

## How Should a Man Act: A Juridical and Ethical Evaluation of Elechi Amadi's *The Great Ponds & The Concubine*

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### Abstract

*Elechi Amadi's trilogy, The Concubine, The Great Ponds, and The Slave portrays a powerful delivery of potent juridical and ethical manifestations of the ingrained ethical experiences into which the people were immersed. We are concerned with The Concubine and The Great Ponds, both of which we want to demonstrate that they primarily tell us how a man should live, the juridical, ethical and justness of our actions, what it is to live communal life in a traditional cultural setting in which these novels were written. We want to espouse these ideals and examine how far juridical and ethical considerations in both works agree with ideals in jurisprudence and juridical understandings of human behaviour generally. In doing this, we will undertake a critical examination of the moral, socio-political and psychological assumptions of the community of persons so represented, and track these to how they align with how the present crop of Nigerians would benefit from the overt and covert values espoused therein. We review the basis for the lifestyles that the people cherished and how it seeks to promote their wellbeing and common interest. Our conclusion will throw light how these two iconic books seek to identify customary rules of law and how these serve as rules for deciding morality and ethical standards of the society so represented and whether the same can be said with validity for our today.*

**Keywords:** *Justiciability, ethical standards, justness, overt and covert values, legal rules and rules for deciding.*

### Introduction

Elechi Amadi's *The Concubine* and *The Great Ponds* exhibit a rich array of ethical behaviours and juridical thrust of events that are to serve as a guide to how a humans should live in a society and live well with others. Like Chinua Achebe, Elechi Amadi is superb at "capturing timeless and memorably emotions that could be expressed in no other way, but these acts are not independent of attitudes and even feelings in the writer." (Lamarche 194). These ornaments and embellishments garnish his work so that with ease, a mean speculative critic could elicit practical reasons for living the good life in a community, just like they lived in the communities so depicted in both *The Concubine* and *The Great Ponds*. One obvious fact that is decipherable is that he presents his reasons for how a man should act, like the notion of a chair, and not as the links of a chain, very like what Freeman said, that reasons for how we should act "is rather a question of presenting a succession of cumulative reasons which severally cooperate in favour of saying what the reasons desires to urge" (Freeman 2001: 1407).

To forge ahead, we will pause briefly to clarify some of the concepts in use in this essay. By the word Justiciability we mean "liable to trial in a court of justice" or "capable of being decided by legal principles or by a court of justice" (Websters, 1991: 655 – 656). Freeman (2001) also defines justiciable as those areas of human activity that are amenable to the judicial process based on standards set forth either as stare decisis or precedents. (Freeman 2001: 1379 – 1380). In our context, we refer to disputes and conflicts that were settled and managed in both *The Concubine* and *The Great Ponds* as they were resolved relying on the experience based on what Freeman observes when he said, "Legal rules and concepts depend for their usefulness on their very indefiniteness and

inflexibility . . . (and that) the life of the law has been not logic but experience.” (Freeman 2001: 1406). In the traditional setting espoused by *The Concubine* and *The Great Ponds*, almost all matters put up are justiciable in that they tend to fallback upon the fact that “there are at least principles acceptable to a . . . high degree of consensus among society as to the proper goals to be pursued or standards against which a judge can reason.” (Freeman 2001: 1379). In the case of *Holt vs. Markham* (1923) 1 K.B. 504 513, where Scrutton, L.J., held that In the end and in the absence of authority binding this House, the question is simply: What does justice demand in this case? . . . If I have to base my opinion on any principle, I would venture to say it was the principle of natural justice.” This informs us that for the African peoples showcased in *The Concubine* and *The Great Ponds*, the standards are simply the ordinances of reason, matters that were aptly stated by Marmor (2012) when he declared thus, “Could it be said, then, that the legally valid norms are those norms which judges (and other officials) are legally bound to apply? This would seem to be a mistake. Judges may be legally bound to apply norms and other considerations which are not, by themselves, legally valid, and vice versa; there may be legally valid norms judges are not bound to apply (e.g. because the issue is not justiciable, etc.). (Marmor September, 2012: 2).

We now turn and ask ourselves, what are ethical standards? Ethical standards are those moral values and principles that regulate the behaviour and decision-making process by individuals and corporate bodies in a community. It regulates or specifies what is good, bad, right and wrong and provides a framework for evaluating what is good and bad. In Elechi Amadi’s *The Concubine* and *The Great Ponds*, the basic ethical standards decipherable are those that promote fairness, build trust establishes credibility, encourages accountability, supports a good decision making process, and enhances reputation. A few examples will suffice here. Elendu, the leader of allies of Aliakoro in their war against Chiolu, still dissipating energy and angry that they did not completely route Chiolu and capture prisoners of war, was reclusive when it had to do with the immoral behavior of his warriors wanton cutting of raw yams out of spite, and he warned them, “We are warriors, but we are responsible men. Let us not destroy things merely for the love of doing so. The people of Chiolu are our clansmen and we must respect that link.” (Amadi 2013: 51). Also, in reply to Nnenda’s advice and trying not to be strict or stern to Ekwueme who was making advances to her, Ihuoma told her friend Nnenda, “I am wondering whether I can’t hold him at bay by keeping strict on my words and actions.

You see, I seem to feel it would be unfair to tell him off so roughly when in fact he has not done anything really wrong.” (Amadi 1966: 153). Also, we can see some of this when Wigwe, Ekwueme’s father wanted to talk to him about the changes in his attitude to life due largely to the “domestic struggles” he was facing in his marriage, especially that his wife Ahurole, who always sulks, is predominantly “vivacious and full of pranks” and presents with an “apparently unprovoked flood of tears” (Amadi 1966: 137), which seems to drive Ekwueme mad. His father has to choose his words carefully, and we are told that he in his son and knew, “Indifference was not a good thing in marriage, and Wigwe sought an opportunity to speak to his son. He did not want to make it a parental lecture. An informal chat would do more good, he thought.” (Amadi 1966: 138) In the culture covered by the two novels under discourse, by ethical standards, we look up to W. D. Ross’ opinion about ethical standards who opined thus: “‘What we think’ about moral questions contains a considerable amount that we know. This forms the standard by which the truth of any moral theory has to be tested, instead of having itself to be tested by reference to a theory.” (Ross 2005: 96). This thrusts ethical standards to the doorsteps of human knowledge and their experience. In the same way, Joyce Hertzler (161), explains that ethical standards cover or include such “sophisticated applications of ‘the general principles of law recognized by civilized nations’ and of those techniques for stabilizing practical

thought, and for rendering it an instrument of commonality and cooperation, which we call legal doctrine, as evidenced in the ‘judicial decisions and the teachings of the most highly qualified publicists of the various nations’. In these formulae, the terms ‘recognized’ and ‘civilized’, if not also ‘qualified’, point towards the assumption—fully justified—that there are true principles—traditionally called natural law—underlying this and every other legal order, principle, and doctrine.” (Hertzler 2005: 161).

Our inquiry would accommodate or seek to address notions of justness, utility and reliance on overt and covert values, the import or relevance of legal rules as rules for deciding as they participate in our evaluation of how Elechi Amadi addresses **how a man should act in his two novels, *The Great Ponds & The Concubine***. We will be focusing on how to demonstrate the fact that contrary to Westernized notions of justice, African communities gravitate away from the rather “haphazard, irrational and fortuitous conclusion” in matters brought for adjudication, particularly, when it has to do with human conduct, and prefer to live a life that possesses normativity in the sense of “justice that is in the chest of the community” such that will help in making sure that decisions and positions taken or held would ultimately “make up for friendliness, harmony and good neighbourliness” (Nyeenenwa 2021: 359).

In expatiating the topic under review, we will examine the following ethical standards or values that pervade the communal life and experiences of people who are captured in both books:

1. Dispute Resolution and System of Justice
2. Right to Ownership of Property
3. Responsibility
4. Promise Keeping
5. Communalism
6. Marriage
7. Manhood
8. Womanhood

We will discuss hereunder one after the other as follows:

1. **DISPUTE RESOLUTION AND SYSTEM OF JUSTICE:** One principal and albeit primary issue of concern to jurisprudence and juridical evaluation that can be elicited from both *The Concubine* and *The Great Ponds* is the methods and manner of resolving dispute and settlement of cases and their systems of justice. In *The Great Ponds*, the system of justice and dispute resolution covers a wide range of activities engaged in by the people to lay to rest any dispute which may arise and restore the harmony and relations of the warring parties. The different shades it takes includes but not limited to invasion, capture of vulnerable members of the society and demand for **ransom, taking home of prisoners of war or supposed criminals such as Chiolu taking home two poachers and demanding for payment of ransom, negotiation, arbitration dialogue, compromise, wrestling, war, oath taking, divination and sacrifice to the gods and acts of remonstrance of the gods to compel compliance with morals put up by the society.**

We were able to isolate the above different dimensions, and from which we would examine the invasion, capture of vulnerable members of the society and demand for **ransom, taking home of prisoners of war or supposed criminals. It must be sounded immediately that we are not here to compare what was the standards of value of the nations in Elechi Amadi’s *The Concubine and The Great Ponds* with any other cultures, and in particular with the Western cultures. In**

**hos sounding a note of caution, Ruth Benedict (2005)** (“Normality And The Good” pp. 43 – 49) **said**, “Normality is culturally defined. An adult shaped to the drives and standards of these cultures, if he were transported into our civilization, would fall into our categories of abnormality. In his own culture, he is the pillar of society, the end result of socially inculcated mores.” (Benedict 2005: 45). This is better appreciated by hearing from Harry J. Gensler and Mary Grace Tokmenko (2005) who declared in reiteration of Ruth’s position, which they abhor that if for instance, “As I’ve come to accept cultural relativism, I’ve become more tolerant of other cultures. I’ve given up the attitude that “we’re right and they’re wrong.” I’ve come to realize that the other side isn’t “wrong” in its values; it’s just “different.” We have to see others from their point of view; if we criticize them, we’re just imposing the standards of our own society. We cultural relativists are more tolerant” (Gensler & Tokmenko 2005: 50, 51). The import of the above is that we should accept and see things from the other person’s point of view, not that we should necessarily accept cultural and legal relativism. In fact, cultural relativism does not in any way explain the vagaries of the society being depicted in Elechi Amadi’s two books with regards to how a man should behave and legal and justiciability of actions. *The Concubine and The Great Ponds* depicts these values as they were prior to this time, and will thus demonstrate how the society today has been modified through a mix of westernized and traditional values and the modification of traditional values.

We must immediately stress that among the many problems which counter cultural relativism is its divisive tendencies, into one “unified system of values” here and “their system of values.” According to Gensler & Tokmenko (2005), this “we versus they” mentality . . . (could have) worked reasonably well when cultures were isolated from each other. But we live in a shrinking world where technology tears down fences between cultures; think of transcontinental flights, global news agencies, multinational corporations, and the Internet. Today we need ways to mediate disputes between societies and to establish some common norms.” This goes to show that cultural relativity provides a very adverse basis for human existence in the twenty-first century. They also point out that cultural relativism limits man’s ability to learn and modify his cultural practices in line with better and more human cultural practices. It can be understood from Elechi Amadi that he does not seem to accept the basic tenets of the beliefs that he sought to portray in the two books. In *The Concubine* for instance, while Agwoturumbe was planning to take Ekwueme to the middle of the sea to see the Sea-King s as to free Ihuoma from her spirit husband, the batman who was to take the team out to sea by midnight through his smiles did not believe that any sea kings existed, when pressed, he just said, “Well, you see, people often said they saw the Sea-King, but I never saw him myself. I always felt the medicine men were deceiving them” (Amadi 1966: 212). Evening to the after their digestion sleep, after midnight, told them that there were “Too many evil spirits”, (Amadi 1966: 7), and administered his drugs and done the requisite sacrifices, Emenike still died. It was also stated that “if Amadioha insisted on taking a man’s life, no medicine man could do anything about it and only a man of great confidence would dare to try’ (Amadi 1966: 9) to show the importance of divinity and sacrifices in dispute settlement involving the gods and spirits.

We are also treated to stints of mediation, third party intervention and arbitration (Berebon (2021: pp. 129 – 134), as we see that Ihuoma’s peaceful disposition soon endeared her to everyone so that “she soon found herself settling quarrels and offering advice to older women. She was so tactical that in some cases she would even lie to end a quarrel. She would say, “Why won’t you both listen to me? I am sure your husbands have not eaten their evening meals. Why not go home and prepare them? By the way I have come to borrow something from you. Take me home and lend it to me. So she would lead one woman home and so end the storm.” (Amadi 1966: 120).

Another example was that after Anyika, the dibia made his divinations from Again in *The Great Ponds*, after three women were kidnapped from Chiolu by the mercenaries hired from Isiali, Eze Okehi was warned by the Igwu, the dibia that calamity would befall the community unless the pregnant woman was seen and returned. This never happened and no such calamity befell the community although it is evident it rather gave the Eze terrible psychological problems. We are told at one time that, "I had a terrible dream which can only be a premonition. I was sitting in the reception hall when a huge snake came gliding towards me. I was so frightened that I ran off blindly and fell into a well. I was shouting in the dark when I woke up (Amadi 2013: 71). It was obvious that the said premonition he complained of took a larger part of Eze Okehi. We are again told that "Eze performed all the necessary sacrifices but he remained unhappy. The god could strike any day without giving him a chance to sue for mercy. And who can predict the vagaries of a god like Ali. Unlike Amadioha, god of thunder and the skies, Ali was popular and easy to placate, but difficult to shake off entirely when deeply offended." (Amadi 2013: 72). This shows that sacrifices are frequently used as one of the major means of settling disputes and for securing justice in the hands of the gods. This purpose of sacrifices and divination was not to solve the problems but action ought to be performed in the right direction. This is why Igwu the Dibia told Eze Okehi, the sacrifices were an interim measure to persuade Ali to stay action while the women were being restored." (Amadi 2013: 63).

In agreement with the resort to sacrifices as a means of settling spiritual conflicts, we also see Madume, after he almost killed Emenike in a physical duel being relieved that Emenike did not die. It was stated thus, "The possibility of killing a man filled him with fear. The cost of the rites of purification was prohibitive and even after that he would still be a branded man. (Amadi 1966: 3). We are again treated to the reliance on divination and sacrifices as a means to appease or settle dispute that involved the gods. After the said fight, Emenike's health deteriorated and Anyika, who was described as "a medicine man and a mediator between them and the spirit world" was called to intervene through offering sacrifices to appease the gods. This was followed by a thanksgiving sacrifices to Amadioha, after the illness of Emenike. On one Great Eke market day, after Emenike made for the Sacred Wood of Amadioha along with the general worshipers, carrying a "bright red cork and two fat yams for his offerings" (Amadi, 1966: 15). After all this experience, the same Emenike who was supposed to fully recover, but instead, we are treated to a paradoxical state where the same man, intently gazing intently upon the priest of Amadioha contrary to the convention, and hid being able to read in him "pity, awe, power, wisdom, love, life and . . . death," but was stopped short by his feelings of the cold grip of despair, and a hollow sensation which precedes a great calamity and a sickening nostalgia for an indistinct place he was sure he had never been to." (Amadi 1966: 17). These were premonitions which the Priest of Amadioha was supposed to see and handle to prevent Emenike from dying, but which he could not do because maybe, the power of life and death was not in the priest's hand. This is made much intrepid because "A market day later, Ihuoma sat in her husband's reception hall to receive sympathisers while her "in the middle of the compound stood her husband's grave" (Amadi 1966: 19), having been said to have died of "lock chest." It is to shake their belief in Amadioha that Ihuoma oscillates between confronting Wolu that it is her husband that killed her husband and relying on the gods for justice. To make up for this, Ihuoma's mother, Okachi lets the cat out of the bag when she queries, "What does that witch want? To mock you, you mean. They have killed your husband and now they want to laugh at you. Amadioha will kill them one by one." (Amadi 1966: 20. This is taken to its climax as we sympathise with Ihuoma, who "wondered whether Amadioha was not blind at least part of the time. ". (Amadi 1966: 21.) These are to allow the audience to be able to reach and independent assessment and critical reflection of the justice and dispute resolution processes in the two books. This makes me to resolve that nilly-

willy, the author of the two novels, *The Concubine and The Great Ponds*, shows repeatedly that the life lived in the two books are fixed in time and space to the era of cosmology and cosmogony (Solomon and Higgins 2010: p. 112) and relying on mythology, magic and believe that “nothing could ever happen without the intervention the gods, (who) wielded enormous powers and talents” through the priests and oracles as their mouthpieces. The unanswered question was and remains, why did Emenike die, after all the efforts, if the gods were as powerful as they were made to appear, or perhaps those pretending to wield these dark powers do not actually have any such powers at all.

In *The Concubine*, we are introduced to the fight between Madume and Emenike, as a means of dispute settlement. We are told that after Madume and Emenike “quarreled over a piece of land the previous day” (Amadi 1966: 1), Madume, who was described as having “a bad temper as bad as that of a man with whitlows on his ten fingers” threatened to beat Emenike, and to push his threat to reality, and also as a means of dispute settlement, waylaid Emenike on his way to palm wine tapping and this was Madume told Emenike, “We have had enough of words, let us use our hands too. If you think you are a man, put down your matchet.” In reply, Emenike accepted the challenge and said, “You know of course that I come from a family of brave” at which he dropped his matchet and they engaged in fisticuffs as a means of resolving the conflict. (Amadi 1966: 2).

We again remind ourselves that the writer Elechi Amadi did not sanction and accept the things he wrote about. We are told a story of how Igwe, the founder of Omigwe, was forced to leave Omokachi because one of his “babies cut his upper teeth first.” (Amadi 1966: 14), which was considered a “terrible omen signifying that Igwe had done something very wrong”, one for which “the sacrifices for absolution were too involved and costly,” but we are informed that Igwe left Omokachi and founded Omigwe and “he prospered” without performing the said sacrifices in Omigwe. Facts are, if Igwe could not afford to buy seven rams and the resources to perform such costly sacrifices in Omokachi, then the author is foisting on us that such claims of “warding off the wrath of the god’s because an innocent child “cut his upper teeth first” were not sufficient enough to dislodge the spiritual harmony of the community. Otherwise, why did he prosper in his new place? This is evident from the clear perspective that are opened for us by Gensler & Tokmenko 2005, who declare that although we are wont to assume that “Our culture’s norms are okay and so are yours,” but it is true that our cultural norms might have blotches, biases and blind spots which no one under such culture can recognize unless while in interaction and communication with others. It is validly stated by them that, “Societies, since they deal in differing ways with the same life problems, can learn much from each other. Our growth demands that we experience other ways of thinking and acting-and that we be open to change how we do things on the basis of this experience” (Gensler & Tokmenko 2005: 56).

In good dose, we come into contact with the fact that settlement and dispute resolution as espoused in *The Concubine and The Great Ponds*, as a means of showcasing how a man should behave to promote the society’s ethical and juridical values come to the fore both as the act of kidnap, arrest and taking as hostage persons alleged to be committing crimes, such as poaching from the Pond of Wagaba, the cherished natural resources of the entire Chiolu community as a whole, and to proceed to demand for the payment of ransoms to be agreed upon by the entire community. The other form of getting justice was through the declaration of a just war so that whoever wins the eventual war becomes the rightful owner of the thing or item in dispute. This was the method adopted in resolving the case of who owns the Wagaba Ponds which has been in the hands of the Chiolu people for over thirty years after the last war. This method has so many drawbacks, which is why at page 22 of *The Great Ponds*, Eze Diali of Chiolu warned that the arrest of men should be pursued with care not to

take persons who are innocent because he who pursues an innocent chicken often stumbles” (Amadi 2013: 67). This was also disdained in *The Concubine* as the result from the fight between Emenike and Madume ended fatally with the eventual death of Emenike. But a just war, it is generally held is usually supported by the gods and this is what will tilt the balance to the side that will eventually gain the victory in the war so declared. Another form of dispute resolution is that of administering oath to the side laying the claims. (Amadi 2013: 85, 86).

It is generally expected that no one would disturb the status quo because doing this will draw the ire of the gods and would mean disaster, the dibia Igwu. (Amadi 2013: 86). To show that it was detested to attempt to bend the hand of justice, Igwu, the dibia to Aliakoro told the community that he had no child and that the repercussions of his act of attempting to interfere with the natural course of events and cause the death of Olumba, which was not from the god, Ogbunabali would be fatal and the community would suffer. See Chapter 11 of *The Great Ponds*. This is also reminiscent of our contemporary judicial system and society’s frown at all and any attempt to pay some gratification to de-rail the true course of justice. In the secular system, the recourse to appeals has been made to address this anomaly. It is not in any way welcome, but is sanctioned and rejected. Another mans of arriving at justice is by the judgment of the elders. In the case between Emenike and Madume in *The Concubine*, we are made to understand that the elders have decided and given the piece of land which Madume was claiming to Emenike. Also in *The Concubine*, before a cobra spit into Madume’s eyes, Nnadi, the brother to the late Emenike fuming with rage that Madume assaulted Ihuoma called Madume (Amadi 1996: 69), “*you big eyed fool*”, and later the neighbours while dragging Nnadi away from engaging Madume in a fight admonished Nnadi, “*don’t fight, the elders and priest will decide this matter.*” Thus, the elders and priests have the adjudicatory powers to decide cases in the community. We appreciate that both Eze Diali of Aliakoro and Eze Okehi had adjudicatory powers which they used in concert with the Elders council to decide on all the cases in the community, and in perplexing cases, the priest is hen called. One very salient point decipherable from *The Concubine* is where Ekwueme who had been evasive or silent in responding to questions from his mother about whether he will marry Ahurole or not, and whether he had other girls in mind, was made to swear by her mother’s breasts and laps, and that he should say the truth, Ekwueme, it is reported agreed that that he had been bound by “*highly sacred things,*” and he felt more obliged to tell his mother the truth. These form the bases of the justice delivery system in the society depicted in the two books and how conflicts and matters are resolved and settled. Any deviation from this was considered abnormal and did not oblige in the people’ conscience.

Finally, we add the act of fighting between Wago and Igwu, the “only known dibia who employed drums for seeing beyond this world” (Amadi 2013; 106) for his refusal to act against his oath of office as a dibia by tampering with the oath over Olumba, that Obunabali should rather judge it his own way. He was angry not only that Wago accused him, as one that “merely sits here concocting harms that do no one any good” but that all the charms in this world would not help (Igwu)” and went on to boast, “I shall throw you down as many times as we shall wrestle and you will probably develop a hunchback at the end of it.” (Amadi 2013: 109). After much insults and name callings, referring to the dibia as “an imbecile” “a woman” and that Igwu was a “cowardly stupid lot”, the dibia Igwu accepted the challenge and fought with Wago as a means to settle their differences one and for all. Although Igwu held his own for some time, but he seemed to have forgotten his tactics, as a result of that, Wago pushed him and as he staggered backwards, kicked his legs and he fell after which Wago threw him twice more, to lay to rest who was stronger. This, Igwu said was because “while others wrestled with men, I wrestled with spirits.” (Amadi 2013: 109 – 111). He therefore promised to fight against Wago in anther fashion, which played out later when Wago became ill two

days. When Igwu was consulted, he boasted, “I shall release him from his illness only if he comes here himself.” He was to add further that, “(Wago) can only recover if he sits by the shrine in my house while I am giving the medicines” (Amadi 2013: 111).

We also encounter an occasion in which defiance to the authority of the husband was able to help in resolving a particular intractable situation in which Olumba found himself after he has taken oath. The defiance brought senses back to Olumba. We are told that, “The wailing continued unabated. Olumba was stunned. For the first time, Nyoma was flouting his authority. . . Nyoma stood her ground” (Amadi 2013: 127). By the time Nyoma said, “Yes, come and beat me. Beat me and let me die so that I will die so that you can bury me decently before you kill yourself. . . I prefer to die than to see you behave the way you are doing. . . . We are ready to die with you but not in this way. Let us wait bravely and cheerfully for Ogbunabali or whatever gods will kill us. . . Please give us more confidence” (Amadi 2013: 127). This challenge brought Olumba’s upraised hands down to his sides, turned back and walked back to his bedroom. This was the act that was needed to restore confidence in Olumba and gradually shake off fear of the unknown. In the end, “the best Wogari could do was to cooperate with Nyoma in whatever schemes she had for keeping up their husband’s morale. She has always been afraid of her husband. She was more so now that he had developed a strange personality” (Amadi 2013: 130). This was the best tactics Nyoma and Olumba’s second wife could design to help their ailing and depressed husband. It was the only practical way to go around Olumba’s war with Ogbunabali, since “Fighting human foes no matter how numerous and implacable was a straightforward affair. One could sue for mercy and know when it had been granted. But gods were invisible, elusive, woven into the fabric of time and space, nay woven into the very bodies of their worshippers, for one was born only at their pleasure, one worshipped them as long as one lived, and died when one had committed an unforgettable offence against them (Amadi 2013: 130). Thus, the scheming of Nyoma and his partner were directed at balancing Olumba’s psychological load of problems and help him bear the load of having Ogbunabali’s death oath over his head.

We are again invited to witness this type of settlement of dispute which was resorted to when Olumba woke up one morning and knocking at Eze Diali’s door, complained that because his son is crying for his kidnapped mother, that as he demands, “I want to go and look for Oda” (Amadi 2013: 137). All resistance and refusal against this move ended up fortifying him and driving him ahead, and strengthened his resolve to proceed on this mission. The facts on the ground were against that since going by Olumba’s gait, he “was hardly that of a man about to embark upon a hazardous venture.” (Amadi 2013: 137). He actually knew his venture would end in a fiasco as he knew the possibility was remote. At most he would wander on and on in the forest, get lost and die eventually” (Amadi 2013: 137), but his consolation was that if he stays at home, he would equally die also. We are told, Eze Diali did not reply him except to laugh, “a short, mirthless laugh loaded with bitterness.” (Amadi 2013: 138).

However, after the warriors were summoned, made all sorts of promises to go instead of him or to accompany him after the oath period has lapsed were turned down, maintaining that, “I shall search for my wife. I shall not let the boy die. . . I could not die without an heir; my compound had to stand, my family name had to be perpetuated. I married Oda hoping she would give me a son. . . I snatched that boy right from the gods. I shall die before he dies. (Amadi 2013: 140). At this when all entreaties have failed and reasoning has been jettisoned, “At last Eze Diali rose. He looked around him and then said. ‘Olumba, go and look for your wife. Elders, the meeting is ended.’” (Amadi 2013: 141). It solves the puzzle and brought Olumba to think introspectively about how his only son would miss him, maybe get sick and die, and because his first wife and the boy’s foster mother, Nyoma was on



sick bed. However, we are made to know that they secretly employed divination and sacrifice through Anwuanwu to work on Olumba's mind through witchcraft and magic. I am convinced that the stronger reason was the reasoning that if he went to look for his kidnapped wife, his son whom he was fighting to protect and cater to would miss him, and also that his wife, who would have looked after him was herself very sick, which would have simply given to his son the death sentence.

Finally, in demonstrating the general use of the "fighting" medium to resolve disputes and in the settlement of sundry scores, we again revert to Ikechi's bewailing reflection on the extent of the psychological and emotional deterioration of his friend Olumba. We are told in plain terms, "Ikechi felt his blood boiling. Whatever forces were responsible for this drastic change in this man *were to be fought fiercely*. He began to finger the handle of his matchet and a faint red hue spread over the whites of his eyes." (Amadi 2013; 125) – (Italics for emphasis). In law, it stated that "Equity imputes an intention to fulfill an obligation" if someone has an obligation, equity will presume their actions are intended to fulfill it, even where they have not explicitly so stated that they have an intention to do so. ([www.wikipedia.en](http://www.wikipedia.en)). In the same way, if someone informs me that he intends to sell his landed property, I pay the agreed sum for the said property, he uses the said money paid for his betterment, even if he refuses to pack out of the house and give me possession, the law takes its action of having collected the agreed amount from me for the sale as express intent to dispose of his property. The import of Ikechi's reference and statement that whatever was responsible for Olumba's condition "were to be fought fiercely" was obviously because fighting helps in resolving a lot of conflicts, and also because the society then was governed largely by might is right and the winner takes all philosophy we are yet to forget that Eze Diali had once said, "For generations, the Great Ponds have been the cause of wars and heavy loss Some years ago our two villages fought a bitter war over the pond of Wagaba. . . However, we won the battle and this pond became ours." (Amadi 2013: 23).

2. RIGHT TO OWNERSHIP OF PROPERTY: The right to own moveable and immovable property in Nigeria is protected by Section 44 (1) of the 1999 Constitution (as amended) and relevant articles of the African Charter on Human and Peoples Right, (Ratification and Enforcement) Act (Cap A9) Laws of the Federation of Nigeria, 2004. Its emphasis in Elechi Amadi's *The Concubine* and *The Great Ponds* reminds us that the society being depicted in the two novels transcended their time. This series of wars fought in *The Great Ponds* was over the ownership of the Great Pond of Wagaba. However, the same theme repeats in both *The Concubine* and *The Great Ponds*. In *The Great Ponds*, it is the right to fish in the pond of Wagaba that led to the constant war and conflict between the people of Chiolu and the people of Aliakoro. (Amadi 2013: 12, 19 & 23). While the people of Chiolu claim that they own the pond of Wagaba and particularly because they have had it for over thirty years thence without any contrary claim after the last war, the people of Aliakoro claim that the war was not decisive because their claim has not elapsed. In *The Concubine*, the issue of property also came up first in the case of Madume, whose claim for the land already ceded to Emenike by the elders was condemned and this became the cause of Madume's eventual demise. (Amadi 1966: 1 – 3). It can also be seen later when the Sea King is stated to be in contention with Emenike, Madume and Ekwueme, it is over the marriage rights, which right is property rights over Ihuoma. (Amadi 1966: 196) This is why she ought only to remain a concubine and not a wife because she has a husband already. By this one other virtue that is brought to the fore is the fact that one woman cannot marry more than one living husband at a time, hence, one who is married cannot get married to two living husbands. This is why the death of the trio of Emenike, Madume and Ekwueme are justified in the eyes of the sea king and the society that they found themselves in.

3. **RESPONSIBILITY:** It is an attribute of an honest and straightforward person to take responsibility for all actions undertaken by him not to evasively try to push responsibility onto others, or have it based on any other cause, effect or consequence of that action. In criminal law under our legal system, it is referred to as *mens rea* or criminal intent and it is bound to be present for any court of law at all to convict an accused person. This was brought to the fore in *The Great Ponds* after the warriors of Aliakoro had fought with the people of Chiolu relying on hired allies from Isiala. Eze Eze Okehi and Wago, seeing the aftermath of the war, the anger of Ali, the god of the earth and how the women of Chiolu that were captured as stated by Igwu the drummer and messenger to the gods, is to become a bad omen and a curse to the people of Aliakoro unless they are returned, shifted the blame to the warriors of Isiala. He argued that the blame for the kidnap of women, the first time such was happening in that area argued that “*it was the idea and handiwork of the Isiala warriors.*” At page 63, we are also brought into the mind of Eze Okehi on this subject matter when he was said to declare that “*Isiala warriors did the actual kidnapping*” to which Igwu answered “*yes, but you invited them.*” He was halted by Igwu the dibia almost as soon as he had started. Being so stopped from making that defence by Igwu, the dibia is an indication that responsibility for the committal of the offence by Ali, the god of the soil who is vexed that women including pregnant women were taken hostage by the Aliakoro warriors rested solely on the Aliakoro people and not the Isiala warriors. The importance of this is that the people of Aliakoro and not Isiala community are under the anger of Ali, the god of the earth and it informs why they went to Isiala to negotiate and request for the release of all the women kidnapped. Thus, it is one of the virtues that is worth emulating that one who acts in any particular way must bear the full weight of his actions, and not be allowed to transfer the liability of his wrong actions to someone else. Also, Igwu felt it was against his responsibility he owed the god to work against the institution he represented which was why he refused to tamper with Olumba’s oath. He insisted that it “to interfere with Ogbunabali would be very dangerous and refused to do anything” (Amadi 2013: 107). He even cautioned that, “A bird that flies too fast may fly past its nest . . . You now want to bring the anger of the gods on the whole village.” (Amadi 2013; 09). When Wago kept pushing, he still claimed responsibility when he informed him thus, “I know that I am a lonely man. I have no household, yet I care more for the lives of people than you do. You love your wives and children and yet you start the war.” This was the height of one demonstrating that he is responsible and committed to the welfare of the people. According to Finnis, (2005: 227), he stressed that one’s responsibility in society seeks to uphold the common good because of:

An unwavering recognition of the immeasurable value of human personality requires us to discount the apparently measurable evil of looming catastrophes which threaten the common good and the enjoyment by others of their rights, that casuistry is more complex, difficult, and controvertible in its details than can be indicated in the foregoing summary list of absolute rights. That casuistry may be framed in terms of “direct” choices or intentions, as against “indirect” effects, and of “means” as against “incidents.” Such judgments are arrived at by a steady determination to respect human good in one’s own existence and the equivalent humanity or human rights of others, when that human good and those human rights fall directly into one’s care and disposal—rather than trade off that good and those rights against some vision of future “net best consequences,” consequences which overall, both logically and practically, one cannot know, cannot control or dispose of, and cannot evaluate. (Finnis 2005: 227).

From the above articulated points, it is evident that both *The Great Ponds* and *The Concubine* are richly imbued with standard behavioural patterns that serve to in the flourishing and moral values intended to distinguish the life of the people in the various communities captured by both books. The interesting thing is that these traits and behavior patterns fall among the sort of attitudes and

characteristics that also qualify behaviours in our society today. The philosophical import is that ethics and philosophical sagacity is not limited to the west or societies that existed during the classical period in Greece and Rome, and not restricted to the philosophies we have been espoused to which alone, but exists in our own cultures and traditional societies no matter how backward or “underdeveloped” it may be or is.

4. PROMISE KEEPING: In both books, the issue of promise keeping is given a very high premium because not keeping one’s promise dovetails into deceit, fraud and dishonesty. In *The Great Ponds*, it comes alive in the form of the promise to stay within the covenant of an allied fighter hired by an ally as when the warriors of Isiali who fought with the people of Aliakoro refused to honour the rule and covenants of alignment during such a conflict. The eventual leader of the Aliakoro warriors protested and demanded that they go with the women as the rule for such was but when the Isiali warrior refused in anger the Aliakoro warrior declared that the Isiali warriors were “double faced dealer” and only gave up because they were heavily outnumbered.

In this regard, it behooves us to expound and adopt the views of John Mitchell Finnis that we should keep promise and not tell lies no matter what. Finnis indeed says that “It is wrong to lie to enemies in war. It is wrong to lie to save oneself or one’s client from unjust conviction and execution. Or to save other person(s) or group from destruction by genocidal killers who have no right to be told the truth.” (Finnis 1998: 154). This helps us explain to our satisfaction what Nathaniel Blake says “Finnis’s disregard of the likely consequences of moral choices is carried to such an extent that it becomes mystical, not ethical.” (Blake 2011: 115). The society being represented in both *The Concubine* and *The Great Ponds* were steeped into cosmology and cosmogony, otherwise, mystical; spiritual and religious shades of meanings that are shrouded in ethical and justiciable conducts. This implies that even if we were to concede that promise keeping relates to the wholesale imposition of consequentialist principles onto human rights principles and practice, but looking at the society so depicted, we are compelled to draw upon Harry J. Gensler (2005), who seeks to differentiate between the various shades of consequentialism being promoted, “These differ on whether to maximize good results for ourselves only (egoism), or for everyone affected by our action (utilitarianism)—and on whether to evaluate consequences solely in terms of pleasure and pain (hedonism) or in terms of a variety of goods (pluralism) or in terms of whatever people in fact desire (preference satisfaction). (Gensler 2005: 17). Generally, the sort of consequentialist being propped up here is associated with teleological exigencies.

This is because it has been shown that the society marked by the two books enjoy some such benefits from consequentialism as it does in our day-to-day affairs. We are swayed by the fact that any such violent and absolute rejection of every form of consequentialism, like did Finnis, will lead us as it did him, to beat a “retreat into an ideal world of his own” (Blake 2011: 110). It has been argued that the predominancy of consequentialism in the traditional culture being showcased here is a glowing tribute to the unassuming fact that this society was largely scientific, technological and pragmatic. We agree with Nathaniel Blake that “ethical discernment cannot be a simple weighing of consequences” and it is not a simply duty of weighing “one basic good against another” (Blake 2011: 104). The prospect of promise keeping here seeks to maintain the integrity and respect of the people, because of the smallness of their society.

The act of keeping promise as a good attribute resurfaces up when the Isiali warriors refused to turn up the next day for negotiations and the people of Aliakoro had to go to Isiali for the negotiation. It was again resounded when the people of Aliakoro arrived at Isiali only to discover that the warriors of Isiali they hired as allies had sold off two of the women they took captive. This was done in bad

faith and it was opposed to the rule in keeping of promises which demands that people ought to be trustworthy, dependable, reliable, and honest. This virtue was much show cased as well as venerated and promoted in the issue of the marriage between Wigwe and his son Ekwueme on the one hand and between Wagbara and Ahurole on the other hand. Since it was traditionally expedient that fathers marry the first wives for their sons, Wigwe was struggling to fulfill this obligation and also to keep his reputation in omakachi. So, when it was almost certain that Ekwueme wanted to void that marriage, the father and mother's prime point of concern was that it has not been remembered in living memory that someone broke the promise of childhood engagement. In his words he was heard complaining bitterly that, "*we can't go back. I tell you it is almost an abomination to break off an engagement like this.*" Thus, we are brought face to face with the import of keeping promise and the societal sanction associated with its infringement. It did not stop there as Ihuoma while turning down the proposal for marriage to Ekwueme also maintained that Ekwueme must keep his side of the marriage bargains and marry Ahurole because according to Ihuoma, "*think of your parents, think of the girl's parents too. They would be very angry with you...*" The reaction from Adaku, the mother of Ekwueme was more distressing. At page 104, it was captured in the following words "*To disappoint Ahurole and her parents would be a terrible blot on them. The shame would be crushing. Whoever broke a childhood engagement? The situation was desperate*".

5. COMMUNALISM: The two books depict the good ideals of communalism, the sacredness of everyman for every man, and every one caring for every man. Early in *The Concubine*, we are introduced to an advanced form of communalism where the part between Omokachi and Chiolu are always cut on the same day, offerings and sacrifices are made to the deity called Min Wekwu on the same day. This sort of cooperation encourages good sanitary and public health practices and for us it gains acceptability in any society as well. This certainly is one of the basic principles by which the people of Nigeria, nay Africa are known and based on which our various societies operate. Communalism is the starting point for the much valued extended family system in most if not all African societies. This is also seen in operation in *The Great Pond* after Olumba takes the Ogbunabali oath on behalf of Chiolu community. In this case, the entire community took turns to share in Olumba's fate and therefore to partake in rendering services to keep Olumba out of accident's way which could be attributable to the oath, and the eventual loss of the Wagaba pond. This ideal also came to the fore during important feasts, celebrations and the numerous wars fought between Chiolu and Aliakoro, which is why Ikechi's father vowed that any child that would not be useful to the community were better not born because of the important role being played by communalism in the defence and securing of the right of the people. Any act that tends to tear this vital aspect of their community life apart is criticized and attracts reprimand and certain sanction. It was again observed in the coming together of the women of Isiali to assist in preparing the "mounds" of foofoo for the guests that came to Isiali for the talks and negotiation on ending the strife and war between the people of Chiolu and Aliakoro Communities. It is seen in play during the preparations for the marriage of Ahurole and for the burial of Emenike in *The Concubine*. It come to play prominently during the attack by the dreadful disease called "wonjo" as the community en were always needed to dig the graves and in protest against the disease, the people began wearing black clothings, to perhaps send a note to Ogbunabali, the god of darkness that the death was enough.

In giving meaning to this, Guo-Ming Chen (2012) pointed out that the community's "Identity is therefore encapsulated by the boundary which marks the beginning and the end of a group or community. The cultural experience of the group is a bounded symbolic whole covered with a range of meanings for the development of norms and values that in turn provide a collective sense of identity. The sustainment and maintenance of a coherent collective identity must occur through time,

such as a collective memory and lived and shared traditions, and [through] space, such as a mapping of territory and the principle of inclusion and exclusion” Guo-Ming Chen 2012: 97).

In advancing the above position of Guo-Ming Chen, Ann Neville Miller (2012) arguing on how best to communicate in sub-Saharan Africa emphasized that it ought to be interpersonally because African collectivism has been proven to be connected to intermediated communication and that:

If what a person has to say is not in the best interest of the community, the person would be bound by custom to ‘swallow his (or her) words.’ Of course, the affected individual may whisper complaints into the ears of those who may be able to help in such other ways that would not conflict with community interest. Face negotiation theory further claims that the value dimension of power distance is also associated with cultural patterns of face negotiation. Thus conflict, the major communicative goal with which the theory is concerned, is often managed in such cultures with avoidance, indirectness, or curtailing of emotional expression. It may also be negotiated by informal third party mediation (Guo-Ming 2012: 87).

It is interesting that the both novels contain a good dosage of what are referred to here. Not only if what is been said is not to the best interest of the people but also if what is been contemplated to be done is not directed at promoting the common good, the person would also be told to stop that act. This happened when Olumba wanted to disregard the oath he was under go out in search for is kidnapped wife. The warriors opposed it and tried to talk him down, when he did not, the secretly consulted the dibia who worked on his psyche and he abandoned the drive. Also, when the delegation from Chiolu went to Aliakoro to ask that the oath of Ogbunabali be removed and what they saw made them change their stance. Wago spoke rudely to the representatives of Chiolu and at one point following Wezume protested, “Eze Okehi, we can’t have this insult. If Wago can’t talk like an elder – and he is not one – he should get out and let sensible men speak.” At that Eze Okehi intervened and upon cautioning Wago said, “Wago chew your words before you say them.” (Amadi 2013: 168). The life of the people in both novels depict and demonstrates communitarianism, which is vital and central to the culture of the people and not only to the communities in *The Concubine* and *The Great Ponds*, but it is equally central to the existence of all societies in Nigeria today as well as in Africa today.

6. MARRIAGE: In the two books, the man is not restricted to marriage to only one wife, but the first marriage must be that arranged by the father to the first son. See page 102 of *The Concubine*. The most cherished is that entered into when the children are infants. This is always done only if the family of the bride to be is a good one, mostly in terms of the behaviour of the mother of the bride. See page 99 of *The Concubine*, and when this sort of marriage was resorted to more often than not, it “*flattered the parents of the girl.*” But in *The Concubine*, the basic foundation on which this practice was based was ripped through and torn to shreds. The author tried to show that in any marriage, the groom and the bride ought to know and participate in the marriage, and that it should rather depend on them and not as chosen or imposed on the son by his parents. In *The Concubine*, we are brought to commiserate and pity the prospective husband of Ahurole when he laments that “*my parents selected Ahurole as soon as she was born. I could hardly pull a bow then. I really had no choice.*” See page 91 of *The Concubine*. This point was made more pungent and well pronounced when we find out that the mother of Ahurole used love potion on her husband, Wagbara hence the family is not as good as envisaged by Mr Wigwe, Ekwueme’s father. More so, that the marriage between Ekwueme and Ahurole fell apart, due to the use again by Ahurole of love potion which led to the disorientation of Ekwueme and the collapse of that marriage is a fore runner to the inherent

ills and shortcomings of such marriage. The point made out of this, we beg to submit is that marriage through betrothal of marriage between infants or the very young persons were culturally or better socially wrong, and all such malevolent and spiteful tradition r customs ought to be done away with and the practice stopped. This is thus expected to be abandoned and avoided as a practice if the society is a forward going or progressive society. This is both to defend the rights of the young girl and the young man whose duty it is and at the age so chosen by them to look for a wife and that this is what strengthens the marriage institution.

7. **MANHOOD:** This is the principal, central theme and a most treasured virtue that makes its round throughout *The Concubine* and *The Great Ponds*. The males as the dominant sex, are ordinarily expected to possess and display a good measure of rare valour, courage, bravery, and should display a good measure of fearlessness, boldness, gallantry, heroism, audacity, bravado, especially as it concerns the defence and welfare of the entire community. This surprisingly is still the case today despite the changes and the Berlin Conference held in China to change all this. However, for the peoples captured in *The Concubine* and *The Great Ponds*, and particularly in *The Great Ponds*, It is well understood why this was so, and that is because by the nature of these societies depicted, they oscillate around the fringes of nature where it was still held that might is right and where most issues are resolved or settled through physical combat as we come to see when Madume trailed Emenike into the forest to engage him in a fight in *The Concubine*. In *The Great Ponds*, it was war over the ownership of the ponds of Wagaba between Chiolu and Aliakoro. Those who possess the virtues demonstrable of manliness are venerated and adored, while those who do not were either said to be cursed the gods or simply abandoned and neglected or rejected as misfits. A classical case in *The Great Ponds* is the case of Ikechi's father Njola who believes that if a child cannot be useful to his community especially during the time of war where he can also etch some marks on his bow were better not born or had than being had at all.

A man in *The Great Ponds* ought to aspire to have as many marks etched on his bow and to participate in war as it is practicable during his life time. War was a way of life, to protect one's right and heritage and depicted courage, strength and valour. A man's industry and gallantry are virtues that cannot be traded and it is important that these qualities are still treasured in our various societies till today. It is the high point in both novels that a man ought to be skilled in hunting, setting of traps, fishing, tapping palm wine, to run his family affairs well. In *The Concubine*, a typical case of manhood was celebrated during the second burial of Emenike and explains the reason for the elaborate ceremony and why this burial saw in its attendance the cream de la cream of the Omokachi Community gracing Emenike's second burial. The young men, the old men and elders and the old women all were present and given the treat as part of befitting second burial rites for a man of his Emenike's, indeed the dance of the young men was a sort of a "*vehement protest against the god of death*" See page 33 of *The Concubine*. This is sharply contrasted with the death and burial of Madume, who was seen as a man with the big eye and an interloper. Many believe that his blindness and eventual death were a worthy punishment from the gods. There is also a corresponding meet in the acts of Olumba and Ikechi in the *Great Ponds*. We are made to appreciate the excellent qualities shown by Olumba and Ikechi, and how the society approves of such behaviours by a concomitant ceremony where both Olumba and Ikechi are among celebrants who would drink from the horn with the eagle's feathers. This is again contrasted with the way Wago, who it is generally believed dragged the Aliakoro community into the war and who is disrespectful and treacherous died by drowning in the pond. Though Wago intended to make the both communities forgo the pond of Wagaba, but his death was a despicable and demeaning one at that nonetheless.

8. WOMANHOOD: Women are generally seen to be weak, feeble and second class citizens of the communities as pictured in both *The Concubine* and *The Great Ponds*. Women as weaker vessels were not to be trusted with secrets as was the case when the people of Chiolu went to ambush and arrest the poachers from Aliakoro at the Pond of Wagaba. P. 8 of *The Great Ponds*. Women are generally denied the doing of many things such as climbing trees, eating the meat of a kite or the gizzard of a chicken or fowl. A woman was customarily expected to be humble, respectful, obedient to his husband, not stand up to query a man even when that man is taking the property of the widow as can be seen in page 53 of *The Concubine*. Women are reputed to run away from difficulties as seen in page 14 of *The Concubine*. Further, womanhood is depicted as been either good such as is evidenced in Ihuoma, or bad as is evidenced in the life of Ahurole. When a woman is good as is the case with Ihuoma, the society adores and cherishes her, but if bad, then the society pours opprobrium and insults on her without ceasing. This is classically espoused in *The Concubine*. It is therefore very bad and reprehensible for women and children to be captured during war because women do not participate in war and even if something links them to the hostilities, it is culturally wrong and undesirable to arrest and take women captives, more so if they are captured and taken from their homes while sleeping in the night. See page 57 of *The Great Ponds*. This is why the two birds that were caught hopping within Chief Okehi's compound, and why the gods ordered that the women and in particular, the pregnant women be sent back or returned even without paying any ransom on their heads. This practice is similar to that which goes on today as women and children and even civilian population are to be kept out of conflicts and war during hostilities between two nations. Also, women as second class citizens are taken as those whose advice must be jettisoned. See page 72 of *The Great Ponds*. But this is adequately catered to in *The Concubine* when Adaku in response to a question by her husband Wigwe retorted "*Women are not always fools.*"

The best manifestation of that aspect of womanhood is amply demonstrated as an aftermath of what Nyoma, Wogari and the children did, which is akin to an act of civil disobedience against the customary and traditional powers and authority of Olumba. Civil disobedience is generally directed at creating a morally better law or regulation by being prepared and ready to pay the requisite penalty for the attendant violation. (Buchanan & Golove, 2012: 10). In this case, the said disobedience to the powers and authority of Olumba was directed at how to restore his sanity and make him live for his family. Olumba had been reeling in the fears of dying because of the oath he swore on behalf of the Chiolu community to Ogbunabali. His fear was heightened by his not having a male heir, and the attendant psychological current which swept him, caused him to refuse to eat food. On this occasion when Nyoma brought him food, Wogari, Olumba's second wife was watching and when he refused to eat coupled with his worsening health condition, she started to wail and cry. When Nyoma, his first wife met her, she joined her together with all the children, which made the ensuing wailing and lamentations from Olumba's compound sound like a loud and continuous din. Olumba came in wielding his usual masculine authority, but despite his command for them to stop crying, the wailing continued unabated. This surprised Olumba who could not fathom that his wives could disobey him by any means whatsoever. As "the wailing continued unabated. Olumba was stunned. For the first time, Nyoma was flouting his authority. . . Nyoma stood her ground" (Amadi 2013: 127).

The definition of civil disobedience, Mark Tebbit reminds us that "It must be used only in the last resort, when all other legal methods to change the law have been explored and exhausted. It must be undertaken openly, which is to say that it must be an act of open defiance with the intention of publicising the injustice, rather than quiet non-compliance. Furthermore, those engaged in it should be prepared to submit to prosecution and punishment, rather than attempting to evade the process of law. Finally, it is usually stipulated that principled disobedience to one unjust law should be

accompanied by scrupulous obedience to the law as a whole.” (Tebbit 2005: 102). By the time Nyoma, her mate and the children embarked upon this act, it is obvious that this practice of not eating or eating very little had been going on for some time and it required some drastic action on their part to curtail or minimize it. Earlier on, Ikechi had “realized that Olumba was wasting away in mind and body. The body was growing flabby and weak, the mind slow and indifferent to the world around him. He stood gazing at his friend in wonder and pity. Olumba did not stare back at him. He seemed to lack the energy and concentration to look at a man fully in the eye.” What a disruption of the personality of the man that was Olumba. This explains why the unyielding defiance put up by Nyoma to the threats of her husband, when she told Olumba to the face, “Yes, come and beat me. Beat me and let me die so that I will die so that you can bury me decently before you kill yourself. . . I prefer to die than to see you behave the way you are doing. . . We are ready to die with you but not in this way. Let us wait bravely and cheerfully for Ogbunabali or whatever gods will kill us. . . Please give us more confidence” (Amadi 2013: 127). This challenge brought Olumba’s upraised hands down to his sides, turned back and walked back to his bedroom. This was the act that was needed to restore confidence in Olumba and gradually shake off fear of the unknown. In the end, “the best Wogari could do was to cooperate with Nyoma in whatever schemes she had for keeping up their husband’s morale. She has always been afraid of her husband. She was more so now that he had developed a strange personality” (Amadi 2013: 130) that was better tamed and arrested now that an opportunity showed itself.

Relying on Tebbit’s reference and reliance on Thoreau, we admit also that it would be unfair for “the citizen even for a moment, or in the least degree, resign his conscience to the legislator? Why has every man a conscience then? I think we should be men first, and subjects afterward. It is not desirable to cultivate a respect for the law, so much as for the right. The only obligation which I have the right to assume, is to do what at any time I think is right.” (Tebbit 2005: 103). The said act of Nyoma, Wogari and the children were obviously upheld by the dictates of natural justice and it’s been reasonable considering the situation at hand, nor merely being “restricted to protesting against serious infringements of (1) the principle of liberty; and (2) the principle of fair equality of opportunity” (Tebbit 2005: 105). In the circumstance of Olumba’s condition, this was the best tactics Nyoma and Olumba’s second wife could design to help revive their ailing and depressed husband. It was the only practical way to go around Olumba’s war with Ogbunabali, since “Fighting human foes no matter how numerous and implacable was a straightforward affair. One could sue for mercy and know when it had been granted. But gods were invisible, elusive, woven into the fabric of time and space, nay woven into the very bodies of their worshippers, for one was born only at their pleasure, one worshipped them as long as one lived, and died when one had committed an unforgettable offence against them (Amadi 2013: 130). Thus, the scheming of Nyoma and his partner were directed at balancing Olumba’s psychological load of problems and help him bear the load of having Ogbunabali’s death oath over his head.

## **Conclusion**

This work considered the juridical and ethical dimensions of **how should a man act, as depicted in Elechi Amadi’s *The Great Ponds & The Concubine***. The study boldly accepts it that the society that was so pictured in the two books lived and thrived on a plethora of standards, values and principles, which held these communities together, maintained law and order and helped to mould the character and morals of the people then. It must be borne in mind that while it was lavishly observable that this traditional society cherished such moral values as empathy, integrity, fairness, empathy, kindness, respect, responsibility, accountability, community relations, we were careful to



tackle a few such as – Dispute Resolution and System of Justice, Right to Ownership of Property, Responsibility, Promise Keeping, Communalism, Marriage, Manhood **and** Womanhood because they seemed to have a direct bearing our discourse of ethical standards, morality and juridical examination of their society. It is our opinion that these values **also to** a large extent contribute towards a legal and juristic system of adjudication, rules and modelling. For instance, motherhood made us know that women were kept out of the hierarchy of decision making in the societies, responsibility helped to shape how people could be held accountable for the offences that they perpetrate and communalism, goes to show that justice system here was not directed at convictions and winner takes all, but towards the harmonious existence of the society and good neighbourliness at all times.

We have therefore recommended that apart from those that are offensive to human sense of reasoning, should be developed and inculcated into the fabric of our modern society. Take the idea of masculinity and manhood being held in very high esteem. This is why adultery and fornication has lost its firmness and grip on society, one of the basic foundations to good family relations. It could be understood that this was responsible for stable families and lasting marriages in those days. It was not because the women were worthless, for as can be seen in the case of Nyoma. We are told that she was a woman who hadn't disobeyed her husband for once, but here made sure that "the wailing continued unabated.... For the first time, Nyoma was flouting his authority. . . Nyoma stood her ground" (Amadi 2013: 127). Olumba liked this her attitude and soon was tilting towards that otherwise "deviant" behaviour of hers. It was the medicine that brought life to Olumba so that we see him confronting the community to rescind their decision to go and beg Aliakoro to remove the oath. We conclude that in rehearsing and examining the ethical and legal implications of human behaviour in *The Concubine* and *The Great Ponds*. We get to know a great deal of traditional values that teaches us to exercise restraint in all our dealings with others, that war is not good and that land or property is a major cause of social dislocation and war. We therefore suggest and emphasise the reliance and use of alternative dispute mechanisms to settle disputes and to look back at our beautiful, magnificent, glamorous and noble past, as a guide and steer us towards the social contexts that would leave us less morally bankrupt, more cohesive and less individualistic and balkanized as we are today, and more wont to be unless we dive into our past to make up for whatever we now lack. It looks more likely that Jean Jacques Rousseau was right to a large extent, that the sciences and the arts, in other words, must learn to doth make society under us in the contemporary times, madder, torn apart and turning and turning so that the center cannot hold.

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