

# **The contributions of Ibadan scholars to Islamic Jurisprudence in Yorubaland**

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Presented at:

THE 40<sup>TH</sup> ANNIVERSARY CELEBRATION & 33<sup>RD</sup> NATIONAL CONFERENCE OF  
NATIONAL ASSOCIATION OF TEACHERS OF ARABIC AND ISLAMIC STUDIES  
(NATAIS)

Held at:

Conference Center, University of Ibadan, Ibadan, Oyo State

On Sunday 6<sup>th</sup> December, 2015

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## **Abstract**

*As Nigeria Association of Teachers of Arabic and Islamic Studies (NATAIS) celebrates 40<sup>th</sup> anniversary of its academic activities that took off from the city of Ibadan, this study investigated the historical evolution of Islam and its Jurisprudence in the City, which served as the political capital of Yorubaland, south western Nigeria. The growth of Islamic literary works and the role of Muslim scholars in the development of Islamic jurisprudence in the city were examined. Applying content analysis technique, the study revealed that Maliki Islamic Jurisprudence has been deeply rooted in Yorubaland for over two centuries, as a great number of learned men among the indigenes has emerged. Similarly, the study discovered that poems and other genres of literary productions of Maliki Doctrines produced by Ibadan ‘ulama’ have addressed several socio- political and religious issues in the area. The study further revealed that a colossal number of classical books of Islamic jurisprudence have been written by scores of scholars and jurists in the area. Based on our findings, the study recommended, among other things, that educational agencies and corporate organizations should strive to publish the manuscripts written by notable Ibadan jurists such as Alfa Okekoto, Imam Sodiq Folorunso, Alfa Rufai Oke Are, and Alfa Sanusi Alaka, with the aim of incorporating their literary works into the curriculum of Senior Islamic Secondary Schools in Nigeria. This, in our opinion, will not only bring the content of those valuable works to greater limelight, but will also go a long way in correcting the long-standing problems of spiritual and moral decadence facing our teeming youths in both government and private institutions.*

**Keywords:**Yorubaland, ‘Ulama, Ibadan scholars, Islamic Jurisprudence, Maliki School of thought, Shari’ah.

## **Overview of Yorubaland**

Yoruba is one of the major ethnic tribes that exist in Nigeria, situated in the South-Western part of Nigeria. It has extensive lands with borders northward by Niger River and Nupe land, southward by the Gulf of Guinea, eastward by Benin City, and westward by Dahomey and Borgu.<sup>1</sup>

The Yorubas can be classified into several sub-clans, namely: “the Oyo”, “the Egba”, “the Egbado”, the Ijebu, “the Ekiti”, “the Ondo”, “the Akoko”, “the Ikale” and other many different clans. Biobaku stated that, although, Kwara State is not counted politically as part of western region of Nigeria, but has profound number of Yoruba ethnics like the Igbominas and the Ibolos who constitute the majority single group in the State. The Oyos however, have their headquarters located at Ibadan.<sup>2</sup>

### **The establishment of Ibadan and its geographical location**

The city of Ibadan is situated in the South-western part of Nigeria, 128 km inland northeast of Lagos and 530km southwest of the federal capital Abuja, its population is about 3,565,108 people according to the report by GeoNames Geographical Database presented on January 18, 2012.<sup>3</sup>

Ibadan is the largest city in West Africa and the third largest in Africa after Cairo in North Africa and Johannesburg in South Africa.

One of the major characteristics and features of this historic town is that it was formed by residents who are from diverse and different tribes of Yoruba race, like the Yoruba of Oyo, Egba, Ife extractions etc, because the land of Ibadan originally was a war camp or refugee built by warlords and armies of Ile-Ife, Ijebu and Oyo Empire.<sup>4</sup>

It is difficult to determine the exact time or date the city was established; due to lack of a documented memo, which makes the opinions of historians to differ on the issue.

Some Scholars like Sheikh Al Ilory<sup>5</sup> and Tosin Adeniji Abiola<sup>6</sup> are of the view that Ibadan was founded in 1788. It is the view shared by Olubadan Isaac Akinyele (1981, 4), because going by the historical accounts in his book, Ibadan was founded in the 16th century at a time when there was no title of Aare Ona Kakanfo.

While some historians like Awoyinfa are of the view that the city was founded in 1829 by a man from Ile-ife called Lagelu,<sup>7</sup> who settled down there and was later joined by people from some neighbouring towns and villages. Yahya (1987, p12) objected to this view as he claims that evidence within his reach proves that the city of Ibadan had been in existence long before the suggested or proposed date (i.e 1829AD), because a veteran Ibadan historian, who is also a high ranking traditional chief, Ayorinde has out rightly rejected this date and argued that those who coined the date were ignorant of the fact that Bashorun Oluyole reigned for a total of thirty years. He was Baale between 1820-1826A.D.; became Bashorun between 1826-1850A.D. and spent all that time in Ibadan.<sup>8</sup>

The fact of the matter actually is that the disparity in the opinions of the historians about establishment date of the city was due to the fact that its evolution had gone through several stages, whereby the city was moved to many places before settling in its present location. It was the date of its establishment in the present location that was transmitted by many historians, forgetting that an historian needs to be elaborate and holistic while narrating historical accounts, and he must not split events, or mention an account in isolation, as that will not give his reader the opportunity to have detailed information about the issue in question.

Ibadan grew in importance and served as the administrative center for the whole of Southern Nigeria (1946-1951AD), and as the capital of the Western Region (1951-1967AD).<sup>9</sup>

### **The Advent of Islam in Ibadan**

It is difficult to determine the time of the coming of Islam to Ibadan, just like the controversy that surrounded the date of its establishment. But it can be said that Islam was in Ibadan since its inception and foundation, although some historians claim that the people of Ibadan started embracing Islam after 1829AD. But research by some Scholars indicates that this religion has been in existence with its Da'wa Movements years before the said date, even though at individual level, as many reliable sources show that Muslims were among the first set of settlers who came from Oyo-Ile to establish the city in the year 1788AD. Then the religion evolved, spread and flourished at the same time Ibadan flourished and became famous in the region late in the year 1829AD.<sup>10</sup>

After the Muslims were in Ibadan worshipping Allah individually and secretly, a man called "Igunnugun" appeared and started leading the Muslims in their prayers.

When Samuel Johnson said that Christianity did not enter the city of Ibadan until the year 1851AD, and that David Hinderer, a priest of the Church Missionary Society, CMS brought it to the City, Idowu commented and made the remark that the people of Ibadan were in close contact with Islam long before this time, and they knew Islam as a religion of enlightenment, purification and great power.<sup>11</sup>

Therefore, the view that put the date of entry of Islam to Ibadan at 1829AD appears unacceptable; because the truth of the matter is that Islam has been in the city, and is proud of its large number of foreign and local indigenous people prior to that date by more than sixty years.

When Sheikh Ahmad Rufai was talking about the arrival in Ibadan of Sheikh Uthman Basunu and Ahmad Qifu, he acknowledged that there were Islam and Muslims before the arrival of these two eminent scholars, but he remarked that the Muslims were weak in that period; they could not show their faith, like the early Muslims with the Prophet Muhammad (PBUH) in Mecca.<sup>12</sup>

All of this information indicates that the date of entry of Islam to the city of Ibadan dates back to the late eighteenth century, and since then, Islam has been well established in the city, but was found to be in existence much earlier in Oyo'le.<sup>13</sup>

### **The genesis of Islamic Jurisprudence in Ibadan**

Considering the greatness of the city of Ibadan in terms of courage and military prowess in the 19th century, a lot of writers attached less importance to the active role the city played in the area of spreading Arabic civilization and entrenching Islamic studies in Yorubaland at that time. By that, many observers and researchers did not know that the city is an important centre for Arabic education and Islamic Jurisprudence, especially Maliki jurisprudence which is the prevailing school of thought in the city like other cities and

countries in Africa. So, Ibadan was and still is an important Islamic center after Ilorin that witness literary and educational activities at the highest level of Islamic civilization.<sup>9</sup>

The city of Ilorin was the focus of students and scholars from everywhere in the region, but her Imamate and chairmanship of Islamic civilization was threatened and receded with the end of the twentieth century, as rivalry began between the two Islamic cities; as Ibadan became an alternative center for students interested in learning Islamic Jurisprudence (fiqh) and other Islamic studies related subjects, giving them the opportunity to choose between it and Ilorin; as it has proved to be one of the most important cities in Yorubaland, which its scholars were playing an important role in the spread of Arabic and Islamic knowledge in the region.

Sheikh al Alory (1965, 42) attested and acknowledged to the fact that Ibadan has become a significant Islamic Center in the region that cannot be underestimated or underated, but he was quick to emphasize the seniority of Ilorin as he said: "Ibadan was actually in the last century (i.e 20<sup>th</sup>) an important center for Arabic education and destination for students from all parts of Yorubaland, it ranked second after Ilorin".

All these previous explanation is a pointer to the vast amount of Arabic Books and Manuscripts written by Ibadan scholars of the twentieth century. These manuscripts were found in public and private libraries, and also in the hands of the descendants of these scholars.

This view was shared by Oloyede (1989, 11) as he says: "The city of Ibadan is actually an important center of learning Islamic and Arabic education, and it was not preceded by other cities except Ilorin". That is to say in terms of precedence to being an Islamic center of learning, but in terms of the contribution in the area of domesticating Arabic literature and authorship, Oloyede believes that Ibadan scholars in the nineteenth and early twentieth centuries excelled those of Ilorin in adapting to their environment the popular Arabic adage: "Poetry is the public register (dīwan) of the Arabs", considering the socio-political events of the said period.

This point was also stressed by al Alory (1965, 42) in his writing that Ibadan during that period became an important center of Islamic learning that students of the region come to it from all places of the region without exception. He said: "Ibadan was in the last century an important center for Arabic education and destination for students from all countries Yorubaland".

One of the distinctive features of Ibadan scholars is their love and passion for Islamic Jurisprudence, because they realised the importance the people of this region attached to it, the more reason they were known to be specialists and experts in the area of Maliki Jurisprudence. The ability of Ibadan scholars in the area of Maliki school of thought was extolled by Sheikh al-Alory in his book, he said: "They (i.e. Ibadan scholars) specialize in Maliki jurisprudence".<sup>14</sup>

It is a known fact that Ibadan Yoruba scholars authored many literary books in Arabic language, whether prose or poetry with the sole aim of teaching Muslims about their

religion, and its moral values. They also, through their literary works, disseminate Islamic Jurisprudence and its teachings, especially the ideas and fatāwas (legal Opinions) of Maliki School of Thought among the Yoruba Muslims.

This is shown clearly in Sheikh Ahmed Rufai's poem on the legality of cajoling the Kings and Leaders who are infidels through interaction and accepting gifts from them, which he named: *"hujjatu asatizatina limukhasimiihim wamujahidiihim 'ala mudahanatihim lili umarail kuffar"* (the evidence our Teachers against their adversaries on cajoling non-muslim Leaders). In the same category is such work by Sheikh SadiqFolorunso on the issue of moon sighting in Ramadan *"sorful mulhidiina ila toriiqil 'ulamair rashidiina fi ithbati ruhyati shahri Ramadan"* (Diverting the Atheists into the way of the Rightly Guided Scholars in the sighting of Ramadan month).

This shows us that writing in Arabic language was used effectively by Ibadan scholars to express their feelings and stand on religious, political or social issues in the society.

### **The emergence and spread of Islam and its Jurisprudence in Ibadan**

It is the consensus of Historians that Islam came into Ibadan and the rest of Yorubaland through peaceful means by the efforts and activities of Muslim traders from Islamic Kingdom of Mali during the time of Mansa Musa in the fourteenth century (8<sup>th</sup>AH).

It could also be said authoritatively that Islam came to Ibadan right from the first inception of the City as discussed in previous section of this paper; because there were among the first people who came from Oyo'le Muslims who practiced their religion, albeit at the level of their individual capacity. Then Islam grows and spreads through the beginning of the nineteenth century.

It was after the first three decades of the nineteenth century that Islam began to spread in the city of Ibadan like a wild fire through the efforts of Muslim traders and itinerant scholars who came from Sokoto in Northern Nigeria either through the present Kwaran Borgu in the North central of the country via the current town Kishi-Iseyin or via Ilorin as emphasised by Nasiru (1976, 70) in his work.

One of the earliest Muslims that emerged in Ibadan was a man called Abdullahi Gunnugun otherwise known as Igun-Olorun.<sup>15</sup>

This respectable Imam was the first to lead some Muslims who were brave enough to pray in congregation in front of his house in what could be referred to as the first mosque in Ibadanland.

This is the beginning of the relationship of people of Ibadan with the Islamic Jurisprudence, as the Imam normally gives some Islamic lessons so that people can know how to perform their religious rights ('ibādah) correctly.

He then started giving Fiqh classes based on Maliki views, because it was the prevailing doctrine known to scholars of West Africa as a whole. Muslims then began receiving their provisions in the light of the views of this school of thought, which made Ibadan scholars to excel in that field of knowledge later, and made students to travel down to Ibadan from all neighbouring cities and villages to seek the knowledge of Maliki Jurisprudence.

Bello Rufai (1987, 11) noted that this was the situation until Bashorun Oluyole became the king of Ibadan, and his chief Priest speculated that a great scholar and pious Muslim cleric will come to Ibadan, and that he should take good care of him; because he is a powerful man with ability to pray, and God answers his prayers.

Days later, the expected guest in the person of Sheikh Uthman Basunu arrived as predicted by the priest and he was given a warm welcome, and because of the way the king received him he did not reject the offer when the king requested him to stay and settle in Ibadan. The king then gave him accommodation in a place near his palace called “ItaOkoro”. (P.C. Lloyd, B. Awe and A. L. Mabogunje 1967, 249)

After the arrival of Uthman Basunu, Imam Abdullah Gunungun who was the first to lead congregational prayer in the history of Ibadan died, and Sheikh Basunu was assigned to fill the vacuum, as he was inaugurated as the second Imam of the city in 1839AD; because of his vast knowledge.<sup>16</sup>

By 1871AD Islam had gained popularity and when Imam Uthman Basunu died Sheikh Ahmed bn Qifu was immediately turbaned as the new chief Imam of Ibadan. During his reign there was a considerable improvement and development in the area of Da’wah activities and Islamic education with more emphasis on teaching and spreading the Maliki Jurisprudence. As the School of Thought evolves, jurists were able to practice its thoughts by applying the judgments (fatāwas) based on Imam Malik’s verdicts in many instances. Scholars paid more attention to Daawa activities, because they realized they were more preoccupied with seeking knowledge from their teachers and copying from textbooks that were then limited in circulation.

One of the most greatest and active scholar of this period was Sheikh Abu Bakr bn al-Qasim Alaga who founded the first Quranic and Islamic school, which later graduated most Ibadan scholars. This period coincided with the time of Bashorun Latosa who was the first Muslim to become the king of Ibadan.<sup>17</sup>

Sheikh Abubakar Alaga came and taught the people of Ibadan Islamic Jurisprudence, and would be remembered for entrenching Islamic education, as he succeeded in educating, instructing and guiding the Muslim Ummah in the city. He focused on some groups of full-time students who had intention of furthering their studies at a higher level in Jurisprudence, Arabic language, philosophy and Quranic sciences. They were those set of students that formed the third class and most active category of Ibadan scholars.

It is crystal clear that Islam has grown and flourished in Ibadan, as it spread throughout the cities of Yorubaland as a result of the efforts of Ibadan scholars.

### **Factors Responsible for the Spread of Islamic Jurisprudence in Ibadan**

The causes could be summarized as follows:

- 1- The attention given by Ibadan scholars to Maliki School of thought.
- 2- Activeness of Quranic interpretation centers during Ramadan fasting period.
- 3- The capability and mastery of Ibadan scholar in Arabic language.

- 4- The efforts of Maliki jurisprudence schools in Ibadan in spreading effective Islamic education.
- 5- The emergence of numerous religious associations.
- 6- Resolve and steadfastness of Ibadan scholars to spread the Maliki School of Thought through several means including Authorship and Writing.
- 7- The efforts of scholars from Borno, Nupe, Hausaland and Ilorin in Northern Nigeria.
- 8- The endorsement and support the Kings of Ibadan gave to Islam and Sunnah.
- 9- The mental and intellectual maturity displayed by Ibadan scholars.
- 10- The tolerant nature of the Yoruba community.
- 11- The centralised power of religious leader (Imam), which made the political hierarchy to respect Muslim community.
- 12- The wisdom of scholars of Ibadan in dealing with people.
- 13- The encouragement given by those Muslims who found themselves in the rulership position of Ibadan at different levels.

### **Categories of Ibadan Scholars**

Since Islamic jurisprudence spread in Ibadan through the efforts of qualified and capable Ibadan scholars and teachers, who spent their time and energy on consolidating and upholding the principles of this doctrine, it is pertinent to put a searchlight on the identity of these great men, organize and categorize them according to their age and time of existence.

The scholars could be classified in terms of their adherence to Maliki Jurisprudence as follows:

#### **1- Imitators**

They are a group of Ibadan scholars like in other Muslim world who see no need for discretion (ijtihād) in treating jurisprudential issues; rather it should be based on Maliki school of thought only, without considering other views. The more reason they only mention judgment without evidences.

#### **2- Independent Scholars**

They are another group of scholars who do not deny their affiliation to Maliki School, rather proud of it, but refused to follow blindly as many scholars do. Their view is that they are not enough to infer the view and judgment of a scholar; because Imam Malik's words – despite being an indisputable scholar - are not evidence, but the real evidence is in what tally with Qur'an and Sunnah of the prophet (PBUH); the more reason why Imam Malik used to say: "Everybody's word is accepted and rejected except owner of this grave (i.e. prophet Muhammad)".<sup>18</sup>

This was clearly demonstrated during the disagreement between Ibadan scholars about minimum zakat amount (*nisāb*) and the least dowry amount. Whereby there was a group of scholars who believe that the view of past 'ulama should be held – whatever the case, and any attempt to bring a new argument is considered insulting, null and void.



## The Contributions of Ibadan Scholars to Islamic Jurisprudence

Islamic Jurisprudence especially Maliki School of Thought progressed and developed in Ibadan in the late 19<sup>th</sup> century with the beginning of the 20<sup>th</sup> century, and the medium by which scholars in this ancient Islamic city tackled issues of Islamic jurisprudence generally, and served Maliki jurisprudence in particular. The medium though varied and differed, it ranges from delivering public lectures to Friday sermons and class lessons, but the most important means used by these scholars is through literary writings and authorship of series of literary works that boost the image of Ibadan and by extension Yoruba land.

Through the pages of their works these jurists discussed Islamic rulings and religious verdicts on various contemporary issues that affect the lives of all members of Ibadan Muslim community. However, the greater percentage of those works remains manuscripts in the hands of the descendants of the scholars, or in private and public library shelves, waiting for the researchers and intellectuals from Islamic world to study. Such research if carried out will benefit future generations in no small means.<sup>19</sup>

Ibadan can boast of poets and writers of great repute like Sheikh Abdu sSalamOke Koto, the eminent Jurist of Ibadan who have to his credit five outstanding works on Jurisprudence. The first of the five books was named “*tuhfatulwā’izin*” (masterpiece for Preachers), which is a voluminous work that talked about jurisprudence, creed and general religious counseling. The remaining of the series are “*toriiquljanna*” (Road to Paradise) and “*risālatabdul ssalāmi li ikhwānil Muslimīna*” (abdul ssalām message to Muslim Brethren) and “*tuhfatul Muhaddithīn wal gāfilīn*” then “*sirājulwā’izin*” (masterpiece for Narrators and Inadvertent). These works are all wonderful intellectual works that reflect the influence of Sufism on this scholar of repute, just as the works were aimed at serving Islam and its sciences, and to educate Muslims about their religion, but the work “*torīqul janna*” was solely on Islamic Jurisprudence with emphasis on Maliki School of thoughts.<sup>20</sup>

We also have Sheikh Ahmed Rufai Oke Are who wrote a book titled “*alhujjatul fasilah*” (the decisive evidence) in which he wrote several verses of poem to clarify and explain his opinion on the amount of quantity that makes zakat obligatory on a Muslim and minimum amount of dowry. This was when he disagreed with other Ibadan scholars. He said in response to their argument:

دنانيرهم عشرون منه نصابهم ويخرج منه النصف للرزق ما هذا  
وفي مائتين من دراهم شرعنا ويؤخذ منه لخمس كن ذا معاهدا

(As regards) their dinars, twenty of it is their Nisab;  
and one half (of a dinar) is paid (as the Zakah of the  
amount).

In every two hundred of our Islamic dirhams; Five  
dirhams are taken (as Zakah); so, be accustom to  
that.<sup>21</sup>

He called on his opposing jurists to focus their argument on the measure of Gold and Silver mentioned by the prophet and finds the equivalent. He said:

ودينارنا الشرعي يعرف قدره بسبعين حبا ثم الاثنين زائدا  
وذا بشعير قد توسطت ليدري بأن الوزن أعلى مقاصدا  
ودرهما الشرعي خمسون حبة مع الخمسين كن لذي الوزن ناقدا

The weight of our standard dinar is known; to be seventy two of grains (weight).

This is (when weighed) with moderate size of malts; we should know that the real aim is measurement.

(The weight of) our standard dirham is fifty malts with the two one fifths; examine it critically.

Sheikh Rufai argued further that just as it is not permissible for any jurist to reduce or add to the twenty dinars or two hundred dirhams fixed by holy prophet, so also it is an indisputable fact that the value of twenty dinars or two hundred dirhams of prophet's time cannot be of the same value as the monies of nineteenth and twentieth centuries. This fact made him to say:

وتعويلنا في ذي النصاب بوزنه ولا تك عن علم الشريعة حائدا  
زن الدرهم الشرعي بسيس تراهما كمستويين فاعتمدتهما مساندا

Our reliance on Nisab is based on the measurement; and do not turn away from the knowledge of the Shari'ah.

Weigh the legal dirham with a six pence coin you will see that they are equal, so rely on it and stand by it.

Sheikh SadiqFolorunsho also wrote a valuable book with the title: “*sorful mulhidina ila toriqil ‘ulamair rashidina fi ithbati ru’yati shahri Ramadan*” (Diverting the Atheists into the way of the Rightly Guided Scholars in the sighting of Ramadan month). He wrote it to make his view and position known on the issue of moon sighting in the month of Ramadan. In order to prove his point he sighted many reliable academic sources written by great Islamic Ulama’ like imams Tirmithi, Qurtubiyy, ibnMajishun and others. This really underscores the fact that he like many of his contemporaries were versed in Islamic text books. For example he quoted tirmithi thus:

“In the sound collection in (jamiusahih) in the sunnah Tirmidhi Abu Isa said: working on this tradition among the people of knowledge that every town has its own sighting. Because every group of people are addressed with what is available among them as is the time of prayer and what is mentioned in the books of jurisprudence for the people of our schools of thought that difference of sources is not considered. It is therefore compulsory to apply the former sighting to the extent that if it is sighted in the east on Friday night and it is sighted in the west on Saturday night, it is incumbent on the people of the west to apply what the easterners’ sight. Hence it would be compulsory for them restitution for a day for their observing the fast for only twenty nine days if that is established among them. That is the sighting of those people by a necessitating means for the link of their addressed with the sighting in the

hadith: “observe fasting at the sighting of the moon and break the fasting at the sighting of the moon” unlike the case of prayer timing and there is no discussion on the difference of the sources. It is as he has said”.<sup>22</sup>

Sheikh Bunyamin Motala’s interest and depth in jurisprudence is not hidden, for he wrote on several issues in that field, as was clearly shown in his book titled “*dalilul gafili ila ‘afwil gafiri*” (guide of inadvertent to the pardon of Allah the Forgiving) in which he touched on several doctrinal issues, responded to many fiqh questions and discussed it at length. One of those issues he raised in the work is the Islamic verdict on the period of waiting of a widow “iddah”; because some weak scholars in Ibadan then were giving a fatwa that 'iddah period is forty one days only! He now devoted his time to writing some lines of Arabic poems to correct this wrong and strange verdict.<sup>23</sup>

On the issue of dress code for Muslim women “hijab” (veil) Sheikh Bunyamin Motala said:

فصل في تقصير لباس المسلمة، وفيه بيان على أنها قد خالفت الشرع:  
ويا عجباً للمسلمات بأرضنا كآمتنا في اللبس لم تقبل الزجرا  
تراها على الأحيان في حلى جاهل فأجدر أن تلقى كمن لبست طمرا  
وسترتها الجسم طراً فريضة سوى الوجه والكفين اقض بها جهرا  
فواحدة منهن إن أظهرت خلا فما قيل في ذا اللبس هل يأمن الشرأ  
بسورة نور آية اللام قد أتت على حالها في العمر إن طلبت عفرا  
بأن أثمت إن أظهرت للخلائق بدون الذي في الشرع قد فصلت ذكرا  
عليها بحفظ الفرج مع كتم زينة عدى الوجه والكعيبين إظهار ذا قرى

A section on women shortening their dresses and the explanation that it contradicts the Shari'ah.

What a surprise about Muslim women of our land! They are like our housemaids in dressing, they reject reprimand.

At times you see them in dresses of the like of ignorant ones; it is better resewn. They are like the one who wears a rag.

It is compulsory for them to cover all their entire body; except the face and the two palms. It is clearly stated (in the Qur'an).

Will any of them be saved from Allah's wrath which results from wearing what is contrary to Shari'ah?

Suratu Nur, verse of Lam (30) is on their manner (of dressing) if they want to be forgiven.

That they have sinned, if they display to mankind; Except that which has been mentioned in Shari'ah.

It is incumbent on them to protect it (their chastity) and to hide their adornment, except the face and the two palms whose exposure are established (in Shari'ah).<sup>24</sup>

These issues and many other issues discussed by these great scholars of Ibadan were pointer to the fact that they wrote their numerous literary works in order to make their stand

known; so as to give the right and Islamic guide to their followers in the larger Muslim community.

From the quoted texts it is obvious that arguments of these scholars were based on evidences and proofs extracted from two main sources of Fiqh: The Qur'an and *Sunnah* (traditions) of Prophet Muhammad as clearly shown in sheikh Motala's work earlier mentioned on the issue of "*Hijab*" (veil).

This shows a clear disparity between those scholars and our contemporary youth scholars who issue strange "*fatwas*" (verdicts) based on deficient minds, leading them to issuing weird and strange fatwas that were not supported by shariah that they were supposed to uphold and jealously guide.

Thus, we found a scholar in Yorubaland today saying that "*niqab*" (veil) is just a custom of some Muslim societies, and so it's not fashionable for our own women here to wear it! Curiously we see him trying to justify this view with reference to an Egyptian woman who came immodestly dressed to attend an Islamic occasion organised by an Islamic institution in Lagos State! *Ya subhanallah!*

This is strange, for an Islamic scholar to be setting bad precedence by dabbling into pure academic and jurisprudent issue based only on his personal thinking. But, thanks to Allah that after prophet Muhammed and his companion, we have a good example and model in Ibadan scholars who since nineteenth and twentieth centuries have done their best to criticize and explain through their literary works the correct Islamic view on vices in their societies, like dressing nude, as was done by Sheikh Motala in his book "*Dalilul gafiliila 'afwil gafiri*" where he enjoined Muslim women to desist from copying western women in their immoral dress code that is totally against Islamic dress code and shariah rules.

#### List of Jurisprudence Works of some Famous Ibadan Jurists

| NO | SCHOLAR   | WORK  | REMARK  |
|----|---|---|---|
| 1  | Sheikh Abdul Salam Okekoto:<br>(d. 1920AD)                    | تحفة الواعظين<br>"Tuhfatulwa'izin"<br>(masterpiece for Preachers)   | A jurisprudence work in which the author advises Muslims to avoid associating with non-Muslims and remain aloof from political matters.   |
|    |   | طريق الجنة<br>"Tariquljannah"<br>(way to the Paradise)  | It emphasized the basic Islamic obligations and recommended the Sufi way.   |
|    |   | تحفة المحدثين والغافلين مثلي<br>"Tuhfatul Muhaddithin wal Ghafilina mithli"<br>(masterpiece for Narrators and Inadvertent)      | Fiqh work on basic religious obligations. It is a supplementary book based on his " <i>Tariqul janna</i> "  |
| 2  | Sheikh Bunyaminbn Tahir Motala:<br>(1327-1378H/1908 – 1959AD) | دليل الغافل إلى عفو الغافر<br>"Dalilul gaafil ila 'afwil gaafir"<br>(guide of inadvertent to the pardon of Allah the Forgiving) | a poem of almost forty-six lines on various topics on morals and religion, with some jurisprudence issues like iddah, women's dress, parental responsibility, offerings for the deceased forty days after his death, flogging for fornication, and condemnation of certain customs prevalent in Ibadan. |
|    |   | سيف البرهان على أهل الطغيان<br>"Sayful burhan 'ala ahlit tughyaan"<br>(Burhan's sword on the Oppressors)                        | it's a poem on controversial jurisprudence issues like giving money to scholars in request that they pray and ask Allah to bless the deceased. Lanase   |

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|   |  |   | movement was totally against this act with a lot of controversy among Ibadan Scholars.   |
| 3 | Sheikh Abdul Salam Alkinla (d. 1960AD)             | قصيدة مقصورة<br>Qosidatun maqsura   | It's a poem in which he attacked Zumrah group for saying that rearing of bears for men and wearing of Veil for women are obligatory, he accused them of ignorance.   |
| 4 | Sheikh Ahmad Rufai Oke Are:<br>(d. 1971AD)         | الحجة الفاصلة في نصاب الزكاة وأقل الصداق<br>"al-Hujjatul faasilah"<br>(the decisive evidence on the smallest permissible amount of bride-wealth)  | poem rhyming in dal written on the correct minimum amount of wealth on which zakat is to be paid, and the smallest permissible amount of bride-price.  |
|   |  | الحجاب والحكمة<br>"al-hijab walhikmah"<br>(the Veil and the Wisdom)   | it's a prose work on Islamic rule concerning veil and other issues that has to do with the dress of a Muslim woman.  |
| 5 | Imam Sodiq Folorunsho (d.1988AD)                   | صرف الملحين إلى طريق العلماء الراشدين في إثبات رؤية شهر رمضان<br>"Sorful mulhidiina ila toriqil 'ulamair rashidin fi ithbaati ruhyati shahri ramadan"<br>(Diverting the Atheists into the way of the Rightly Guided Scholars in the sighting of Ramadan month)  | prose work on the issue of moon sighting in the month of Ramadan, as it affects the beginning and end of fasting. He outlined the opinions of scholars on the issue with their evidences from Qur'an and Sunnah  |
| 6 | Burhaanuddin Muhammad Sanusi Alaka:<br>(d. 1990AD) | حجة السدل القاطعة من الأحاديث وأقوال السلف<br>"Hujjatus sadlil qaati' minal ahaadiith wa aquwaali ssalaf"<br>(the decisive evidence on position of the arms in prayer from Hadiths and Scholars Views)  | It is on the position of the arms in prayer, both of which the author claims are sunnah, though <i>sadl</i> is preferred by the Maliki School of Thought   |
|   |  | الخمير أم الخبائث ومفتاح كل شر<br>"al-Khamru ummul khabaaith wa miftaahu kulli sharr"<br>(Alcohol: Key to all evil and impurities)  | poem of eighteen lines warning against the consumption of alcohol which was on the rise among young Muslims who were influenced by western ideas in Ibadan in the early 1940s.                                   |
|   |  | الوليمة<br>"al-Walimah"<br>(Banquet)  | poem on the correct way of performing funeral ceremonies, especially as regards serving food.  |
| 7 | Sheikh Abdul Karim Ishola Ololamerindinlogun       | نور الكشاف وبيان طريقة الميراث<br>"Nuurul kashshaaf wa bayaanu tariikatil miirath"<br>(Searchlight on explaining the Method of Inheritance)   | poem on the sharing of the inheritance of Sheikh Abdul Salam Bamidele.   |
| 8 | Abdul Rashid Muhammad Olore Al-Sakhiy              | السيف القاطع للنزاع في حكم الحجاب والجلباب وتحريم التبرج والسفور في العالم الإسلامي<br>"as-Sayfulqaati' linniza' fiihukmil hijab wal jil baab wa tahriimut tabarruj was sufuur fil 'alamil islamiy"<br>(Sharp Sword for settling dispute on Islamic Rule on Veil, Loose Garment and the prohibition of Immodest Dress Code in the Muslim World) | it is a work in defence of the obligatory nature of veil on Muslim woman, as practised and preached by Bamidele movement. Forwards written by Deputy General Secretary of Haramayn issues and SheikhAbubakr Gumi |

## Conclusion

This work is a modest contribution to understanding the past of Islam in the city of Ibadan of Yorubaland; so that people will know the efforts of Ibadan scholars in propagating Islam and teaching Islamic Jurisprudence, with more focus on Maliki School of Thought. The date 1248H/1829AD mentioned and fixed by many historians as the date of establishment

of Ibadan is a mistake; as it is just the date of its re-establishment in its current location. Rather, the date of inception and foundation of Ibadan could be traced back to 1788AD. It was revealed through this study that, the medium by which scholars in Ibadan tackled issues of Islamic jurisprudence generally, and served Maliki Jurisprudence in particular varied and differed. It ranges from delivering public lectures, Friday sermons to class lessons, but the most important means used by these scholars is through literary writings and authorship of series of literary works that enrich our national literary heritage and also boost the image of Ibadan and by extension Yorubaland. It is worth noting here that the arguments of these Ibadan jurists - in the course of dealing with issues were devoid of mere imitation of Maliki jurist's ideas, rather, it was based on evidences from the Qur'an and Sunnah (traditions of the prophet Muhammad). Just as Ibadan scholars on most occasions while treating doctrinal issues do declare and make their opinion known to their reader, as was evident in some of their works discussed in this study.

*Al hamdu lillahi rabil 'alamīn.*

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