

**UNPLEASANT ASPECTS OF PRE-COLONIAL YORUBA DEBT RECOVERY  
SYSTEMS: OSOMALO, OLOGO AND IWOFA UNDER REVIEW**

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**Abstract**

*Yoruba people had traditional ways of debt recovery before the era of colonialism. Several studies have examined the different systems of debt recovery in pre-colonial time with negligible focus on the unpleasant aspects of the systems involved. This study, therefore, investigated the different unpleasant aspects of traditional systems of debt recovery. Data were collected through qualitative method. This involved twenty-five interviews of respondents conveniently sampled for the study.*

*The qualitative data were analysed using content analysis, while frequency and percentage distribution was used to analyse the socio-bio data of the respondents. Seventy-two percent of the respondents were male, 88% of them were married; 64% of them were Christians and 84% of them were indigenes of Ogun State. Forty-four percent of them were not familiar with Osomalo system of debt recovery; 52% of them were not familiar with Ologo system and 40% of them were not familiar with Iwofa system. Time wasting, public disgrace; exposure of private life; application of physical force and commotions in the communities were unpleasant aspects of Osomalo system identified in the study. Physical application of force and fear of contagious diseases were unpleasant aspects of Ologo*

*system. Psychological pain, depression, inhuman and wicked treatment of pawns, possibility of pawning turning into slavery; double benefits for creditors and alienation of pawns from family members and their private living were the indentified unpleasant aspects of Iwofa system.*

*The study recommends immediate efforts by the Yoruba leaders of thought to revitalize the dying Yoruba culture through international conferences on Yoruba culture and traditional ways of life both at home and in diaspora.*

**Keywords:** Debt Recovery, Osomalo, Ologo, Iwofa and Yoruba

### **Introduction**

Traditional debt recovery systems form part of the tradition and culture of Yoruba people. In Yoruba land, there are many reasons people borrow money whether in pre-colonial era or present day. Some of the reasons included, but not limited to, business undertakings, professional and occupational financing, curing of sickness, funeral ceremony or to finance calamity or pay for misfortunes.

Yoruba people in the pre-colonial era had institutions of credit facilities that were practiced all over the Yoruba land. In the same way, there were institutions established to recover bad debts owed by people. Some of the institutions or systems included, but not limited to, Osomalo (which was very popular among Ijesha people); Ologo, Iwofa and Ogboni cult. All the institutions of debt recovery mentioned above are not same. They have different methods of approach and recovery. However, they were all recognized in pre – colonial era as part and parcel of Yoruba culture in general and aspects of debt recovery in particular.

This study was conducted to investigate the opinions of present day Yoruba people on the unpleasant aspects of such traditional systems of debt discovery. Osomalo, Ologo and Iwofa were selected for this study and unpleasant aspects of each of the three systems of debt recovery were investigated. Ketu- Adie owe and Edu communities in Ado-Odo/Otta Local Government area of Ogun State were selected as study areas. .

### **Research question**

The following was the research question of this study:

What are the unpleasant aspects of pre-colonial Yoruba debt recovery systems

### **Objective of the study**

The general objective of this study was to investigate the unpleasant aspects of pre – colonial Yoruba debt recovery systems. However, the following were the specific objectives of the study:

- 1 To investigate the unpleasant aspects of Osomalo as a pre-colonial Yoruba debt recovery system.
- 2 To find out the unpleasant aspects of Ologo as a pre-colonial Yoruba debt recovery system.
- 3 To investigate the unpleasant aspects of Iwofa as a pre-colonial Yoruba debt recovery system

## **Literature review**

Indebtedness was considered an act of gross immorality in pre- colonial Yoruba society (Afe, 2012). It was a sensitive issue, even under traditional religion and concept of development (Alolo, 2007). Indebtedness was a common phenomenon among adult men (Lambranca, 2008) and among, even, the traditional chiefs. Some traditional chiefs appropriated so much from guilds that they became heavily in-debted, many of the chiefs became so indebted and so notorious in terms of their indebtedness to the guilds that they were denied any form of credit by their creditors (Raji and Abejide, 2013). Debt was a social fabric of band life, from where the family members even shared (Cohen, 1991). It was a caution in pre – colonial period not to incur heavy debt that would put one’s children future at risk. Hence, Yoruba frown at unguided spending and financial indebtedness since they cause poverty for the children or the family of the debtor. So, parents always strive to pay their debts, or extended family members sometimes assist a family to pay in order to prevent the children from servitude (Aduradola and Oyero, 2013).

One of the prominent causes of indebtedness in Yoruba land was extravagant funeral. Expensive funeral rites gulp a lot of money, which result in poverty and indebtedness of the bereaved family. People spend stupendous amount of money burying the dead such that after the events, some find themselves deep in debt. The survivors become financially crippled, deeply indebted and distressed (Uche, 2013) one of the greatest honours to give a person who died in indebtedness is to pay such debts (Wiredu, 1987)

Ojo (2006) argued that despite the abundance of studies on pre – colonial Yoruba trade and links between trade and politics, the role of trade credit and debt and associated conflicts have not received enough attention. Credit and debt institutions formed part of Yoruba pre – colonial economy.

There are many ways or systems or institutions of debt recovery in pre – colonial Yoruba society. These included – Osomalo, (among Ijesha people of Yoruba race), Ologo, Iwofa, through cult intervention (Ogboni) etc.

Osomalo was a popular traditional debt recovery system among Yoruba Ijesha. The word ‘Osomalo’ was tied to the process of debt collection. It means “I will not sit until I have collected my money” (Artzit International, 2015); Oladiti, (2006). Ijesha man who wanted to collect his money from debtor may remain in squatting position for long and asking for water to drink without limit. All these actions were to threaten the debtor to forcefully pay his debt, because such actions would affect the health of the creditor and it was a grief offence for a creditor to die in the house of a debtor. In order to avoid this, the debtor was forced to pay his debt. Family members often assisted in the payment.

Ologo system of debt recovery was also common. This system involved creditor sending Ologo (local bailiff) to occupy any place in the debtor’s house and live at his expense until payment was able to be made. People with unbearable sight or with contagious diseases like persons with leprosy were usually employed by creditor to carry out this assignment. (Olaiditi, 2006). These persons (Ologos) who take the food of debtors by force; put on the debtors’ apparels without permission and who generally do things that would irritate the debtors and compel them to pay the debts. It was a taboo for debtors to touch or eject such Ologos (local bailiffs). If done, it was counted as a serious public offence which must be purged in addition to paying the debt (Afe, 2012). The bailiffs can even harass the family members of the debtors. They were licensed to destroy properties, allowed to seize food or be rowdy as to deny occupants of a house sleep. Their job was to make thing unpleasant

and insulting in all possible ways so debtors or associates would pay at the earliest opportunity (Ojo, 2006).

Very similar to Ologo (local bailiff) system of debt recovery in pre-colonial era was the use of secret cult, age grapple or local group which performed such responsibility. Arifalo (2007) in Afe (2012:49) explained this in details. Edan was another method used to recover debt. This was a staff mounted with an image also known as Edan. It was used by the head chief when a public offence was committed or large debt was to be recovered. It was sent by a public messenger to the debtor's family head. As soon as it was delivered, the family must find the means of paying the debt, otherwise, the family would be ruined, for the authorities would order all the property of the family to be sold to pay the debt, and if the amount was not realized, individual members of the family would be sold into slavery.

The initiates of masquerade cult can also be employed in debt recovery. Until the debtor or culprit abides by their demands the initiated members start and continue destruction of public property like killing of domestic animals at sight, cutting down of economic trees etc (Ganyi, Inyabrl and Okpiliya, 2013). In present day Yoruba society, a tribal group known as OoduaPeople's Congress also acts as a debtor collector similar to those of cults' initiates (Guichoua, 2009). In some pre – colonial African societies, the age grade group performed the same function of collection of debt (Okairu, 2012 )

Another system of debt recovery in pre – colonial Yoruba society was Iwofa system (Pawning). Pawning was the act of giving a person out as security for money borrowed. The pawn became a pledge, mortgage or security for what a person owed. It was the main duty of pawn to work for the creditor who in turn fed and clothed him/her until when the debtor was able to pay. Pawning was not slavery but when pawns were not redeemed they found themselves in slavery (Perbi 2001). A debtor may pawn a member of his family to his creditor as equivalent of his amount owed. The labour of the pawn for the creditor only serve to repay the interest and not the principal of the amount owed (Oladiti, 2006). It was an arrangement in which a loan was secured in return for the labour of the debtor or one of his relatives. The labour served as the interest on the loan until it was paid (Eades, 1980). In some occasions, debtor may pawn his farm, Adewoye (1986) explained that pawning of farm was very common in Yoruba society between 1964-1960. It was part of the duties of public letter writer to draft the legal agreement of pawning of farm during this period such public letter writers also engaged in collection of rent and debt. These rent and debt collectors took a commission of logo on whatever was collected.

Apart from farm, landed property might also be pawned or given out like a collateral security on the debt incurred (Obioha, 2008). Pawning also came shortly before colonialism. For instance, European ship captains accepted human beings, often relatives of local merchants and official as human pawns that could be enslaved if debts were not paid Lovejoy and Richardson, 2001 in Lovejoy( Loveyjoy, 2006 )

In some African societies, local courts also often mediated in debt cases. The head of the home may wade in matters of debt settlement (Iorliam,n.d). Some traditional associations through their leaders or representatives may function as debt recoverer on behalf of their associations without questions (Yebisi, 2014). Traders' group may also be called upon to mediate in recovery of bad debt (Clark, 2010). Elders-in-council in pre-colonial Benin also adjudicated on matters of debt recovery. Debts owned when reported can be recovered with express permission of the Oba (Oghi, 2014). Finally, matters on debt recovery may also be reported and adjudicated at King's court which does not go beyond this level (Mai-Lafia,n.d)

Finally, seizure of property of the debtor was another traditional system of debt recovery. When the debt was long standing and the creditor had run out of patience, he had the right to seize any property of the debtor or of any member of his family (Afe, 2012). It was a strategy for inducing compensation (Ojo, 2006). The elders-in-council in Benin kingdom had the powers to confiscate goods of debtors commensurate with the debt owed. In some cases, such confiscated items were auctioned to recover such debt (Oghi, 2014). During colonial period, king Akintoye of Lagos was empowered by British government to confiscate and sell property of debtors for the payments of debts (Ojo, 2006). Debt incurrence can be prevented through rotator credit system, which encourages participants to save and then buy what they can afford. Rotator credit unions and small saver schemes, as practiced in African societies, allow participants to save in installments without incurring the risk of debt and high interest charges (Osodu, 2011). Traditional system of debt recovery, as hard as it was, was considered a device of encouraging hard work, thereby promoting responsible citizenry (Oghi, 2014). However, the modern day African societies are not able to live on self-sufficiency, but on borrowing from other countries. Hence, sub-Saharan Africa's total debt was enormous (Ujah et. al, 2005)

### **Methodology applied in the study**

This study adopted survey design which involved gathering of information from a sample of individuals who responded to questions (Schutt, 2004). Qualitative approach was used in the study. The study areas (Ketu Adie owe and Edu communities,) were selected through convenience sampling method under non – probability sampling technique. The same convenience sampling method was used to sample 30 respondents who participated in the study. Convenience samples are relatively inexpensive. It reduced the cost in money and time (Adler and Clark, 1999)

The study utilized interview as an instrument of collection of data and information, questions in the interview centred on the socio – bio data of the respondents (part A) and the second part (part B) contained questions on unpleasant aspects of traditional systems of debt recovery (Osomalo, Ologo and Iwofa) among pre – colonial Yoruba society. For the method of data analysis, simple percentage table was used to analyse the socio-demographic characteristics of the respondents and the same was equally used to represent their responses. However, content analysis was used to analyse the information and data related to the opinions of the respondents on the unpleasant aspects of traditional systems of debt recovery (Osomalo, Ologo and Iwofa systems). In area of ethical issue, the respondents participated with given consent. They took part in the study freely. Moreover, the anonymity of respondents was observed and the information and data given to us in the course of research were used for the purpose of the study. No conflict of interests on the study.

### **Data presentation, analysis and interpretation.**

This section contains the presentation, analysis and interpretation of the data collected from the respondents.

#### **The socio-bio data of the respondents.**

The socio-bio data of the respondents are presented in the table below.

**Table 4.1** Socio-bio data of the respondents

	<b>Data variable</b>	<b>Frequency</b>	<b>Percentage</b>
1	<b>Sex</b>		
	Male	18	72
	Female	7	28
		<b>Total 25</b>	<b>Total 100</b>
2	<b>Age bracket</b>		
	25 - 29	2	8
	30 - 34	4	16
	35 - 39	5	20
	40 - 44	4	16
	45 - 49	9	36
	50 and above	1	4
		<b>Total 25</b>	<b>Total 100</b>
3	<b>Marital status</b>		
	Married	22	88
	Single (never Married)	3	12
		<b>Total 25</b>	<b>Total 100</b>
4	<b>Religion</b>		
	Christianity	16	64
	Islam	8	32
	Traditional Religion	1	4
		<b>Total 25</b>	<b>Total 100</b>
5	<b>State of origin</b>		
	Ogun	21	84
	Lagos	1	4
	Osun	1	4
	Oyo	1	4
	Ondo	1	4
		<b>Total 25</b>	<b>Total 100</b>

**Source:** Researcher’s survey, 2017

The above table shows that for the sex data variable, 72% of the respondents were male while 28% were female. For the age of the respondents, 8% were between 25 years and 29 years; 16% were between 30 years and 34 years; 20% were between 35 years and 39 years; 16% were between 40 years and 44 years; 36% were between 45 years and 49 years and finally, 4% were 50 years and above. The analyses of the data show that majority of respondents were between 45 years and 49 years.

The marital status was also considered in the data analyses. The respondents that were married were 88% while 12% were single (never married). Religions of the respondents were also taken into consideration. Sixty-four percent of the respondents were Christians; 32% were Muslims while 4% were adherents of traditional religion. It was not unexpected that majority of respondents were Christians. The communities in the study areas were

predominantly Christians. The communities were not far from Badagry Township which was the community through which Christianity came to Nigeria.

Finally, the states of origin of the respondents also featured in the data. The analyses show that 84% of the respondents were Ogun State indigenes while 4% were indigenes of Lagos State, Osun State, Oyo State and Ondo State respectively.

### **Reasons Yoruba people borrowed money or incurred debt**

Reasons Yoruba people borrowed money in pre-colonial period were investigated in the study. Respondents were asked to list or highlight those reasons. The first reason mentioned was sickness. Relatives did borrow money to take care of the poor health of beloved ones. Such money might not be paid at stipulated time, thereby, becoming bad debt. Another reason mentioned was burial or funeral rites. Uche (2013) argued that prominent cause of indebtedness was extravagant funeral rites. Such expensive funeral rites normally gulped a lot of money which consequently made the survivors in the family deeply indebted. Expensive wedding or marriage ceremony was another reason identified as a reason pre-colonial Yoruba people incurred debt. This was very common especially if the brides came from popular families where the grooms' families were expected to impress the families of such brides. Grooms families might go a-borrowing to finance such elaborate and expensive wedding.

Installation ceremony as chiefs was another reason mentioned. Like wedding ceremony or funeral ceremony, chieftaincy ceremony also gulped a lot of money. Such chiefs might become heavily indebted after such chieftaincy ceremonies. Raji and Abejide (2013) argued that even traditional chiefs became heavily indebted in pre-colonial period.

Another reason cited by respondents was building project. Pre-colonial Yoruba people borrowed money to build houses. Other reasons mentioned were financing of business and cultivation of farm lands.

### **Unpleasant aspects of Osomalo system of debt recovery**

Osomalo system of debt recovery was common among the Ijesha people of Yoruba tribe. This system of debt recovery was considered first in this study.

The familiarity of the respondents was investigated in the study. The table below shows their responses on this.

Table 4:2 Familiarities with Osomalo system of debt recovery

	<b>Responses</b>	<b>Frequency</b>	<b>Percentage</b>
1	Very familiar	2	8
2	Familiar	5	20
3	Somehow familiar	3	12
4	Not familiar	11	44
5	Very not familiar	3	12
		<b>Total 25</b>	<b>Total 100</b>

**Source:** Researchers' Survey, 2017

The above table shows that 8% of the respondents were very familiar with Osomalo system of debt recovery; 20% were familiar with it; 12% were somehow familiar; 44% not familiar and 12% were very not familiar.

It was least expected that large number of respondents would not be familiar with Osomalo system of debt recovery. It was a popular system of debt recovery in Yoruba land. Non-

familiarity with this system is an indication that many Yoruba people are no longer familiar with some contents of Yoruba culture any longer. The system was common among Ijesha people who were cloth sellers. Clothes were usually sold to buyers on credit and money was usually paid back at agreed period of time. Failure to pay such money would lead to forceful recovery of such debt through Osomalo. Osomalo is a shortened version of the statement “*Osomalogbowomi*” which can be translated as “I would maintain my squatting position until you pay my money”. Such position may lead to the creditor fainting and may eventually lead to death. Moreover, Ijesha people who were creditors on the mission of debt recovery might also request for water to drink incessantly. This would frighten the debtors because such might also lead to the death of the concerned creditors. It was a serious crime for creditors to die in the house of the debtors in the pre-colonial Yoruba culture. Hence, everything would be done to prevent such occurrence.

The unpleasant aspects of Osomalo system of debt recovery were investigated. The first unpleasant aspect of it identified was time wasting. As excerpt below captures this unpleasant aspect:

The unpleasant aspect was that in the course of recovering debt the creditor tended to waste his/her precious time, staying with the debtor. Hence, the system wasted the precious time of the creditor and the debtor at the same time.

IDI/Male/ Edu 1/ 2017.

Time is considered precious and valuable in Yoruba land. Hence, a loafer is looked upon with contempt in Yoruba land. Hence, time wasting involved in Osomalo debt recovery was considered unpleasant.

Public disgrace, embarrassment and exposure of personal secret of the debtors involved, formed other unpleasant aspects of the Osomalo system of debt recovery. The excerpts below supported these views:

The unpleasant aspect is the public disgrace of the debtor.

IDI/Female/Ketu -Adie Owe 8/ 2017

Another unpleasant aspect was that it usually lead to embarrassment on the part of the debtors

IDI/Male/ Edu 1/ 2017

What I consider bad in Osomalo system of collecting debt was that the creditor had the habit of exposing the secret or personal and confidential life of the debtor.

IDI/Male/ Ketu- Adie Owe 6/ 2017

Every system of collecting debt in Yoruba land causes public disgrace, embarrassment and exposure of confidential and personal life of the debtor. Hence, Osomalo system of debt recovery also exhibited the unpleasant aspects mentioned above.

The force applied in collecting debt under Osomalo system is another unpleasant aspect of it. The excerpts below relate such:

The unpleasant aspect of it was that collection of debt involved application of physical force. Creditor always stands on the neck of the debtor. The creditor disturbed the debtor in doing or carrying out any activity. Hence, creditors were called disgraceful visitors.

IDI/Male/ Edu 9/ 2017.

Another unpleasant aspect of Osomalo was that the creditor always disallowed the debtor from doing any other thing which could have fetched him/her money to pay back the debt

IDI/Male/ Edu 1/ 2017.



Finally, Osomalo system caused commotion in the community. This is captured in the excerpt below:

Another unpleasant aspect of it was that the creditor usually caused commotion in community where the debtor was living  
IDI/Male/Edu 1/2017.

There is a link between disturbance of the work and life activities of the debtors and the commotion that this would cause in the community where the debtors lived. When creditors prevented debtors from doing other things, commotion, chaos and uproar usually followed. Hence, they formed unpleasant aspects of the system.

**Unpleasant aspects of Ologosystem of debt recovery.**

The Ologo System of debt recovery was also investigated. The table below shows the familiarity of the respondents with this system of debt recovery.

Table 4:3 Familiarities with Ologo system of debt recovery

<b>Responses</b>	<b>Frequency</b>	<b>Percentage</b>
Very familiar	-	-
Familiar	2	8
Somehow familiar	5	20
Not familiar	13	52
Very not familiar	5	20
	<b>Total 25</b>	<b>Total 100</b>

Source: Researchers’ Survey, 2017

The above table shows that 8% of the respondents were familiar with Ologo system of debt recovery; 20% were somehow familiar; 52% of them were not familiar with it while 20% were not very familiar. The above analyses show that majority of the respondents were not, one way or the other, familiar with the system. This further indicated that many of the Yoruba pre- colonial ways of life had faded away from the Yoruba culture. Ologo system of debt recovery was a way of using traditional bailiffs who were usually people with irritating figures i.e. physically handicapped persons or people with contagious diseases i.e. lepers to collect debt on behalf of the creditors. When such debts were recovered, some amounts of money were given to these traditional bailiffs by the creditors, who were their clients. In summary, Ologo (traditional bailiffs) enforced the orders of the creditors (their clients) in debt collection. The irritating figures of these bailiffs and the contagious diseases of some of them compelled the debtors to look for money by all means to pay up the debt owed to avoid bad consequences for the debtor and his/ her family members.

The unpleasant aspects of using Ologo to recover debt were mentioned by respondents. The first mentioned unpleasant aspect was application of physical force. The excerpt below captures this:

Ologo was more or less like that of Osomalo. Ologo involved firm application of force to obtain debt owed. The way Ologo would act always depended on what he/she saw the debtor doing.  
IDI/Male/ Edu 9/ 2017.

Under Ologo system of debt recovery, the Ologos (traditional bailiffs) would not allow the debtor and his/her household any peace of mind. The traditional bailiff would move around with the debtor, disallowing him/her from doing or carrying out any activity. Ologo would

take the debtor’s food by force, wear the cloth of the debtor or do other irritating things to the debtor (Afe, 2012). The traditional bailiff (Ologo) might act in rowdy way to disturb the peace of the debtor and the entire household (Ojo, 2006). Another unpleasant aspect of Ologo system of debt recovery was the possibility of contacting disease. The excerpts below supported the view:

What I consider bad in using Ologo who were usually people with disability or with disease was that doing so could lead to spread of disease

IDI/Male/Ketu -Adie-Owe 1/2017

A person with an unpleasant disease that was sent to the debtor created unpleasant situation in the environment. The whole family of the debtor might be exposed to contagious disease.

IDI/Male/ Ketu Adie Owe 3/ 2017.

It can be inferred from above excerpts that fear and possibility of contacting diseases was the notable unpleasant aspect of using ologo to collect debt in pre-colonial Yoruba land. This fear instigated debtors to look for money owed by all means to pay off the debt. This may involve borrowing from another source to pay off such debt.

### **Unpleasant aspects of Iwofa system of debt recovery**

Finally, Iwofa system of debt recovery was investigated. The table below shows the familiarity of respondents with this system.

Table 4.4 Familiarities with Iwofa system of debt recovery

<b>Responses</b>	<b>Frequency</b>	<b>Percentage</b>
Very familiar	2	8
Familiar	5	20
Somehow familiar	7	28
Not familiar	10	40
Very not familiar	1	4
	<b>Total 25</b>	<b>Total 100</b>

Source: Researchers’ Survey, 2017

The above table captures the analyses of responses on familiarity with Iwofa system of debt recovery. The analyses show that only 8% were very familiar with it; 20% were familiar; 28% were somehow familiar; 40% were not familiar and 4% were not very familiar. In summary many of the respondents were not familiar with the system. This indicated again that this system of debt recovery was not known by most of the respondents. This suggested deterioration in the culture of Yoruba people. Many Yoruba people do no longer know the ways their fore fathers lived in the past. Hence, this may be a sign of gradual extinction in some aspects of Yoruba way of life.

The unpleasant aspects of Iwofa (Pawning) system of debt recovery were also investigated. The first unpleasant aspect mentioned was that the system involved sending beloved ones into servitude. In many of the occasions, the children of debtors were released into servitude to creditors pending the time debtors were able to pay the debt owed by them. Such arrangement gave psychological problem to debtors and people they released for pawning (Iwofa). The excerpts below capture the view:

Iwofa (pawning) was a bad method of debt recovery. It involved release of a loved one for purpose of servitude

IDI/Male/Edu 3/ 2017.

The bad aspect in using Iwofa (pawning) system to collect debt in the past among Yoruba people was that when a debtor was unable to pay, he/she had to release one of his /her children to serve as pawn in the custody of creditor until he/she was able to pay the debt. Such Iwofa (pawn) would be maltreated. Pawn had no right to complain. He /she remained servile until the debt was paid. After the payment the pawn regained freedom.

IDI/Male/Edu 6/2017

Under Iwofa (pawning) system of debt recovery, the debtor and person serving as a pawn might be psychological depressed. A pawn served without knowing precisely when the act of servitude would end. The maltreatments suffered by pawns from the creditors were other issues. Pawns were a little better than slaves. Slaves continued serving their lords until they died. However, pawns served for periods when debts remained unpaid. However, the moment the debt was paid off, they regained their freedom.

Pawns were usually looked upon with contempt in Yoruba land and were not treated as free born like the children of creditors. Hence, there was a Yoruba adage which says:

***“Ti ojoba n se Iwofa won a nialakorigbese re de. Ti o ba se omoowoni, won a niki o roju fi atasenu.*** Meaning: if a pawn is sick, the creditor would say such sickness is a deceitful way of preventing the pawn from working. However, if the creditor’s child is sick, the people would enjoin him to eat so that the sickness would go.

Hence, pawn was not fairly treated in Yoruba land but with contempt and hardness. The unpleasant aspect of Iwofa (pawning) system of debt recovery mentioned again was the inhuman and wicked ways of treating pawns in Yoruba land. An excerpt below supported the view:

It was an inhuman and wicked way of debt recovery. It was barbaric and degrading way.

IDI/Male/Edu 7/2017.

Hence, pawning was synonymous with inhumanity and wickedness

Another unpleasant aspect of Iwofa (pawning) system of debt recovery was that the pawning may eventually become permanent service. An excerpt below captures the view:

A pawn worked for the creditor until debt was paid. In most cases a pawn may serve for life if the debt was not eventually paid. This made the system very bad.

IDI/Male/Ketu- Adie Owe 3/2017.

Love joy and Richardson (2001) in Lovejoy (2006) argued that human pawns could be enslaved if debts were not paid. Hence, when hope of paying debt is lost, pawning may eventually turn into slavery.

Pawning favoured creditors in two folds. One, creditors continued to enjoy the services of the pawns and two, the debt would still be paid in full. The services from pawning only served as interest on the debts incurred, not for payment of debts per se. Oladiti (2006) argued that the labour of the pawn for the creditor only serve to repay the interest and not the principal of the amount owned.

Hence, we discovered in the study that the double benefits of services from pawning and the eventual payment of the money owed created unpleasant experience in pawning as system of debt recovery. The excerpts below capture the view;

Iwofa (pawning) system of debt recovery gave creditor double privileges. The pawns continued to serve the creditors and yet the money owed would still be paid.

IDI/Male/Ketu- Adie Owe 1/ 2017

Iwofa involved the exchange of service for money owed. The service rendered was likely to be more than the real value of the money owed, when quantifying it.

IDI/Male/Edu 9/ 2017

The most annoying part in pawning was how to measure or commensurate the debt with the length of service.

IDI/Male/Ketu Adie Owe Community 4/2017

Finally, Iwofa system of debt recovery (pawning) removed pawns from their family members and from their personal or private life. An excerpt from the interview attests to this:

The pawns would not have access to their families. They could not work for their own benefits as long as they were still serving the creditors. They ended up serving creditors more than necessary.

IDI/Male/Edu 1/ 2017.

A critical analysis of the above excerpt shows that pawning alienated pawns from their family members and from themselves. Visiting family members was at the mercy of creditors. Creditors hardly allowed pawns to visit family members because it amounted to time wasting. Creditors loved pawns working round the clock. Hence, creditors were usually unhappy when the weather was not favourable for work i.e. heavy rainfall, especially early in the morning. Hence, there is a popular saying in Yoruba land which says: *Ojoowuroti ma n bi olowoninu, tolowobagelete, Iwofanaaagelete*. Meaning: early morning rainfall that usually annoyed creditor. Creditor would sit down watching the down pour in annoyance but the pawn would be watching with happiness.

Hence, every creditor would always like conditions that would make pawns serve them perpetually. However, some creditors may be nice and very human to their pawns. They fed their pawns very well and clothed them very well. Such treatment might be so good that even the pawns might like to continue with the pawning. Hence, to deliver them when money owed was to be paid involved tactics and strategies. There is a saying which goes thus: *EnitiyoogbaIwofaloolowo re, akoiseniyoo se*. Meaning: a person that would deliver a pawn from creditor would work this out tactically and strategically.

### **Modern ways of debt recovery.**

The study investigated the modern ways of ensuring debt payment without recurring to hardness on the part of the debtors and the creditors. The respondents were requested to suggest these modern ways. The following were their responses:

1. Legal document are used to back up the loan given out and the implementation of the legal document must be strictly followed when debtors defaulted in payment.
2. Guarantors are involved when given out loan. When debtors do not pay the money they owe, guarantors are usually held responsible.
3. Creditors give opportunity for debt re- schedule or installmental payment.
4. Loan with collateral security is encouraged. When debtor fails to pay debt owed, whatever is used for collateral security may be taken in place of the debt i.e. landed or building property or other valuable assets.
5. By using the service of specialists and professional in debt collection.

6. Factoring of the debt is taken into consideration.

### **Summary of the findings, Recommendation and Conclusion**

This section deals with summary of the findings, recommendation and conclusion.

#### **Summary of the findings**

The study investigated the unpleasant aspects of pre-colonial systems of debt recovery among Yoruba people. However, it was very surprising that many of our respondents were not familiar with the three systems of debt recovery in pre-colonial period (Osomalo, Ologo and Iwofa). It was a strong indication that the ways of life of Yoruba people before this modern time are now things forgotten. It has a serious implication for the future of Yoruba race as a people.

The study discovered that the unpleasant aspects of Osomalo system of debt recovery were time wasting, public, disgrace, embarrassment, and exposure of personal and private life, application of physical force and commotion and disturbance in the community.

The unpleasant aspects of Ologo system of debt recovery identified in the study were: physical application of force, disturbance of the peace in the community and the fear and possibility of contacting diseases. The unpleasant aspects of Iwofa (pawning) system of debt recovery were: pain for sending loved one into servitude, psychological depression, inhuman and wicked ways of treating pawns, possibility of pawning turning into slavery, double benefits for the creditors at the expenses of the debtors and alienation of pawns from their family members and from their private life.

#### **Recommendation**

The study recommends immediate efforts by the Yoruba leaders of thought to re – vitalize the dying Yoruba culture. The ways of life of our fore fathers are being forgotten gradually by the present generation. We suggest, therefore, international conferences on re-vitalization of Yoruba culture. The conferences should involve active participation of Yoruba people both at home and diaspora.

We also recommend further studies on traditional ways of debt recovery and other aspects of Yoruba way of life before the modern day. Such studies should be documented and implemented for the re-vitalization of Yoruba culture.

The implementation of legal and professional ways of debt recovery is also recommended as highlighted in this study as against recovering debt by force or inhuman ways. Such would lead to violation of the fundamental human rights of the debtors.

#### **Conclusion**

We conclude this study by calling on notable Yoruba leaders to make frantic efforts to save Yoruba culture from going into extinction. The upcoming generation should be taught the ways of life of our forefathers in the past. There is a need to do this urgently because the Western culture is fast eroding our Yoruba indigenous culture. The ways of life of the people in the past in Yoruba land (the systems of debt recovery included) and other aspects of Yoruba culture should be prevented from going into extinction. Even though, if some of them cannot be practiced in these modern days, there is a need to document them for references.

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