with foolishness because a man does not go to his in-law with wisdom. We want you to say to us: you are wrong; this is how it is or that is how it is. And we shall be satisfied and go home (p.12).

The penile reference in this excerpt is symbolic of the exalted place of the man in the patriarchal African society. Ordinarily, a man who is seen as the head of the family is not supposed to be disgraced in the manner in which Ibe is disgraced. It is also paradoxical for Ibe's kinsmen to say that they have not come with wisdom but

foolishness. By and large, there are tripartite violators of the law – Ezeulu, Obika and Ibe. Ibe is wrong to have allegedly beaten his wife, Akueke, for whatever reason thereby violating one of her fundamental human rights. He has the moral option of taking whatever it is that his wife has done wrong to the assembly of elders or her family for redress. Obika is equally wrong to have rashly and foolishly gone to Ibe’s house with a thug to humiliate him. Two wrongs they say cannot make a right, in acting so rashly, he has taken the law into his own hands. He could have taken the matter to Ibe’s kinsmen or the assembly of elders for redress. And lastly, Ezeulu is doubly wrong because as an elder and an interpreter of the law, he is morally bound to be fair to all parties by giving everyone room for trial. Instead of that, he subjectively declares Ibe guilty without trial. Akueke could have framed Ibe up or possibly lied about the matter. Ezeulu does not think deeply because he is physically sightly but morally blind. He makes himself a partial judge who is willing to misinterpret the law for his personal gains. As a psychological arbiter of the Freudian ego, he does not do well in reconciling the warring parties – the id and the superego.

There are actually two legal representamina in Umuaro at the time; the traditional or customary law adjudicated by Ezeulu and the elders and the colonial law adjudicated by captain Winterbottom. In effect, the natural law exists neck and neck with the positive law. However, because of her colonial power and advantage, the positive law wields more actual power over the natural law represented by the customary mores of Umuaro people. It is interesting and quite ironical to notice the circumstantial relegation of the natural law, albeit a more superior law.

Ezeulu’s eccentricity and rascality in handling legal and customary matters within his jurisdiction has grown worrisomely. The growing infamy of Ulu among its subjects can be clearly attributed to the idiosyncrasies of the arrow of Ulu. The people are getting tired of his suppressive and hegemonic actions – those which have become a definition of tyranny to the people of Umuaro. In the traditional Igbo society, it is an abomination for anyone to challenge the authority of the gods as revealed by their handlers. Ezeulu has wired a postmodernist consciousness in the minds of his people; hence, the quandary which the narrator clearly describes:

Ezeulu often said that the dead fathers of Umuaro looking at the world from Ani-Mmo must be utterly bewildered by the ways of

the new age. At no other time but now could Umuaro have taken war to Okperi in the circumstances in which they did. Who would have imagined that Umuaro would go to war so sorely divided? Who would have thought that they would disregard the warning of the priest of Ulu who originally brought the six villages together and made them what they were? But Umuaro had grown wise and strong in its own conceit and had become like the little bird, nza, who ate and drank and challenged his personal god to single combat. Umuaro challenged the deity which laid the foundation of their villages (14).

It is paradoxical to have the dead ancestors look like conscious beings who even have the power of imagination. “Who would have imagined that Umuaro would go to war so sorely divided?” is a rhetorical question needing no answer. Simile is also used to compare Umuaro’s combatant wisdom with that of the clever bird, Nza. Ulu has probably shot itself with the same arrow which it uses in shooting Umuaro’s enemies. The land dispute between Okperi and Umuaro is a litmus test that exposes how ordinary and feeble Ezeulu has become in the eyes of his people. He speaks to a gathering of elders as the customary father of Umuaro about his position in the land dispute; a position which stems from the story his father told him about the history of Umuaro. His submission is met with a rather cold reception and the suspicion that accompanies the speech forces Nwaka to stand up and give a more receptive rhetoric which counteracts Ezeulu’s position. Being a typical legal scenario in the customary and traditional sense, the aesthetic representation of law assumes a dynamic expression in the narratological and dramatic techniques. The poetic and symbolic elements are also not left out as one gets mesmerised by the abundance of proverbs and other significant imagery. He begins:

Wisdom is like a goatskin bag; every man carries his own. Knowledge of the land is also that. Ezeulu has told us what his father told him about the olden days. We know that a father does not speak falsely to his son. But we also know that the lore of the land is beyond the knowledge of many fathers. If Ezeulu had spoken about the great deity of Umuaro which he carries and which his fathers carried before him I would have paid attention to his voice. But he speaks about events which are older than Umuaro itself. I shall not be afraid to say that neither Ezeulu nor any other in this village can tell us about these events (16).

In the extract, we find the use of proverb, simile, and satire. After his speech, the narrator describes the reaction of the elders and Nwaka's observable dramatic gestures:

There were murmurs of approval and of disapproval but more of approval from the assembly of elders and men of title. Nwaka walked forward and back as he spoke; the eagle feather in his red cap and bronze band on his ankle marked him out as one of the lords of the land – a man favoured by Eru, the god of riches (16).

Nwaka's further rhetoric calls for a firm military action against Okperi alleging implicitly that Ezeulu's submission suggests fear and resignation in the face of adversity. Nwaka's submission could not have been less appreciated given the juvenile vigour and exuberance with which he marshals it. In addition to his unique manner of rendition, he maintains a paradoxical position which makes Okperi people culprits in the matter. He maintains that:

My father told me a different story. He told me that Okperi people were wanderers. He told me three or four different places where they sojourned for a while and moved on again. They were driven away by Umuofia, then by Abame and Aninta. Would they go today and claim all those sites? Would they have laid claim on our farmland in the days before the white man turned us upside down? Elders and Ndichie of Umuaro, let everyone return to his house if we have no heart in the fight (16).

A literary representamen conspicuous above is the rhetorical question. Having carried the day with his point, the assembly decides to send Akukalia and his companions to Okperi to inform them about their special interest in the land dispute. In order to avoid any unnecessary misdemeanour, an older elder stands up and sounds a note of warning to the emissaries especially Akukalia who has visibly spoken with venom in his mouth. He advises:

I want to speak to the man we are sending to Okperi. It is now a long time since we fought a war and many of you may not remember the custom. I am not saying that Akukalia needs to be reminded. But I am an old man, and an old man is there to talk. If the lizard of the homestead should neglect to do the things for which its kind is known, it will be mistaken for the lizard of the farmland. From the way Akukalia spoke I saw that he was in great anger (17).

The use of proverb by the old man is typical of the sages in the examination of African customary laws. Also, the use of the first person narrative point of view “I” by the elderly man represents assertiveness, wisdom and authority. On getting to Okperi, Akukalia decides to do what pleases him. He refuses to heed the kind advice of the elders. He starts by giving a cold response to Udueze’s show of hospitality and climaxes his rebellion in his serious fracas with Ebo which makes him exhibit symptoms of schizophrenia. Having seriously injured an equally stubborn Ebo, he foolishly goes inside his hut, brings out Ebo’s Ikenga and destroys it. In a firm response to this dastardly act, Ebo rushes into his hut to get a machete which he uses to kill his bellicose victim. Any act that contravenes the law indeed calls for its wrath and, in most cases, this wrath comes sooner than expected. The likely interpretant in this instance is murder. Ebo has just committed murder. Akukalia’s unfortunate end vindicates Ezeulu who strongly warns against sending an emissary to Okperi.

Being the legal conscience of Umuaro; a majority of the elders condemn the actions of Akukalia despite his demise, “The assembly in the morning was very solemn. Almost everyone who spoke said that although it was not right to blame a corpse it must be admitted that their kinsman did a great wrong. Many of them, especially the older men, asked Umuaro to let the matter drop” (26). However, there are a few headstrong elders who “swore that they would not live and see Umuaro spat upon” (26). This group is led by Nwaka who vows with his cohorts that “three or four Okeperi heads must fall to settle the matter” (27). This is an instance of the use of synecdoche. The use of “heads” signifies human beings. He continues to vehemently oppose some elders and Ezeulu, the chief priest of Ulu/custodian of the values of Umuaro. He mischievously sells the propaganda that Ezeulu’s power is limited to his priestly roles. The narrator explains:

Nwaka began by telling the assembly that Umuaro must not allow itself to be led by the chief priest of Ulu. **“My father did not tell me that before Umuaro went to war it took leave from the priest of Ulu. The man who carries a deity is not a king**(My emphasis, 27).

He secretly mobilises men to Okperi and starts a fierce war which claims the lives of many Umuaro and Okperi sons:

The war was waged from one Afo to the next. On the day it began Umuaro killed two men of Okperi. The next day was



Nkwo, and so there was no fighting. On the two following days, Eke and Oye, the fighting grew fierce. Umuaro killed four men and Okperi replied with three, one of the three being Akukalia's brother, Okoye (28).

“Okperi replied with three” is a euphemism for brutal killing. The war rages until the timely intervention of Captain Winterbottom which brings it to an end. To ensure that it does not continue, Winterbottom “gathered all the guns in Umuaro and asked the soldiers to break them in the face of all, except three or four which he carried away”(28-29). With his colonial and supremacist attitude, Winterbottom “sat in judgment over Umuaro and Okperi and gave the disputed hand to Okperi” (29). He does this unilaterally without any recourse to the existing customary laws of the two villages. His action contravenes the existential and functional essence of those laws.

On page forty three, the subversive and political action of Ezeulu is beginning to yield its unintended fruits. Oduche having been tutored and brainwashed in the Western religious philosophy which is Christianity comes home to desecrate Idemile, the royal python:

The box, which was the only one of its kind in Ezeulu's compound, had a lock. Only people of the church had such boxes made for them by the mission carpenter and they were highly valued in Umuaro. Oduche's box was not actually moving; but it seemed to have something inside it struggling to be free. Ezeulu stood before it wondering what to do. Whatever was inside the box became more violent and actually moved the box around (43).

The box is symbolic of Christianity. Oduche simply tries to exercise his authority in Christ as he has been taught that he shall trample upon serpents and they will not hurt him. When Ezeulu forces the box open, what he sees appals him. The narrator says, “it was not easy and the old priest was covered with sweat by the time he succeeded in forcing the box open. What they saw was enough to blind a man. Ezeulu stood speechless”(44). Filled with fury at the awful action, he begins to ask for Oduche, “Where is Oduche? ... No one answered. “I said, where is Oduche?” (45). Oduche is saved from Ezeulu's fury that day because he has gone to church for baptismal class.

While the elders are busy with acrimony, egocentrism and bickering, Mr. Good-country busies himself with the winning of souls for Christ. He discourages the new converts from paying allegiance to the customs of their village. He tells:

The converts of Umuaro about the early Christians of the Niger Delta who fought the bad customs of their people, destroyed shrines and killed the sacred Iguana. He told them of Joshua Hart, his kinsman, who suffered martyrdom in Bonny. "If we are Christians, we must be ready to die for the faith," "You must be ready to kill the python as the people of the Rivers killed the Iguana" (47).

Good-country uses the analogy of "Iguana legend" in the Niger Delta to encourage Umuaro converts to revolt against certain aspects of their customary laws which run contrary to the principles of Christianity and indeed Western ideology. This in itself is an audacious attempt aimed at infracting the laws of Umuaro.

Page fifty seven is about James Ikedi, an abusive warrant chief, who is appointed an ally of the colonial government based on Captain Winterbottom's wrong judgment. After his appointment, the iconoclastic James starts misbehaving and abusing the customary laws of Umuaro under the guise of being a faithful stooge of the colonial administration. The narrator narrates James' blatant, repulsive, defiant, and pugnacious attitude to the law:

Within three months of this man receiving his warrant chief, **Winterbottom began to hear rumours of his high-handedness. He had setup an illegal court and a private prison. He took any woman who caught his fancy without paying the customary bride-price.** Captain Winterbottom went into the whole business thoroughly and uncovered many more serious scandals. He decided to suspend the fellow for six months, and accordingly withdraw his warrant (My emphasis, 57).

Chief Ikedi is doubly guilty in this instance. He disobeys the customary laws of his people through his words and actions and equally disobeys the seeming superior law of the colonialists which has ordained him a mouth-piece and representative within the ambit of its legal principles. Consequently, he gets punished for his crimes.

Chief Ikedi's punishment does not last long as a senior colonial Resident who has just returned from leave takes interest in his case and releases him. His release also restores him back to his initial position. This portrays the weakness of human beings

as a legal tenement. Legal luminaries sometimes allow their personal values to overcloud their sense of judgment and justice. Expectedly, the notorious chief quickly goes back to his punitive ways. This time around, he unleashes his bestiality. His new weird scheme is described below:

There was at that time a big programme of road and drainage construction following a smallpox epidemic. Chief James Ikedi teamed up with notorious and drunken road overseer who had earned the title of destroyer of compounds from the natives. The plans for the roads and trains had long been completed and approved by Captain Winterbottom himself and as far as possible did not interfere with people's homesteads. But this overseer went around intimidating the villagers and telling them that unless they gave him money; the new road would pass through the middle of their compound (57).

He displays the selfishness of his id in his notorious actions. The narrator summarises his depravity as he says, "Needless to say, Chief Ikedi took a big slice of this **illegal tax**" (My emphasis, 57). The word illegal already suggests that which is against the law. He is truly representing himself and not the law. Despite its imperfections, the colonial law has some sympathy for its hosts knowing full well that it can be overthrown if it gives a one hundred percent hostile attitude to them. Collecting illegal tax is a strange behaviour that breaches financial laws.

Ezeulu who set the pace for all the horrible things happening in Umuaro continues in his pride. He allows his position as a tenement of Ulu to question the authority of Ulu. He allows his idiosyncrasies to blindfold him from seeing his society. Having been denied political power, Ezeulu decides to assert his religious power as the priest of Ulu. He refuses to announce the time for the new yam as a token of his own revenge. The people come begging, yet he is not yielding. He announces his grievance, "I will not hide anything from you. Ulu did say that two new moon came and went and there was no one to break kola nut to him and Umuaro kept silent" (2008). Ezeulu is adamant to the voice of reason because he sees the situation as an opportunity for him to not only revenge but reassert his deflated authority.

In being stiff-necked and heady, Ezeulu obviously kills his own god, Ulu, with the same arrow with which he is supposed to use in fighting for Ulu. His stubbornness makes way for a foreign law to come into Umuaro and assume an easy relaxation and

domain. The people of Umuaro cannot afford to allow all their crops destroyed especially in the circumstance of Ezeulu's strange attitude towards them.

It is a customary practice in Umuaro to have the gods, show their unalloyed approval of the people's actions; and to express gratitude for every favour received in the planting season. Given the closure of the cultural channel of expressing this practice, the people have no other choice than to accept a new culture and law that allows them to practise their act of gratitude. This indirectly contravenes the existing law because:

The news spread that anyone who did not want to wait and see all his harvest ruined could take his offering to the god of the Christians who claimed to have power of protection from the anger of Ulu. Such a story at other times might have been treated with laughter. But there was no more laughter left in the people (216).

“But there was no more laughter left in the people,” is a subversive representamen implying the interpretant – tragedy. The people of Umuaro are ready to disobey the laws that they have always been loyal to and proud of. Hence, the Arrow of god, Ezeulu, kills his own god with the same arrow he uses to fight for him. This is a satirical dramatic irony.

#### **4.3 Of law and disobedience: dissidents and conformists through words and actions**

Chukwuemeka Ike's *Our Children Are Coming* mirrors a society which has lost touch with reality. It satirises the failure of government and parenthood to train the younger generation in the right way they are supposed to go. In crafting these societal challenges with postmodern outlook, the writer creates a conscious awareness in the mind of the reader of the urgent need for historical retrospection and practical solutions to the many social vices bedevilling the Nigerian society. Such social vices which have continued to contravene and disregard the exalted position of the law in Nigerian society are foregrounded. The need for this conscious behavioural change especially with regards to the future of the younger generation and the supreme law necessitates the inevitable establishment of commissions of enquiry in the novel.

The novel opens with Drs. Chinwuba and Bankole reminiscing and relishing the nostalgia of the good old days of academic industry, moral enthusiasm and positive drive. They enjoy the fondness of the moment with every sense of fulfilment having

both been blessed with great children and families. However, the fond atmosphere is suddenly punctured with the unfortunate thoughts of the present generation of teens who have become prodigals; a situation which has forced the president to set up a commission of juvenile matters. Dr Chinwuba laments this unfortunate trend:

Our young people constitute one of our greatest headaches. At one time I thought the problem was greatest with the children of the educated elite, but from the complaints I receive from the old people in my village each time I go home, the problem appears to cut across the entire spectrum. Indiscipline, lack of motivation, laziness, sexual promiscuity and so on (5).

This behavioural disposition is not only recalcitrant but iconoclastic. It is a worrisome trend that only guarantees a bleak future for the law and the country in general. “Indiscipline, lack of motivation, laziness, sexual promiscuity and so on” are postmodern tempers. Nevertheless, given the discretionary and swift move made by the president to nip the malady in the bud via the new commission on juvenile matters, the two patriots are pacified. Hence, they admit, “A commission to delve into such a problem area should therefore be welcome to all parents including me, hence the president has received widespread commendations for setting it up” (5).

The president’s decision is eulogised. Dr Chinwuba is however sceptical about the pragmatic and objective disposition of the new commission given his pitiable awareness and knowledge of the failure of past commissions. He explains the reason for his misgivings:

After observing the result of all the various commissions and panels in this country, I am reluctant to make hasty predictions whenever a new one is set up. It could be just mere window dressing to delude the gullible electorate into thinking that something is being done when space has already been reserved for the report of the commission in the ‘put away’ vault of the national archives. Or it could be a genuine attempt to find lasting solutions to a serious national problem. Much depends on the president’s real motives for setting it up. The composition of the commission is also crucial to its degree of success (5).

Dr Chinwuba’s doubts are satirical and parodic. He feels the idea of creating commissions of enquiry is a subtle parody of the defunct experiments of such social significance in the past. He faintly exposes the corruption in the system which has continued to retard and incapacitate the objective intention of any noble idea in the

country. He cannot guarantee the steadiness of the pitch which his hope has presently maintained as a result of the postmodern tempers listed above.

As real business begins, the commission receives the first complaint from Chief Ayodele Olabisi who introduces himself amidst a minor altercation with the chairman, Justice Solomon. O. Okpetun, bordering on etiquette. The chairman perceives the chief's swift response to one of his questions as being rather rude and presumptuous. In his description, Ike gives the reader a hint about the cause of Ayo junior's predicament; a conspicuous case of parental failure. The chief's failure to behave decently before a commission of that pedigree is a huge indictment on him. Hence, one is not surprised that he gives birth to his own kind. Reacting to the chief's predilection for title and his insolent demand of same onomastic accolade from members of the commission, the chairman scolds:

I would have thought that a man who's so splenetic about the way he's addressed would make it a point of duty to learn how to address others courteously!.. Whether your string of chieftaincy title stretches from Lagos to Maiduguri, you don't say "yes" rudely like that when you appear before the Honourable Mr. Justice Solomon O. Okpetun, Judge of the High Court, Officer of the Order of the Benue and Chairman of the Presidential Commission on Juveniles Twenty-one (7).

The chairman ends his reprehension with a mock sarcasm of the chief's proclivity for titles. Having been humbled by the enormity of the chairman's strictures, he apologises, "I apologise my lord" (8). He goes ahead to complain about his only son who, he says, has abandoned his education in England in preference for debauchery. The writer presents a patriarchal motif through the chief; the value he places on his only son so much so that he sends him abroad for education and denies other children who are mainly girls of same opportunity. By so doing, he infringes on one of their fundamental human rights – right to education – which is emphasised by the law. His male-chauvinism is nauseating. He says, "My first wife, the one I married in church, kept giving me girl, girl, girl like that!"(9). Through his misogynist action, he breaches the supreme law which guarantees the fundamental human rights of his girl children. His misogynist action is a representamen symbolic of subversive interpretant – subversion of a human rights law.

His love for his only son is rewarded with sorrow when he learns that Ayo-junior fails six subjects out of eight in his General Certificate Examination and O Level examinations and has gone ahead to start an amorous relationship with an Israeli girl. In anger and frustration, he flies him back to Nigeria and puts him in the care of his friend for safety since he will not want him to be stained with the dirt of polygamy which now litters his house. That again, is discriminatory and violative because it appropriates the unfortunate fate of polygamy to the girl-children and refuses same to the boy.

While plans are in place to secure another admission for his prodigal son in the US, he commits another offence against the law. Ayo-junior has driven his father's friend's car without his consent and smashes it badly. The restless and iconoclastic Ayo-junior is not a certified and professional driver by the law but he decides to defy the law by gratifying his own selfish desires. He relishes the momentary and careless joy of his id at the expense of his father who has so much love for him. He thinks only about his own gratification thereby jettisoning the wise counsels of his ego and superego. He sees the law as a hegemonic structure which should be violated. His father laments the incident:

On our way to Ibadan, we had stopped at the scene of the accident, at the Ijebu-Igbo Junction on the Ibadan/ Ijebu-Ode road. Only heaven can explain how I did not die of heart attack there and then. My friend's Mercedes Benz 380EL, less than three months old, rammed into a timber trailer and smashed beyond repair. By Ayo junior! He had seen where my friend left the keys, and when he saw the coast was clear he had sneaked into the garage and gone off with the car. Then he had picked up a girl he had met two days earlier, for a short cruise down the road! **Without even a learner's permit** (My emphasis, 14).

Prose elements of the literary representation of law are evident in the excerpt. In his characteristic body language, Chief Olabisi submits, "It cost me more than five thousand naira to silence the police, get the insurance company to pay for the car, and to hush up the newspapers" (14). He has obviously given birth to his own kind. It is ironical that the chief who appears to be a saint before the commission is also a defiant and dissident. He has to bribe the police and the media with five thousand naira in order to seemingly protect his name. His action is criminal and morally unacceptable.

From the aesthetic point of view, the complainant narrates his legal ordeals to the commission and narrative techniques such as flashback, suspense and foreshadowing are visible in his account. Explanation and description are used to buttress his legal argument. An example is the explanation and description of how Ayo-junior bashed Mr. Olabisi's friend's car:

On our way to Ibadan, we had stopped at the scene of the accident, at the Ijebu-Ode road. Only heaven can explain how I did not die of heart attack there and then. My friend's Mercedes Benz 380SEL, less than three months old, rammed into a timber trailer and smashed beyond repair. By Ayo junior! (14).

This narration also begins as a flashback, "one weekend, I took my third wife to a funeral at Ibadan. By the time I said goodbye to her at Anthony village to return to my house, it was already dark" (13). The law has an aesthetic value despite its functional essence – through the use of flashback as a narrative device; the reader is made to appreciate the enormity of Ayo Junior's infraction of the law. He takes the wheel of a car without a driving licence.

The next case involving the Very Reverend Jeremiah Chukwu Kadibia Obi and his daughter has to do with the polemics of natural law. The fact that the complainant is a reverend, a moral totem, unfortunately has little or no significant impact on the upbringing of his daughter. One would ordinarily expect a flawless behaviour in the daughter of a supposed man of God. But it is ironical that his pastoral calling has no positive effect on the life of his daughter. The Christian holy book says, "Train a child in a right way and when he grows up, he will not depart from it." The reverend is the first culprit because he has contravened that natural law by allowing his daughter to become an urchin. He complains to the commission that his daughter has become something of a pest:

Our daughter has given us so many headaches in recent years that we were beginning to lose all hope of ever bringing her back to the paths of rectitude. Then in our quiet hours, on two separate occasions, our lord Jesus Christ gave us unmistakable signs that we should come to you with our problem (29).

It is paradoxical for the reverend to say that Jesus Christ told him to go to the commission for solutions to his problems and metaphorical for him to say that his



daughter gives him and his wife headache which is ordinarily a medical condition. He is metaphorically comparing the magnitude of the trouble the girl has caused him with the severity of a headache. Even though Reverend Jeremiah informs the commission about his diligent and Christian efforts in bringing up the girl, his lack of moral balance has resulted in the current status of the girl, a black sheep. According to him:

He and his missus made every effort to bring up each of their children strictly in accordance with Christian precepts, out of a strong conviction that that was the only way to salvation. Family prayers first thing every morning and last thing every night. No parties involving alcohol or dancing. No male-female relationships except those leading to marriage. They did not allow any of their children to receive secondary education in either a government college or a private school. The boys went either to the Dennis Grammar School, Ozala, or to Owutu Anglican girls' Secondary School, Ikenga (29-30).

The overzealous and strict upbringing of their children is a possible reason for the new identity the girl has come to acquire. The writer believes that if children are not exposed to the natural duality of life, sooner or later, they will get exposure from other sources since they will not be with their parents forever. It is ironical that the girl ends up becoming a wayward child, an identity the parents try so hard to avoid through the puritan rules listed above. That training is meant to avert the unfortunate reality.

The reverend also informs the commission that their prodigal daughter double crosses them in her selection of a university and choice-course when it is time for her university education. They want her to study medicine at the National University but to their surprise, she chooses Chemistry and a rather strange Akan University. Seeing the reality of the situation, they oblige on the condition and promise that she will work hard in her first year to facilitate a change of course and university in the future. Having secured her hard-fought freedom, she flees to Europe to live a life of debauchery and prostitution. But being a green horn, she brings home some gifts and money for her parents who are ecstatic about her new life style. She even buys them a Peugeot 504 SR. Her postmodernist posture is all she needs to sink the conscience of her parents. She sells her body to obtain excellent grades that help her secure a scholarship and the result sheet is enough to make sure that, "everything about

medicine and change of university was forgotten” (34). She contravenes the law by indulging in examination malpractice. Her parents later find out that their daughter has been living an amoral life. But to their shock and dismay, she does not feel remorseful for the disgrace and shame she has brought to her family. The reverend laments:

When it became obvious to her that we knew everything, she could no longer deny it instead she defended her action. Even tries to justify it. All those men she has slept with had stolen all the money belonging to everybody in this country. Otherwise how could they have found the money to buy jet aeroplanes for their exclusive use? Or the money to buy private mansions in Hollywood, when many honest, hardworking people like her father had no money to eat three proper meals a day? (37).

It is hyperbolic for the reverend to say that “...all those men she has slept with had stolen all the money belonging to everybody in this country.” Those few individuals could not possibly and realistically steal all the money belonging to everyone in the country. It is equally euphemistic to describe a moral and carnal action as sex with the simplistic word “slept”. Other obvious literary representamina in the extract include rhetorical question, and simile. One’s critical eyes will look beyond the tone and delinquency of the girl’s rebellion to pierce at the undertone of her outburst which suggests disillusionment. Ike identifies some of the reasons why people rebel against the law through the girl that is later revealed as Apolonia. Postmodernist disillusionment affects the psychological balance of individuals in a depraved State like Nigeria and locates them mainly in the id. Apolonia assumes an anti-hegemonic character which is not only bohemian but satirical. In her seeming psychopathy, she makes a wake-up call to her compatriots through her parent. She wants to be given good reasons why she must obey the law which seems to favour a few and condemn many like her. She equally challenges the moral-burden of the law through her fiery rhetoric.

In what seems like dining with the devil scenario, Ike makes us understand that there is huge rot in the legal system through the indictment of the seeming incorruptible chairman of the commission. He is indicted when reverend Jeremiah eventually mentions the name of his prodigal daughter. He has been reluctant to reveal her nomenclature so as not to tarnish her marital image but now that it has become imperative, he replies Dr. Nwoke’s earlier question demanding the girl’s name, “Yes,

Sir, Apo, Sir. Apolonia, but, please, remember to keep the whole thing secret to protect...” (38). Upon hearing the name Apolonia, “the chairman’s pen dropped from his hand. He mopped up the drops of perspiration on his forehead, struggling to conceal his nervousness” (38). Having done that which is against the law in the past as revealed in the present, he is depicted as a frenemy of the law.

Chapter Eight reveals the anger of the National Association of Students about their exclusion from the commission which is established to look into matters affecting them. Led by the president, Comrade Yekini Falase, members of NAS protest the cynical exclusion. Ike once again tells the reader that people often disobey laws when they are feel they are not carried along in the process of making or interpreting such laws that govern their lives. This anger which can ignite a revolutionary spirit is expressed by Comrade Yekini Falase:

The NAS considered its exclusion from the commission a grievous error of omission by Mr. President, an error which must be rectified immediately in the overriding interest of equity and fair play. In anticipation that the commission would grant its request, the NAS had selected two representatives when President introduced the chairman (71).

The writer through the mouth of Comrade Yekini Falase challenges oppressive systems built solely on the glory of the aged, the so-called sages, without the objective involvement of the youth.

In Chapter Nine, an elderly woman brings the case of her auspicious and diligent son who is noticed by the church missionary society and sponsored academically but has now become a thing of shame. Describing her son, she says that he:

...grew into a likeable boy, very obedient at home. In primary school, no “sum” was beyond his ability to unravel in arithmetic. His brilliance earned him the nick name professor. In the grammar school, the story was the same. Always first or second in the class, and yet it never spoilt his head. Every holiday, he was several sons and daughter to his mother; sweeping the house and compound first thing in the morning, fetching water and firewood, carrying fermented or fresh cassava to the market... he helped his father on the farm too, and was the envy of every parent in the village (80).

The clause “...and yet it never spoilt his head” is an instance of litotes – just another way of saying he is a well behaved child through an inverted expression achieved

with the negator “never”. Rounding off his secondary school education, “the government of America had selected him to study at the university in America!” (81). Now in America, the young man will not write home or make any effort to know how his poor mum is doing. This makes her and indeed everybody that knows him back home worried. When his father dies:

A cable was rushed to the boy, as the first son. He sent a cable in reply, wishing his father’s soul eternal rest. Finish! No letter to console his mother or his father’s second wife. No word about the burial arrangements and expenses, or to say when he was coming home. Nobody has ever behaved that way in their village (82).

The clause “...nobody has ever behaved that way in their village.” is hyperbolic as it is used to emphasise the gravity of the boy’s misconduct. The hitherto excellent boy has become something of a miscreant and black-sheep. The interaction of the Western and native values has created a new identity for him. His new identity rebels against the customary laws of his people; laws, which he previously upheld tenaciously. Apart from this psychological metamorphosis, the search-party sent to find out what has become of him equally discovers that he is in financial ruin; a precarious situation that has seen him become a beggar. Their traditional ruler who contacts an American student who organises the search does not know how to break the news of his findings to his people because:

The professor had lost his professorship. He has become a man of no fixed abode. If you wanted to see him, you were advised to visit the part of the university town called the thinkers’ corner. He would arrive there promptly at 4:00pm and start looking for anybody willing to listen to his latest ideas. In the course of expounding them, he would demand money from his listeners to buy himself a meal and something to drink. Without such donations, he went hungry and thirsty (83).

It is ironical that the boy who was before now a precocious and auspicious young man has suddenly become a pauper. Given her son’s present fate, the old woman laments and demands the immediate revocation of immigration laws that allow Nigerian citizens to leave the country. After pleading that her son be brought back to her since he is the only one she believes that will bury her when she dies, she suggests firmly, “don’t send any more young people to such far-off lands where their parents and relations cannot reach them” (85). Through her suggestion – a verbal representamen – she ignorantly violates the country’s immigration law power.

In Chapter Eleven, the seeming impeccable chairman of the commission, Major Justice Okpetun is challenged by the NAS in a law suit. He becomes worried because of his track record with careless and lawless living. He is particularly worried that:

The NAS affidavit had made specific reference to him. The students had pledged to give evidence to disqualify him from chairmanship of the commission, and to show that his continuation on the commission would be tantamount to a travesty of justice (105).

It is ironical to see a member of a justice commission being presented as an unjust man – one whose “continuation on the commission would be tantamount to a travesty of justice.” It is indeed a travesty of justice to have a corrupt and unjust man as the anchorman and dispenser of justice in a commission of such moral and ethical concern. He has all along been living his life as a deviant. He pretends to revere the legal institution but does horrible illegal things in the dark. It is particularly sickening when one considers the fact that this is someone who should know and understand the working of the law better. Once again, his id has been his source of inspiration and not his ego or superego. His philosophy of inbetweenness is now turning back to fight him through his quandary. He wonders:

What evidence? Apolonia, of course! Male undergraduates often mounted tight espionage rings around the female undergraduates, particularly the pretty ones who spurned their overture, as Apo did. They did so to provide incriminating material for their various pornographic campus publications. Could they have breached the iron wall of secrecy which he and Apo built around themselves? Or could Apo herself...? Impossible! (105)

He engages his conscience in sober soliloquy. Justice Okpetun’s notoriety creeps into his matrimonial home as he once mistakes his wife for Apo. “He has forgotten he was home to his wife, and exclaimed “fantastic Apo” before coming face to face with reality. He had to make up a story on the spot for his shattered wife. Not a brilliant, convincing story, from the flood of the tears she shed...” (111)

All the members of the commission are not only dissidents but anti-moral agents. In Chapter Twelve, Mrs. Edo struggles hard to decipher her present ordeals:

Why must my own thing be different? ... Other people had been appointed to presidential commissions. They had basked in the limelight while their commissions lasted, and long after. They

had, in addition derived the usual material benefits from such appointments (115).

She goes into an aside to express her worry. Her rhetorical question: "...Why must my own thing be different?" captures her anxious mood. She tries to imagine the shame and disgrace that will follow if the commission is dissolved especially on account of her past indecent records. She is in an unholy relationship with Dr. Joe, a married man. In her apprehensiveness, she tries Dr. Joe's phone number several times without success. On one of those unlucky instances, she beholds the voice of Dr. Joe's wife and shamefully ends it disrespectfully. The phone rings, "Then someone picks it up, and a firm, female voice recites the number before asking, with much affectation:

Can I help you?" Mrs. Edo found she could not even recite "Sorry, wrong number!" as Doc has directed her to do if she ever dialled his house and his wife answered the phone. She simply slipped back the receiver, dumped the set on the coffee table nearby, and scrambled off the feather- soft chair (118).

She is uptight and wonders how much of her relationship with Dr. Joe the NAS knows. He is the reason for most of her achievements so far. The pretended loyalty of cronies like Mrs. Edo and Dr. Joe is one of the reasons why the law is contravened and has acceptability problem among its natural subjects. The younger generation represented by the NAS may never really get it right seeing the preponderance of moral decadence in the lives of the presumed elders and sages.

In Chapter Fourteen, Ike challenges the audacity, presumptuousness and effrontery of Western hegemony through the voice of Dr. Ben Abia, The Executive Director, Grassroots Foundation. Dr. Abia is agitated by the arrogance, pomposity and highfalutin attitude of the so called educated class in Western thoughts who ironically constitute an infinitesimal size of the country's population. He is particularly alarmed because:

Most so-called development projects are **geared towards satisfying their selfish whims and caprices**. They are not the vocal minority. They write and publish books and magazines, for their own consumption, and mount radio and television programmes, for their own entertainment, all at public expenses. They are the rabble rousers in public gatherings, capitalizing on the ignorance of the masses they claim to lead. They ... (My emphasis, 137).

Given the passion with which he speaks, he is interrupted by the chairman who promptly reminds him that he is reneging on his earlier promise of brevity. He feels the law is unjust especially as it is considered a social umpire having the ultimate power to maintain fairness in dealing with disputes. This thought, of course, is the whole essence of any sociological estimation and understanding of law. Dr. Abia asserts, "I'm sorry, Mr. Chairman, sir. As a social scientist, I am prone to speak with a lot of emotion whenever I deal with the subject of social injustice" (137). After giving a litany of the ethical responsibilities and duties that children hitherto shoulder without grumbling, he laments that:

With the introduction of western education... the age-old traditions of family life had experienced a devastating earthquake, particularly following the enforcement of the government decision that every child attaining the age of six should be sent to school (140).

It is hyperbolic to say that "the age-old traditions of family life had experienced a devastating earthquake." In his estimation, education has done more harm than good and, hence, should be reconsidered and ultimately rescinded for the good of the ailing African cultural values. He wonders further why "On his farm, with his cattle, or anywhere else, the man with thirty children was no better off than the childless man"(140). This is because "Every morning, from Monday to Friday, all children above the age of six trooped away to school, forsaking their parents" (140). Dr. Abia continues with his exposé:

What shocks and upsets them is that what their children receive at school appears deliberately designed to alienate them from their home environment. From their parents. From their culture milieu... A few years at school and the children find it difficult to speak their mother tongue fluently, without adulterating it with English. Dr. Abia called attention to the impending demise of most indigenous languages, if the current trend continued (140-141).

Dr. Abia's critical rhetoric premised on the precariousness of native values sounds like a clarion call to rational action by Africans. He reminds the commission that the Western world and their values which have sunk deep into the moral ocean of Nigerians and indeed Africans are gradually obliterating those values they cherish and hold dear. Given the fact that the cultural values of a people are usually explicated in and protected by the law, whether written or unwritten, it is then an anathema to have

a foreign body of laws and values impeding the indigenous values handed over to Nigerians by their forefathers. Each time this happens, the native laws are contravened.

Chapters Nineteen to Twenty Three describe different degrees of human rights abuse. Chapter Nineteen describes the pretended abduction of a young lady by her father; all because of his promiscuous and adulterous behaviour. The young girl submits that her father does not really want a white lady for a wife, “He simply exploited mummy and having achieved his ambition ditched her with the tactics of a seasoned gangster” (203). Twenty one introduces a young boy who exposes once again the indiscriminateness of his father. He alleges that he sleeps around with different persons of the opposite sex, avoids sleeping on the same bed with his wife and will have his food served separately. All these bother him until one day; he enters his clandestine room and discovers a lot of charms. He expresses his disappointment in his father. Twenty Three presents a beautiful young lady who alleges that her parents are the reason for her quandary. She wants to read law but her parents insist she read medicine. In her bid to protest the seeming infringement on her fundamental human right to choose freely her course of study at the university, OOS as she is known, receives a letter from the university authority apparently orchestrated by her parents who take exception to her choice course, Biochemistry, notifying her that her doctoral programme has been temporarily shelved because of the, “current economic recession”(232). The psychological impact of that experience forces her into a life of drugs and debauchery. She will probably be deranged save for the timely intervention of some of her friends who take her to “Ake psychiatric Hospital” (232). In each of these cases, it is obvious how certain human actions and words infract the law which guarantees the protection of fundamental human rights.

Chapter Twenty Five indicts parents as co-agents of corruption in the Nigerian society. In aiding and abetting certain corrupt practices especially in their homes and the upbringing of their children, some of these parents willingly breach the law and inadvertently get the stage set for a chaotic future. The reader is introduced to a young man who starts his submission as a tribute to his parents. After the initial rancour that the abnormal deviation causes, the boy continues, “as I was saying sir, I want to start by paying tribute to my parents for training me up to become a full-blooded Nigerian.



But for what they did for me from my infancy, I'm sure I would have had no feet to stand in this country" (241).

One will ordinarily see this prologue as tending towards positivity. But just before the feel good hormone settles in the curious consciousness of the reader, he injects a bomb, "My father has drummed it regularly into our heads that you cannot get to the top in this country unless you learn how to cheat or even steal in broad day light without being caught" (241).

He tells the commission of how his father manipulates his education right from his tender age of five just to push him forward. He alleges that he changes his age with a court declaration at the same age of five in order to facilitate his admission. He does the same thing intermittently as he progresses in his education until he gains admission into the university. He also informs the commission that his father has got to his present position as a result of his depraved lifestyle. He is sarcastically proud of him because he is wise and smart enough to catch on the moral vulnerability of the country and people.

All the complaints that the teens bring forward can be summarised as postmodernist protests. As an extended interpretant, the teens are not happy to be condemned to the circumference of the socio-economic circle hence; their firm actions towards securing a comfortable place at the centre where only a perverse few reside. The enormity of the scandals associated with the Okpetun Commission forces the president to disband it in preference for a new one that will be called National Moral Orientation Commission. He calls for peace by ordering the release of incarcerated Chief Taiwo and Comrade Falase. The experiences narrated in this novel are quintessential of the social challenges facing the neo-colonial Nigerian society. Their monstrosity has continued to press heavily on the law.

#### **4.4 Of law and scorn: a metamorphosis**

Femi Ademiluyi's *The New Man* is a splendid satire premised on the decadence that perverts the socio-political landscape of Nigeria. In exploring this weird and unfortunate reality, Ademiluyi depicts humans' insubordination and defiance towards the law. He poses a challenging moral question to the reader, is it possible to be right in the land of the wrong? While he expects the reader's answer, he gives an empirical

answer that tickles our curiosity. He submits that our socio-political experiences have refused to give way for the true Nigerian experience. He reminds us to wake up from our moral slumber because our present experience is only but a definition of our colonial legacies.

The phrase, “The New Man” can be deciphered from two main perspectives. It could mean a stranger who comes into the community of Ipaja as a totally different person; a new man just ready to do things differently and in his own new ways. On the contrary, it could also refer to personality metamorphosis, the fate of one who sheds his former self for a new self. However one conceives of it, it is a phrase depicting the contravention/observance of law in the physical and psychic environments of human beings. The novel is divided into three broad parts namely: Book One: The Puritans, with twenty three chapters, Book Two: A Time of Trials with seventeen chapters and Book Three: Lord of the Land with twelve chapters. Each book is a phase that narrates a particular experience in the lives of the characters especially Ayo Badejo, The central character.

Ademiluyi tells the story of a young Produce Inspector, Ayo Badejo, who is fatefully made a new man in the new community he finds himself, albeit a corrupt one; his determination to change the perverse community for good pushes him into victimhood, a condition that transforms him into a new man amenable to his new environment and contrary to his former self. As a metamorphosed new man, Ayo becomes an unfortunate intricate part of the corrupt system he fights hard against.

The novel opens on a sad note with a prophecy from Prophet-Elijah Samuel Asejire who foretells the emergence of an evil man that will bring ruin to the village. This evil genius happens to be Ayo Badejo, a twenty eight years old man, who also happens to be the new Produce Inspector of Ipaja village.

Ayo’s growing up has not been an easy one. He perseveres and paddles his academic boat with diligence and determination. In the cause of building his moral philosophy:

Ayo tried to identify his weakness and to vanquish them. Only one held out. Now he detested wealth. He worked hard. He studied African history and culture. He felt ready for any challenge. He regarded his posting to Ipaja as a test of his qualities. Corruption was out of the point (25).

He surmounts all his obstacles and builds himself into a noble child of the law. Having been convinced of this position with the law, Ayo offers himself up as an instrument of propagating the values of the law to Ipaja and her people.

His would be predecessor, Mr. Dodowa, introduces him to the *modus operandi* in Ipaja and advises him to be careful. Ademiluyi has created in Ipaja village some kind of Sodom and put Ayo therein as a fated Messiah. The people welcome him cheerfully with the belief that they have shared sentiments. Ayo equally finds love in Sade, a young lady he meets the day he attends Elijah church and that meeting marks the beginning of his emotional troubles. His romantic escapades with Sade continue to blossom. Meanwhile, Ayo's resolve to be an apologist of the law is threatened when he visits the village Head who tells him never to contemplate changing the world. He has heard about his idealistic disposition to life from Layeni, one of the village chiefs:

Our world is resilient place, son. Have no trust in those who claim that you can change the earth. The world has never changed. It never will. The day still breaks in the morning, and darkness continues to descend at night. Cocks still crow at dawn, and fowls will always go home to roost at dusk. The white's man bible is full of wisdom. Did it not say, "As was in the beginning, so is it, and ever shall be, world without end?" Accept it, son. Accept the world. You may laugh or sneer at it, but learn to live with it, too, for only in that way can you have peace (59).

The speech of the Village Head is nihilistic because he talks about their corrupt ways as if they were normal. He uses the representamen, "change" and a quotation from the bible to play down the weightiness of the corruption that has become another definition of the town. The immobility of life which the Village Head bases his advice on refers to their ignoble corrupt ways which violate the law. Ayo comes face to face with the people's perverse ways one morning when a farmer by the name Eyeoke comes to his house for the inspection of his *theobroma cacao*. He thinks it is static business as usual hence, he asks Ayo after the protocols, "what are the conditions?"(67). This representamen, "conditions" is another metaphorical and euphemistic way of talking about bribery – a depraved interpretant. Shocked at the farmer's question, he replies, "conditions?"(67). On sensing Ayo's shock, Eyeoke goes on to clarify his earlier statement, "the terms, what should I offer for your help? What percentage? Help? Percentage? I mean your assistance. Your cooperation. You

promised to inspect my cocoa beans personally. You did!” (67). At this instance of disambiguation, Ayo replies, “I will inspect your cocoa. If it is good, I will accept it. If bad, I shall reject it. If you have twelve bags, then it is twelve, nothing more. Good morning, sir!” (67). Eyeoko and his cronies know the position of the law on fraudulent acts but they will rather disobey the law. Things are so bad in the village because the previous leader, Produce Inspector, has set a corrupt precedence for the farmers. They are now finding it difficult to understand what the new leader is saying with his message of change. Ademiluyi therefore suggests that leaders are largely responsible for the disposition of their followers to the law. If followers obey laws, that intuition will be a function of what they have learnt from their leaders and vice-versa.

That encounter with Eyeoke happens to be the beginning of many of such experiences for Ayo, the agent of change. Chief Layeni’s driver, Jibrin, brings a parcel to Ayo from his boss. Opening it the next morning, he finds fifty pounds, “Eso” a supposed bribe for him to cooperate with them in their corrupt ways of life. Ayo sees this as a very good opportunity to deal a dirty blow at corruption. He heads for the nearest police station at Iwuya but little does he know that the lethal malady has infested all facets of the community. The people, in their postmodernist temper, have abandoned the conventional definition of morality as stipulated in their customary law and the laws of the colonial masters for some selfish reasons protected tenaciously by their id. Their leaders have learnt corruption from the colonial masters and consequently taught them same; everybody now lives in disillusionment.

Ademiluyi continues the motif of leadership failure. The leaders in any society determine the moral and legal temper of the people. Aspersion also goes the way of the police, another tier of government, whose duty it is to execute and enforce the law. Ironically, the author presents the reader with an anti-thesis which puts the police on the side of rebellion and the people on the side of decency. Of course, the use of the people here refers to that infinitesimal number of individuals who have vowed to remain honourable in the face of dishonour in the society. Having been immersed in corruption and illegality over the years, Sergeant J. J Tamuno finds it difficult to understand why an Ipajan will possibly dare to be different. He asks Ayo in utmost amazement, “But do you really mean that you don’t want to keep fifty pounds dash?” (87). “Dash” is a euphemism for bribery. Having failed to convince Ayo to act

otherwise with their usual antics, he pleads with him to let sleeping dogs lie especially now that the matter involves their much revered Chief Layeni, “Look, my friend... tread softly. Don’t insist on getting this matter to court. Leave it to me. In that way, we can make out more money from him. Layeni is a goose that lays the current eggs. Why kill him?” (88). It is metaphorical for the police officer to refer to Layeni as a goose – an interpretant for corruption.

Ademiluyi in this scenario paints the picture of the so-called untouchable syndrome in Nigeria. Some highly placed individuals are often seen as being above the law. Hence, the need to always compromise the interpretation of the law in legal matters that concern them. But with Ayo’s insistence that justice must be done, the Sergeant has no choice but to reluctantly oblige action if not for any other reason, at least for the sake of his much cherished job. A law enforcement agent suddenly becomes a law infringement agent. He denies that which he has sworn to protect.

Ayo has just begun a herculean fight that often gets mortal. This is because fighting mature monsters in a thick dystopia requires quite a great deal of innate stamina over and above the physical one. He has just drawn the battle line and the mortal and moral combat has begun, albeit, ferociously.

As Ayo fights Chief Layeni’s depravity, he also contends with the distraction that is coming from Sade, the love of his life, who passionately pleads that he drop the matter. Layeni who is eventually arrested in the name of the Queen is released on bail while police investigations continue. News about the bribery scandal suddenly reaches the two communities of Ipaja and Iwuya and the well-entrenched old tradition of corruption rises to the occasion. The police are speechless and weak to act because over the years, they have taught the people of the two communities what corruption is, negatively. The fear of justice and the new man was palpable:

The Ipaja knew that the litigation could spell doom for Layeni and their efforts to keep an Iwuya man out of the assembly. In an attempt to avoid litigation, they bribe the police to the hilt. The Iwuyas, on the other hand, knew that the litigation was potentially lethal to Layeni’s candidacy. They employ many means to ensure that Layeni was prosecuted. Missiles of currency note from both sides clashed on police officers table. One delegation after the other visited police officers at night, bearing priceless gifts. As a result, the policemen were in a dilemma. Wisely, they postponed

their decision, resulting in another stampede by each side to outbid the other in Eastern bazaar fashion (100).

The clause, “Missiles of currency note from both sides clashed on police officers table.” is metaphorical and hyperbolic. The use of “missiles” as a representamen suggests the spontaneous influx of money to the police station for various corrupt interests. It is also a gross exaggeration, although used for emphasis, to describe the presentation of money in this manner as a deployment of missiles. It is shameful indeed to see full assemblies of supposed sages from two African communities acting and behaving in the most ruthless and corrupt manner. Fraudulent acts of money laundering and bribery have suddenly become their anthem. For children from communities of this kind, sorry is a kind description for their future. Having been embarrassingly cajoled with grapes from the decadent vineyard, the police find themselves hanging in the balance, totally immersed in a quandary in their quest to satisfy their id. The narrator explains this confusion:

Finally sated with money and with the mirth of it all, the police boss struck a compromise. To the Iwuyas, he said: “The case is going to court, all right.” To the people of Ipaja, he said “The case is only going to Barry Odje’s Native court at Barau. There, you can do and undo” (100).

The use of anti-thesis in the structures above contrasts the nature of the two court settings. The choice of Barau Native court is welcomed by both parties because the presiding judge, Barry Odje, can easily be influenced and manipulated. With proceedings under way, Ayo’s testimony is deleterious to Layeni as Jubrin admits to the delivery of the bribe. Ironically, the police in their body language argue, “that Layeni’s fingerprints were not found on the sac or the currency notes.”(101) As part of the illegal plans aptly orchestrated by the key forces of the two communities in conjunction with the police to silence justice:

...a handwriting expert found no similarity between Layeni’s writing and that in which the note to Ayo was written. Witnesses came in large number to testify to Layeni’s sparkling character and sense of honour (102).

It is ironical that a liable Layeni is described as having a “sparkling character...” This shows the extent to which corruption has inhabited the hearts of the people in both villages. For some selfish reasons which aim at gratifying the id, they are ready to commit perjury. As proceedings continue and Ayo attends sessions, “the more he

seethed with fury. He knew that sacs of currency notes were changing hands, but he could not prove it. After some time, his attendance at the court session became irregular”(102). Money is personified as it is said to have hands. It is also metaphorical to say “that sacs of currency notes were changing hands...” as their fraudulence is being compared to the mechanical and clever nature of the human hands. All the characters representing the two villages can only be located in the id. Everything about life suggests selfish interest as a condensed interpretant.

The aesthetic representation of law is conspicuous on the Day of Judgment. The court system is patterned along the line of the British common law but infused heavily with native colour in order to give the inhabitants of the two villages a sense of belonging. “Many people decided that justice was better obtained at the feet of the elders, who charge no fees.”(100)For this reason, “The British met them half-way by establishing the Banwuya Native Court, comprising title holders and men of substance, all over the land” (101). However, this creation is done with the principles of the British indirect rule system in mind. Hence in the light of this background, “drummers and dancers were on hand from both villages. Charm-flaunting witch-doctors recited inaudible incantations. Colourfully dressed masquerades added flavour to the occasion”(103). The representamen, “flavour” is a metaphorical interpretant for excitement and glamour.

As a dramatic process, the law is presented by the author as an exciting and entertaining art despite the tension that often accompanies it. As the judgment is underway, the judge’s body gestures are not only comical but dramatic:

Odje spoke slowly, almost in a whisper. He started with a review of the evidence. “Mr. Badejo’s testimony” he summed up, “Should be taken with a grain of salt because of his personal interest in the matter.” He went on to fault the police for “equivocation”. He accepted the evidence of the finger-print expert. He commended the handwriting specialists for an excellent job. Then, Odje raised his head, removed his sunglasses, and allowed his lips to part in a smile. Spectators gasped. Heartbeats became audible (103).

Apart from the dramatic features noticeable in the excerpt as suggested by the sentences “...Then, Odje raised his head, removed his sunglasses, and allowed his lips to part in a smile. Spectators gasped. Heartbeats became audible,” one can also see narrative features of explanation and description seen mainly in the use of the third

person singular pronoun “He”. The judge continues his explanation as he gives his judgment, “Evidently ... Layeni is a victim of political conspiracy. The court is unanimous in its decision. All the five of us agree that Layeni is not guilty as charged. He is therefore discharged and acquitted” (103). After the judgement, the court is quiet with spectators overwhelmed visibly with joy and ecstasy. Suddenly, they explode with songs but just before everything goes completely pandemonic, the judge openly shows his partisanship and bias in the matter by admitting that, “the court regards Chief Layeni as a great Banwuyan whose integrity is above board. We warn his detractors to desist from using the police and the court to further their vendetta” (104).

The judge’s caveat is sarcastic and biased as it is designed to silence any vulnerable opposition to the corrupt aristocratic class. As though not placated by the judgement, Layeni and his supporters head for Ayo’s house to kill him. They throw missiles at his building and get him injured. Infuriated by their audacious and callous act, Ayo goes inside his house and bringing out the gun given to him by Layeni on their way to the plantation, he shoots Layeni’s second son, Laoye. Again, Layeni’s purported integrity is brought to question given the barbaric way he mobilises ignorant young men to Ayo’s house. By taking the law into their own hands, they once again contravene the law.

Poor Sade is assaulted sexually by J.J Taraba, a mentally retarded man. Seeing the shame that now envelops her in her village, she heads for the crocodile stream to commit suicide in the company of the witnesses who know about the assault. It is an abomination in Ipaja to be deflowered before marriage. Ironically, Ayo also heads for the stream for the same purpose knowing full well that it is a heinous crime against Ipaja’s laws to commit murder. On getting there and seeing Sade about to jump from the cliff, he shelves his suicidal idea and tries to persuade Sade against the decision. Succeeding in pacifying her, he decides to turn himself in to the police for prosecution. He remains optimistic that the worst will be a jail term. Again, by killing a compatriot, even though it is done in self-defence, Ayo indicts himself for murder before the law until proven innocent and exculpated by the same law he has breached. Ayo knows it. His:



Gun blasted out Laoye Layeni's brain. He fell, writhed for a few seconds, then he was still. Ayo was still, too. The blast had wiped out his rage. He knew that his victim was dead. He had killed! He needed no one to tell him what must follow. He dropped his gun, raised both hands as a sign of submission to the crowd's certain judgement. He expected to be set ablaze or to be matchetted, or to be stabbed by a maddened mob. He closed his eyes. He waited (109).

The clause "...then he was still" is a euphemism for death. Through Ayo's murder, Ademiluyi chronicles one of the many reasons people disobey the law. He teaches that certain actions of some persons can sometime force others into crime and illegal acts. Ayo never contemplates murder or any criminal offence but here he is, a murderer – His, is the case of extreme provocation even to the detriment of his own life. He laments, "Sorry, brother. It was not my intention to do it. I fired to protect myself from a monster called mob. Forgive, fallen man, forgive" (109). "...fallen" is another euphemism for death. It is another way of saying, "dead man, forgive. The adjective, "fallen" represents the adjective "dead".

Ayo is taken to Kukuruku prison in Forcados but he is confident that he will not be given a hard harmer considering the pedigree of his lawyer, Barrister Okoro and the number of years he has spent awaiting trial. On the day of judgement, the judge states that his investigations reveal that Ayo indeed commits the murder but admits that the main areas of misgivings remain the motive and the circumstance surrounding the murder. He raises some crucial questions:

Was there any animosity between the defendant and chief Layeni in other words, was there a motive for a premeditated murder? Did the accused expect a demonstration? Was he warned of it? Was he prepared for it? Arising from that point is a third one: when was the dane gun that killed Laoye Layeni loaded? If the gun was loaded while the protest raged, it can mean that the accused was not prepared for the demonstration and the murder. Was the demonstration violent? Was the accused in imminent danger? Was the shooting the only escape means available to the accused? (120-121).

There are a couple of rhetorical questions in the excerpt meant for emphasis and clarity. Unfortunately, the judge who raises these pertinent questions goes ahead to answer his own questions in a manner suggesting conspicuous bias and acrimony towards the accused. To the first question, he asserts that Ayo is on a revenge mission having earlier sued the deceased's father, Chief Layeni, on the account of bribery and

corruption in Barau Native Court. To the second question, he acknowledges the testimony of the police which admits that Ayo has earlier been warned to stay away from Ipaja “For a day or two”(121). In anticipation of a possible and imminent protest after judgement, the judge acknowledges Ayo’s rebuttal of the claim but doubts why the police will want to malign him. To the third question, he states that the pre-loading of the gun with bullets suggests that the accused premeditated the murder. And to the last question, he submits that, “the fact that his life was spared, even after killing the protester is an eloquent testimony to the peaceful nature of the protest”(121). The judge’s body language suggests that he has been influenced and manipulated by the rigged Ipaja system since he raises critical questions about the sensitive case and answers same with obvious bias. All of the above are corrupt interpretants emanating from the interrogative representamina used by the corrupt judge.

The aesthetic representation of the law is also obvious in the legal process. The judge narrates, describes, analyses, argues and explains in the arduous process of reaching his judgement. The dramatic essence of this process is not in doubt. Having exhausted his critical rhetoric and analyses amidst the accompanying dramatics, “the court room broke into murmurs” (122).The spectators murmur because they perceive so much prejudice in his analysis. Gratifying his id, he again engages his sense of judgement histrionically. He:

...paused for five seconds while the spectators held their breath. “From the evidence before me,”... “I can only come to one conclusion: that the accused is ...” the judge stopped dramatically. He allowed himself to cough, to sneeze and to sip a cup of water. It was almost a decade before he resumed. “... That the accused is guilty as charged” (122).

After his dramatic conclusion, he hypocritically asks for Ayo’s opinion before he passes his judgement. Expectedly, Ayo erupts emotionally:

You can sentence me ... I will not plead for mercy ... I am guiltless before history and before my conscience. There was shooting, alright, but then, it was forced on me. If I am alive to be sentenced, it is because I fired before I was set on fire. Perhaps a shot in the air could have served my purpose, but who, faced with the threat of imminent incineration, can remain perfectly sane, perfectly lucid in mind? (123).

Ayo's emotional outburst is satirical as it premises on the moral burden of the law. The seeming erosion of justice in the judicial process brings out the beast in him. That once affectionate and puritan soul has now become a sin offering for the sake of posterity. The judge in his usual poise views his reaction as being arrogant and impenitent. He submits that:

In political persuasion, he is an extremist. He appears quiet, but like still water, he runs deep. It is not safe to allow such man remain in our society. I will be failing in my duty to the living and the unborn if I should allow you, Ayo Badejo, to wreck our society for the sake of your erroneous political beliefs (124).

He then passes his judgement:

In accordance with section 22 of the Criminal Procedure Code, I hereby sentence you Ayo Badejo, to be hanged by the neck till you are dead. I hope that you will review your decision not to appeal. This is only a court of first instance. If however you stick to your guns, may the good Lord have mercy on your soul? (124).

The judge passionately ridicules Ayo's personality. On hearing the enormity of the sentence the judge passed on her son, Ayo's mother who is indicted for the spirit of anger, "lifted her chair and hurled it in the direction of the judge's voice. The court gasped as the chair landed on the learned man's chest, pushing him to the floor (125). Her action reeks of much disrespect for the law because she is taking the law into her own hands. She can appeal the judgement if she is not satisfied or even sue the judge for any aspect of his conduct she feels has slighted her. She refuses to obey the rule of the law. Ironically, "the groan from the judge did not rouse the dumbfounded spectators to his defence. Neither did it appease the lunatic woman"(125). They see his judgement as being malicious and unfair. Apparently dissatisfied with the seeming injustice surrounding Ayo's trial and eventual sentence, Chimezie and his colleagues pounce on the corporal who handles Ayo roughly. They injure several other policemen and set the court room ablaze. They burn every car they see on their way to the city centre. And seeing that the people are gradually but ferociously demanding justice and accountability from the government, the Prime Minister hurriedly promises to pay salaries within a week and stops demolition and women taxation. He commutes the death sentence passed on Ayo to life imprisonment and vows to view the possibility of a full amnesty as soon as possible.

Again, Ademiluyi indicts world governments for most acts of insubordination to the law by the people (followers). The Prime Minister's haste in addressing most hitherto contentious political and economic matters shows his insincerity in governance. Through their hypocritical actions and inactions, they contravene the law and make it functionally inactive in the hearts of the people for whom it is created. Unfortunately, his noble steps are dead on arrival. Ayo is no longer the man he used to be. The depraved system of Ipaja has awoken the sleeping beast in him and now, Ipaja must be ready to welcome the new man thoroughly tutored in the antics of Ipaja. While in prison, Ayo's determination to escape from incarceration burns pugnaciously. On a fateful day, he attacks one of the prison warders. Other warders who come to the victim's rescue notice that Ayo has been digging an escape route. He kills two warders as he finally asserts his freedom, a promise he makes to himself. His new found vicious self forces him into armed-robbery with a strong network with the police. Ademiluyi continues to warn leaders to change from their evil ways through his yet another condemnation of the corruption in the police:

...luckless, in virtue, Ayo Badejo prospered in vice. As his fortunes improved, so too did his police contacts which reached up to the police boss in the city. After every robbery incident, the police went through the motion of investigation and arrests. But neither Ayo nor Gaguh was ever interrogated. The police boss made certain that the dragnets were cast in lifeless ponds (219).

The police are metaphorically compared to "the dragnets" that are "cast in lifeless ponds." The resultant effect of leaders and officers of the law engaging in despicable acts that amount to violating the law is that followers will soon imitate them. Hence, "with such open space to operate in, Ayo incorporated a few promising youths into his gang. He also branched out into other realms of crimes" (219). The height of Ayo's new malignant and vicious philosophy is made manifest in his sanguine attitude towards the ordinary people. He has suddenly become the commander of the police. He simply, "did not know why the policemen kept demanding his instructions" (261). On one occasion, "The police chief was on the line. As Ayo had expected, he said 'A group of women are protesting'" (261). The police chief is surprisingly seeking orders from Ayo. The new man then orders, "Disperse them" (261). As if stricken by a spell of tomfoolery, the police chief asks "With bullets?" (261). He gets the unfortunate answer, "With bombs if necessary. Gun down as many as you can. Don't allow them to escape" (261). He also orders the Inspector General of police to shoot elementary

school pupils who join in the protest. Ayo contravenes the laws of the land because he feels slighted by the same laws which he hitherto protected. On the contrary, and quite ironically too, the police who are supposed to be the good forces mandated by law to protect lives and property are now the evil destroying lives and properties.

Ayo is disillusioned in his protest. He now sees the law as a hegemonic force mainly because of its seeming inability to extricate its faithful in the time of need. Unfortunately, Ayo forgets that human beings drive the law. And ironically, the law is a supreme factor only subject to the idiosyncrasies of humans in the society. Humans may decide to alter any of its powers at any time. This, however, applies more to the positive law which is presumed to be objective from the perspective of human's perfection. The natural law, albeit powerful and divine, allows human beings the freewill to exercise their own understanding of law hence, its seeming silence in the face of injustice.

Exploring further this motif of bad leadership, Ademiluyi makes the reader see that the viciousness which has become the definition of Ayo and Sade is the handiwork of the bad leaders who make laws but do not obey them. Sadly, the passion between Ayo and Sade ends in death. The Allamandists who can no longer withhold their anger when they see flames effusing from the building which Ayo and Sade set ablaze, go on rampage. They burn every government asset. Angry that the president, Monye, escapes, they loot and set the palace ablaze. In effect, law can break down totally when the custodians of the law refuse to be accountable to the laws they have created to protect their people. Ademiluyi's ideological stand is that change and the right attitude towards the law must begin first from the top. He also advises that postmodernist ideals should be controlled with a consistent and candid body language which will preserve age-long conservative values. Hence, peace with the law is only possible when leaders are honest with the law.

#### **4.5 Of law and the campus: delinquent words and deviant actions**

Basking in the euphoria of the success recorded by his debut novel, *To St. Patrick*, Imasuen writes yet another intriguing and spectacular novel, *Fine Boys*. It is a story premised on a familiar experience; that adventurousness and exuberance of the juveniles in the Nigeria of the 1990s. It tells the story of a society that has nurtured all forms of decadence ranging from armed robbery to cultism, molestation, bullying,

thuggery, poor government policies, unfriendly educational systems, domestic violence, poor-parenting and the like.

Most of the criminal motifs listed above can only be imagined as representamina and justified as special acts of social terrorism. Sharing this thought, Elegido (2010) observes that:

Granted that force is often necessary for it to be possible to inflict punishment, the question we will address in this note is whether that punishment is rationally justified rather than a mere exercise of brute force. In other words, we must try to discover whether there is any difference between the State which jails or kills a criminal, and the bully who terrorizes those who are weaker than him (212).

The State inflicts pain either in the form of incarceration or death after an empirical process of reason and rationality but same assertion cannot be made of the cultic and sometimes occult organizations mostly found in Nigerian universities who engage in acts of terrorism and bullying in order to lure new members, secure obedience from them and punish perceived offenders. They often kill needlessly, provocatively and viciously.

As a quintessence of legal experiment, the novel presents the reader with legal cases which go beyond imaginings to portray pertinent aspects of the criminal law. Beyond its growth and maturity concerns as an exemplar of the bildungsroman and literary autobiography, *Fine Boys* explores those criminal acts which are often carried out by students of most Nigerian universities. Such criminal acts and activities usually result in the psychological disorientation of victims and sometimes their demise. In being so audacious and rash in their attitude, these cruel elements terrorise defenceless students who fall into their traps. They have no respect and regard for the criminal provisions of the law, hence, their predilection for violent acts– criminal interpretants in the parlance of criminal law.

Ewaen, the protagonist, having completed his secondary education, relishes the prospects of gaining admission into the university. He says, “I was awaiting my matriculation exam results, hoping to make it into the University of Benin to study medicine” (6). The University of Benin which shall consequently be called Uniben in this discourse becomes the veritable setting for most of the conflicts that are apparent

in the novel. The narrator also introduces the reader to Wilhelm in a rather paradoxical manner. He calls him: “One-half of my crew of best friends” (9).

In Chapter Three, the narrator introduces the reader to Brenda, a very good friend of Ewaen who has come to enjoy the moniker, “girl-best friend” (31). Talking about their closeness, Ewaen informs the reader that she is, “the daughter of one of my father’s competitors, we had become friends when we escorted our father to the Warri Chamber of Commerce Meeting that each hosted” (30). Being in the know about the cult activities in Uniben, she advises her male-friends, Ewean, Willy and Harry not to join any of the cult groups. She asks Harry, “I hope you haven’t joined confra?” (32). And swiftly he answers, “of course not”(32). She goes further to admonish Ewean and Wilhelm: “Ewean. Willy. Make una no join confra o” (32). As though her initial admonition fails, she reiterates: “Ewean, won’t you answer? Make una no join confra o” (33). And to her persistence and astute concern, Ewean replies, “I hear, Brenda.” Repetition is used to underscore the seriousness and importance of her advice. Ewean is worried about the audacious move made by the confra boys to get him initiated because he is a Warri boy. The iconoclastic elements want him to contravene the law by doing that which the law abhors.

Having visited Brenda on one occasion, as he makes for his hostel, hall 3, Ewean finds something eerie displayed on the notice board: “It listed five students rusticated and three others expelled for cultism, that is, for belonging to the banned confraternities” (38). The affected students foreknow the implications of belonging to such a banned organisation but they will rather choose to disobey the school’s law and that of the country by adamantly joining the confraternities. For them, obeying the law is no objective truth. On getting to his room, Ewean discovers that his, “roommates stood around the door with some students from the neighbouring rooms” (38). He notices that their things are in disarray. His lantern is cooling outside and in an accumulated furry, he asks: “Who threw my lantern outside?”(38). Sensing the paranoia, and indignation that is engulfing him, Ejiro quickly intervenes with his persuasion, “Ewean, cool down. We were robbed” (39). With that information, he is alarmed. The narrator explains what Ejiro tells him:

When I left them at the car park he, Tambo, Odegua and KO strolled back to the room. KO and Tambo left for Dreams to try and con someone into buying them drinks. Ejiro, Odegua and

some of the guys in the room settled down to a small card game of Whot when they heard a voice from the door saying, “last card, check up!” thinking it was one of the jokers from the next door, they were shocked when the chap came into the dim light of the lantern wearing an adire cloth mask that covered his nose and mouth and flashing a gun (39).

It is appalling to know that some university students will have the guts to process and use a gun. It is against the law for a Nigerian citizen that is not a security agent to possess any lethal instrument like a gun – a criminal representamen. Theirs is the case of illegal possession of arms because they are not authorised by law to possess a gun. They go further in their criminal acts to use the illegal and lethal instrument to kill their victims. They commit “criminal damage,” an illegal act which the *Oxford Dictionary of Law* defines as:

The offence of intentionally or recklessly destroying or damaging any property belonging to another without a lawful excuse. It is punishable by up to ten years imprisonment. There is also an aggravated offence, punishable by a maximum sentence of life imprisonment, of damaging property (even one’s own) in such a way as to endanger someone’s life, either intentionally or recklessly. Related offences are those of threatening to destroy or damage property and of possessing anything with the intention of destroying or damaging property with it (140-141).

In negligence to the law of criminal damage and in pursuance of their criminal intent, the delinquent boys bully, injure and dispossess their victims of their belongings:

Two of these similarly clad goons followed the first one into the room, over the next ten minutes or so, they were told to empty their pockets, their bags and their closets. Stupid Odegua had his head broken after he struggled with one of the robbers over a small parcel found in his bag. When the polythene-wrapped parcel tore in their hands, everyone was shocked to see that it contained cash (40).

They steal violently and succeed in inflicting bodily injury on Odegua, one of their victims, over a valuable that is rightly and legally his. It is regrettable that Odegua’s head is broken by armed robbers because of some material possessions. By delighting in criminality, these perverse students make themselves enemies of the law. Ewean laments that “My radio, my iron, Tambo’s cassette tape collection, our shoes and mugs, everything of value was either with the thieves or lay in pieces on the floor” (40). This shows the magnitude of damage that is done to the boys by their heartless



colleagues. Ironically, the callous boys belong to a cult and Tambo who comes back to behold the atmosphere of gloom advises the boys to take their case to TJ, as renowned cultist from a rival faction. The advice does not go down well with Ejiro who exclaims sarcastically, “you dey crase? You want us to mix up with confra boys because our things are stolen” (41). And Ewaen corroborates Ejiro’s fears, “That’s like jumping from the frying pan into the fire” (41). Imasuen teaches that forces of evil often clash viciously as a result of certain interests. In the end, Ewaen and his friends are in doubt:

There were still doubts: did he really not know about the theft? Did the Cosa Nostra steal our things? Oliver Tambo said no, that it was really Black Axe boys who robbed us. It seemed it was a scam they played. Take the things, put the words out that you had them and then wait for any protectors the victims had to intervene and buy them back. The Cosa Nostra did not rob us. They just knew who did. It seemed as though he was speaking the truth. I believed him (58).

The boys’ quandary is seen in the rhetorical questions posed by the narrator. Apart from their use of coercion, the cult boys also use other gimmicks to get innocent students to join them. Willy who is gradually becoming a victim of the deadly group invites Ewaen to a party which oblivious to him is designed for the purpose of recruitment into the cult. On their way to the party, they meet Tambo who breaks the secret: “Ewaen, na injun’s groove be that” (119). He clarifies firmly, “Confra party. Ewaen, that was a mafia recruitment party” (119). The group of bad boys know that their actions and associations are illegal; hence, their stealthy operations. They are tenacious about gratifying the selfish desires of their id to the detriment of the law – their superego. They know their actions are criminal but are willing to keep rebelling.

Keeping true to their defiant and illegal behaviour, the ‘*injun*’ confra – a criminal representamen – has seized Willy and some other boys. They force them into the initiation process. Willy “had tried to leave, one tall, black guy blocked him. When he had tried to push his way through, they had started fighting”(127). They are not just after the subversion of the law alone but also the disorientation of her subjects. They want to establish their own postmodernist order different in style and function from the conventional law. Ewaen laments and regrets his friend’s surrender to the illegal forces: “How could you do this? After everything we talked about, after all we promised ourselves?” (160). To Ewaen’s shock, Willy replies, “What did you expect,

Ewaen?” (16). Willy’s weakness is visible. He continues: “I did what I had to do. In the Black Axe, I have a relative. And they are not pretentious sissies who prance about in movie clothes and speak funny. Ewaen, these are real guys, real and hard bastards, who would die for a friend” (160). It is hyperbolic for Willy to call the bad boys real guys “...who would die for a friend.” Willy talks like this because he has been initiated into the cult. This time, Ewaen pities his friend’s obvious fate. He laments, ‘I looked at my Oyibo friend speak good English. My Oyibo friend who always said I was the first to spoil him. I watched him defend confra. God forbid bad thing” (161).

Imasuen states through his characters that in most societies, anti-law agents do not merely end at being iconoclastic; they go as far as recruiting law abiding citizens into their camp. However, the law has a way of getting perverse citizens into its dragnet. Once again, another list of students who have been expelled from *Uniben* comes out and this time around, TJ, the chameleon, gets affected. As the narrator informs Ejiro about the unfortunate news, he confirms TJ’s fondness for illegality by indicting one of his right hand guys, Tommy. He says: “my problem is with that Tommy guy. The guy threatened me last semester. Shebi, I told you about his pulling my shirt at the Blackky show?” (188). Dismissing Ejiro’s supremacist assumption that he, Ewaen, cannot be harassed to join confra, Ewaen asserts: “who tell you? And no be everything I tell you. Towards the end of exams, he saw me and asked if I was aware that TJ would not be in school for ever. Ejiro, I no like the boy at all” (188).

The motif of criminality which often revolves around the philosophy of criminal damage continues to create that consciousness in the reader of the rot that has pervaded the Nigerian youths and the university system. The writer wants not just the popular readers alone but also the peculiar readers, the government and her sister agencies saddled with the responsibility of maintaining law and order, to wake up to the clarion call.

In Chapter Twenty One, Imasuen equally points accusing fingers at the police whose responsibility it is to maintain law and order but have jettisoned that noble duty for lawlessness. In being lawless, they violate the law. He casts aspersion on the overzealousness of the police which often results in extra-judicial killings, battery and assaults. The students have been ordered out of the hostels following the shutdown of

the school but when the deadline given for their vacation elapses, the unprofessional police go into the students' hostels especially the zone carved out for the medical students who are often given special concession in such situations because of the sensitive and peculiar nature of their study and beat them mercilessly. They savagely rape some of the female students in their block. The narrator describes the horrific incident as he is told by one of the medical students:

All of them. They came in around eight. There was no warning. **They just rush in, beating and screaming. See my back.” He turned and pulled up his shirt. There were purple lines crisscrossing his back.** One of them had split open and leaked clear fluid, which was drying, caked and moist. **His voice shot with anger, “Ewaen. They raped many girls.** They entered the girls' half of the hostel, and we heard the screams. I'm just coming from UBTH. We took some of the more serious victims there (My emphasis, 255).

It is metaphorical for the narrator to describe the medical student talking with so much anger about the ugly fate that befalls them that day with the representamen, “shoot”. His anger as seen in his verbal expression can only be compared to the shooting of a gun. It shows sadness. Imasuen uses this scenario to condemn the unprofessional attitude and approach of the Nigerian police to civil unrest. The primary responsibility of the police is to protect lives and property. It is then an anathema to see the Nigeria police brutalising the masses/citizens especially when other professional approaches to the control of civil unrest or demeanour have not been completely exhausted. Expressing an extended interpretant, the writer indirectly indicts them of paranoia, a clinical and psychological condition which justifies their often rash behaviour and attitude to civil matters. This picture is particularly worrisome when one considers the fact that the victims involved here are students, university students for that matter.

In Chapter Twenty Three, the writer foregrounds yet another worrisome legal matter. Eniye, Ewaen's sister, has made an awful attempt to take her own life. She beholds yet another fight between her parents, a ritual that happens every now and then. Ewaen's dad tries to break the sour silence between him and his wife after catching his daughter in the act: “Omasan, please open the door. Eniye just tried to kill herself”(279).In the typical poise of a mother, she breaks the silence and hurries out for her daughter. The narrator describes:

Mom ran into the room, guilt and worry on her face. She pulled Eniye up: they were now the same height. Eniye's chest was beginning to rival mom's. They looked like negatives of each other; the same height, the same build, bow legs and all, but mom light-complexioned and Eniye dark like our father. She hugged her. "I'm sorry," mom said over and over again (280).

The use of simile in the phrase, "Eniye dark like our father." shows physiognomic contrast. Imasuen argues that our actions and inactions are capable of leading others into temptation; the temptation of doing unlawful and illegal things. The poor Eniye is bugged psychologically and she seems to have come to the cross-road, that point where a dramatic decision is needed. The shock Eniye's action brings to the family is palpable. For the narrator:

This was all a big misunderstanding, I suspected, suicide. Eniye? How? I looked from Osaze to Eniye, who was trying hard to breathe because of mom's tight embrace. Dad stood at the door. He walked to his wife and daughter and patted their shoulders. He told them to sit down, that he wanted to say something (280).

It is ironical that Eniye's parents need such an ugly experience to behave maturely as seen by the sudden truce that follows the suicidal attempt. As the tensed atmosphere calms, daddy scolds Eniye for contemplating suicide, but she denies it. Whatever be the case, Eniye's action must have been unusual and weird for it to be mistaken for suicide. The suicide theory is possible considering her firm acceptance of her mother's expression of guilt. She has not also given any of her family members a prior notice or hint of illness as she claims; hence, her culpability. However, the bigger blame goes to the presumptuous parents who forget that their domestic fights and quarrels have a lot of negative psychological impacts on their children. As parents, they are culpable because the *Oxford Dictionary of Law* defines suicide as:

The act of killing oneself intentionally. Since 1961 suicide itself is not a crime, but there is special statutory crime (punishable by up to 14 years' imprisonment) of aiding, abetting, counselling, or procuring a suicide (520).

Since the wrath of the law tilts more towards the factors responsible for an attempted or successful suicide, those factors need to be cautioned. In this instance, Eniye's parents' constant quarrels are responsible for her unsuccessful weird action. This, then, makes them not just culpable and liable alone but also enemies of the law. The

writer teaches, therefore, that our actions and inactions should be sane and gracious in such a way that they are capable of fostering peace, unity, law and order in the society.

In Chapter Twenty Five, Wilhelm's girlfriend, Weyinmi, loses her uncle to the wrath of some assassins. The narrator describes how Weyinmi's uncle is killed:

The note said that Weyinmi was okay. The chief's family had been bundled into a luggage room downstairs while the assassins, led by a man who, according to Weyinmi, spoke perfect Itsekiri, had gone upstairs and shot the chief twice, one in the head and once in the chest (298).

The provisions of the 1999 constitution of the federal republic of Nigeria as amended guarantees the right of every citizen of Nigeria to life. Section 33, sub-section (1) states that:

Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of the criminal offence of which he has been found guilty in Nigeria (34).

The assassins fault the provisions of the constitution on citizens' right to life. Going forward, they equally subject their victims to physical and psychological torture by forcing them into a phobic condition. The narrator describes the psychological state of Weyinmi and others at that material time:

She said they had remained locked in the room for more than two hours before another visitor had come and heard their cries. They had been taken to the police station some days later to look at the line-up of suspects whom the police said had confessed. She said her cousin, the chief's first son, had to shout before the family had been allowed to leave the station (298).

This experience is awful as the constitution also guarantees the "right to dignity of human person." Section 34, sub-section (1) states that:

- a. no person shall be subjected to torture or to inhuman or degrading treatment;
- b. no person shall be held in slavery or servitude;  
and
- c. no person shall be required to perform forced or compulsory labour (34).

The criminal action of the assassins brings about a temporary quandary for their victims; a horrific and traumatic experience. The killers are simply located in the id where selfishness and irrationality reside.

In Chapter Twenty Six, Tommy who is a known member of the confra cult lures Osaze to join their caucus but he refuses. Tommy's disrespect and disregard for the law is so audacious. He knows the group is illegal and criminal but he prefers to breach the law by recruiting and cajoling law abiding students to join his perverse camp. Ewaen is happy with the response his brother gives to Tommy when he tries to cajole him into the confra:

I spoke to Osaze about fraternizing with Tommy and was not disappointed with my brother's reply. He was smart. He knew that Tommy was full of shit. Tommy has been toasting him to join confra, but he has refused outright, citing the excuse that Ejiro and I used in year one: our father would kill him if he did (309).

Ewaen's brother represents the insignificant number of good Nigerians who will do everything within their power to remain honourable and law abiding in the face of corruption. Hence, Imasuen suggests that hope is not totally lost because as unlawful factors try hard to push people into rebellion, a few others are ready to stick out tenaciously for the honourable path.

In this same Chapter, the writer depicts human beings as capricious, fraudulent and criminally minded beings. People often appear as friends to us but more often than not, we end up discovering the vicious beasts in them. Mesiri loses an amount of money and his friends are not taking the matter lightly. Mesiri knows it is a theft. He affirms strongly, "I sure say na here I keep the money. Look, see the water proof now. They tore it" (309).As the search for the stolen money begins, the would-be culprit pretends ignorance and innocence:

Tambo was very energetic about it. He led the investigation, remembering who had last entered Mesiri's room-me, and I almost fought with him when he said it- and remembering who, suspiciously, was not drunk enough after last night's binge: that was Wilhelm, who was now the best at holding his liquor, although Tambo was not brave enough to suggest that Wilhelm might have stolen the money (310).

Tambo's pretended innocence is deceitful and ironical. He takes the boys to a juju man as they have decided to find the thief by all means. The first name, "Dr. Spirit" (314) did not resonate well to the friends hence, the need for another juju man. They have sensed fraud in Dr. Spirit's operations. Tuoyo gives the first alert "No, Tambo, this guy dey talk nonsense"(317). And Wilhelm candidly concurs: "I was afraid you guys were believing the fraud."(317) Tuoyo's suspicion re-echoes the vigilance which the writer believes should be a psychological disposition in moments like this. Tuoyo affirms his alertness: "I don't trust this Dr. Spirit's system. That other man's own was out in the open. He drew the leaves in front of everyone and had a list of names. He did not bamboozle us with all this shouting and throwing about the dog food" (317).

When fraud is identified anywhere, vigilance and intelligence are the watch words. They go to Okoronkwo, a supposed stronger juju man, who does a more credible job. After all the oracle consultations and protocols involving each of the candidates before him, the thief is known. He tells the boys: "Well, my son, you know who the thief is. It is this Tambo. This Clement. You can wait outside now. I want to speak to him" (321). Tambo is indeed awful. It is ironical that he, Tambo who is the real culprit behaves more innocently and concernedly during the search. Ordinarily, no one will ever believe that he is the guilty person. He quickly suggests Dr Spirit as if he were ignorant of the theft. He violates the provisions of the criminal law and still pretends innocence by forcing his colleagues through the traumatic process of extreme action. He is an example of a hardened criminal.

In Chapters Twenty Eight and Nine, the writer paints yet another picture of criminal damage. Having a premonition of its possible outcome; Ewaen and Tuoyo turn down an invitation by Brenda which is designed for doom. She hopes they will be present at Harry's sister, Phobes' party holding at Ekosodin. Expectedly, Tambo attends the party and narrowly escapes death bringing back news of horror to the friends. It is obvious to all that the chips are down as the two main rival cults, Black Axe and Cosa Nostra don are at war. Wilhelm becomes the victim of criminal damage as he gets stabbed to death. With the demise of Wilhelm, things will never be the same again. The ineptitude of the Nigeria police is once again portrayed with their search and investigation which ends in futility. The friends who are invited for interrogation are released after initial criminal harassment. Osaze and Ewaen will leave the country to

complete their studies in the United Kingdom as their father now considers Uniben, a danger zone. Lorenchi is not spared in the cult war, he equally falls a victim of death.

Every time people decide to abandon laws made to protect their shared interests, the result is always disaster. A number of criminal damage incidents are evident in the novel as a result of the postmodernist desire of the characters to satisfy their selfish interests. This iconoclastic belief is corroborated by a firm conviction by some characters that the law does not constitute a system of objective truth. In their postmodernist poise, they see the law as a hegemonic factor emanating from the legacies of the colonial masters. This perception influences their rebellious desire to rewrite the legal script positively or negatively. This rebellious desire is positive when there is a shared system of understanding aimed at addressing an instance of injustice and negative when there is a deliberate effort by the law to deconstruct their new views and ideologies.

#### **4.6 Of law and leadership: executive scoundrels**

*Arrows of Rain* is the first published and successful narrative effort of Okey Ndibe. It turns the search light on depraved leaders who abuse their executive power and by so doing contravene the law and further endanger the common heritage of the people. This cuts across systems of government. The two main political systems in the world today – democracy and authoritarianism – are mirrored and satirised in the novel as representamina of leadership failure and culpability in the Nigerian context.

Under the military rule of Major Isa Palat Bello; many strange happenings and criminal activities envelope Madia. Contravention of the law becomes the order of the day as cases of rape, murder, incrimination, injustice, bribery, insecurity, and corruption flourish. The corruption in the system has been progressively emerging from the now deposed civilian government headed by Askia Amin. One of such incidents of systemic dysfunction occurs when a young woman runs into the sea and drowns. The woman is raped by the soldiers on B.Beach. Bukuru Ogugua tries to help her as he sees her run towards the sea but she flees from him out of the fear emanating from the rape-trauma. She drowns and dies. As this happens, the police arrive and arrest Bukuru. They interrogate him before charging him to court as a suspect. He is charged to court because he has testified much to his little knowledge of the victim and his testimony is used against him. As his legal ordeal begins, he refuses to hire a



lawyer to defend him. He rather opts to defend himself. In court, Bukuru publicly accuses the Head of State of rape and murder. The case is then adjourned following his seeming disparaging testimony against the military leadership. The military government is apparently dissatisfied with Bukuru's implicatory testimony. So, they institute a vindictive process aimed at destroying the accused. They label him a madman. They equally plan to poison him and discredit him in every way.

Bukuru is eventually sent to Bande Maximum Security Prison. Seeing that his life is in danger following the vicious plots against him, he calls for the help of Femi Adero, a reporter, to help mitigate the pain of his silence while in prison. Femi Adero and Dr. S.P.J.C Mandi, a psychologist on a presidential mission to test Bukuru's sanity, agree to help Bukuru get his own side of the story out to the world. Bukuru reveals in writing the details of the rape and murder committed by the dictator, Bello. He tells the story of his life from his years as a journalist to his experiences with Iyese, a woman he has a sexual relationship with until her death. Bukuru knows that Iyese is raped and mortally bruised by Bello at the time when he is a mere soldier in the army. He also writes about his encounter with Tay-Tay, one of the many women raped by the soldiers on the B.Beach. Bukuru continues his narration until the story moves to the present. He is in prison for telling a story that is so familiar to him. His affective relationship and its accompanying experiences with Iyese wrought Iyese's pregnancy. The child who later turns out to be Bukuru's son and reporter of his story is born and then taken to Lange Orphanage but is later adopted by Mr and Mrs Adero. Femi Adero as he is known because of his adoption helps his father who is jailed to document his story. When Bukuru reads the memoir collected and written on his behalf by Femi Adero, he sees the striking similarities. Femi then asks him, "could you be my father?" but he keeps silent. Seeing that he is reluctant to answer, Femi leaves him only to later hear that he commits suicide in prison. He rushes to the prison to confirm the incident but only sees the letter Bukuru addresses to him. He reads the letter which is solemn and eventually answers the question he has earlier asked concerning his sonship. The story ends on that note with the letter replete with regrets of Bukuru's wrong decisions anchored mainly in silence. His wrong choice of silence has played down some important narratives of his life that need to be told.

The title of the novel "Arrows of Rain" is a metaphor for the reign of terror which has become a scathing identity of the military regime. The civilian government which is

replaced by the military has a mark of corruption and that makes it lose favour in the eyes of the people. When Isa Palat Bello and his fellow soldiers carry out the coup d'etat, the people of Madia rejoice and celebrate the emergence of a new era; but little do they know that they are inviting a deadlier monster. This euphoria is compared to the boisterousness of rain especially as it cascades and hits the roof of a building. However, the sudden turn of events from worse to worst and the accompanying disillusionment is readily likened to the destructive tendencies and capabilities of the same rain earlier seen as a sign of blessing and joy. Same rhapsodic rain can cause serious flooding, erosion of top-soil, hurricane, typhoon and the like. Similarly, the military regime that emerges as a source of hope and freshness at the time suddenly becomes vicious and begins to shoot arrows of pain, hardship, corruption, and death; hence, the given title, "Arrows of Rain". Bukuru corroborates this ironical nature of rain as he quotes one of his grandmother's sayings, "rain has two faces...it can give life, but its arrow can also cause death" (196).

The novel is divided into three parts namely MISTS, MEMORIES and MALAISE. In Part One entitled, "Mists", the story bears an ambiance of mystification. The title "Mists" is a metaphor for the chaos that shrouds the despotic reign of Major Isa Palat Bello. The narrator, Femi Adero, using the first person narrative point of view tells the story surrounding this strange atmosphere. The corpse of a young woman – one of the victims of rape by military officers – is found on a beach. Lanky, a lifeguard, tells the anxious crowd how he tries to save the woman without success before the arrival of some European tourists and Bukuru, "the madman". A police car arrives and the policemen begin to ask Bukuru questions. He tells all he knows about the incident and he is apprehended as a prime suspect since he happens to be the person chasing the dead woman while she runs towards the beach as well as the last person who has a tête-à-tête with her. Femi Adero, the reporter, receives a call from his editor and shows a deep sense of responsibility for the case.

In Chapter 17, the narrator presents a verbal representation of violation expressed by the military leader. After overthrowing a supposed corrupt democratically elected government, Isa Palat Bello "proclaims self president for life" (17), and promulgates a law which makes it impossible for journalists to tell stories that criticise his government. This verbal representation violates the freedom of speech and expression

as guaranteed by international and national laws as fundamental human rights. According to the narrator:

Ten years ago, to mark the tenth anniversary of his rule, a decree was promulgated which made it an offence for an editor to use a story whose length or prominence upstaged a presidential pronouncement or deed. The offence was punishable according to the discretion of a special tribunal by a minimum of five years in jail (17).

In Chapter Three, the trial begins. Bukuru chooses to represent himself as a witness and defence counsel at the same time. For this unusual action, he is considered a mad man. To further this clinical concern, a psychiatrist is invited to interrogate him with the aim of establishing the extent of neurological damage he is suffering from. However, Bukuru ignores all the dramatics and declares firmly and publicly that the Head of State is a rapist and murderer. He firmly accuses the Head of State, Isa Palat Bello, of rape and murder, two criminal offences infracting the criminal laws of the State. On rape, he questions the detective, “Did I not tell you that twenty-three years ago, General Isa Palat Bello raped a woman named Iyese?” (39). On murder, he continues, “Did I not tell you, Mr. Lati, that this woman was eventually murdered by Isa Palat Bello?” (39). It is ironical that a so called leader, albeit Head of State, who is supposed to be the custodian of the law has been liable of rape and murder both in the past and in the present. Professionally, these illegal actions contradict the sense of discipline and order which is usually associated with the military. It is also ironical for an emerging State like Madia to be in the hands of a leader who has criminal antecedents and records. All these simply show the level of rot and corruption that has enveloped Madia. Bukuru’s questions while explaining himself to his interrogators are rhetorical questions because they are not asked with the expectation of an answer. They are only asked to perform evidential functions since the accused, Bukuru, is both a witness and defence counsel in his own case.

The trial continues in Chapter Four and then the case is adjourned. During the trial, non-verbal representamen of contravention is evident in the behaviour of some civil servants. Corroborating this, the narrator, notes that, “the Gazette disclosed that many Madian civil servants, determined to attend the trial in person, had bribed doctors’ clerks in order to obtain false sick slips” (20). Bribery and extortion under false

pretence are criminal offences punishable by law. It is ironical that this act of illegality is being perpetuated by state officers, civil servants, representing the law in different capacities. They go beyond their own culpability and defiance to also persuade doctors' clerks into crime. Bukuru is detained in Bande Maximum Security Prison. In Chapter Five, Femi Adero's editor criticises him for his supposed poor reportage which is not in favour of the government. He is told to prepare for a possible vendetta with the SSA. He receives a call from Dr. S.P.J.C. Mandi telling him to come to Bande Prison where Bukuru is kept. At the prison, Bukuru confides in him and requests his assistance in publicising his own side of the story since both the government and the society appear to be against him. Dr Mandi and Femi Adero sympathise with Bukuru and they all shake hands "to the adventure of three underdogs" (50).

As the mist clears in Part Two entitled MEMORIES, Bukuru, now in prison custody, begins to tell his life's stories in the present as he remembers them. He tells his stories mainly in writing. He writes about his interrogation by the police, his unlawful imprisonment, his conversation with Dr. Mara, a psychiatrist, and his trial. Underscoring the level of rot in the society, and describing the extent of total disregard and suppression of fundamental human rights under the present regime, Bukuru tells Femi that his "life's in grave danger" (48). He goes further to allege that, "For what I said in court, a decision was made to poison me...the plan has been shelved for now because somebody leaked the information to the foreign press" (48). This shows the level of desperation, and intolerance of the depraved regime. Executive rascality has become the order of the day. While answering the questions of his interrogators, Bukuru states firmly that, "the men were soldiers...members of the vice task force." (56) He goes on to say that, "they wore military fatigues". For these firm declarations, the military interrogators try to silence him. "You can't accuse soldiers falsely," echoed, Lati, one of the interrogators. Lati's verbal representamen presumes Bukuru's culpability even before the veracity of his testimony is determined. That is an infringement on his right to free speech. Since perjury has not been empirically determined through facts, his words of duress amount to infraction of free speech and personal dignity, all, rights guaranteed in the suspended constitution of the State and that of the United Nations. It is quite ironical that a crime

force christened, “Vice Task Force” has now become a symbol and quintessence of the vice it is created to fight.

Violative verbal representamen is also conspicuous in the words of Detective Okoro who promptly interjects as Bukuru gives his testimony, “shut your mouth or I’ll shut it for you” (57). This, again, violates the human rights of the accused, Bukuru. In line with the principles of the rule of law, the accused is supposed to be presumed innocent until he is proven guilty by a competent court. However, with the legal setting being a military one, the tribunal also has its own legal discipline anchored relatively in the principles of fairness and justice, not too far from the legal ideation of the rule of law. What Detective Okoro and his colleagues are simply doing in this instance is to force Buruku through verbal and physical torture into making a false testimony that will be in the favour of the present regime. In narrating their efforts to suppress him, Bukuru affirms that Okoro, “took a step towards me, as though ready to strike me” (57). Corroborating Okoro’s action, Lati also warns Bukuru sternly, “You cannot besmirch His Excellency’s name. We can summarily execute you. Enough of your nonsense” (57). From these verbal representamina, we see that the investigation is not candidly interested in determining the truth and facts of the case; it is only interested in protecting and furthering the interests of the authoritarian regime. They portray the dictator, Isa Palat Bello, as being above the law.

Bukuru’s only supposed crime is stating firmly and courageously that the now Head of State is responsible for the rape and murder of Iyese. It is ironical that military detectives who are commissioned to investigate a criminal case with the principles of the law are themselves agents of the violation of the law. Apart from the violation of the right to free speech and personal dignity, there is the issue of unlawful detention of a suspect above the stipulated time limit of 48 hours. Constitutionally, a suspect is supposed to be charged to court between 24-48 hours of his/her detention. But this rule is grossly violated. According to Bukuru, “after the fourth day, they announced that they had had enough of my ‘lack of cooperation’. I was returned to my cell and left there, day and night...” (63). This is a non-verbal representamen of contravention. Subversion of the vestiges of democratic governance known at least theoretically within the era of Askia Amin has become engraved in the dictatorial consciousness of the military officers. This disposition is in itself postmodern and reflective of the selfishness of the id.

He narrates how Dr. Mandi is able to win his trust in Bande Prison. Dr. Mandi is also a victim of oppression and suppression. From his interrogation, he notices that Bukuru is innocent but finds it difficult to exonerate him publicly because he knows he will be persecuted. During the interrogation, he asks Bukuru pretentiously, “Don’t you understand the implication of saying in open court that His Excellency is a rapist and murderer?” (73). Bukuru responds defensively, “But that’s the truth” (73). Confirming Bukuru’s answer and his membership of the democratic order, he goes close to whisper surreptitiously to him, “Who in this country doesn’t know that? Remember he has run our lives for two decades.” His subtle question, “Who in this country doesn’t know that?”, is hyperbolic because it is certainly not everyone in Madia that knows the Head of State as a rapist and murderer.

His writing also accounts for how he meets Femi Adero, the Daily Chronicle reporter, who will be the voice of his story. He shares his memories about his years as a journalist on the editorial board of the Daily Monitor with his friend, Ashiki. He equally relishes the wonderful story of Madia from the colonial to the present era of dictatorship. He does not fail to talk about his background and cultural values. He talks about the strange nature of his grandmother. He also mourns the unfortunate death of his father and savours the admonition of his grandmother concerning stories. She warns against silence in the face of a story that must be told. For her, every story deserves to be told irrespective of how good or bad. He also remembers fond moments with Ashiki, his friend; their lives of debauchery, drinking and sadly, grief over the loss of dear relatives.

In Chapter Eleven, Bukuru remembers how he meets Iyese in a night club, Good Life Nite Club and Bar. Iyese is popularly called Emilia by her customers. In Chapter Twelve, he is almost involved in a fight with Chief Amanka, one of Askia Amin’s Ministers. Reuben Ata, Minister for Social Issues, invites him to a party where he beholds the rot and corruption in the system first-hand. He is opportune to meet other important dignitaries and personalities associated with Amin. He continues to get invitations from Ata, the Minister for Social Issues, to participate in discussions of social and national importance.

As Bukuru continues to attend Good Life Nite Club and Bar, his emotional craving for Iyese deepens. She sees him as a confidant and starts telling him the story of her

life and he shares it with his editor who is eager to read it. Prostitution is a social menace in Madia and it is so active that it runs from sunset till dawn. As Bukuru frequents the bar, Iyese continues telling him stories concerning different phases of her life. She tells him of how she meets one Dr Jaja Maximus in her village; gets married to him but the marriage fails. He sends a letter of apology to her for failing her. Her mother warns her against it but she goes against her warnings. While in the marriage, Dr. Jaja changes negatively and starts womanising. She discovers he is involved with a certain girl named Nnenna who eventually gets pregnant for him. On getting a divorce from the toxic marriage, Iyese sighs with relief and feels so happy.

Following the unceremonious end of her marriage to Dr. Jaja, she begins to live alone in Langa. It is her stay in Langa that makes her know the current dictator, Major Isa Palat Bello. She meets him, “the first week she arrived in Langa at a party” (159). She narrates Isa Palat Bello’s road to a career in the army and how she courageously tells him that she has a boyfriend, Bukuru. Bukuru narrates how he visits Iyese in Langa and finds her in a terrible condition. The dictator has come with three men who stab Iyese’s genital with a dagger leaving her with a pillow in her own pool of blood. He further describes the bestial nature of the assault meted to the poor Iyese:

I spoke without reluctance. I narrated the vivid details of the two-hour assault, the woman’s screams that had started just after 4a.m., the male voices that tried to hush her up, the kicking and slapping that, finally, silenced her. I told the detectives how the men gathered themselves and went away, leaving the woman behind (55).

Iyese’s friend, Violet, is terrified to behold the gory sight and helps to clear the mess. Bukuru finds it difficult to manage the psychological impact of that awful incident and the fear of the desperate Isa Palat Bello coming after his life and so, simply severs ties with her. He stops seeing her.

Following his distancing, Bukuru begins to receive letters from Iyese but he does not reply them. In one of the letters, she informs him that she is pregnant. Bukuru eventually decides to visit her after learning about the pregnancy. However, on getting to her house, he finds her corpse with a living baby who has been stabbed in the leg. He is terrified and flees the crime scene. Violet, ignorant of Bukuru’s knowledge of Iyese’s demise, visits to break the news of Iyese’s death and deliver her last letters to

him. After reading them, he is overwhelmed and takes to drugs. All these are happening during the reign of Askia Amin when Isa Palat Bello is just an army officer.

Askia Amin's government is notorious for corruption and unlawful practices. Describing the shame that engulfs Madia at the time, Bukuru says, "Madia was in the stronghold of the most vicious kleptocracy anywhere on our continent – a regime in which Ministers and other public officials looted whatever was within their reach..." (117-118). He goes further to say that, "you hear all these stories about Ministers using public funds to buy cars for their mistresses or acquiring European castles for themselves" (120), these are awful images of abuse of power and office. It is ironical that government officials who are elected democratically and put in charge of a country's affairs are nothing more than corrupt thieves who simply contravene the law they take an oath to uphold and indulge in various criminal activities. Through their non-verbal violative representamina, they gratify the desires of their id and further their postmodern idiosyncrasies.

A coup is staged by same vicious and depraved Isa Palat Bello and his cohort and a new regime is announced on radio. Askia Amin and his cabinet are arrested and arraigned before a special military tribunal. He is sentenced to two life terms in prison with his cabinet. Bukuru is shocked to hear that Bello is the new Head of State and Commander-in-Chief of the Armed Forces. The people are happy at the instance of the coup thinking that the messiah who will deliver them from the hands of their corrupt oppressors has come; little did they know that they have played into the hands of a vicious monster. Freedom of speech soon becomes a thing of the past. Bukuru narrates how a journalist photographer is assaulted by soldiers for taking pictures. In the morning of the assault, the photographer totters in, "dripping blood, the right side of his head swollen" (194). When his colleague, an editor, asks what they say his crime is, he says, "they said I had contravened national security" (194). Abuse of power and neglect for the rule of law are major highlights of Isa Palat Bello's military government. The government tries to hide her many atrocities but they are captured by the foreign media. Bukuru recalls some of the headlines:

MADIAN WRITER HANGED – He was a critic of the dictatorship



MADIAN MINISTER'S DEATH SUSPICIOUS – Dictator said to be having an affair with deceased's wife  
120 STUDENT PROTESTERS REPORTED KILLED  
DESPOT CANES VICE-CHANCELLOR IN PUBLIC  
DIPLOMATS SAY AFRICAN DICTATOR BEHIND  
DISAPPEARANCE OF OPPONENTS – Victims may have been fed to lions (213).

Bukuru also recalls being transported to the past in memories of Bello's bloody rape and murder of Iyese. In one of his conversations with Iyese concerning her rape ordeal, she says, "the police told me that the law does not cover people like me" (160), this is a violation of a fundamental human right. Their verbal representamen is antithetical to their legal mandates which are to protect lives and properties as well as civic rights.

He asks for a week off work but he is instead given two weeks. For the period he is off work, he hides himself in Ola's house. Ola has been his very good friend right from their days in the university. He spends four days in Ola's house but refuses all forms of entertainment as he is disillusioned. He eventually leaves Ola's house and settles on B.Beach. His many years on the beach are fraught with horrible news of illegal executions. On one night in September, he hears a woman's shriek, a suggestion of the atrocious activities of the monsters in power. In medias res, the novel's unique telling technique helps to maintain the atmosphere of misdemeanour and crime conspicuous in the novel. The narrative starts from the middle, moves to the beginning and then to the end.

Bukuru also recalls his many encounters with women who are victims of rape carried out by military men. The actions of the military men violate the fundamental human rights of the victims as well as the provisions of the criminal laws. Rape is a serious assault that is punishable by law and the many cases of murder of some of these victims make these so-called officers of the State culpable. The women narrate their sad experiences to him. Bukuru notes that he has lived on the B.Beach for close to twenty years until the events of that morning when a young woman dies on the beach and he is arrested as the prime suspect, charged with rape and murder. Emotionally, he recounts how he tries in vain to help the woman whose case eventually takes him from interrogation through trial and then imprisonment.

The psychological journey on MEMORIES takes Bukuru's experiences to MALAISE in Part Three. Malaise is a deep feeling of hurt or obvious depression. Femi Adero, the reporter helping Bukuru with his own side of the story, is the narrator. He begins to read Bukuru's story as he returns from work on a Friday morning. In the course of the reading, Femi is impelled to call his adoptive mother to confirm the circumstances of his birth, and the identity of his biological mother because of the similarities between the details he is seeing in Bukuru's story and those of his life. Following this event, he writes a letter to Bukuru and goes to the prison to deliver it to him. Bukuru gets and reads the letter which contains Femi Adero's story, his experiences from childhood with the Aderos, his search for a famous sorceress, among other things. Nostalgically, Bukuru is able to relate most of the experiences in the letter to his own story chronicling from Femi Adero's birth. He is short of words and stunned. Femi begins to ask many questions that Bukuru only answers reluctantly. At a point, Femi begins to soliloquise and wonder if Bukuru could possibly be his father. Bukuru is simply silent. Not getting the right answers and attention from Bukuru this time, Femi leaves.

After ten days, Femi gets a distress call from Dr. Mandi, the psychiatrist. He rushes to the prison only to be informed that Bukuru is dead. Joshua, the warder, hands him a file with the title "FINAL SILENCE". Going through it, Femi discovers Bukuru's answers to the questions he evaded the last time he, Femi, visited with his own letter. He anchors his inevitable action in the wise words of his grandmother, "stories never forgive silence" (248). Hence, his firm decision to "go away quietly" (248). He has been busy addressing some stories of his life that are anchored in social justice and rule of law. Obliviously, he forgets to address some other crucial stories like the one concerning the child, Femi Adero, born for him by Iyese.

## CHAPTER FIVE

### MORAL BURDEN OF THE LAW AND THE WEIGHT OF VIOLATION

#### 5.1 Introduction

Having examined the representamina and socio-political realities responsible for characters' contravention of the law in the plays and novels in chapters three and four, this chapter reacts to the third and last question/objective of this research. It examines how the moral burden of the law aids contravention in all the literary texts.

#### 5.2 Moral burden of the law and the weight of violation

There are two basic theories of law: the Naturalist and the Positivist theories. While the Naturalists believe that law is moral (obligation), the Positivists think that there is no relationship between law and morality. However, scholars have attempted to evaluate the subjectivity and objectivity (of the moral burden) of law from “the end of law” (essence or importance of law) in history—its development and application. In our contemporary era, the morality of law is relative to individual, group, geographical, religious/cultural ideologies and idiosyncrasies. In most civil societies, many people do not feel obligated to the state law anymore. This is a postmodernist offshoot; an attitude that allows an individual or a cultural melieu the opportunity of evaluating the moral authority of any given law. This trend has always been there through the ages but has become more conspicuous in our postmodernist era. The idea of law and its moral burden, as first espoused by the Naturalist theory, has over the years assumed a relative significance. Law indeed means different things to different people from the standpoint of morality. Certain laws which might be deemed morally appropriate in a cultural sphere may not be in another sphere. Hence, the moral burden of law is a reflection of the different notions of law which have come to be known as jurisprudence; law as understood and applied by different legal thinkers.

Akinwale (2016) corroborates the relativism of the moral disposition of law as canonised by Thomas Aquinas in his speech entitled *On the Inextricable Relationship between Politics and the Common Good*, he says, “underpinning this philosophy of law is a natural law theory that believes in the human capacity to know what is good for a life lived in the society even through rational means” (4). Here, the human capacity to define morality is foregrounded. The law is subordinated to the human rationality which often gets biased and is prone to errors. The subjectivity or objectivity of the law is, therefore, a function of the human ability to assign moral and cultural significance to human actions and inactions. This is so because human beings are both the creators and subjects of the law. However, their legal creation is independent of the natural law which they have no control over. His is rather a mere custodial mastership in the instance of the natural law.

Apart from the written character of law defined by Adaramola, (1994:4), as the “normative and psychological instrument of social management, social motivation, social control, and social change, produced from practical social necessity by which a politically organized society influences human conduct within its jurisdiction,” there is also the unwritten perception of law as espoused by Patrick Kernahan (2004). In his words:

Law means more than just a written, specific law in our sense; it means something like the principles and customs which guide the whole way of life of a community, including specific commands and prohibitions, accounts of the nature of things and the justification of the law itself (5).

Kernahan’s argument accepts the place of law in the form of oral tradition. Hence, law is not just about written codes but part and parcel of everyday life experience of a people. In effect, neither sanction nor command can be said to be the basic attributes of law. Joseph Omoregbe (1994:6), explicates that Oliver Holmes sees law as “a systematized prediction as to what will happen to a person (sanction) if he does a given thing that is forbidden.” This explains why sanction is an attachment of law aimed at discouraging disobedience and encouraging adherence. Sanction therefore helps in preserving the law.

It is then reasonable to argue that obligation is a vital feature of law. Obligation itself implies morality, a derivative of the natural law. It is the core of all law. This is the reason law is supreme; her adherents have the obligation of obedience. In corroboration, Fuller (1958:631) argues that law has an “inner morality.” He further observes that it has certain moral criteria it must fulfill in order to qualify as a law. Therefore, detaching law from morality negates the nature and foundation of law. Man has a natural obligation to obey laws and not necessarily the commander or leader. Unfortunately, this natural obligation is often neglected and disdained by most Nigerians as illustrated by the actions and inactions of the characters in the selected texts under study. Their postmodernist consciousness shifts their sense of obligation to contravention.

In the ten texts, the morality of law means different things to different characters and geographical settings. To the cult boys in Imasuen’s *Fine Boys*, the Nigerian law is wrong in depriving them of their perceived right to debauchery and exuberance – behavioural representamen that is pro-choice – and to the Nigerian law, the cult boys are wrong in disobeying its criminal provisions and wasting innocent lives. Certain loopholes in the constitution also pave the way for recalcitrance and iconoclastic behaviour. For instance, the tendentiousness of the law in handling its dissident-officers, like the police, who raid the students’ hostels and rape some of them calls for serious concern. That feeling by some characters that some highly placed characters are above the law creates room for violation. So, the ability of the law to maintain a moral balance in dealing with justice has always been a problem in human societies. Imasuen creates awareness about the criminal acts often carried out by students of Nigerian universities which are in conflict with the provisions of the criminal laws of Nigeria. Armed robbery, cultism, thuggery, assault, battery, and rape are some of the criminal activities which result in the psychological or physical decimation of the victims like Wilhelm, Ejiro, Lorenchi and Ewaen. They are *objects* signalling the violations of the criminal law.

Chukwuemeka Ike presents the law as being in conflict with the ruling class represented by the Okpetun Commission and the masses represented by the complainants. The complainants' disillusionment and postmodernist enlightenment are

responsible for their firm protests against the inordinacy of the social and moral order constructed by the law. The academic and legal intelligentsia who are supposed to be better custodians of the law are depicted as frenemies of the law and morality. Their questionable allegiance to the moral principles of the law as supposed legal locus classicus forces the president to dissolve the commission unceremoniously for a new one. It is simply ridiculous that a set of corrupt individuals who should ordinarily be in jail serving jail sentence for various kinds of unlawful conduct are put in charge of a commission of enquiry charged with the responsibility of curbing moral decadence among the youths. Consequently, the law appears weak in the hands of the strong and mighty but strong in dealing with the weak. This demonstrates the weakness of the law in ensuring and enforcing justice equitably. While the strong commit crimes and often go scot free, the weak are punished and left incapacitated when they are found culpable.

Femi Ademiluyi laments the travails of the ordinary Nigerian as portrayed by Ayo Badejo, the new man, whose resolve to remain in the forthrightness of his ego and superego in dealing with the law is dealt a lethal moral blow and the unfortunate result is a perverse metamorphosis antipathetic to the law and gracious to the id. Unfortunately, the law does not vindicate him for his moral faithfulness in his splendid past in Ipaja; hence, his depraved transmutation; he simply constructs his own body of laws. Ayo is known as the voice and face of the law while he is at Ipaja. While he lasts in the capacity of the Produce Officer, nobody is able to bribe their way to pseudo success. But with the triumph of the rebels and dissidents who are visibly against the lawful actions and body language of Ayo, Ayo is left psychologically devastated, disillusioned and demoralised. It is difficult for him to believe that the law he protects and fights for is unable to save him in his moments of persecution. The flaw in the moral disposition of the law forces Ayo to metamorphose into a dissident. The moral burden of the law is made more visible by the impersonal and inanimate nature of the law, a nature it has no control over except human beings. The law is created by human beings and so, it is subject to human manipulation and eccentricity.

Frank Ogbeche explores the psychological impacts of corruption immanent in the legal and governance systems of Nigeria on the average citizens represented by Aloho, a jobless young school leaver. The Commissioner of Police and the Honourable

Minister of External Relations, Chief Haladu Ade-Amaka, are good examples of anti-law forces in the corridors of power. The moral burden of the law is relative because of the way human beings perceive it. This peculiar perception is caused by the load of cultural values and nuances in it. Even though we know that law is universal and compliance-driven, we equally know that the way people perceive the sense of morality expressed by the law determines their obedience or contravention. Hence, a law that may be considered perfect and morally decent in a particular society or context may not have the same perception in another society or context. This reality which is caused by the human behavioural idiosyncrasies has indeed been a moral burden for the law. Alohó contravenes the criminal law of narcotine but goes scot-free because of her ties with a dissident, Chief Haladu Ade-Amaka. Ironically, Chief Haladu Ade-Amaka could not escape the wrath of the law – the same law, but different moral dispositions caused by the human erraticness.

In Achebe's legal thoughts, Ezeulu cannot be greater than his people of Umuaro who crown him a legal muse in the first place. Hence, Achebe teaches that laws must necessarily protect the interests of the masses no matter the situation. This firm position coupled with Ezeulu's pride sets the stage right for an audacious protest against the customary law of the new yam and the eventual victory of the common law. The moral authority of the law is put to the test in Ezeulu's pride and it fails because a human being who is by nature capricious is made a legal tenement. Same happens with Captain Winterbotton who brings his colonial bias in his adjudication of the land dispute between Umuaro and Okperi. Winterbotton "Sat in judgment over Umuaro and Okperi and gave the disputed hand to Okperi" (29). He does this without any reference to the existing customary laws of the two villages. This puts a big question mark on the moral character of the colonial law.

Ndibe's *Arrows of Rain* satirises the excesses of both democratic and military governments in the hope of exposing their depraved characteristics which bring about the contravention of law. The quandary of the moral burden of the law aids the deviant characters in their unlawful actions and words. Under the civilian government of Askia Amin, the Prime Minister, Askia Amin, and his cabinet take an oath to uphold the rule of law. Having signed to such political commitment, the government is expected to be an exemplar of decency and rule of law. The citizens look up to them as beacons of democratic hope and bliss. Ironically, they disappoint the people of

Madia and cut short their great expectations by their lives of defiance and corruption. As the civilian government is overthrown, the coming of the military government to be led by Isa Palat Bello again sends signals of hope and happiness in the air of Madia. Ironically, the people are again disappointed. The military regime appears to be deadlier and more bestial in her conduct. The new dictator has no regard for human lives and human rights. He violates every known law in the constitution and makes himself a life-president. This relativity of the moral burden of the law leaves some lacunae in the law through which deviant characters manoeuvre their unlawful navigations. The attitude of the Head of State emboldens the soldiers who take liberty in the dictator's violative body language to oppress and suppress the people. Bukuru Ogugua, Femi Adero and Iyese are victims of the chaotic order which aims only at the gratification of the id.

Anyawu punishes James for disobeying pedestrian laws. Nevertheless, James insists that his worries are responsible for his misdemeanour but those will not suffice for Anyawu who believes that the ignorance of the law is no excuse. However, Mr James, the accused, is not given a fair trial for his alleged traffic offence. "...Now, the court wants to confer before judgement, sorry, before giving its verdict. Do you have anything to say in your defence, young man?" (24). To his ludicrous question, James simply answers "Officer, I like your sense of dramatics! Let's just suppose you are serious?" (24). Sergeant Kolade and his cohort have all along engaged a trial process that is unilateral and vindictive; a process that refuses to seek the argument of Mr. James before conviction. This flaw in the nature of the law makes it easy for Sergeant Kolade and his cohorts to maltreat the suspect, James, with impunity. They know they are going to go scot-free because of the impersonal nature of the law which favours the strong and mighty more.

Denja tells the tale of King Esutu of Shakaga who disobeys the customary law of young reign by conniving with his royal companion, a young prince from another kingdom, to retain an ageless hair. When his postmodernist action is discovered, he is banished from the kingdom. Denja teaches that no man is above the law, not even the king. As the custodian of the moral essence of the law, King Esutu reneges on his promise of protecting the laws and values of the land but the law ultimately triumphs because of its provision for checks and balance entrusted to the care of the council of elders. The cultural morality in the law of Shakaga kingdom which makes it normal



for a citizen to wish the king death in greeting is strange and alien in the principedom of the prince who sees the greeting as a barbaric act. While the greeting is normal, lawful, and morally imperative in Shakaga because of their history of young reign and the need to have it resonating consciously in the mind of the king, it is abnormal, unlawful and immoral to wish the king or prince death in the prince's principedom – hence, his expected admonition. Again, we see the same manifestation of law in the two monarchies but different moral dispositions as a result of some peculiar cultural values in the two governmental systems.

In Yerima's reenactment of the Bini history, the Oba is seen as the custodian of the people's laws and traditions. Unfortunately, Oba Ovonramwen suffers derogation from the postmodernist attitude and actions of his subjects who through their treachery deliver him into the hands of the British colonialists. The British overlords, on the other hand, treat the Bini throne and laws with scorn and impunity. Given their supremacist attitude, one only wonders how sound, valid and objective the judgement given by the colonial overlord, Mr Phillips can be. Oba Ovonramwen is punished for his unwillingness to submit to the authority of a foreign power. Again, the British contravene the Bini laws, not because the laws are not strong enough but simply because the values the Bini laws uphold are strange to them and the British throne. Hence, a law is judged by another law which has an audacious poise.

Soyinka challenges the audacity of the British Crown in trying to stop a customary law which makes it incumbent on Elesin Oba, the king's horseman, to follow his king at his demise to the world of the dead. Soyinka's cultural protest is seen in the voice of Iyaloja. For the colonial masters, the transition ritual is barbaric, weird, primitive, inhuman and crude. They just cannot understand the reason why a citizen of Oyo must die simply because a king dies. The colonial overlords put a big question mark on the practice which for the people of Oyo is a way of maintaining fraternity and communion with their ancestors. For them, killing to sustain that cosmic relationship is not only morally upright but desired. This is something the colonial overlords feel is immoral and unlawful.

Therefore, the question of morality in the discourse of law will always be significant. Even though certain forms of jurisprudence try to refute the significant place of morality in the understanding of law, humans' moral nature continues to play out in

their interpretation of the law as it is evident in the literary texts used for this study. What is considered morally right in one society is considered immoral in another society and this same ideation of morality influences the nature and working of the law in different societies. When people come into contact with laws that embody certain moral nuances that are strange to the laws they are familiar with, their often natural reaction to the strange laws is nothing but contravention. This is evident in the way the British colonial masters treat the laws and subjects in their colonies represented in the plays: *The Trials of Oba Ovonramwen* by Ahmed Yerima and *Death and the King's Horseman* by Wole Soyinka. Apart from the glaring context of contravention enabled by colonial reaction to local laws immanent in colonies, many of the characters in the texts react indifferently to the laws that do not suit their moral conviction.

## CHAPTER SIX

### SUMMARY, CONCLUSION AND RECOMMENDATIONS

#### 6.1 Introduction

This chapter gives a synopsis of the findings and observations made in the course of this research. It also justifies and validates the choice of the research topic, the statement of research problem, theoretical framework, aim and objectives and the research methodology. It concludes the focus of the study and also makes some recommendations.

#### 6.2 Summary of findings

Considering its novelty, the law and literature scholarship is still largely a Western scholarship. However, a few Africans are beginning to take interest in it. Notable among them are Yewah (2015) and Olukotun (2012). Unfortunately, they are migrant scholars currently plying their literary trades in the United States of America. In his *The Depiction of Law in African Literary Texts*, Yewah (2015) studies fictional stories with legal underpinnings and asserts how the trend has helped to depict the legal motifs in them. He observes that the: “ texts attempt to undo, indeed, deconstruct legal structures and traditions by superimposing what is clearly the inner workings and mechanism of indigenous courts on Western court setting. For instance, court participants are allowed to tell their stories unrestrictedly, that is, without evidentiary constraints.”(109) This interdisciplinary veracity is equally apparent in Olukotun’s (2012) *Going Mad by Grains: Reflections on Law and Literature*. He argues that, “if the law permeates our lives before we are born, reaching even into the womb, so too stories, guaranteeing that law and literature will remain intimate bedfellows in the years to come.”(1)

Despite the fact that Africa has been greatly implicated in the dynamics of law and literature, not much has indeed been done in this intellectual realm in Africa. This is what Yewah (2015) means in saying that “...in spite of that recurrent depiction of court scenes or situations, interdisciplinary scholarship that brings together African literatures and the various traditions in the law, from which a good number of the writers draw their inspiration, remain rare”(109). However, there is a very rich corpus of related studies on law and literature from the Western world. Three major pioneering studies in this area include John Henry Wigmore’s *A List of Legal Novels* (1908), Benjamin Cardozo’s *Law and Literature* (1925) and James Boyd White’s *The Legal Imagination* (1973). Other popular studies include Deborah Lyster’s “Lawyering Skills in Law and Literature” (2002), Allen Dunn’s “A Tyranny of Justice: The Ethics of Lyotard’s Differend” (1993), Melanie Williams’ “Literary (In)Justice: An Interview with Melanie Williams” (2013), Julie Stone Peters’ “Law, Literature and the Vanishing Real: On the Future of Interdisciplinary Illusion” (2005), Nicole Thompson’s “Follow the Reader: Literature’s Influence on the Law and Legal Actors” (2012), John Hilla’s “The Literary Effect of Sovereignty in International Law” (2008), Winfried Fluck’s “Fiction and Justice” (2003), Mary Liston’s “The Rule of Law through the Looking Glass” (2009), Harmik Vaishnav’s “Literature and Law: Mirrors Facing Each Other” (2014), Lesley A. Walter’s “Law as Literature: Illuminating the Debate Over Constitutional Consistency” (2004), John Hursh’s “A Historical Reassessment of the Law and Literature Movement in the United States” (2013), Gavin Little’s “Literature and Legal History: Analysing Methodology” (2006), Scott Turow’s “Introductory Remarks and Panel Discussion By Scott Turow” (2001), Stephanie Chich-Ying Chong’s “The Anthropomorphization of Law: Fictional Judges and Lawyers in Contemporary North American and European Settings” (2009), John Scaggs’ *Crime Fiction* (2005) to mention but a few.

Therefore, given the paucity of research interest in the law and literature scholarship in Africa, this study advances scholarly interest in this field by examining representamina and the socio-political factors responsible for the contravention of the law in the selected literary texts. Lyotard’s Postmodernism used in this study accounts for the iconoclastic attitude of the characters towards the laws – a grand narrative – established to govern their thoughts and actions; an attitude which Mason (2007) calls "deconstruction, fragmentation and decentralisation" (xxxix-xxxii). The law is seen by

most of the characters as a hegemonic structure and this impression results in their recalcitrant protests. The weak characters see the law as being biased against them while the powerful see it as being overbearing. Given this binary conflict, the weak and the powerful engage the law in an eternal duel of justice and supremacy. Peircean Semiotics accounts for the verbal and non-verbal symbolisms (representations) of contravention as used by the characters. The characters' contravention is given life in their words and actions which in the theoretics of Pierce are symbols (representamina) about a person, people or concept (object) having significant negative or positive meaning(s) (interpretant). Of course, while most of the interpretants in this study impel negative meanings because they relate to contravention, a few others having to do with compliance have positive meanings. Freudian psychoanalysis is used supplementarily to account for the quandary the characters suffer as a result of their disobedience. Most of the characters locate themselves in the exuberance and voraciousness of the id and the result of the selfishness which emanates from it is insubordination to the law. Chapters Three and Four reacted specifically to two research questions – violative representamina and socio-political agents stimulating contravention – in the plays and novels respectively. Chapter Five reacts to the third research question – the moral burden of law as a stimulus for contravention in all the texts.

Imasuen's *Fine Boys* is a metaphor for the triumph of dystopia within a Utopia. The boldness of the cult boys in committing crime freely stems from the decadence inherent in the Nigerian dystopia. Their criminal acts are in conflict with the provisions of the criminal laws of Nigeria. Imasuen warns parents and government to be responsible and honest in the training of their teenagers. Armed robbery, cultism, thuggery, assault, battery, and rape are some of the criminal activities which result in the psychological or physical decimation of notable victims like Wilhelm, Ejiro, Lorenchi and Ewaen. The author observes that a country that does not care enough for her youth will always pay a great price for her moral negligence; a price which often manifests first in the dereliction and contravention of law.

In Ogbeche's *Harvest of Corruption*, Aloho, Ochuole, Chief Haladu Ade-Amaka and the Commissioner of Police embody the enthusiasm of the id expressed mainly in the representamina – corruption, desperation, despair, stubbornness and nonchalance.

The consequence of this postmodernist choice is the infraction of the established criminal laws of the land. Given its moral relativism, the law exculpates Aloho and convicts Chief Haladu Ade-Amaka and the Commissioner of Police for their dishonesty, inordinate greed and pomposity. Ogeyi and ACP Yakubu represent the few sane and law-abiding individuals who often cushion the negative effects of the actions of lawless citizens. The aesthetic representation of the law is equally evident in the court room where the prosecution and defence counsels slug it out with both linguistic and extra-linguistic gestures.

Anyanwu's *Another Weekend Gone!* interrogates and castigates the defiant behaviour often associated with the down-trodden in different societies. For Anyanwu, being poor and unfortunate is no excuse for rebellion against the laws. He notes that State laws are above everybody in any society. He believes also that laws should be dispassionate and just. However, the partisan nature of human beings as legal tenements manifests itself during the trial of Mr. James by Sergeant Kolade and Ugojah. The military court is empirically flawed as evident in the miscarriage of justice which is manifest in the trial. Anyanwu gives the reader one of the reasons why people disobey laws in his psychoanalysis of Mr. James. One of these reasons is domiciled in Mr. James plea for mercy: "Oga, ah beg make una forgive me! My wife born twins! Na how to get money to pay hospital bill ah dey think when dem catch me say bridge dey there! . . ." (3a). Being unemployed and incapacitated, James finds it difficult to think about the law. While in the prison, James also suffers as a result of ignorance. There is a popular saying that the ignorance of the law is no excuse. He gets a beating from vindictive inmates, which eventually leads to his demise. Anyanwu teaches that the law is not emotive as seen in its blindness which always helps to entrench fairness and justice in every situation. James is the architect of his own misfortunes. His disobedience paves the way for other misfortunes that befall him in the play. Every citizen should always do what is right irrespective of social status and condition.

Yerima's *The Trials of Oba Ovonramwen* examines the impact of colonial factors on the luxuriance of established laws. Sometimes, local laws are affected negatively by the legal influence coming from international laws. Yerima interrogates the activities of colonial laws in Nigeria and finds them culpable. Oba Ovonramwen, the symbol of

the Supreme laws of ancient Bini Kingdom, is stripped of his glory and disgraced severely by the colonialists. Yerima observes that Nigerian laws and indeed African laws are often infringed upon by certain strong and sometimes vindictive imperial influence coming from the West. The imperialists often leverage on the advantage of scientific, economic and military dominance and superiority to oppress the subalterns.

In *Death and the King's Grey Hair*, Abdullahi establishes that laws are often infringed by the bad examples set by the leaders who are seen as the custodians of the law. King Esutu of Shakaga kingdom refuses to obey the customary law of young reign which makes it incumbent on every king whose hair turns grey to give way for another king by committing suicide. Instead of obeying the law which he swears to keep, he connives with his exuberant royal friend from another kingdom to have his grey hair dyed. His rebellious behaviour eventually succeeds in contravening the law of young reign. The unruly behaviour of some leaders often rubs off on their followers negatively.

Soyinka's *Death and the King's Horseman* is another play which questions the validity of colonial involvement in a customary law that makes it imperative for an Elesin-Oba to commit suicide as a sign of loyalty to a late Oba. Mr. Pilkings' colonial intrusion distorts the legal order of the then Oyo Empire and causes a double tragedy in the kingdom as Olunde, Elesin Oba's son, and Elesin die circumstantially. Mr. Pilkings' intervention weakens Elesin Oba's legal loyalty and necessitates the mortal sacrifice of Olunde for the sake of the customary law. Even though Elesin Oba dies in shame, the arrogant intrusion of the colonialists is the genesis of the legal crisis in the play. The impacts of colonial influence in the violation of law can be worrisome.

In *Achebe's Arrow of God*, Ezeulu's inordinate pride as the spiritual and cultural custodian of the laws in Umuaro leads to the total collapse of the legal system. The cultural ritual of new-yam thanksgiving makes way for the entrenchment of the Western version as a result of Ezeulu's pride. Achebe shows how the arrogance of leaders can make a nation lose its values and world-relevance. Ezeulu's pride helps to obliterate most of the cherished customs of Umuaro. His pride equally rubs-off on his son Obika who takes the law into his own hands by beating Ibe, his inlaw. Ibe is also culpable for assaulting his wife. Nwaka's opposition and recalcitrance to Ezeulu's biddings is also a function of Ezeulu's sentimental views and actions. Most of the

actions which directly or indirectly impact negatively on the law stem from the collapse of the leadership system in Umuaro. Achebe therefore warns that the ineptitude and impudence of leaders can weaken and contravene a legal system.

*Our Children Are Coming* by Chukwuemeka Ike exposes the hypocrisy of the ruling class which often results in the infraction of law. This hypocrisy which is mainly a postmodernist one leaves Drs. Chinwuba and Bankole in nostalgic quandary. They observe with dismay the dramatic twist in the turn of social and moral actions which now gratify “indiscipline, lack of motivation, laziness, sexual promiscuity and so on” (5). This attitude is defiant and inimical to the growth of the law. The worrisome trend is also found in the circle of a supposed body of lawful officials who form a commission of enquiry. The Okpetun Commission is a metaphor for the general attitude of Nigerians to the law despite their obvious perception of it. The confidence of the complainants in the commission also represents our general perception of the law as a supreme factor capable of allaying our fears. The complainants see the law as their last hope, a supreme factor that is reliable and trustworthy of granting them justice in the face of the seeming injustice they have suffered. They have variously witnessed the contravention of the law and have not only come to report their ordeals to the law but also get pacified. The ruling class are depicted as hypocrites who pretend to be compliant but defiant and unruly.

Ademiluyi laments the travails of the ordinary Nigerian as portrayed by Ayo Badejo, the new man, whose resolve to remain in the forthrightness of his ego and superego in dealing with the law is dealt a lethal moral blow and the unfortunate result is a perverse metamorphosis antipathetic to the law and gracious to the id. *The New Man* mourns the death of innocence. The writer warns that people often change their positive attitude towards the law because of the actions of bad leaders and followers. Ayo Badejo, the new man, mutates in response to the perverse call of his society. Ayo's metamorphosis is then a reminder of the imperfection of man. Chief Layeni represents the narrative of the untouchables in Nigeria; those privileged few who believe they are above the law and so must always have their way by all means. Ipaja and Iwuya are geographical metaphors for corrupt ethnic nationalities in Nigeria and indeed Africa. Ademiluyi sees the celebration of corruption in these communities as a failure of leadership; a quantum reality which explains the reasons for legal paralysis.



Okey Ndibe's *Arrows of Rain* points accusing fingers at the political class in Nigeria who contravene the law with impunity and mortgage the future of the citizenry through brutal oppression because of their selfish interests. The novel finds both the military and civilian leaderships guilty of heinous crimes ranging from physical and psychological oppression to looting, rape, murder, forgery, and bribery. The government of Askia Amin is believed by many to be a pacesetter but it disappoints her apologists and optimists. In its place, a military regime is installed by force through a coup. This, again, gives the people of Madia so much joy and sense of hope for a better tomorrow as they have long been expecting a fresh air. Sadly, their joy is shortlived because the new authoritarian regime wastes no time in manifesting its true colour of despotism and oppression.

With the new oppressive government in place, vices such as rape, murder, kidnapping, assault, and looting, become the order of the day. Many young people especially ladies become victims of the eccentricity of the sanguineous dictator, Isa Palat Bello. A notable victim of the fraudulent and brutal system is Iyese who gets beaten on many occasions and eventually murdered bestially for maintaining her ground on sexual choice and preference. Bukuru who represents the many social activists in Nigeria who get easily silenced by the oppressive system also becomes a victim of circumstance. Ndibe satirises the impunity that is often exhibited by the political class in Nigeria and maybe elsewhere in Africa. This set of people contravenes the law with impunity because they feel they are above it; the same law they make and impose on the masses. Their actions obstruct the rule of law.

### **6.3 Conclusion**

This study affirms that law is a relative social instrument that is represented aesthetically. It also establishes that verbal and non-verbal representamina as well as the preponderance of leadership failure, feeling of injustice, Western imperialism, economic hardship, depraved societal and peer group influence, Eurocentric ideals, disillusionment, and corruption facilitate the contravention of the law by characters. It equally argues that the business of law belongs to all and not to lawyers alone as laws are made for all. Every time people decide to abandon laws made to protect their shared interests, the result is always contravention. A number of criminal damage

incidences are manifest in the ten texts and this is arguably as a result of the postmodernist desire of the characters to define law from their own repertoires. This iconoclastic behaviour is corroborated by a firm conviction by some characters that the law does not constitute a system of objective truth. In their postmodernist poise, they see the law as a hegemonic factor emanating from the legacies of the colonial masters. This perception influences their psychological disposition towards it and fuels their rebellious desire to rewrite the legal script positively or negatively. The rebellious attitude is positive when there is a shared system of understanding aimed at fighting an instance of injustice and negative when there is a deliberate effort by the law to deconstruct their new views and ideologies.

The law is relative in its moral ideation because of humans' cultural and personal ideosyncracies which are universal traits. Hence, the subjectivity and objectivity of law as a moral agent is dependent on the personal values of the interpreters and their cultural realities. The postmodern poise brings about contravention in all the texts. Law is portrayed as a supreme factor which enjoys a universal reverence in the texts. It is equally seen as creative activity which requires a great deal of creative dexterity and academic learning for a successful communion. The aesthetic representations of law make law a literary exercise which comes alive in either the verbal or non-verbal representamina used by characters and actualised with the dynamics of drama, prose, and poetry. The writers, therefore, advocate obedience to the law and caution against vindictive and violative attitudes which are capable of enthrone lawlessness.

#### **6.4 Recommendations**

Nigerian literary critics should do more by extending their critical attention to the legalistic merits of Nigerian creative works. Law and Literature as an interdisciplinary scholarship should be instituted in the department of English and renamed *Literature and Law*. If done, literature will, through its utilitarian and literary affordances, enhance the rule of law from a recreational and affable perspective devoid of the prescriptive rigours known with the law and the legal intelligentsia. More literary studies with legalistic merits should be done on literary fiction. Efforts should be made to further develop the aesthetic depiction of law as identified in this research.

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