

THE CONTRIBUTIONS OF IBADAN ‘*ULAMĀ*’ TO ISLAMIC JURISPRUDENCE IN YORUBALAND

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Abstract

As Nigeria Association of Teachers of Arabic and Islamic Studies (NATAIS) celebrates the 40th 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, southwestern 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 have emerged. Similarly, the study discovered that poems and other literary genres productions of Maliki produced by Ibadan *‘ulamā* have addressed some 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 organisations 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 the greater limelight but will also go a long way in correcting the long-standing problems of spiritual and moral decadence facing the teeming youths in both government and private institutions.

Keywords: Yorubaland, *‘ulamā*, 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, situate 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.¹

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 the western region of Nigeria, but has a profound number of Yoruba subgroups like the Igbominas and the Ibolos who constitute the majority single group in the State. The Oyos however, have their headquarters located at Ibadan.²

The Establishment of Ibadan and its geographical location

The city of Ibadan is situated in the South-western part of Nigeria, 128km 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, 2012.³ Ibadan is the largest city in West Africa and the third largest in Africa after Cairo in North Africa and Johannesburg, South Africa.

One of the major characteristics 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.⁴

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 Ilory⁵ and Tosin Adeniji Abiola⁶ 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,⁷ 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 outrightly 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.⁸

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 centre for the whole of Southern Nigeria (1946-1951AD), and as the capital of the Western Region (1951-1967AD).⁹

The Advent of Islam in Ibadan

It is difficult to determine the advent of Islam in 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. However, research by some scholars indicates that this religion has been in existence with its *Dawa* 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.¹⁰ 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.¹¹

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.¹²

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.¹³

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 centre after Ilorin that witness literary and educational activities at the highest level of Islamic civilization.⁹

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 centre 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 Centre in the region that cannot

be underestimated or underrated, but he was quick to emphasise the seniority of Ilorin as he said: "Ibadan was actually in the last century (i.e 20th) an important centre for Arabic education and destination for students from all parts of Yorubaland, it ranked second after Ilorin". All the 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 centre 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 centre 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 (*dīwān*) 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 centre 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 centre for Arabic education and destination for students from all countries in 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, where he said: "They (i.e. Ibadan scholars) specialise in Maliki jurisprudence".¹⁴

It is a known fact that Ibadan 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 *fatāwā* (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 wamujāhidīhim ‘ala mudahānatihim lili umarāil kuffār”* (the evidence of our teachers against their adversaries on cajoling non-Muslim leaders). In the same category is such work by Sheikh Sadiq Folorunso on the issue of moon sighting in Ramadan *“sorful mulhidiina ila toriiqil ‘ulamair rāshidīina fī ithbati ruhyati shahri Ramadan”* (Diverting the Atheists into the way of the Rightly Guided Scholars in the sighting of Ramadan month).

This shows that writing in the 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 the Islamic Kingdom of Mali during the time of Mansa Musa in the fourteenth century (8th AH).

It could also be said authoritatively that Islam came to Ibadan right from the first inception of the City as discussed in the previous section of this article; because there were among the first people who came from Oyo'le Muslims who practised 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 wildfire through the efforts of Muslim traders and itinerant scholars who came from Sokoto in Northern Nigeria either through the present Kwara 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.¹⁵ 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 excel in that field of knowledge later and made students 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 “Ita Okoro”. (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 1839; because of his vast knowledge.¹⁶

By 1871 Islam had gained popularity and when Imam Uthman Basunu died Sheikh Ahmed bin 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 practise its thoughts by applying Islamic legal opinion (*fatāwa*) based on Imam Malik's views in many instances.

Scholars paid more attention to *Da'wa* activities because they realised they were more preoccupied with seeking knowledge from their teachers and copying from textbooks that were then limited in circulation. One of the greatest and active scholars of this period was Sheikh Abu Bakr ibn 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.¹⁷

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 the 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 summarised as follows:

- 1- The attention is given by Ibadan scholars to Maliki School of thought.
- 2- Activeness of Quranic interpretation centres during Ramadan fasting period.
- 3- The capability and mastery of Ibadan scholar in the 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 was 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, organise and categorise 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 (*ijtihad*) 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 evidence.

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)".¹⁸

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 *ulamā* should be held – whatever the case and any attempt to bring a new argument are 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 19th century with the beginning of the 20th 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 the Islamic world to study. Such research if carried out will benefit future generations in no small means.¹⁹

Ibadan can boast of poets and writers of great repute like Sheikh AbduSalam Oke Koto, the eminent Jurist of Ibadan who has 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 discussed jurisprudence, creed, and general religious counseling. The remaining of the series is “*torīquljanna*” (Road to Paradise) and “*risālat ‘abdussalām li ikhwānil Muslimīna*” (Abdul ssalām message to Muslim Brethren) and “*tuhfatul Muhaddithīn wal gāfilān*” 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.²⁰

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 the 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 ماها
وفي مائتين من دراهم شرعنا ** ويؤخذ منه لخمس كن ذا معاها
their dinars, twenty of it is (As regards)
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.²¹

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 حباتم الاثنين زائدا
وذا بشعير قد توسطت ** ليديري 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 the 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 say:

وتعويلنا في ذي النصاب بـوزنه ** ولا تك عن علم الشريعة حائدا
زن الدرهم الشرعي بسيس تراهما ** كمستويين فاعتمد هُما 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 sixpence coin you will see that they are equal, so rely on it and stand by it.

Sheikh Sadiq Folorunsho also wrote a valuable book with the title: "*sorful mulhidina ila toriqil 'ulamair rāshidīna fī 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 Tirmith, Qurtubiyy, ibnMajishun and others. This really underscores the fact that he like many of his contemporaries were versed in Islamic textbooks. For example, he quoted Tirmidhī thus:

In the sound collection in (jamiusahīh) 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 is addressed with what is available to 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 between the sources. It is as he has said.²²

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 "*dalīlul gāfili īla 'afwil gāfiri*" (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.²³

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 ** كأمتنا في اللبس لم تقبل الزجرا
تراها على الأحيان في حلّ جاهل ** فأجدر أن تلقى كمن ليست 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 والكعبين 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 Nūr, the 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).²⁴

These issues and many other issues discussed by these great scholars of Ibadan were pointers 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 evidence 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 *fatāwā* (legal opinions) based on deficient minds, leading them to issue weird and strange fatwas that were not supported by Shari'ah that they were supposed to uphold and jealously guide.

This is strange, for an Islamic scholar to be setting bad precedence by dabbling into pure academic and jurisprudential issue based only on his personal thinking. But, thanks to Allah that after prophet Muhammad and his companions, we have a good example and model in Ibadan scholars who

since nineteenth and twentieth centuries have done their best to criticise 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 “*Dalīlul gāfilila ‘afwil gafiri*” where he enjoined Muslim women to desist from copying western women in their immoral dress code that are totally against Islamic dress code and shari‘ah rules.

List of Jurisprudence Works of some Famous Ibadan Jurists

NO	SCHOLAR	WORK	REMARK
1	Sheikh Abdul Salam Okekoto: (d. 1920AD)	تحفة الواعظين “Tuhfatulwa’izin” (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 “Tariquljannah” (Way to the Paradise)	It emphasised the basic Islamic obligations and recommended the Sufi way.
		تحفة المحدثين والغافلين مثلي “Tuhfatul Muhaddithin wal Ghafilina mithli” (Masterpiece for Narrators and Inadvertent)	Fiqh works on basic religious obligations. It is a supplementary book based on his “ <i>Tariqul janna</i> ”
2	Sheikh Bunyaminbn Tahir Motala: (1327-1378H/1908 – 1959AD)	دليل الغافل إلى عفو الغافر “Dalilul gaafil ila ‘afwil gaafir” (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 “Sayful burhan ‘ala ahlit tughyaan” (Burhan’s sword on the Oppressors)	it’s a poem on controversial jurisprudence issues like giving money to scholars in the request that they pray and ask Allah to bless the deceased. Lanase movement was totally against this act with a lot of controversy among Ibadan Scholars.
3	Sheikh Abdul Salam Alkinla (d. 1960AD)	قصيدة مقصورة Qaṣīdatun maqsūrah	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: (d. 1971AD)	الحجة الفاصلة في نصاب الزكاة وأقل الصداق “al-Hujjatul faasilah” (the decisive evidence on the smallest permissible amount of bride-wealth)	A 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 “al-hijab walhikmah” (the Veil and the Wisdom)	it’s a prose work on Islamic rule concerning veil and other issues that have to do with the dress of a Muslim woman.
5	Imam Sodiq Folorunsho (d.1988AD)	صرف الملحدين إلى طريق العلماء الراشدين في إثبات رؤية شهر رمضان “Sorful mulhidiina ila toriqil ‘ulamair rashidin fi ithbaati ruhyati shahri ramadan” (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 evidence from Qur’an and Sunnah
6	Burhaanuddin Muhammad Sanusi Alaka: (d. 1990AD)	حجة السدل القاطعة من الأحاديث وأقوال السلف “Hujjatus sadlil qaati’ minal ahaadiith wa aqwaali ssalaf” (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
		الخمر أم الخبائث ومفتاح كل شر “al-Khamru ummul khabaaith wa miftaahu kulli sharr” (Alcohol: Key to all evils 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 “al-Walimah” (Banquet)	poem on the correct way of performing funeral ceremonies, especially as regards serving food.
7	Sheikh Abdul Karim Ishola Ololamerindin logun	نور الكشف وبيان طريقة الميراث “Nuurul kashshaaf wa bayaanu tariikatil miirath”	poem on the sharing of the inheritance of Sheikh Abdul Salam Bamidele.

		(Searchlight on explaining the Method of Inheritance)	
8	Abdul Rashid Muhammad Olore Al-Sakhiy	السيف القاطع للنزاع في حكم الحجاب والجلباب وتحريم التبرج والسفور في العالم الإسلامي “as-Sayfulqaati’ linniza’ fiihukmil hijab wal jil baab wa tahriimut tabarruj was sufuur fil ‘alamil islamiy” (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 a 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 evidence 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.

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