

Ole Jija: Rethinking theft in the Yoruba ethical system

Babalola Joseph Balogun¹

Department of Philosophy, Obafemi Awolowo University, Ile-Ife, Nigeria

Tel.: +234(0)8100657444

talk2joey@yahoo.com

Sunday Layi Oladipupo²

Department of Philosophy, Adekunle Ajasin University, Akungba Akoko, Ondo State

Tel.: +234(0)8038468455

habaksunlayi@yahoo.com

The paper rethinks the moral controversies surrounding theft within the Yoruba ethical paradigms. It argues that the concept of theft has a broader theoretical perspective amongst the Yoruba people of south-west Nigeria than its narrow conception of taking without the consent of the owner to do so, prevalent especially in the Western legal frameworks. Since it is generally considered a shameful act, the paper posits that theft is morally forbidden in the Yoruba ethical system, even with a full recognition of the possibility of its being supernaturally imposed on the erring agent either by his/her primordial choice of a faulty ori or by other inimical spiritual means, such as spells or curses. Hence, while it acknowledges the role of propitiative sacrifice as a mollifying antidote for a curse-caused act of theft, the paper dispels theft due to a bad ori, and instead prescribes modification of character through social self-rebirth, something akin to the Christian concept of being born again. In conclusion, the paper holds that a morally good person should not indulge in dishonesty in any form, should be hard-working and be ready at all times to extend a hand of alms to others who do not have, as these are the foundations upon which the Yoruba ethical system cum social code of conduct are made manifest.

Key Words: *Ole Jija*, theft, Yoruba, ethical system.

Introduction

Our main concern in this essay is to reflect on the moral issue of theft within the Yoruba ethical paradigms. The paper conceives the act as a morally neutral issue and tries to find out under what circumstances it becomes morally induced and thus described as morally wrong. The paper is particularly interested in knowing what it is about theft that makes it morally condemnable in all human societies. Is it because it violates the moral principle or golden rule that we should do to other people what we would wish that they do unto us? Suppose I don't mind being stolen from, am I still bound by the moral imperative not to steal from others? Is this general unpleasant attitude towards theft and thieves consistent with the Yoruba belief that different people choose different *oris* from heaven; and given this, is it possible a person chose in heaven to become a professional thief on earth? This is coupled with the belief that the social pathological act of theft is sometimes imposed on an agent from without where the agent unwillingly perpetrates the act without knowing and only becomes aware when the act has been done. Given this backdrop, are all thieves condemnable?

Theft as a controversial ethical issue

Ethical issues are issues in which, unlike mathematical issues, a point of agreement is neither always intended nor reached. This, according to Moses Makinde (1988:1), is "what qualifies ethics as a proper subject in philosophy – a discipline in which there often are no winners or losers, and in which a previously rejected views might bounce back into life again in the wake of further inquiry." Thus, controversies in ethics can be generated from different perspectives. They could arise from the need to clarify the meaning of certain ethical concepts. This is the purview of meta-ethics, the branch of linguistic philosophy that analyzes and seeks to clarify the meaning and use of ethical expressions and concepts such as "good" and "ought". The confusions or disagreements engendered by the clarification of ethical concepts often arise from the imperfect nature of natural languages, coupled with the inability of philosophers to cope with the fluidity of linguistic meaning as encountered in natural languages.

In relation to the moral issue in question, for instance, such controversy is generated by the failure of ethicists to come to terms on the meaning of theft as a moral concept. As generally understood, the term theft may mean "taking something which does not belong to one without the expressive consent of the owner to do so". A second-order examination of this definition, however, reveals that many hidden absurd implications (which may make one to conclude that the definition is not well thought out) are packed into it. Consider a hypothetical case where an individual named

1. Babalola Joseph Balogun is a lecturer in the Department of Philosophy, Obafemi Awolowo University, Ile-Ife, Nigeria.

2. Sunday Layi Oladipupo is a lecturer in the Department of Philosophy, Adekunle Ajasin University, Akungba Akoko, Ondo State, Nigeria.

Ogbeni shares an office with a colleague. On a particular day, Ogbeni needs some plain paper, and having none himself, decides to take some sheets from his colleague's table, who by chance is not in the office. Now, this fellow has not sought the consent of his office-mate before taking the paper, and by implication of the definition of theft, has stolen them.

One may reiterate that, though he has not sought the required consent of his office-mate before embarking on the action, Ogbeni has not intended it to be an act of stealing. This is because he intends to inform his colleague of his action while the latter comes around. Such observation would render our initial definition conceptually faulty, and the need for another definition arises. The new definition will have to be cognizant of the deficiency of the old one, and appropriately avoid it. One may then modify the definition thus: theft is the unlawful taking of another person's things/belongings with the *intention* of permanently dispossessing them of the taken items. The inclusion of intention here indicates that stealing is a deliberate act; that no one steals unintentionally. One can therefore describe theft as a conversion of another's belongings to one's own through means other than the socially acceptable ones. This could be by force, deceit, position, secrecy or any other means that render such illegal conversion possible.

Another point is also deducible from the foregoing. It is what could be called "partial stealing". This has to do with the moral status of the action of Ogbeni when he takes some papers from his office-mate's table. This action cannot be morally neutral. It dangles between stealing and non-stealing. It is not actual stealing because he still has the moral obligation to inform his office companion when they eventually get to see each other that he took some plain sheets from his table while he was not around. The kind of consent he gets from this is belated, though, for it ought to have come before the execution of the action. Hence, until this occurs, the act is a partial stealing. It however becomes actual stealing when the opportunity comes for Ogbeni to inform his colleague of what happened in his absence, and he does not. In this case, he is said to have stolen the plain sheets from him. The case is worsened if, on demand by his office-mate, Ogbeni denies having taken any paper from his table.

The illustration as adopted here reveals that the absence of the owner's consent renders a form of taking an act of theft. Thus, any taking backed up with the owner's consent raises no moral controversy of theft. However, a question arises as to the mode of consent required for a morally neutral act of taking. In other words, in what form should the consent of the owner be sought or given? This question is so important that it makes all the difference in such morally bad actions as robbery, fraud, trickery, among others. In the case of robbery, for instance, the owner's consent is given, albeit not willingly. In that of fraud, it is given ignorantly. In the two cases, what is given is not really the consent of the owner, or at best, it is an externally imposed consent. This is what makes the owners' consent in both cases a wrongful one.

By the same token, a politician who rigs an election in order to emerge as the winner has stolen people's mandate, and hence qualifies for the title of thief. As a political thief, he is guilty on a two-count charge. On the one hand, he is guilty of sabotaging the process of good governance. This is a crime against the state. On the other hand, such a politician is also guilty of the theft of people's political rights by inhibiting their freedom to choose the candidate of their choice. On this point, he has committed a crime against the people. One is bound to be dumbfounded, therefore, to see politicians found guilty of this offence go through our streets unfettered by the supposedly impartial shackles of the law.

Although laws against electoral theft have not received substantial backing for a serious punitive consequence, law against political corruption, especially embezzlement of public funds, has been more intolerant. It should be noted that the embezzlement of public funds is theft on a large scale; an illegal conversion of public funds into private coffers. Hence, legally speaking, such offence ought to attract a stricter penalty than petty stealing, or even armed robbery, which in most cases is less felt on a social scale. This explains why some countries (for example, China, Vietnam (Scobell 1990) have made corruption in public office an offence punishable by death. It is only hoped that African countries, especially Nigeria, would have the moral boldness to incorporate a similar temperament into their legal frameworks.

The moral issue of theft can generate a different perspective of ethical controversies. This has to do with the consideration whether there is something in theft that makes it morally wrong or that it is intrinsically, irredeemably morally wrong. This point could be debated using the ethical foundations provided by the Consequentialist-Deontological theoretical divides.

Consequentialism, on the one hand, upholds the view that actions are right or wrong based on the results they bring to bear on the moral agents. These end results must be non-moral (Oke and Esikot 1999: 94). Applied to theft, consequentialism embodies the position that stealing is either morally right or wrong consequent upon the end or purpose which it serves. Should the consequence be good, the consequentialist believes nothing is morally wrong with the act of stealing, which may be only a means to a morally justifiable end. A similar view has been defended by Joseph Fletcher, who in his *Situation Ethics* argues that actions are neither morally right nor wrong in themselves, but are made so by situations under which they are carried out. Thus, an action can be morally justified in one instance of its execution, while it is morally unjustified in another. Situations make the difference between good and bad actions.

As an ethical theory, on the other hand, deontology is the view that certain actions are inherently wrong, and however well intended they may be, they lack the essential credibility for moral justification. This implies that moral rightness and wrongness, goodness and badness, etc. are intrinsic part of actions. Consequent upon the deontologist rigid moral structure, theft is condemned as morally wrong in and of itself. This could be shown in the light of Kant's (1948) categorical imperative or the so-called principle of universalization: the personal policy (maxim) on which our action is based must be one that we could consistently will that all persons follow. If our maxim cannot be universalized, the action is immoral (Abel 1994). In effect, theft, since it cannot pass the universalization test, is immoral in all possible worlds, regardless of its consequence or the situation under which it is done.

We risk stating here that the Yoruba ethical system is an admixture of the two ethical paradigms stated above. This implies that the Yoruba have a flexible moral structure with the sole aim of ensuring human welfare and happiness. Being flexible here, as it is capable of interpretation, does not entail arbitrary inclusiveness in the sense of "anything goes" but in a more pragmatic sense of being thorough and many-sided. For when the Yoruba say, *Ohun ti ko dara ko dara* (what is not good is not good), they seem to agree with Kant that certain actions are to be avoided for their inherent wrongness. This does not make the Yoruba ethical system sufficiently Kantian in flavour. On the contrary, that which is not morally worthy of being done is to be eschewed for its harmful consequence on the acting agent and other people around him/her. This explains why, in *Odu Eji Ogbe*, *Ifa* advises: *K'a wo waju ojo lo titi; k'a tun bo wa r'ehin oran wo, nitori ati sun ara eni ni* (Let us give continuous attention to the future; let us give deep consideration to the consequences of things, and this is because of our eventual passing).

Taken as a whole, the Yoruba moral system makes a fine example of virtue/character ethics. "Virtue Ethics is a classification within Normative Ethics that attempts to discover and classify what might be deemed of moral character, and to apply the moral character as a base for one's choices and actions" (Gowdy 2010). The Yoruba central ethical concept is *iwa* (character) (Idowu 1962; Abiodun 1983; Oyeshile 2002; Ogundeji 2010). Beside ethics, *iwa* also takes a critical position in Yoruba hermeneutics, aesthetics, theology, and ontology. "Sayings such as *iwa l'ewa* (character is beauty); *iwa l'esin* (character determines how religious one is); and *iwa l'oro* (character is wealth) testify loudly to this" (Ogundeji 2010). A model of ideal character (*iwa rere*) in Yoruba ethics is *Omoluabi*. Such an individual is expected to demonstrate moral soundness in all his/her private and public life. Theft is apparently antithetical to this moral vision.

Applied to the issue of theft, the Yoruba moral attitude is unfavourable. The Yoruba consideration of the consequence of action stems from their adherence to the principle of Golden Rule, which is overtly expressed in their proverb, *k'a to be'gi n'igbo, k'a f'oro ro ara eni wo* (Before one fells a tree in the forest, one should apply the matter to oneself). The statement "it is good to steal", therefore, is a statement which no rational human being seems capable of making consistently. For this applies to both the maker of the statement and other agents who are also morally permitted to steal from him, thus taking us back to the Hobbesian state of nature, which if we are to escape it, must be through not doing to others that which we do not want done to us by them. This analysis represents a theoretical merger between consequentialism and deontology, because it shows that the duty that Kant talks about is, after all, not for duty's sake, but in its final analysis, in each person's interest.

The foregoing is therefore sufficient to conclude that, as it is characteristic of ethical controversies, there seems to be no way to resolve the moral issue of theft for the time being. The point to be noted, however, is that, as an ethical issue, theft can either be justified or otherwise based on the meaning one attaches to it, on the one hand, and the ethical school of thought to which one belongs, on the other. This point is defensible even where theft is disapproved of by all human societies. The rightness of an action does not flow from its social approval nor the wrongness of an action from its social disapproval. In other words, just as the approval of an act by all does not make it right, so does the disapproval of an act by all not make it wrong.

The concept of the owner

An important clarification about the moral issue of theft has to do with the concept of the owner. What does it mean to own, or be the owner of, something? This presupposes the general question at what point a thing becomes private; that is, *mine* or *yours*? In asking this question, we are concerned about finding out under what conditions we are legitimately warranted to describe certain objects using the possessive adjectives such as 'your' and 'my' and pronouns such as 'yours' and 'mine'. This inquiry is significant in some respects. Knowing when things become personal is not only essential to our quest to understand the nature of the act of taking designated by the term theft, but also it helps to settle the question whether abstract entities such as love, heart, belief, joy, happiness, technology, etc. belong to the category of things that can be stolen. It also helps to show why the consent of the owner is important in any meaningful discourse on theft. The import of this remark will become relevant shortly.

The question of ownership of a thing can be generally explicated within the social-contract theoretical frameworks provided by Thomas Hobbes and John Locke. To Hobbes, human nature, in its original state, is basically selfish and unhappy. In the state of nature painted by Hobbes, man is seen as constantly in strife with other men not only as a means of safeguarding his own life against the onslaught of untimely and violent death, but as a way of earning and protecting certain objects which make life worth living for him. Such a scenario is best described as a war of one against all and all against one so that the life of man is laconically described by Hobbes as “solitary, poor, nasty, brutish, and short” (Hobbes 1978: 100).

Given the endless strife that characterizes the Hobbesian state of nature, it becomes practically impossible for any man to hold on to anything on a permanent basis. One can only make claim to ownership of a thing for as long as a stronger person is not drawn to, or interested in, that which he claims to be his. Thus Hobbes (1978: 101) writes:

It is consequent also to the same condition that there be no propriety, no dominion, no *mine* and *yours* distinct, but only that to be every man's, that he can get, and for so long as he can keep it.

One could then describe Hobbes' state of nature as essentially governed by the 'might is right' principle. For one to be in possession of a thing, one has to compete violently for it, and things only become one's own after one has fought and subdued the former owner of the things in question. This is primarily because, according to Hobbes, “in such a condition, every man has a right to everything; even to one another's body.” Hence, right to ownership is conferred on people by how well they can compete for the things owned, and they remain owners thereof for as long as they do not come in contact with another, more powerful than them, who will convert the ownership, by force, to theirs. This means that conversion of ownership is achieved through force, and not through consent. It also implies that the notion of thievery has no meaning in such state, for that is the very condition through which survival is achieved. In other words, everyone is a thief in the Hobbesian state of nature.

Locke, being a liberal thinker, is more optimistic in his description of human nature, especially as depicted in his theory of the state of nature. In Locke's social contract theory, the concept of private property is given a most comprehensive treatment. According to Baradat (1984: 60), the high status Locke gives to private property rests on two major assumptions.

First, he assumed that accumulation of private property allowed people to provide for themselves and their families the necessities of life. Once freed from the pressures of survival, people could turn to the task of developing their characters. If a society is in the throes of famine, its people care little whether the sun revolves around the earth or the earth orbits the sun ... The second assumption in support of private property involved individual identity. Locke believed that property ownership was more than a simple economic fact. A person's property reflected the individual who owned it. People were identified in part by the things they owned.

How then did people come to form the concept of private property? What is its origin in man's social existence? How does the machine on which I am typing this piece become *mine*, distinct from *yours* or any body else's for that matter? Locke's answer to this question appears more plausible and more historically justifiable than one offered by Hobbes before him.

According to Locke (1994), the universe was given to all men in common by God. This means that we are joint heirs to the natural property called the earth. As Locke (1994: 423) puts it, “whether we consider natural *reason*, which tells us that men, being once born, have a right to their preservation, and consequently to meat and drink and such other things as nature affords for their subsistence; or *revelation*, which gives us an account of those grants God made of the world to Adam and to Noah and his sons, it is very clear that God, as king David says (Psalm 115: 16), *has given the earth to the children of men*; given it to mankind in common ...” (Locke 1994: 423). The question then naturally arises as to how a thing presumably owned by all becomes a privately owned property? Put differently, how is a commonly owned property converted to a privately owned property? This question is pertinent in the light of the moral requirement of consent of the giver, if the new private owner is to be exonerated from the guilt of robbery.

In Locke's opinion, although God has given the earth to the children of men in common, He has endowed each man with certain powers the proper use of which helps him to convert common ownership of the contents of the earth to his private property. This is his labour. Hence Locke (1994: 423-424) writes that “though all the fruits it (earth) naturally produces and beasts it feeds belong to mankind in common, as they are produced by the spontaneous hand of nature; and nobody has originally a private dominion, exclusive of the rest of mankind, in any of them, as they are thus in their

natural state: yet being given for the use of men, there must be of necessity a *means to appropriate* them some way or other, before they can be of any use or at all beneficial to any particular man.” Locke (1994: 424) explains further:

Though the earth and all inferior creatures be common to all men, yet even man has a property in his own person: this nobody has the right to but himself. The labour of his body and the work of his hands, we may say, are properly his. Whatsoever then he removes out of the state that nature has provided and left it in, he has mixed his labour with, and joined to it something that is his own, and thereby makes it his property ...

Having mixed one's labour with an object in its original state, same becomes, so to say, a fruit of one's labour, and therefore one's private property. Perhaps the foregoing could be illustrated with some hypothetical examples. Consider a case of a bird in the fowler's trap. While the bird was a free bird, it belonged to all as a common property. It belonged to all men and any man. It, however, becomes a private bird when it gets entrapped in a creatively designed effort (trap, snare, etc.) of the fowler.

A similar case could be developed for how people became landowners. Unlike in the contemporary time, when ownership of land is acquired through monetary means, land in the early time, especially in Africa, was acquired through occupancy (use). In those days, the size of one's land was measured proportional to one's farming ability; that is, how large one's farmland was. Since shifting cultivation was widely practised as a means of preserving the land for high produce, people relocated their farmland on a yearly basis, and any piece of land on which they once farmed automatically became their private property, where future farming activities could take place. Because one's farm size depended on the size of one's family, it is probable that men with large families usually had the largest portion of land among their peers.

Locke's analysis also covers cases where what is owned is purchased with money. Thus buying is another means through which ownership right is conferred on objects. This is because the money with which one buys is presumed to be a product of one's labour (except where it is a gift or a stolen item), and being so, has the converting ability to change the ownership status of objects. The only difference between primitive mixture of labour with a commonly owned object, such as the case of the fowler above, and purchasing is that, while in the first case, the bird is taken from its original state as a commonly owned property, in the second, the bird is bought from the fowler who needs to sell it to earn a living, or in the achievement of some other un-specifiable end.

The foregoing seems to suggest that the concept of ownership is inherently rooted in individualism. This is true even among Africans, who have been mostly, sometimes derogatorily, described as essentially communalistic in almost all their approaches to life (Mbiti 1992; Turnbull 1976; Ruch and Anyanwu 1981). Although the Yoruba practise communal ownership of certain things, such as farmland, water sources (e.g. streams, rivers, ponds, etc.), masquerades, new-yam festivals, among others, they do not own all things in common. Farms, farm-tools, clothes, houses, bicycles, beads, money, wives, children, etc. are rather owned individually than communally. This point is clear enough in one of their (Yoruba) proverbs: *oko kii je ti baba ati omo ki o ma ni ala* – a farm does not belong to a father and his child without a boundary. The *ala* (boundary) alluded to in the proverb is significant in at least two respects. One, it reveals that the Yoruba, in spite of their acclaimed communality, have a sense of private property. Two, it helps to distinguish between a success and failure, as found in *ala nii f'oko ole han* – it is boundary that differentiates a lazy man's farm. The implication of this is that such delicate property as a farm should not be owned together, as it forms a basis for social assessment of persons either as diligent or indolent.

Among the Yoruba, ownership connotes an inalienable right of an individual. Sometimes, it is thought of as an inextricable attribute or property. This explains why the Yoruba say that *eja lo ni'bu*; *erin lo n'igbo*; *efon lo l'odan*; *lekeleke lo l'efun*, meaning: the fish is the owner of water; the elephant is the owner of the forest; the buffalo owns the jungle; the egret owns whiteness. Whereas water, forest, and jungle are natural habitats of the aforementioned animals, whiteness is the colour of egrets. These animals metaphorically own these attributes by virtue of their spatio-temporal relation to them, coupled with the fact that they (i.e. the animals) can hardly be thought out of them (the attributes). Stressing the inseparability of the individual and property owned, the Yoruba will say: *A kii gba akata l'owo akiti*; *a kii gba ile baba eni l'owo eni* – no one takes *akata* from *akiti*; no one dares usurp one's father's house from one.

The Yoruba believe that ownership confers a sense of pride on individuals. As they put it, *ohun a ni laa naani/gbe l'aruge* (it is what we own that we cherish/are proud of). This expresses the ideal of contentment and the need to be appreciative to God (*Olodumare*) for whatever, however insignificant, one owns. It is worth noting that, among the Yoruba, things themselves are imbued with ontological and social values, accounting for why they incite in their owners a feeling of satisfaction and pride. Emphasising the social importance of things owned, the Yoruba will readily say: *teni n teni*; *t'akisa ni t'aatan* (literally: one's own is one's own). This is like saying a bird in hand is worth a thousand birds in the bush.

It also reveals the Yoruba abhorrence for the state of lack, as this tends to divide the society into two unequal parts, with those at the bottom of the societal ladder looked down upon as social misfits. No man gives his daughter in marriage to a wretched man, nor does any society honour him with a chieftaincy title. Hence, *Odu Ose Okaran* in *Ifa* literary corpus says, *Iwo ko fe; emi ko fe. Ise nikan rin* (literally: you do not want it; I do not want it. Deprivation walks alone.) (Karenga 1999). Since *ajoje o dun b'enikan o ni* (eating together is uninteresting when one party does not have), the Yoruba extol the moral virtue of hard-work as a means of eliminating social inequality in ownership of the means of livelihood.

There seems, therefore, to be no significant difference between the Western and Yoruba conceptions of private ownership, except that the latter covers more categories of things than the former can allow. Unlike in the West, the Yoruba concept of ownership transcends material things. For instance, human beings can be owned within the Yoruba context. A husband is the owner of his duly married wife/wives. The cultural explanation for this can be found in the social practice of bride price payment, which among the Yoruba, signifies the right of ownership of a husband over his wife. A typical Yoruba woman sees her husband as *olowo orimi*, meaning the payer of my price/my owner. She thereby sees herself as a bought gift/property. Like a property, she is inheritable. Hence, when her husband dies, she is shared alongside other properties. This practice is called *opo sisu* among the Yoruba.

Theft within the Yoruba ethical system

The Yoruba as used in this article represents the indigenous people (inhabitants) of South-West Nigeria. As one of the major ethnic groups in Nigeria, the Yoruba occupy Ekiti, Ondo, Ogun, Osun, Oyo and Lagos states of South-West Nigeria. Beyond Nigeria, the Yoruba are found in several parts of Africa as well as in the world. Olusanya (1983) claims that, "the Yoruba constitute one of the best known indigenous groups in the world today." They are also found as a diaspora population in countries such as Brazil, the Caribbean: Trinidad and Tobago, Jamaica; in Europe and the United States of America (Adetugbo 1991). Albert (2010) argues that, "many of what goes under 'African Art' in the developed world today are disproportionately Yoruba in origin." This revelation seems to cement the importance of the Yoruba ethical ideals as having a wide range of impact and applicability on a significant bulk in Africa and the world.

The concept of *ole jija* (theft) is much wider and more complex when considered from the perspective of the Yoruba people. Two probable reasons can be given for this. One, the moral pathology of *ole jija* is believed capable of being induced in the moral agent from an external cause so that the suffering agent just performs the act against his/her will to do so. It may come in the form of a curse or spell placed on the agent. In this case, *ole jija* is seen as a disease from which the patient, like a medical patient, has to be cured. This is usually done through appeasing the gods to remove the curse from the suffering agent. Perhaps, this is the African equivalent of kleptomania in the Western psychological literature. On the other hand, the Yoruba believe that *ole jija* may be *ise ori ran ni* (literally meaning the work imposed on one by one's *ori*). Hence, one cannot but steal as failure to do this has the implication of working against one's lot on earth.

Ole is the general name for a thief in Yoruba language. This name is used to describe a wide variety of people with a tendency to claim as theirs what is not rightfully their own. One of such groups is called *alafowora*, literally meaning "he whose hand makes things disappear." *Afowora* is light-fingeredness or pilfering manifesting in acts such as shoplifting, pick-pocketing, or petty stealing. Secrecy of operational mode is the defining characteristic of this kind of theft. It can be done at any period of the day, provided no one is watching. This category is unique because it takes only an individual to carry out the act; and the items stolen are usually not of much value or worth. These acts may range from stealing meat from a mother's pot, a few tubers of yam, entrapped animals, to jewellery, money, among others. Agents in this category have in common the triviality of the objects stolen.

Another category of *ole* is *adigunjale* (they that are armed while stealing). This is group-theft, implying that it always comes in gangs. It is properly called armed robbery and members of the group are armed robbers. Due to the deadly nature of their operation, the Yoruba refer to them as *a-lo-ki-olohun-kigbe* (they that leave and the owner starts to shout, i.e. crying) and *olosa* (burglar). The shared characteristic of this group is the involvement or use of arms and the proclivity to harm while carrying out the activity of stealing. In addition, this group makes a profession out of stealing. Although they often operate under the secrecy of night, the introduction of sophisticated weapons into Yoruba society has equipped armed robbers (among them) with so much boldness that they now rob in broad daylight. It should be added that armed robbery involves stealing highly valuables items such as large sums of money (mostly from banks and other financial institutions), cars, gold, diamonds, etc.

There is also the group called *dana-dana*. This is an equivalent of the idiomatic gentlemen of the highway. *Dana-dana* shares virtually all the characteristics of the *adigunjale* and *olosa*, but with the slight difference that their operations are carried out on highways or footpaths. This makes the targeted victims of *dana-dana* primarily travellers and other road users. In traditional Yoruba society, the *dana-dana* were known for attacking businessmen and women, mostly on their way to the market, robbing them of their money and other valuables. In modern time, however, items robbed by *dana-*

dana have been extended to include mobile phones, laptops, iPods, iPads, jewellery such as rings, necklaces, earrings, wristwatches, ATM cards, etc.

Diverging slightly from the orthodox understanding of theft, the Yoruba consider as a thief anyone whose behaviour, especially in relation to things owned by others, is dishonest. Such persons include *gb'oko-gb'oko* (husband snatchers), *alonilowogba* (extortionists), *arenije* (swindlers), *wobia* (gluttons), *gbaju-e* (fraudsters), *sogundogoji* (money doublers), *akowoje* (embezzlers), *gb'omogb'omo* (kidnappers), among others. The rationale behind this generic classification might be the common features of greed and duplicity involved in them. Being largely bred out of lack of satisfaction in what one owns, this group acts in non-compliance to a line in *Odu Osa Ofun* (225: 1) which says: *A nsa fun ohun olohun ki a ma baa di ole; nijokan airotele ki a ma baa pariwo leni* – We avoid other people's property so that we might not become thieves; and so that one day people, without warning will not yell out at us (Karenga 1999: 395-397).

The concept of theft in the Yoruba traditional ethics covers a range of other activities. An unacknowledged favour is described as an outright theft. Thus, departing from the conventional meaning of a thief, the Yoruba consider an unappreciative person a thief. This is evident in the saying that *eni ti a se l'oore ti ko dupe, o dabi olosa ko ni l'eru lo ni*, literally meaning "he to whom a favour is done and who fails to acknowledge it, same is like a bugler." With the same token, a man who 'marries' a woman without observing all the required marriage rites is also considered having stolen the woman. The reason is this: parental consent to give out a daughter in marriage comes in the form of the observation of marriage rites by an intending suitor. Failure to do this qualifies the act as a theft of the woman in question.

The Yoruba believe that *ole jija* is chiefly caused by *ojukokoro*, literally meaning greed. The word *ojukokoro* is a derivative of the original word, *oju-ko-ku-ro*, that is, the inability of the eyes to leave something (i.e. object of one's desire). It is thus lack of satisfaction or contentment in one's possession, which often leads one to desire more. *Ojukokoro* and *iwora* are like twin brothers. *Iwora* is the negative desire to cheat others. If someone with *iwora* is to choose from items presumed to be shared among several people, he/she would want to take more than it is required to share with the others equally. This is probably the foundational habit that graduates into the anti-social behaviour of embezzlement popular among politicians. To this end, the Yoruba would say *oju kokoro ni s'iwaju ole jija*; literally, greed is the beginning of theft. This is the Yoruba way of drawing the causal relationship between greed and theft.

A related causative factor in theft is what the Yoruba refer to as *okanjuwa*. This is what can be described as a get-rich-quick attitude; a desire to be successful in life with little or no hard work. It is more prevalent among the youths. A twenty year old, unemployed person desires to drive the latest car in town and wants to live in a mansion in the choicest part of the city. The Yoruba trace this unholy yen to *afarawe* meaning comparing oneself with another. A young man who just graduated from the university wants to own the same thing or more than a man who has been in the active service of his employer for twenty years, forgetting the virtues of hard work and perseverance.

Where it is discovered that the cause of a habit of theft is rooted in any of the causal factors highlighted above, that is, *oju kokoro*, *okanjuwa* or *afarawe*, the Yoruba often prescribe *itelorun* (contentment) to the erring agent. *Itelorun* is a moral virtue, which leads to a moral life of self-satisfaction. To this end, the Yoruba refer to *itelorun* as *baba iwa* (*itelorun* is the father of good characters). This seems to share a close similarity with the biblical wisdom that "godliness with contentment is a great gain" (1 Timothy, 6: 6). *Suuru* (patience) is also pontificated as a virtue, which, if inculcated, has the propensity of sustaining one until a fulfilled life is achieved. Teaching about *suuru* (patience), *Ifa* Corpus, in *Eji Ogbe* (1: 1) admonishes that,

K'a ma fi kanjukanju j'aye.

K'a ma fi warawara n'okun oro ...

K'a wo waju ojo lo titi.

K'a tun bowa r'ehin oro wo.

Nitori ati sun ara eni ni.

Let us not engage the world hurriedly.

Let us not grasp at the rope of wealth impatiently ...

Let us give continuous attention to the future.

Let us give deep consideration to the consequences of things.

And this because of our eventual passing (Karenga 1999: 1).

Ole jija (theft) can also be brought about by a faulty family upbringing. The Yoruba take very seriously the role of parenting in the shaping of the individual's moral life. It is believed that an individual may make stealing a habit ignorantly if his/her parents fail to reprimand him/her for repeatedly doing the act. A parent who does not rebuke a child for taking wrongly –

that is, taking things that don't belong to him/her – is seen in the Yoruba society as teaching the child the act of stealing. This is evident in the saying *Omo yin ko s'agbafo, o n' k'aso wa'le; e r'aju ole e o mu* – your child is not a washman, yet he brings home clothes; you have seen the face of a thief and failed to catch him. It is an indulgence of stealing for a parent or any elderly person to suspect an act of stealing in a child and refuse to rebuke it. Thus, the Yoruba would say *Eni gb'epo l'ajao ja'le bikose eni ba gba a l'aja* – it is not the person that carries the vessel of red-oil from the ceiling who is the thief but the person that helps him put it down. This implies that a collaborator with a thief is himself also a thief.

Yoruba parents are saddled with the responsibility of training up their children properly in social etiquette, values and public morality. Children are expected to be exposed to the fundamentals of socially acceptable standards of human conduct from their individual homes. The Yoruba accept the ideal that *Ile la ti n ko eso r'ode* – charity begins at home. In congruence with Solomon's insightful counsel to train up a child in the way that he should tread, for when he grows up, he will not depart from it (Proverb 22: 6); the *Ifa* Corpus, in *Oturupon Ogunda* (206: 1), advises:

Kerekere li a tii p'eka iroko.

Bi o ba d'agba tan,

A maa gba ebo.

It is when they are still young that we should prune the branches of the *iroko* tree.

For when they are fully grown,

We will have to make greater sacrifice (Karenga 1999: 370).

Iro pipa (lying) is another habit that predates *ole jija*. *Iro pipa* is a general attribute among all thieves, but more prevalent among young thieves. The Yoruba abhor telling lies because they believe that whoever takes delight in telling lies will one day take to stealing. Hence, they will say *eni ba npa'ro, a ja'le* (he that lies will surely steal). The Yoruba recognise the fact that lying may get one rich, but its consequence is always not in the interest of liars. *Otura Meji*, an *Odu* in the *Ifa* Corpus has it that:

Iro pipa kii wipe k'a ma lowo. Ile dida kii wipe k'a ma dagba. Sugbon ojo ati sun l'ebo.

(Lying does not mean that one will not become rich. And breaking commitments does not mean that one will not reach an old adage. But on the day of death, the sacrifice will be required) (Karenga 1999: 97).

Lying and theft are Siamese twins: they are inextricable. The proper beginning of theft is the denial of having taken something. This is often done to avoid the consequent punishment for the act of taking wrongfully, and without the consent of the appropriate owner, such as one's parents. Thus lying serves as a cover-up for a shameful act of stealing. However long a lie persists, nevertheless, the Yoruba believe that truth will catch up with it one day. They say *B'iro ba lo fun ogun odun, ojo kan l'otito yio ba* – if a lie goes for twenty years, the truth will catch up with it in one day. The corollary of this is found in the Yoruba belief couched in the saying *Ojo gbogbo ni t'ole, ojo kan ni ti onihun* – all days are for the thief; one day is for the owner. This expresses a strong conviction that to whatever degree a thief appears elusive, he would surely be caught someday. Such an expression is used as a note of warning to yet-to-be-caught thieves and their intending counterparts.

On a general note, the Yoruba consider theft as a shameful act that should not be found in the community of *Omoluabis*. An *Omoluabi* (good person), in contrast to *Omo lasan* or *Eniyan lasan* (worthless person), is expected to eschew anything that could tarnish his/her social image. Among other things, it is socially expected of an *Omoluabi* to exhibit the moral virtues of *iwapele* (good and gentle character) (Abimbola 1975), *iteriba* (respect), *inu rere* (having good mind to others), *otito* (truth), *iwa* (character), *akinkanju* (bravery), *ise* (hard work) and *opolo pipe* (intelligence) (Fayemi 2009: 169). In addition to these, *Omoluabi* is supposed to be *eni ti a ko* (someone who is properly nurtured); *ti o si gba eko* (and who behaves accordingly) (Oluwole 2007: 13). It is doubtful if a person with the foregoing moral features could have anything to do with theft. A poem in the late Odunjo's (2010) *Alawiiye: Iwe Kerin* summarises the *Omoluabi's* attitude to theft thus:

Ki ni n o f'ole se l'aye ti mo wa?

Ki ni n f'ole se l'aye ti mo wa?

L'aye ti mo wa, kaka ki nja'le,

Kaka ki n ja'le, ma kuku d'eru.

Ki ni n f'ole se l'aye ti mo wa?

Eni to ja'le a de'le ojo.

Eni to ja'le a de'le ejo.
Adajo a wa f'ewon si i l'ese,
Fewon si i l'ese bi olugbee.
Eni to ja'le a de'le ejo. etc.

What do I do with stealing in the world that I have come?
 What do I do with stealing in the world that I have come?
 In the world that I have come, instead of me to steal
 Instead of me to steal, I will prefer to become a slave
 What do I do with stealing in the world that I have come?
 He that steals will get to the court
 He that steals will get to the court
 The judge will come and bind him with shackles
 Bind him with shackles like a debtor
 He that steals will get to the court.

The professed preference to be a slave over being a thief indicates that an *Omoluabi* does not approve of theft under any existential circumstance. It is an acceptance of a worse condition that could result from a refusal to steal. The reason for this may not be unconnected with the fact that no matter the degree of success a man has attained, once caught stealing, he automatically loses his honour on a permanent basis. A popular Yoruba song says *eni j'ale lere kan, to wa d'aran b'ori, aso ole lo da bo'ra...* – he that steals even once and wears an *aran* cloth; it is a stolen cloth that he has worn ... Among the Yoruba, therefore, theft is an anathema; so is a thief.

Conclusion

What we have attempted to do in this paper is to investigate the Yoruba ethical system with regard to theft. The paper demonstrates that being a shameful social habit, theft is morally inexcusable in the Yoruba ethical system. The Yoruba, however, reckon with the fact that the individual who engages in the act of theft can be doing such out of his/her own desire. This is the possibility of one being cursed to do contrary to one's moral will through casting of a very powerful spell by one's enemies (*elenini eni*) to destroy one's moral character and consequently one's moral-social standing. Although the Yoruba believe that an individual under such a character-killing spell, like a medical patient, can be cured, perhaps through some ritual propitiations, this possibility raises the epistemological problem of the paradigm of identification of the individuals under the influence of such spell. This must be connected to the non-empirical nature of the claim, which makes it fall out of the purview of scientific enquiry. It also can be advanced to explain why law, being a scientific institution, does not recognise such claim as legally founded/appealing in lawsuits.

The Yoruba have explained away this difficulty by appealing to the triviality of things stolen by these individuals whose social worth is often estimated as higher than what they steal. One could illustrate this with an individual who comes into a stationery store in an expensive car, and who by all standards of value, appears rich, stealing a cheap pen, after having bought goods worth a substantial amount of money. Common sense tells us that the stolen pen belittles him. Besides, persons carrying this curse never steal successfully: they are always caught during the act. This intensifies their shame, which is the original motive behind the spell. The Yoruba believe that such individuals deserve our pity, rather than our scorn.

The possibility of choosing an *ori* whose content condemns one to a life of theft is circumvented by the Yoruba concept of *itu'ra-eni-bi* (self-rebirth). In the Yoruba social thinking, there are two kinds of birth: parental birth and socially self-rebirth. Although the importance of the former is incontestable for its necessity makes the latter possible, the Yoruba consider the latter more important for it is that which renders one morally fit for a successful social life. Self-rebirth means self-reconstruction. A self-reconstructed person is one who is morally balanced, and who observes moderation in all his/her dealings. An observer of moderation, according to *Odu Otura Rete* (245: 1), is one who is hardworking, who does not squander money, who dares not steal, who does not owe excessive debts, who does not drink liquor, who does not break commitments to a friend, and who wakes early in the morning, meditates and thinks deeply about his actions (Karenga 1999: 403-404). These moral do's and don'ts summarily describe an *Omoluabi*, a morally ideal person in the Yoruba socio-ethical universe.

Of course, the Yoruba are aware that frustrations do cause one to steal. Hence, while the ideal of hard work is given a topmost priority in the fight against poverty and the consequent temptation to dispossess others of their belongings through theft, the Yoruba morally forbid the haves from an unnecessary flaunting of their wealth, especially where the obtainable state of affairs reveals a suffering mass of people (Idowu 1962). Individual members of the society are

encouraged to extend a hand of alms to those in need to forestall the social phenomenon of theft (Onabanjo 2008: 134). Perhaps this is in response to a fundamental traditional belief among the Yoruba that fingers are not equal (*ika ko d'ogba*).

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