

**PLEA BARGAINING AND THE RELIGIOUS CUM SOCIO-CULTURAL
CONCEPT OF YORUBA *OMOLÚÀBÍ* IN THE NIGERIAN POLITICAL
LANDSCAPE**

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Abstract

The subtle incursion of plea bargaining into Nigeria's criminal justice system during the trial of some influential personalities in the law courts in recent times has provoked a flurry of debates in the polity. The seemingly unending arguments on these debates about plea bargaining call for a scholarly attention, if the current efforts of government at eradicating corruption in the country will not be a mere political statement. On this issue, various researches have been carried out, some for the removal of this aspect of criminal justice system, others for its retention. This study is not out to consider either its removal or retention, but how it relates to the socio-cultural concept of *Omoluabi* among the Yoruba. It therefore, attempts to define what is meant by plea bargaining, introduction as to its history and its implication for the criminal justice system vis-a-vis the cultural concept of *Omoluabi* among the Yoruba. The methodology adopted in this work was the use of oral sources where adults were engaged to know their opinions about the Yoruba concept of *Omoluabi* as it relates to the subject matter. The deontological theory of Immanuel Kant constitutes the theoretical framework for this work. The theory emphasises on the rightness or wrongness of actions themselves as opposed to the consequences of such actions to the character and habit of the actor. The paper therefore finds among other things that the high rate of corruption came about due to the absence of the socio-cultural concept of *Omoluabi* among many political leaders in the country.

Keywords: Plea Bargaining, Religion, *Omoluabi*, Nigeria, Political landscape

Introduction

Due to the overburdened criminal justice system, the vast majority of criminal cases are settled through a process known as plea bargaining¹. In a plea bargaining, both sides gain something from the arrangement. The prosecution gains a conviction without the time and the expense of a trial, while the defendant might get a reduced sentence or have some charges against him dropped. In some other cases, for example, the prosecution will offer a plea deal so that the victim does not have to go through the drama and stress of testifying at a trial.² But, the argument in this paper is a consideration of the socio-cultural phenomenon of Yoruba *Omoluabi* among the Yoruba.³ The principle of *Omoluabi* according to the Yorubá philosophical and cultural concept is the basis of this study. *Omoluabi*

as a concept represents good character. It signifies courage, diligence, humility, and respect. An *Ọmọ́lúàbí* is a person of honour, who believes in the rights of others and gives to the community in deed and in action. Above all, an *Ọmọ́lúàbí* is a person of integrity. An *Ọmọ́lúàbí* will never steal because he hates anything that will bring shame to his family or to himself. To the Yorùbá man, “*Ikú yá ju ẹ̀sín lo.*” Death is preferable to disgrace. It is on this note that we will like to see how the concept of *Ọmọ́lúàbí* has been thrown into the wind, all in the name of plea bargaining⁴.

What is Plea Bargaining?

The Black's Law Dictionary gives the definition of plea bargaining as: a negotiated agreement between a prosecutor and a criminal defendant whereby the defendant pleads guilty to a lesser offence or to one of multiple charges in exchange for some concession by the prosecutor usually, a more lenient sentence or a dismissal of the charges.⁵ It is also defined as a device allowing accused persons in person or by their counsel, to reach an accommodation with the prosecutor to enable them plead guilty in court to an offence of lesser gravity than the one(s) prosecutors wish to charge them with, or with which they have already been charged, an accused person may also agree to plead guilty to the offence with which they are charged, all in a bid for a lighter sentence than would have been given if the case had been prosecuted fully and conclusively.⁶ It connotes the discharge of an accused person having pleaded guilty to an offence that is the least of all his offences. It is one of the several strategies adopted in Nigeria in recent times to address the challenge of corruption, as this relates to misappropriation and embezzlement of public funds. Essentially, it is designed to facilitate the return of public funds that have been stolen or misappropriated by political office holders or governmental officers.⁷

Incursion of Plea Bargaining into Nigeria's Criminal Justice System

The concept of plea bargaining is an invention of the American Legal process.⁸ It started by convention, but having been accepted by the courts, it is now entrenched in the American federal and state criminal procedure. The United States of America, Britain and Canada are leading common law countries that have plea bargaining systems, albeit in different stages of development. The system, which was once forbidden in most of Europe, has gained inroads into many European countries' criminal justice systems. Italy actually passed a (federal) legislation formally introducing it.⁹ The major reasons adduced for the introduction of plea bargaining in these countries are to save time, to reduce the cost of prosecution and to lessen the burden of the courts.

The practice of plea bargaining is obviously new in Nigeria. It was not a part of any Nigerian law until 2002 when the Economic and Financial Crimes Commission was established. Ever since then, it has caused a lot of arguments from the bar, bench and the general public. While some say it is a blessing to

Nigeria, others say it is a mockery of Nigeria's legal process¹⁰. It gained notoriety in Nigeria, when it was first used by the Economic and Financial Crime Commission (EFCC) in 2005 to settle the case of corruption against former Inspector General of Police, Tafa Balogun. It was later used the same year for the late Ex-Governor of Bayelsa State D.S.P. Alamieyesagha and Emmanuel Nwude and Nzeribe Okoli who had defrauded a Brazilian bank.¹¹

Arguments for and against the Inclusion of Plea Bargaining into Nigeria Criminal Justice System

As started earlier, many people (both within and outside Nigeria) are opposed to the practice of plea bargaining because, according to them, it conflicts with what they believe to be fair and just. An example of the people in this category is the former Chief Justice of Nigeria, the Honourable Justice Dahiru Mustapha. His argument is that plea bargaining makes a mockery of the seriousness of justice. He said this in 2011 when he argued that "plea Bargaining is a novel concept of dubious origin. It has no place in our land and that it should never be mentioned in our jurisprudence"¹² It is also imperative to point out that in the Nigerian context, the opposition to plea bargaining from people is primarily due to the fact that it seems to be used for only the rich and powerful people in the society. Those referred to as the powerful not in terms of integrity but on how they have used their positions to loot the treasure of the nation for their selfish interests.¹³ A few examples of those in this category are the former Inspector General of police, Alhaji Tafa Balogun, the former governor of Bayelsa state D.S.P. Alamiesgha, the former Governor of Edo state Lucky Igbinedon¹⁴ and a former Assistant Director with Police Pension Board who misappropriated about N32.8 billion Police Pension Fund. He was sentenced to only two years' imprisonment with an option of fine of N750,000.00, which of course, he promptly paid, an option not extended to every criminal. There is no gainsaying the fact that the country finds itself in this sorry state as a result of the way people steal with impunity money meant for the public and this has led to the various problems Nigerians are experiencing today as money meant for provision of social amenities are squandered by a few.¹⁵

Plea bargaining has been bastardised because most of the suspects allowed to make the pleas were made to pay back a fraction of the money they had stolen. This is why Honourable Dahiru Mustapha criticised the application of the process claiming that its inclusion in the Nigerian criminal justice system only fuels corruption as it allows less punishment for corrupt people. The financially superior individuals, who enter into plea bargain, do not feel the brunt of punishment because they merely refunded a specified amount from their loot¹⁶.

On the other side of the divide are people like Dr. Chidi Anslem Odinkalu, the former Chairman, Governing Council of the National Human Rights Commission (NHRC), former Chairman of the Nigerian Bar Association (NBA) Abuja chapter, Mazi Osigwe and the former Chairman of the Economic

and Financial Crimes Commission, Mr. Ibrahim Lamorde who have clamoured for the retention of plea bargaining. They believe that the adoption of this concept facilitates speedy determination of cases and thereby reduces prolonged trials. Plea bargaining has proved very useful in Nigeria's Criminal Justice by avoiding the necessity of public trials, thereby protecting innocent victims of crime from the ordeal of giving evidence during trials¹⁷. The use of plea bargaining in many cases has yielded fruitful results. One of these is the reduction of public expenditure which would have been incurred during prolonged trials. One would not want to imagine if the cases had gone into full trial; there would have been an unacceptable waste of state resources due to the fact that trials are so costly these days. The incursion of plea bargaining into the Nigerian criminal justice system has also helped a lot in decongesting the country's prisons.¹⁸

The Socio-Cultural Concept of *Ọmọ́lúàbí* in Yorùbáland

The Yorùbá race is one that is rich in cultures, and is very meticulous about persons and their backgrounds. The culture of *Ọmọ́lúàbí* originated among the Yorùbá people of West Africa. The ultimate and perfect character a human being could have is regarded as an *Ọmọ́lúàbí*. It is so important to the Yorùbá that they bring their children up not only to recognise and admire the principles of being an *Ọmọ́lúàbí*, but to also strive to be one. Being an *Ọmọ́lúàbí* does not depend on wealth or societal status.¹⁹ In fact, Yorùbá will not appoint an individual to any post if they possess great wealth but do not show the honourable characters of an *Ọmọ́lúàbí*. But, this cherished concept of *Ọmọ́lúàbí* is gradually dying as a result of socio-cultural disintegration being witnessed as a by-product of western civilisation among the Yoruba.

The Yorubá have respect for *Olódùmarè* or *Olúwa* (Lord) who they believe, like many other religions do, resides in heaven.²⁰ It is believed among the Yorùbá that whatever *Olúwa* (Lord) does, is good. It is, therefore, generally held that any child brought forth by *Olúwa* (Lord) must be good. Hence the concept of *Ọmọ́lúàbí*, in the normal conception, means: *Ọmọ-tí-olúwa-bí*. This literally means a-child-borne-by-God. Wande Abimbola defines *Ọmọ́lúàbí* as the exhibition and demonstration of the inherent virtue and value of *iwàpẹ̀lẹ̀*, where *iwàpẹ̀lẹ̀* means a gentle person with lofty character. It is the prominent moral responsibility expected of every Yorùbá man and woman irrespective of circumstance and location. Roland, while corroborating Wande, says *Ọmọ́lúàbí* is someone who is well brought up and is highly cultured. He is a man who is an embodiment of all goodness not kept within but given out for the good of mankind.²¹ In the Nigerian society today, many people worship wealth and erroneously perceive many wealthy people with their ill-gotten wealth as *Ọmọ́lúàbí*. An *Ọmọ́lúàbí* will not steal because he hates anything that will bring shame to his family or to himself. To the Yorùbá, "*Iku ya ju esin lo*" death is preferable to disgrace.

The sum total of Yorùbá philosophy is *iwà lẹwà*, meaning good conduct is a person's beauty. And to the Yorùbá, one's attitude determines one's altitude. The Yorùbá identity could be summarised in behaviour typical of a Yorùbá man. As far as Yorùbá ethics and teachings are concerned, a typical Yorùbá man is respected through his hard work, and is contented with what he gains from his sweat. The bottom-line of this discussion, therefore, is that, plea bargaining or no plea bargaining, any individual who holds public office must make the concept of *Ọmọ́lúàbí* his watchword. That is, an individual can be termed an *Ọmọ́lúàbí* irrespective of the religion the person adheres to. It is the life he lives, not the creed he professes.

Characteristics of *Ọmọ́lúàbí* in Yorùbáland in relation to Religion

Among the Yorùbá, the socio-cultural concept of *Ọmọ́lúàbí* is held in high esteem to the extent that any act done by an individual that is considered unethical is frowned at, and such people are regarded as “*Ọmọ́ lásán, èkejì ajá*”. That is, someone who is as worthless as a dog.” It is on this note that some of the characteristics and traits of an *Ọmọ́lúàbí* are considered as virtues in many religions. Examples of such traits are humility, honesty, truthfulness, hard work, good character, justice, discipline, responsibility and altruism. These are discussed one after the other as they relate to the cultural concept of *Ọmọ́lúàbí*.

Honesty

Honesty means act of sincerity; that is, being sincere to oneself and to others in the course of one form of interaction or the other at every given time. Honesty therefore goes with truthfulness, uprightness, sincerity and straightforwardness in deed. The religious basis for honesty is that social relations are based on trust.²² Every form of relationship that has to do with the past, the present and the future should be built on the foundation of honesty. Honesty refers to a facet of moral character and connotes positive and virtuous attributes such as integrity, truthfulness and straightforwardness of conduct. The popular saying among the Yoruba people that *Otito lo ma a leke iro*. That is, honesty will always overpower falsehood underscores the importance of honesty between man and God and their fellow men²³. This extends to every aspect of the social life of Nigerians. The need for people in authority to be honest is strongly emphasised in the three major religions in Nigeria.²⁴ In *Ifá* Corpus, for example, and precisely in *Èjì Ogbè*, Ifá says:

<i>Sòtító s'òdodo</i>	Be truthful, be just
<i>Sòtító o tún s'òdodo</i>	Oh! Be truthful, be just
<i>Èní s'òtító ni imalẹ̀ ígbè</i>	It is the truthful the divinities support ²⁵

The above verse suggests that in traditional Yorùbá setting, there is the institution of punishment and reward system. The punishment or reward, which could be now or later, would certainly come to pass. Any act of dishonesty in

whatever form is punished with ostracisation, banishment and even death.²⁶ And in fact, the public disgrace and humiliation that is meted out on such individual is enormous. Thus, the Yorùbá identity is found in his personal pride and dignity, willingness to work and cooperate with others in the community to advance communal good and general upliftment of his people. Hence the saying *Olótítọ kii kú sí 'pò ikà*, meaning a truthful man would never die the same way a wicked would.

The fact that Yoruba people dislike any act that is against the norm of the society is incontrovertible. The story in Eji Ogbe says that *Otito-inu* 'Rectitude', *Eke*, 'Lying', *Odale* 'Covenant –breaker' went on a journey and each person acted according to his name. *Eke* 'the liar told lies, while the *Odale* 'Covenant –breaker broke covenant among people he interacted with. But, *Otito-Inu* was honest and came back with gifts which made him to be wealthy. He was asked about his sudden wealth and he answered that it was because he was honest with people he came across.²⁷ This shows clearly the importance and benefits one can derive from being honest. This is relevant to the words of Orunmila that

<i>Eké re'bi kò bọ</i>	Liar went on a journey and never return
<i>Ọdàlẹ̀ rẹ̀ d'álẹ̀ kò bọ</i>	Covenant –breaker also went on a journey
<i>Ó d'ífá f'ótítọ inú</i>	and did not return
<i>Tó ní àjẹsékù ju irọ̀ lọ</i>	Prognosticated for rectitude who did not eat up his store and better than lying ²⁸

Another one says:

<i>Eni tí ó dalẹ̀, kó ní í dàgbà</i>	He who is dishonest will not live long
<i>Eni tí ó dàbgà, kó má dalẹ̀</i>	Whoever wishes to live long must not Be a dishonest person. ²⁹

Also in Islam, honesty in whatever dealing connotes patience, peacemaking between people, perseverance, caring for the poor, relatives, sincerity, self control and faithful discharge of contentment. This is clearly stated in *Qur'ān Sūrah 3: 16-17*. So in Islam, the virtue of honesty touches all aspect of life, based on the *Qu'ran's* assertion that the raiment of righteousness is the best.³⁰ In Christianity, the virtue of honesty is also emphasised. Passages of the Bible that deal with the issues about dishonesty and falsehood and the judgment that awaits such people (Lev.19:36). Therefore, there is a strong connection between virtue of honesty and plea bargaining in the criminal justice system in Nigeria. The idea of plea bargaining will not arise if those in positions of authority are honest and do not get involved in dishonest acts that can tarnish their image. This is not the case in Nigeria. The popular saying that honesty is the best policy is not immediately evident in the body polity in Nigeria. What is evident now are dishonesty and the get- rich- quick –syndrome by many public office holders³¹.

An honest man who refuses to embezzle money, inflate contracts and take bribes is seen as a fool who can never become rich in his life again.

Good Character

The virtue of good character is another important attribute of *Ọmọ̀lúàbí*. A morally upright person has a character of virtues. He is honest, respectful, courageous, forgiving and kind. Because of these virtues or positive traits, he is committed to doing the right thing no matter the personal cost, and does not bend to impulses, urges or desires, but acts according to values and principles. The Yorùbá believe that one of the best ways to adhere to social morality of the society is to possess good character.³² Good character (*Ìwà, Bìbìire*) brings together all the virtues of kindness, respect for elders and being honest in public and private dealings. The Yorùbá people have great respect for a man with good character and is eulogised with the prayer *Ọmọ onibii niran, Alájobi á gbè ọ* (meaning a person from good lineage, spirit of the family will back you up) while a person of questionable character is regarded as *ẹranko lásán lásán*, meaning a worthless being. This is the more reason why Yorùbá people frequently pass messages across in songs. One of such songs is:

<i>Ìwà ló mà jù, lójú nílẹ̀ ayé o</i>	Character is the greatest in the world
<i>Yé o tójú ìwà rẹ</i>	Please keep your good character

Good character cannot be acquired with money. Yoruba people will say *Ìwà lewà omo ẹ̀niyàn* (ones character is ones beauty). A wealthy person without good character is considered a worthless person in the society (*Ẹ̀ni lásán, Ẹ̀ni yẹ̀yẹ̀*). This is why Yoruba people say he who loses money, loses nothing, he who loses health, loses something, but he who loses his character has lost everything. All the three major religions in Nigeria lay strong emphasis on good character and urge people to refrain from bad deed. One of such in traditional society is the saying that *ìwàlẹ̀wà*.³³ In Islam for instance, the faith of a believer must be accompanied with practice which is good character.³⁴ That is, one's faith in Allah is not enough until such faith is put into practice. This invariably suggests that a man with a bad character cannot be said to have faith in God. The belief in the three religions is that God will assess the character of man and it is on this that judgment will be given. A man with good character will have his reward while, a man with bad character will also have his punishment.

An igbo song that is also relevant to virtue of good character says:

<i>Ìwà ni ẹ̀ wò x2</i>	It is good character you should value
<i>Ọ̀hun ló se Pàtàkì</i>	It is important and essential
<i>Ló se kókó</i>	
<i>Ìwà ni ẹ̀ wò</i>	It is good character you should value
<i>Owó è se ò ìwà</i>	Money is not a substitute to character
<i>Ìwà ni ẹ̀ wò</i>	It is good character you should value ³⁵

This Igbo song from the people of Ora Igbomina explains the importance of good character in social relations. As said earlier, a wealthy man can only be honoured and give special recognition if only he possesses good character.

In another corpus of Ifa (Osedii), Ifa says good character helps man to accomplish his desires and aspirations. A man may possess good luck, however, if he possesses bad character, the ugly traits in his character will negate his good luck.

Ọbalénké Abinú yooro	Obalenke, the one with flat stomach
A dífá fún olóríire, ìgbà ìwáṣẹ̀	Ifa divination was performed for a man
Èni tí ó lérí ire, tí ó ní wà ire	with good luck in the ancient time
Àisí iwà ni yó ba orí òun jẹ̀	He who possesses good luck but bad character
	It is the bad character that will spoil his good Luck.

According to the Ifá corpus above, for a man to be complete, he has to combine his good luck with good character.³⁶ It is then that such an individual can be referred to as *Ọmọlúàbí* by the people.

Discipline

Discipline which is usually understood to be synonymous with restraint or self control, is when one uses reason to determine the best course of action that opposes one's desires. People who possess high sense of self discipline are able to overcome reluctance to begin tasks and stay on track despite distractions. A man with self discipline is a man who exercises self control.³⁷ An indisciplined man on the other hand is a man who fails to exercise control over himself, that is, a man whose reason fails to keep the animal aspect of him in check. An indisciplined man fails to control his passions, emotions, appetites or desires. His desire for food, sex, money and comfort is uncontrollable, and this tends to be reduced to animal level when it is not checked by reason.

In Yorùbá traditional setting, self discipline (*Kíkó ara ẹni ní ìjánu*) is one of the virtues that accords respect and dignity to an individual that makes it his watch word. Even in Christianity, the value placed on self discipline cannot be over-emphasised. Paul expressed this in 1Corinthians 9:27 where he says “.....*but I discipline my body and make it my slave, so that after I have preached to others, I myself will not be disqualified*” .Here, Paul stresses the importance of self discipline. According to him, absence of self discipline can lead one to hell. This is also buttressed in 1Timothy 2:12 where he *instructs us to deny ungodliness and worldly desires and to live sensibly, righteously and Godly in the present age*. The import of this statement is quite germane to this work. The desire and acquisition of things are not bad in themselves, but the crave for it can deny one to live

righteously and sensibly.³⁸ This is the bane of those at the helm of affairs. They embezzle money meant for the public with impunity.

From the foregoing, it can be said that if the public office holders and the followers inclusive had been disciplined, the country would not have found herself in the economic mess being experienced today. Most of people interviewed alluded to the fact that Nigerians are suffering in a country blessed with both human and natural resources. The inclusion of plea bargaining as said earlier will not generate any controversy if those appointed or elected to stir the affairs of government are above board in their dealings. The Yorùbá adage says *Olótító kì í kú sí ipò ikà*. That is, a truthful person will not die in a condition, state, position of a wicked person. What this means is that, if a person is above board in both his public and private assignments, he will not be involved in any act that will warrant him being taken to a court of law to plead guilty for a criminal offence he has committed. The issue of pleading guilty for lesser offence while other greater offences are forgiven him is tantamount to allowing the offender to go and sin no more when in actual fact he has sinned against God and against humanity. If the trial will last for as long as possible, he must be allowed to face the full length of the law. *Èni tó bá ṣ'ohun t'ènikan kò ṣe rí, ojú rẹ á r'ohun t'ènikan kò rí rí*. That is, anybody who does anything that is unethical; must be ready to face the consequence of his action. Indiscipline has eaten deep into the fabric of the Nigerian society to the extent that there is no sector from where this monster has not taken its pound of flesh. From politics to education, from the judiciary to the health sector.³⁹

Diligence

One other important attribute of *Ọmọluàbí* among the Yorùbá is diligence. Yorùbá people hate laziness or idleness. The belief is that for one to be able to live a meaningful life, one must be hard working and industrious as there is no short cut to success in life. Yorùbá will say *ìsẹ́ kì pa ní, àìṣe rẹ gan làbùkù*.⁴⁰ Meaning one has never died through hard work, only laziness kills. Yorùbá people of South Western part of the country see laziness as the root cause of all other anti social behaviours⁴¹. A lazy person will steal, commit adultery to make ends meet, embezzle money that is meant for the provision of basic amenities for the masses, and engage in all forms of fraud. The time-honoured virtue of hard work is fast being forgotten in the nation. The popular slogan now is *A kì í s'ise Ọba làágùn*, “we do not sweat doing government work.”⁴²

How does this relate to plea bargaining? The relationship is obvious. The Bible speaks extensively about work and its importance, the scripture asserts that God ordained work as one of the purposes for mankind. As a matter of fact, it also points out how hard work should be recognised and rewarded. This is pointed out in Proverbs 22:29 “Do you see a man skilled in his work? He will serve before kings: he will not serve before obscure men”. Diligence has a reward. This is what we find in Proverbs 22:1. “A good name is rather to be

chosen than great riches.” It is also corroborated in Psalms 39: 6 where the Bible specifically mentions that “*a fool heapeth up riches and knoweth not who shall gather them.*” The concept of work is not left out in Islam. Work in Islam is called ‘*Amal*, which is mentioned in 360 verses. Hadith also considers laziness as a bad conduct.⁴³ All able bodied persons are exhorted to work in order to earn a living. One will have to reap whatever reward or retributions are done as a result of his work *Quran* 99:6-8. The language here is clear, and that is, that work must be done to better the lots of oneself and other people around.⁴⁴

Plea Bargaining and the Cultural Concept of *Omólúàbí*

There is no doubt that the concept of plea bargaining has caused much furor in recent years. This has been because of its use by the Economic and Financial Crimes Commission (EFCC) in dealing with cases of corruption by public officials and others holding offices of public trust. For example, Bode George and five other suspects (Aminu Dabo, Olusegun Abidoye, Abdullahi Tafida, Zanna Madaaribe and Sule Aliyu) were on a 163 - count charge that bordered on an alleged misappropriation of Nigerian Ports Authority fund to the tune of N87 billion. The six were given two years’ imprisonment. Although, Bode George was freed at the Supreme Court on the ground that the offence which he and others at Nigerian Port Authority (NPA) committed which was contract splitting was unknown to law at the material time and based on this, he was discharged and acquitted. But, the argument here was not whether he was guilty of the offence or not. The fact is that those who cherish the Yoruba socio-cultural concept of *Omoluabi* will do everything possible to guide their names jealously⁴⁵. Also, the former Inspector General of Police, Tafa Balogun who pleaded guilty to an eight count charge of money laundering to the tune of N16 billion in 2005 was sentenced to six months imprisonment. Alamiyeseigha who was convicted of money laundering, was later released on plea bargaining.⁴⁶

The concern of this study is not about pleading guilty or not to a criminal offence. But, what we are saying is that many of those at the corridors of power lost their sense of *Omólúàbí*. Yorubá people are very sensitive about their character; as such they do everything protect their it.⁴⁷ The following Yoruba song is relevant here:

Lead: <i>Alankiti</i>	Lead: <i>Alankiti</i>
AII : <i>Alankiti jan</i>	AII: <i>Alankiti jan</i>
Lead: <i>Alankiti</i>	Lead: <i>Alankiti</i>
Lead: <i>Alankiti jan</i>	Lead: <i>Alankiti jan</i>
Lead: <i>Ẹnibá jalè lẹ̀kàn</i>	Lead: Anyone who stole once
All: <i>Alankiti</i>	All: <i>Alankiti</i>
Lead: <i>Tó bá dà’rán borí</i>	Lead: If he covers his head with fine cloth,
<i>Asọ olè ló dàbora</i>	He has covered himself with stolen clothes
<i>Dàbo’radàbo ‘lẹ̀pẹ̀pẹ̀</i>	Yes, he has covered his entire body with stolen clothes

The song above condemns any act of stealing by any individual. This is because, anybody who steals in Yorùbá land has brought shame and dishonour to himself and to the entire members of his family. In fact, to ensure peaceful co-existence among families in the indigenous Yoruba society, various ways of dealing with such criminals were instituted. Criminal offences were handled by the *Oba* (king) and his council of chiefs. Punishments were given without any bias but on the gravity of the offence committed which may be in form of banishment and even death.⁴⁸ Various members of the family, especially the extended family and elders in the community, bring to bear upon anybody who committed any criminal offence. Among methods of social control used were instruction, advice, persuasion, reward and punishment.

Findings

Our findings indicate that the socio-cultural value system of the Yoruba *Omoluabi* have been disrupted as a result of acts of dishonesty, corruption and so on by most people who are placed in the positions of trust in the country. This has over the years affected the cherished culture of *Omoluabi* among the Yoruba. It is a culture that must not be allowed to die if Yoruba people in particular and Nigerians at large want a new Nigeria whose people would be in deed good and the country can be great again.

Conclusion

This study is of the view that plea bargaining or no plea bargaining, we must all imbibe the spirit of *Omoluabi* in whatever we do and wherever we find ourselves. It also enjoins religious leaders to take the bull by the horns in preaching values of *Omoluabi* to their adherents. The followers too have much lot to do in this direction by making moral principles guide their lives. If all public office holders and followers in the country exhibit moral values of honesty, discipline, justice, good character and diligence which are the values of *Ọmọ̀lúàbí*, all forms of corruption that have taken the centre stage in Nigeria would not have their place since everybody will be guided by the values of *Omoluabi*.

We also need to emphasise that good character is needed by everybody. This is why the electorate and all stakeholders in electoral matters should make sure that those elected, appointed or selected as the case may be, are people of unquestionable character. Those who will do their work without fear or favour.⁴⁹

If those who are *Ọmọ̀lúàbí* are elected to hold public offices, no question of plea bargaining will bother them. Why? Because, they will be guided by the concept of *Ọmọ̀lúàbí* and will try not to bring shame to their family and the communities they represent⁵⁰. But, it is quite unfortunate that many who had held positions of authority in the past had used their different positions to amass wealth. This has put them in moral and psychological trauma today; apart from the shame they have put their family into.

. The *Omoluabi* concept must be seen in both private and public dealings. If people in government from the local government level to the federal level imbibe the values of *Omoluabi* as stated above, the society would be a better place to live than what we have now.⁵¹

Recommendations

As suggested in this work, the problem of corruption in the country can be blamed on a defective judicial system. Therefore, this study recommends a total revival of and adherence to virtues inherent in cultural concepts of *Omoluabi* by public office holders. Also, Nigerians and more importantly the political leaders should be more patriotic and be committed to the development of the nation. If they are committed, they will have the love of the country at heart. The religious leaders also must be alive to their responsibilities by extolling virtues that will bring about total change as being championed by the present administration under President Muhammadu Buhari.

The country's criminal justice system which was imported from the British who have a totally different culture from that of Nigeria needs to be re-visited. It is high time Yoruba traditional rulers and leaders in conjunction with the government in the South western part of the country made sure that Yoruba cultural values are taught at homes by parents. This will go a long way in inculcating the values of *Omoluabi* into the lives of the young ones at their tender age.

Notes and References

1. Criminal.findlaw.com/criminal-procedure/defense-plea-bargains.html (Assessed 8th May,2016)
2. Esoimeime E. *Has The Concept of Plea Bargaining Been Abused in Nigeria's Criminal Justice System.* <https://www.linkedin.com/pulse/20140882875400.2014> (Assessed on the 14th October, 2015), 10.
3. Kareem Olakoju. "The *Ọmọlúàbí Terminology.*" Retrieved from [https://en.wikipedia.org/w/index.php?=\(Ọmọlúàbí&oldid=659721559.2013.\)](https://en.wikipedia.org/w/index.php?=(Ọmọlúàbí&oldid=659721559.2013.)), 14.
4. *The Concept of Ọmọlúàbí in Yorubaland.* [https://iyedevelopment.weebly.com/blog/-the-concept-of-Ọmọlúàbí-in-Yorúbá.\(Retrieved on the 17th October,2015.\)](https://iyedevelopment.weebly.com/blog/-the-concept-of-Ọmọlúàbí-in-Yorúbá.(Retrieved%20on%20the%2017th%20October,2015.)), 17.
5. The legality of the use of plea bargaining in the Nigerian Criminal Justice System .<https://topeadebayowordpress.com> Retrieved on (17th June,2016)11..
6. *Plea Bargaining and Nigerian's Criminal Justice Administration.* <https://thenationlineng.net/plea-bargain-and-nigerians-criminal-justice>. (Assessed on 12th September, 2015.),2.
7. Adebola B. Ekanola, "Plea Bargaining and the anti- corruption crusade in Nigeria," (paper presented at the conference on corruption, University of Ibadan, 28 October, 2015), 6.
8. *The Legality of the use of Plea Bargaining in the Nigerian Criminal System.* <https://tpoeadebayowordpress.com>. (Retrieved on 13 December, 2015), 9.
9. *The legality of the use of plea bargaining in the Nigerian Criminal Justice System.* <https://topeadebayollp.wordpress.com>.(Retrieved on 13th September, 2015.), 5.
10. The street journal.org/2013/6653.Aseesed on 12th June,2016
11. Sunday Dada. *How they looted Nigeria dry and a litany of abandoned EFCC Corruption cases.* (2013). Retrieved on Sahara Reporter on 7th August, 2015.
12. Vanguard Newspaper, (6 March, 2012), 15.
13. The legality pleabargainingNigeria.topeadebayollp.wordpress.com/2012/ (Assessed on 14th June, 2016).
14. O.P. Oke, "Ethics in the Nigerian National Pledge and its Implications for the Transformation Agenda," *Orita: Ibadan Journal of Religious Studies*, University of Ibadan, Ibadan, XLV/1&2 (June & December, 2013):109.
15. Ogunye, Julius. *In Defense of Plea Bargaining is the problem.* <https://www.premiumtimesng.com/opinion/121369-in-defense-of-pleabargaining>.(Assessed on 2nd of August, 2015)
16. What is Plea Bargaining by Honourable Dahiru Mustapher. www.academia.edu/2993878/plea_bargaining. (Assessed on 2nd July, 2016.

- 17 Ozioma Izuora. Authority. Plea Bargaining in the Administration of Criminal Justice Act, 2015. [www.authorityngr.com/2016/01/plea bargaining in the administration of criminal justice act, 2015](http://www.authorityngr.com/2016/01/plea-bargaining-in-the-administration-of-criminal-justice-act-2015) (Assessed on 23th April, 2016), 10.
- 18 *Plea Bargaining: A Curse or a blessing to Nigeria's Criminal Justice System*. <https://www.linkedin.com/pulse/201482807-253807967>. (Assessed on 12th June, 2016), 12.
- 19 Jamiu, H. *Yoruba, Politics And The Concept of Ọmọlúàbí*. (Ilorin, Unilorin Graduates Forum, 2012). <https://group.yahoo.com/neo/groups/Universityofilorinalum/conversation>. (Retrieved on 16th August, 2015,) 13.
- 20 Emmanuel, Bolaji Idowu, *Olodumare: God in Yoruba Belief*. (Ikeja: Longman Nigeria Plc. 1962), 149
- 21 *My Ọmọlúàbí*. <https://globalomolubabi.com>. (Retrieved on 20th August, 2015), 3.
- 22 Jacob, Kehinde Ayantayo, *Fundamentals of Religious Ethics*. (Ibadan. End-Time Publishing House Ltd. 2009), 80.
- 23 Honesty in Deed .Wikipedia. [http://en.m.wikipedia.org/wiki](http://en.m.wikipedia.org/wiki/Honesty_in_Deed). (Retrieved on 17th May, 2016).
- 24 Rosado T.M. *Forgotten Virtue: Honesty*. <https://www.dominicanjournal.org/forgotten-virtue-honesty>. (2013), (Retrieved on 24 th, March, 2016), 13.
25. Abimbola, Wande. *Awon Oju Odu Mereerindinlogun*, (Ibadan: Oxford University Press. 1977), 7.
- 26 Arinpe Adejumo, "As a Form of Social Control: Its manifestation in Yoruba Ritual and Festival Songs," *Orita: Ibadan Journal of Religious Studies*. (Vol. xxxix, June, 2007): 13.
- 27 S.A. Adewale, "Ethics in Ifa," *Religion and Ethics in Nigeria*. Ibadan Studies Series (Ibadan, Daystar Press, 1986), 62.
- 28 S.A. Adewale, "Ethics in Ifa", 63.
- 29 Yemi Elebuibon, *The Healing Power of Sacrifice* (New York, Athelia-Henrieta Press, 2000), 56.
- 30 The Glorious Koran, An explanatory translation, trans. Mohammed Marmaduke Pickthall.
- 31 Joseph Omoregbe, *Ethics: A Systematic and Historical Study* (Lagos: Joja Educational Research and Publishers Ltd. 1993), 13.
- 32 Jacob, Kehinde Ayantayo, "The Religious and Ethical Significance of Igbo Song to the Contemporary Igbomina in Osun State," *Journal of Arabic and Religious Studies*. (Department of Religions, University of Ilorin, Vol. 16. 2002): 47.
33. Jacob, Kehinde Ayantayo, *Fundamentals of Religious Ethics*, 23.

-
- 34 Faith and Practices in Islam. [www.sunypress.edu/p-1567-faith and practice in Islam](http://www.sunypress.edu/p-1567-faith-and-practice-in-islam). (Assessed on 2nd July, 2016).
 - 35 J.K. Ayantayo, “The Religious and Ethical Significance of Igbo Song...”, 61.
 - 36 Y. Elebuibon, *The Healing Power of Sacrifice*, 52.
 - 37 Joseph Omoregbe, *Ethics: A Systematic and Historical Study*, 120.
 - 38 The Holy Bible (RSV)
 39. Discipline. *Wikipedia. the Free Encyclopedia*. (Assessed on the 4th August, 2015).
 40. Jacob, Kehinde Ayantayo, “The Religious and Ethical Significance of Igbo...”, 56.
 - 41 N.A. Fadipe, *The Sociology of the Yoruba*, (Ibadan University Press, 1970), 34.
 42. The Neglected Virtue of Hard work. CBMC. <https://www.cbmcint.com/the-neglected-virtue-of-hard-work>. (Assessed on 5th April, 2015).3.
 43. The Hadith (Al-Bukhari, 7/158) www.ummah.com/forum/showthread.php?260660-Islam-teaches-us-NOT-to-be-lazy-Here-is-the-cure.(Assessed on 11th July, 2016).
 - 44 Islam and Morality: www.islam-info.ch/en/morality_in_islam.(Retrieved on 25th March, 2016).
 - 45 www.premiumtimesng.com/opinion/152325..(Assessed on 9th July, 2016.)
 - 46 www.google.com.ng/search?q=tafa+balogun+and+alamieyesagha+money+lundering+charges+by+efcc.(Assessed on 9th July, 2016).
 - 47 J.K. Ayantayo, *Fundamental of Religious Ethics*.
 - 48 Olufemi Olaoba, *Yoruba Legal Culture*, (Ibadan: FOP Press, 2002), 25.
 49. What are virtues? <https://www.virtuesforlife.com/what-are-virtues>.Retrieved on 3rd September, 2015.
 - 50 S.O. Abogunrin, “Religion and Ethics,” *Religion and Ethics in Nigeria*, ed. S.O. Abogunrin, *Religion and Ethics in Nigeria*. Ibadan Religious Studies Series, (Ibadan, Daystar Press.1986),7.
 51. John Mbiti, *African Religions and Philosophy*, (London: Heinemann, 1982),12.

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