



Analysis of Fictional and Journalistic Intersect of Africa Positioning in Global Judicial System

EDIRIN SYLVESTER OTEGBALE
Delta State University, Abraka, Nigeria

COMFORT CHIOMA OLOWOLAGBA
Adeyemi Federal University of Education, Ondo

Abstract. Power distribution has long been at the heart of postcolonial studies, both in literature and in mass media like newspapers. The way that fictional and journalistic discourses intersect to place Africa within global justice has received little attention, despite the fact that scholarship has examined African responses to Western judicial authority. Therefore, this study examines the intersect of language in literary and journalistic writing in Femi Ojo-Ade's fictional critique of judicial authority in *Les paradis terrestres* and the Vanguard newspaper headlines "Canadian court declares APC, PDP terrorist organisations – Soneye, PDP react." Employing Rom's positioning theory and Critical Discourse Analysis (CDA), the study explores how media and literary discourses shape African reactions to Western decisions in the act of repositioning Africa. The findings of the study reveal that the Nigerian media portrays the Canadian decision as prejudiced, ignorant, and diplomatically destabilising, emphasising concepts of resistance and delegitimisation, while Ojo-Ade uses satire and irony to highlight Western philosophical arrogance and dramatise Africa's ruptured place in global justice. Linguistic lexicons in both headings of the *Vanguard* Newspaper, including the selected text, foreground that words are not merely descriptive but act as a tool for power in legitimizing and delegitimizing entire political entities. Through the integration of journalistic discourse and literary imagination, the paper illustrates how African narratives of disapproval are expressed in various registers, establishing literature as a platform for reinventing justice and independence beyond the homogenising rhetoric of the "global village" and as a mirror of resistance.

Keywords: Postcolonial Discourse, Critical Discourse Analysis (CDA), Positioning Theory,

Judicial Power and Legitimacy, African Resistance Narratives

1. Introduction

Africa and Africans in the global justice order and proceedings have often been in a position of defending and reacting to Western perceptions and decisions over the years. This remains one of the most common debates in the modern postcolonial era, as reflected in different fictional works by writers and critics in portraying the experience of immigrants in the diaspora, as examined in Mabanckou's *Bleu-Blanc-Rouge* (1998), *Verre Cassé* (2005) and Ade-Ojo's *Les paradis terrestres*, investigated in this study. Reflecting on the legal system that affects immigrants with respect to western-centrism, Caserta (2021) observes and outlines three approaches to addressing international legal scholarship, which include critical readings of law as power and domination, sociological institutionalism emphasising culture and global scripts, and post-Bourdieuian reflexive sociology analysing transnational legal elites in colonial and postcolonial contexts. The first pillar of Caserta (op. cit.) is examined in this study.

The power play in international law affecting immigrants is often manifested in the rulings of international courts (Kalpouzos, 2020). This is veritably portrayed in the trial of immigrants in deportation processes as obtained in the aforementioned literary pieces. However, this representation is also common in journalistic write-ups and headlines, as found in the Nigeria Vanguard examined alongside the selected fictional work in this study. Thus, the practices of immigration tribunals as captured in the selected text for the study and the

reaction of Nigerians in the selected journalistic publication underscore that the distribution of judicial authority continues to reveal asymmetrical power relations between the Global North and the Global South.

Fiction and journalism, though two divergent fields, have become more intertwined in the wake of the 21st century as a double-edged sword of resistance and reimagining among Africans despite the varying degree of differences that exists in their deployment of registers in underlining the representation of inequalities within the scope of the global justice systems affecting Africans (Van Krieken & Sanders, 2021). Additionally, whereas literary and figurative devices like satire, metaphors and narrative techniques are deployed in literary pieces to foreground Africans' position and criticism of global justice systems towards Africans, pungent headlines serve as veritable tools in journalistic writings.

These divergent approaches are evident in the juxtaposition of Ojo-Ade's paradis terrestres and Soneye's reaction in Vanguard to the 2025 Canadian Federal Court ruling that designated Nigeria's two dominant political parties, the All Progressives Congress (APC) and the People's Democratic Party (PDP), as terrorist organisations. Thus, a close reading of the selected materials for the study foregrounds how fictional and journalistic writing interrogates the legitimacy of Western legal frameworks, the construction of expertise, and the contested positioning of African voices in the global judicial space through the application of Critical Discourse Analysis (CDA) and Positioning Theory.

2. Literature Review

Scholarship on Africans' reaction to Eurocentric laws considered to be internal abounds over the years as both players continue in the dynamics of power interplay in postcolonial polity. Eslava & Pahuja (2012) submit that postcolonial and TWAAIL (Third World Approaches to International Law) scholars and critics have been engaged in a protracted dispute on the legal framework of international law with respect to the continuous promotion of colonial goals by the global north in the global south. Expanding on this framework of international law, Chimni (2022) argues that the main elements that propelled the evolution and development of the foundational principles, rules and practices of jurisdiction ensued from contemporary capitalist and modern states. This reality therefore gives rise to non-neutral judicial proceedings that continue to project uneven power relations among

states in the global north and south, particularly in asylum and immigration rulings.

Beyond the fact that international laws ensue from the global capitalist and imperialist north, arguments about the legitimisation of the legal provisions have also ensued in the polity of power relations. This is particularly witnessed in the interrogation of the expertise of the global powers and their authority of nomination. Baker (2015), investigating "the use of argumentation, legitimation, and othering in debates on refugees in the Canadian House of Commons", argues that cultural hegemony is largely motivated by viewpoint that is not adequate to articulate how the Conservatives are able to spread this viewpoint. This position is a representation of the global south in contending against the global north's polity with respect to immigration and asylum proceedings, where the designation of not individuals but organisations has become a daily reality.

The act of naming and designation has become a veritable platform where divergent points of view are expressed as a reaction by the global south to the proceedings of the global north. This especially has been investigated through the plethora of deployments of Critical Discourse Analysis (CDA). Firdous et al. (2025) submit that through the application of CDA, formality, nominalisation, and modality obscure institutional agency and turn political opinions into seeming realities. Omidian Sijani, N. (2024) reflection on the portrayal of migrants in Canadian print media emphasises that representation of refugees and the Canadian government varied among newspapers according to political affiliations, coverage, and stylistic features. Thus, applying CDA to the newspaper publications from 2015-2017, the critic reflects on how newspaper headline syntax, lexical selection, and sourcing practices frame actors as perpetrators, victims, or threats, often reproducing racialised or civilisational hierarchies.

In foregrounding the African context, Kihato (2025) explains that media studies note persistent patterns of securitisation and deficit framing that marginalise local epistemologies. An analysis of media representation of migrants often reflects the different levels of positioning with respect to how rights and duties are assigned. Prominent among the various labelling over the years is the designation of groups in the global south by executive and judicial arms of the government in the global north as "terrorists" (Furtado, 2017). This is replicated in the 2025 Canadian high court ruling designating Nigeria's two main political parties as terrorist organisations during immigration and asylum proceedings. The reaction

from the newspaper reply, in line with earlier literary portrayals, underlines the intersection between journalistic media representation and literary narrative. This is in consonance with Mariano's (2011) submission on the role of literature as not a reflection of the society but a tool aimed to actively reshape perception on global polity by reshaping consciousness as captured in Ojo-Ade's selected text investigated in this study.

Conclusively, whereas works of scholarship have foregrounded the contribution of TWAIL, CDA, media framing, and law and literature in the discourse of the power polity between the global north and south in the postcolonial era, there exists limited study on how asylum and immigration court proceedings position Africans and their organisation. Hence, through the adoption of CDA and the theory of positioning, analysis of Canadian court decisions and Nigerian reportage alongside Ojo-Ade's novel is carried out with the overall goal of depicting how fictional and journalistic discourses intersect to contest Africa's positioning within the global judicial system.

3. Research Methodology and Theoretical Framework

In a bid to underline Africa's discursive positioning in fictional and journalistic texts that interact with the international judicial in this study, Fairclough's three-dimensional model of Critical Discourse Analysis (CDA) and the theory of positioning are adopted as methodology in projecting nuance understanding of how rights and duties are negotiated between the global north and south. As a theory that operates at textual Level (Micro-analysis), Discourse Practice (Meso-analysis) and Sociocultural Practice (Macro-analysis), CDA is deployed in the interpretation of the language power and ideology in the selected excerpt form Ojo-Ade's *Les paradis terrestres* and the *Vanguard* publication in shaping reality and existing power structures in line with (Darmayanti & Riyanto, 2013). Thus, analysis of the vocabulary, grammar and rhetorical structures at the micro level of analysis amongst others, the language deployed in the investigated documents depicts how words reproduce power relations, and how meanings are contested across interwoven discourses.

In the analysis of the materials in the study, Positioning Theory complements CDA by focusing on how discourse assigns dynamic "subject positions" and corresponding rights/duties within unfolding storylines (Davies & Harré, 1990; Van Langenhove, L. (2021). The application of this theory helps in depicting how court proceedings and the legal -media

controversies positions Africans and the designated African organisations- the Nigeria's All Progressive Congress (APC) and the People's Democratic Party (PDP). Through the lens of the theory of positioning, the right of the Canadian court to define and how Nigerian actors react is brought to the fore through the first and second level of positioning in line with Otegbale and Iyiola (2024) submission. The core interest of the theory in the analysis thus foregrounds "who may speak, name, and judge" and with what moral compass as readers are made to see how identities are constructed, legitimized, or delegitimized through language

The analysis of the study drawn from two distinct but interwoven corpora is interpretive with data subjected to textual analysis through the method of close reading. With emphasis on the excerpt drawn from Ojo-Ade's text, special attention is given to the deployment of the satirical style and the Nigerian press's rhetorical defense of political legitimacy against Canadian judicial narratives. Additionally, the analysis at the discursive level examines the Canadian court's legal framing of African political organizations as "terrorist" and Nigerian media's counter-framing that delegitimizes Canadian authority. It also reflects at the level co social practice the broader structures of power, including postcolonial continuities in legal domination, epistemic hierarchies, and Africa's struggles for recognition and autonomy in international justice systems. Thus, how Western Courts position themselves as universal experts on democratic legitimacy while positioning African political actors as dangerous or illegitimate is highlighted.

4. Interrogation of Western expertise in *Les Paradis Terrestres*

In *Les paradis terrestres*, reiteration is used to foreground international relations and diplomacy among countries. This is brought to the fore in an interaction between Ayo and the immigration officer as Ayo tries to acquire a permanent citizenship in Concorde:

Il est dommage que vos experts ne sachent rien de ce qui se passe chez moi. Le sujet est fort complexe croyez-moi, et on aura besoin d'innombrables experts pour le dénouer. Comment définir un expert d'ailleurs? *Paradis* p.148

It is a pity that your experts know nothing about what is happening in my place. The situation is more complex believes me, and we are going to need innumerable experts to unfold it. How do you define an expert anyway?

The above scene is an argument between Ayo and the immigration officer on his return to Concorde to continue his studies with his wife, after fleeing the terror of his country's dictator. The use of *expert* thrice in the sentence is for emphasis, on the role of the country's ambassadors in reporting happenings around the globe to their home country. By constant affirmation of expert preceded by the possessive adjective, vos (yours), in the first mention of the word above, the writer presents a dichotomy between the means and usage of human resources in the acquisition of information in the developing country and the Western Euro-America Eldorado. On a linguistic point of view, in the sentence "Il est dommage que vos experts ne sachent rien de ce qui se passe chez moi" (It is a pity that your experts don't know anything happening in my place), the writer emphasises the fact that false information and misinterpretation of event by the foreign asylum in a new country is also a reality. Due to their ignorance of certain fundamental issues and certain historical happenings, the foreign experts could be led astray through what they gather from opinion polls concerning some delicate issues of the new country they operate from. Hence, the writer proposes with the expression "on aura besoin d'innombrables experts pour le dénouer" (we shall need uncountable experts to unfold it). The importance of several agents comprising recruited nationals of the receiving country in question, with in-depth knowledge of socioeconomic and political and historical background of the people with the specialised skills of the foreign experts, to analyse delicate issues such as the case of the coup d'état and opposition of the government as is the case of Ayo's brother in the text which leads to the quotation above. The use of the conjunction, *et*, placed in opposition to the expression *Le sujet est fort complexe croyez-moi* is an additive tie, furnishing additional information. Through the use of this additive tie, the narrator foregrounds the incompetence of some international journalist by insisting that more experts would be needed to actually realise the nitty-gritty of the current situation in his home country.

Additionally, it is evident that from the above excerpt, the use of "Il est dommage que vos experts ne sachent rien de ce qui se passe chez moi... Comment définir un expert d'ailleurs?" carries an undertone of denigration. In the context of presentation, the Western specialist referred to as "expert" is positioned at the second level of position that entails refusal and acceptance of previous designation (Otegbale & Iyiola, 2024) as a novice by the African immigrant,

depicting him as one speaking without practical knowledge of the reality and expertise of the subject matter about the African continent. This repositioning automatically reverses the previous established order with the African immigrant asserting epistemic power in the conversation. This reassertion of right for reimagining by the African therefore positions the Western expert as the representative of the global north as usurpers of authorities in designation of Africans without due diligence on the subject matter. Thus, through the employment of irony in this context, Ojo-Ade stylistically dismantles the previously established discursive positions and puts the African voice in the forefront in lieu of the background.

From Critical Discourse Analysis point of departure, the repeated usage of the word "expert" underlines a lexical irony with each repetition undermining its meaning rather than affirming. Additionally, the deployed linguistic lexicon "expert" in "vos experts ne sachent rien" (*your experts know nothing*) is a deliberate inversion that exposes the hollowness of Western technocratic authority. Through the metadiscursive question "Comment définir un expert d'ailleurs?" (*How do you define an expert anyway?*) the writer critiques the Western epistemology, challenging the credibility of the western expert. Additionally, the usage of "fort complexe" (extremely complex) and "innombrables experts" (countless experts) to underline the ridiculousness of the situation parodies the Western fixation with technological solutions while suggesting that local reality cannot be converted to foreign analysis. Thus, from the textual level (micro level analysis), in line with Mariano's (2011) submission on the role of literature, words the selected and conscientious usage of the vocabulary "expert" underscores the ideology of both global north and south with respect to positioning and repositioning in global power dynamics in the postcolonial polity.

5. Analysis of Africans positioning from Vanguard Newspaper headlines

In line with the analysed excerpt from *Les paradis terrestres* in the above session, the analysis of the Vanguard newspaper's headline in this session foregrounds the ongoing discuss of power play between the global north and the global south with the designation of the tow dominant Nigerian political party, the All Progressive Congress (APC and the Peoples Democratic Party (PDP). This is captured in the image below:



“Canadian court declares APC, PDP terrorist organisations”

“The Peoples Democratic Party, PDP, has condemned the decision of a Canadian court declaring Nigeria’s two major political parties, the PDP and the ruling All Progressives Congress, APC, as terrorist organisations”

In line with principles of positioning, both headlines fall within the categories of first and second level of positioning respectively. In the first headline, first order of positioning is evident in the designation of the APC and PDP as terrorist in the caption *“Canadian court declares APC, PDP terrorist organisations”*. This designation depicts the African continent as a place where illegitimacy in governance is propagated and accepted, thus making the environment one void of true democracy. The declaration also positions the Canadian court as well as Western powers as the moral arbiters of global politics with the sole authority to designate which organization can be classified as terrorist groups by their western compass. Contrary in the second *“The Peoples Democratic Party, PDP, has condemned the decision ...”* the second order of position is applied with the reactions from the African players (Otegbale, 2024). The response of the PDP with lexicons, including, “misinformed, biased, lacking evidence” in challenging the imposed label of the first order of positioning, ensue a repositioning of itself as victim of misrepresentation and defender of democratic process.

In line with the second order of positioning in the second headline, the reaction of the PDP through Olufemi Soneye, depicts the ruling by the Canadian court as a political earthquake on the African continent with the singular goal of destabilizing global in what could be considered as an over reach and a threat to Nigeria’s democracy. This discourse in the Vanguard Newspaper and the presentation of Ojo-Ade’s *Les paradis terrestres* project Africa as a continent in context against western hegemonic influence. Canada and the Western expert in both context claiming to be arbiters faces similar oppositions with Africans invoking the second order of positioning to reposition themselves as the true *knowledge-holders, democrats, and victims of epistemic misrepresentation* in both contexts. This positioning of “expert” and “Canada

court ruling proceedings” on immigration and asylum depicts their act as mere performative contrary to the neutrality intended in the first order of positioning. Thus, they are depicted as mere conferring stigma, stripping rights from asylum seekers and challenging authorities counterproductive to the global order. This presentation therefore dramatizes the clash between Western technocratic authority and African experiential knowledge. Through irony, repetition, and rhetorical questioning, Ojo-Ade dismantles the authority of the “expert” as a colonial and neocolonial construct. CDA reveals how the text operates at multiple levels:

From the textual level (Micro-analysis) of the CDA, the term “declares” in heading 1 underscores the authority of the Western court and depicts it as the final authority whose verdict must go uncontested while reducing the APC and the PDP to a single label of “terrorist organisation”. Contrary, the lexical choice of “condemn” in “The PDP has condemned...” by the Nigerian player brings to the fore resistance depicting the Nigerian agency reaction as a rebuttal. Both headlines therefore foreground how powers, especially at the global level operates linguistically. Both headlines bring to the fore the capacity of a single linguistic lexicon, in this case a verb, “declares” and condemns” respectively cannot only transform a complex political entity into a fixated category with the first verb, but signals resistance while positioning Africans as reactive rather than proactive agents of discourse. Thus, the deployment of the linguistic lexicons in both headings of the Vanguard Newspaper, including the selected text, underscores the fact that words are not merely descriptive but act as a tool for power in legitimizing and delegitimizing entire political entities.

6. Conclusion

This study investigates how the intersection of literature and media not only reflects Africa's marginalization within transnational justice but also opens imaginative and discursive avenues for rethinking authority, legitimacy, and justice in an unevenly structured global order structured by asymmetry. Thus, this intersectional reading not only enriches our understanding of Ojo-Ade's aesthetics but also reveals how postcolonial resistance is performed across fictional works and political journalistic writings in the ever-evolving negotiation of Africa's place within global systems of power and expertise. Drawing upon the principles of the theory of positioning and critical discourse analysis, the study underlines how Western legal proceedings and media discourses seek to define, constrain, and delegitimize African actors. From fictional point of departure through Ojo-Ade's *Les Paradis Terrestres*, the study interrogates western authorities through the usage of paradoxes and exclusion encountered by the African migrant in the text within the projected legal framework. Additionally, the reportage of the Canadian Federal Court's 2025 ruling classifying Nigeria's major political parties—the All Progressives Congress (APC) and the People's Democratic Party (PDP)—as terrorist organizations in the *Vanguard Newspaper's* coverage "Canadian court declares APC, PDP terrorist organisations" and its follow-up report featuring Nigerian reactions and condemnations underline how the context of political legitimacy, defense and delegitimization in transnational legal discourse. Together, these textual sites underscore that the struggle over Africa's position is not confined to legal frameworks but is actively negotiated across cultural and media forms. Also, despite the delimitation of this study to a single literary text and media coverage, future research in this area could delve into other African texts comparatively with insights from other literary voices to give greater and deeper insights not covered in this paper into how cultural and media texts participate in shaping global imaginaries of justice. Conclusively, it is evident that this study goes beyond a mere depiction of current global order where Africa is positioned as passive recipient, but as a continent seeking to redefine itself in the global order through the resistance in fictional and journalistic publications.

References

Baker, J. T. E. (2015). *Defending the indefensible? the use of argumentation, legitimation, and othering in debates on refugees in the Canadian House of Commons, 2010-*

- 2012 (Doctoral dissertation, Memorial University of Newfoundland).
- Caserta, S. (2021). Western centrism, contemporary international law, and international courts. *Leiden Journal of International Law*, 34(2), 321–342. doi:10.1017/S0922156521000017
- Chimni, B. S. (2022). The international law of jurisdiction: A TWAAIL perspective. *Leiden Journal of International Law*, 35(1), 29-54.
- Darmayanti, N., & Riyanto, S. (2013). Critical discourse analysis of reporting on "Saweran for KPK Building" in media Indonesia Daily Newspaper. *International Journal of Linguistics*, 5(4), 213.
- Davies, B., & Harré, R. (1990). Positioning: The discursive production of selves. *Journal for the theory of social behaviour*, 20(1), 43-63.
- Eslava, L., & Pahuja, S. (2012). Beyond the (post) colonial: TWAAIL and the everyday life of international law. *Verfassung und Recht in Übersee/Law and Politics in Africa, Asia and Latin America*, 195-221.
- Firdous, N., Ch, M. Z. A., & Ashraf, M. U. (2025). The politics of grammar: How Nmorphosyntax is used to impose ideology in pakistan's legal and bureaucratic texts. *Research Consortium Archive*, 3(2), 668-679.
- Furtado, H. T. (2017). Against state terror: lessons on memory, counterterrorism and resistance from the Global South. In *Neoliberalism and Terror* (pp. 80-97). Routledge.
- Kalpouzos, I. (2020). International criminal law and the violence against migrants. *German Law Journal*, 21(3), 571-597.
- Kihato, C. W. (2025). Securitization is (normal) politics: Epistemological insights from Kenya's forced migration and security experience. *Migration Studies*, 13(2), mna008.
- Mabanckou, A. (2003) *African Psycho*. Paris : Le Serpent à Plume.
- Mabanckou, A. (2005) *Verre Cassé*. Paris : Seuil.
- Mariano, T. P. (2011). *Discourses of ordinary justice: Configurations of legal and literary discourse in late nineteenth and early twentieth-century American literature*. Rutgers The State University of New Jersey, School of Graduate Studies.
- Ndujihe, C., & Jannamike, L. (2025, August 14). *Canadian court declares APC, PDP terrorist organisations – Soneye, PDP react. Vanguard*. Retrieved August 20, 2025, from <https://www.vanguardngr.com/2025/08/cana>

- dian-court-declares-apc-pdp-terrorist-organisations-soneye-pdp-react/
- Ojo-Ade, F. 2003. *Paradis*. San Francisco: African heritage press
- Omidian Sijani, N. (2024). *A Corpus-assisted Critical Discourse Analysis of the Representation of Syrian Refugees in Canadian Newspapers* (Doctoral dissertation, Carleton University).
- Otegbale E. S & Iyiola, A. (2024). Incorporation as Technique of Foregrounding in selected novels of Alain Mabanckou. *Abraka Journal of Humanities, Law and Social Sciences*, Vol.1 No. 2, Pp.8-17
- Otegbale, E. S. (2024). *Foregrounding in selected novels of Alain Mabanckou*. Unpublished PhD Thesis, Department of European Languages, University of Ibadan, Ibadan, Pp.1-210.
- Van Krieken, K., & Sanders, J. (2021). What is narrative journalism? A systematic review and an empirical agenda. *Journalism*, 22(6), 1393-1412.
- Van Langenhove, L. (2021). Positioning theory. In *The Palgrave encyclopedia of the possible* (pp. 1-7). Palgrave Macmillan, Cham.