

Interrogating Shariah Practice in Yoruba land, 1820-1918

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Abstract:- The period between 1820 and 1918 has been considered as a golden age in the history of Islam and especially the application of Shariah as a legal code and a way of life in Yoruba land. This is because this period witnessed the emergence and ascension to the throne of some Muslim monarchs who to a very large extent allowed the dictates of Islamic religion to influence their lives and the business of governance in their kingdoms. Although they were converts upon the advent of Islam in Yoruba land, they became learned in the knowledge of Arabic and Islamic studies. With their antecedents, they became friends and helper of Muslims upon their emergence as kings and used the traditional authority as a pillar of support. In the attempt to live the life of Muslim these monarchs tried to impose and implement the supposed Shariah code as judicial system on their kingdom. While some of them were able to go away it, the other incurred the wrath of the traditionalist forces and eventually not only deposed but also exiled him. This paper therefore sets to interrogate the application and the practice of Shariah as legal code in Iwo, Ede and Ikirun which have remained strongholds of Islam in Yoruba land up till today. It also argues that although these monarchs were learned, Shariah as a legal code and guide of the judiciary was not applied in the real sense of Islamic judicial practice but rather they were religious enthusiasts.

Key words: *Islam, Shariah, Antecedents, Interrogate, Traditionalist forces, Judiciary*

I. INTRODUCTION

Shariah or Islamic law is in actual fact practised to a very large extent in Northern states of Nigeria today. The reasons underlying this cannot be too far to seek. One overriding reason is that the religion of Islam which bequeathed the law was introduced to the country through the North as early as the 9th century. Therefore, the North appears to have domesticated Islamic cultures as apparent in the ways of lives of the people in all ramifications. As a result therefore, there are Shariah Courts of different grades even up to the Shariah Court of Appeal. The thrust of this paper is to bring to the understanding of the public that Shariah was also administered in Yoruba land in spite of the adherence of the people to traditional worship. This was facilitated by rulers who not only accepted the religion but more or less made it a state religion. Against this backdrop, this paper sets out to look at three major towns in Yoruba land where Shariah was practised and enforced by their rulers in the system of administration and justice in the 19th century Yoruba land. These three towns are Ede, Iwo and Ikirun. Up till today these towns have remained stronghold of Islam not only in Yoruba land but the entire Nigeria as a country.

II. WHAT IS SHARIAH

Shariah is an Arabic word meaning the path to be followed. It is the path not only leading to Allah, the most High, but the path believed by all Muslims to be the path shown by Allah, the Creator Himself. In Islam, Allah alone is the sovereign and it is He who has the right to ordain a path for the guidance of mankind.¹ But technically, Shariah variously means law, justice and jurisprudence. In Islam, Allah is regarded as the law giver. Therefore, there are a number of Quranic injunctions commanding Muslims to do justice. From observation, it is apparent that Allah has reasons for sending prophets and messengers to mankind. He sent with His apostles three gifts which aim at rendering justice and guiding the entire human society to the path of peace.² The Quran declares thus: We sent aforesaid our Apostles with clear signs and sent down with them the Book and the Balance (of right and wrong), that men may stand forth in justice.³ In this verse, three things are mentioned as gifts of Allah and they are the Book, the Balance and Iron, which stand as emblems of three things which hold society together, viz: Revelation, which commands good and forbids evil; Justice, which gives to each person his due; and the strong arm of the law which maintains sanctions for evil-doers. Therefore, justice is a command of Allah, and whosoever violates it faces grievous punishment.⁴ Allah commanded the believers that is the adherents of Islam to do justice in all their dealings. He (SWT) declared in the Quran by commanding justice⁵ which is not a matter of convenience. Justice is thus a comprehensive term which may include all virtues of good behaviour, but it has been argued that Islam asks for something warmer and more human.⁶ Therefore,

justice is Allah's attributes and to stand firm for justice as he has commanded is to be a witness to Allah even if it is detrimental to our own interests, as we conceive them, or the interests of those who are near and dear to us.⁷ Shariah system in Islam is not based on doctrines but it is rather guided by especially the two principal sources of law, that is the Quran and the Sunnah, which form the fundamental principles of the working of all legal systems in Islam. Doi further argues that Islamic justice is something higher than the formal justice of Roman Law or any other human law, more penetrative than the subtler justice in the speculations of the Greek philosophers. Furthermore, it searches out the innermost motives, because we are to act as in the presence of Allah, to whom all things, acts and motives are known. In Shariah therefore, there is an explicit emphasis on the fact that Allah is the Lawgiver and the whole Ummah, the nation of Islam, is merely His trustee.⁸

III. THE PENETRATION AND CONSOLIDATION OF ISLAM IN YORUBA LAND.

The account of penetration, spread and consolidation of the religion of Islam in Yoruba land dated as far back of the period of the reign of Mansa Musa of Mali Empire. Having been introduced first to Oyo Ile the capital of the old Oyo empire, the Northern Muslims laboured seriously to implant the religion by making converts among the Yoruba who subsequently studied under the Mallams and took up together with the Mallams the arduous task of consolidation of the religion. There are a plethora of works already written by pundits on the advent and spread of Islam in Yoruba land.⁹ Therefore, this work will not dwell much on the subject here. However, it is apt for our purpose to take cursory look at the major towns and cities in Yoruba land where Islam quickly became a dominating force upon introduction into such places. Among such towns that received influx of Islamic faithful and concomitantly Islamic cultures are Ede, Iwo, Iseyin, Ibadan, Ikirun, Epe, Saki to mention but a few. Muslims started building mosques and Iwo led by building its first mosque in 1655 followed by Iseyin in 1760, Saki 1790 and Osogbo in 1889.¹⁰ With the Islamic movement of the 19th century, from the North, which crystallised into the jihad of 1804 championed by Sheik Uthman dan Fodio, Islam made remarkable inroad into the Yoruba hinterland.

Although, the religion did not enjoy the type of total royal patronage like that of Kanem Bornu and Hausa land, Gbadamosi noted that the rulers of societies such as Iwo, Oyo, Ibadan and so on where Islam was a rising dominating movement must have found it expedient to associate with the new force in order to buttress their political and religious power.¹¹ With the passage of time, Muslims began to challenge and demand for certain rights as a result of the increase in the number of adherents. This numerical strength imbued in them the confidence in their faith and the bravery to practise their religion without fear of disturbance from the traditional worshippers. There was the need for more mosques to accommodate converts and invariably the establishment of the Imamate.¹² Gbadamosi informed us that the history of the Imamate in Yoruba land has been divided into three major phases. The first phase was a period of rough and ready improvisation followed by the period when there was only a single Imam for the Muslim community. In the third phase, there was a Chief Imam with other local Imams (Imam Ratib).¹³ In the first and second phases; there was considerable progress evident in the increase in the number of adherents and winning of new converts as occasioned by population movement and the attraction of the religion of Islam. During the period, there was a remarkable rapport with the traditional authority. It marked the social transformation of the Muslims as they successfully won the confidence of those in authority. For instance in Lagos, while demonstrating their support, the Obas of Lagos were prepared to risk their thrones on behalf of the Muslim faithful. In fact, one lost his throne because of the Muslims and yet would not renounce them; and the next one gave them even stronger support in spite of all odds.¹⁴ In a sense, the few Muslims found support and leadership with the traditional authority. In the Yoruba hinterland however, the leader of the community was initially called Parakoyi who also acted as the Muslim liaison with the traditional authorities. Few and insecure as they were, the Muslims needed the patronage and protection which a titled official only could give, hence the adoption of Parakoyi as the leader.¹⁵

In Ibadan, Muslims enjoyed the support of sympathisers like Baale Ope Agbe, 1850-1851, Osi-Balogun Osundina and Alli Laluwoye. It was not until the ascension of Momodu Latosa, as Baale 1871-1885, that Ibadan produced its first Muslim ruler.¹⁶ In Iwo, Islam was shown favourable disposition by Oluwo Ogunmakinde Ande who reigned between 1744 and 1816, so also other rulers after him.¹⁷ However, Iwo produced its first Muslim monarch in 1858 when Oluwo Momodu Lamuye (1858-1906) ascended the throne.¹⁸ Islam began to enjoy position of eminence in Ede right from the reign of Timi Bamgbaye Ajeniju (c. 1816-1841) who was the second Timi of Ede. However, the golden age of Islam in the town has been credited to the period of reign of Timi Abibu Lagunju 1847 to 1900.¹⁹ In Ikirun, the beginning of the growth and consolidation of Islam has been attributed to the influence of the Oyewole dynasty. The influence of the Oyewole dynasty on the growth of Islam and diffusion of Arabic scholarship according to Folorunsho cannot but be reckoned with. Of particular note was the efforts of Aliyu Oyewole, Akadirri Oyewole and Kusamotu Oyewole the 9th, 13th, and 15th Akinrun respectively in the promotion, consolidation and practice of Shariah in Ikirun.²⁰ Thus far, with the cursory

account made, we now go into the application and the practice of Shariah in the three major selected towns as our case studies.

IV. SHARIAH APPLICATION AND PRACTICE

Shariah or Islamic law application and practice in any environment in the true sense presuppose the establishment and existence of an Islamic state. In other word, for any effective Islamic legal justice to be administered, such must operate under real Islamic state with all its features working within the precept of the sources for law in Islam especially the Quran and the Sunnah of the Prophet (SAW). Against the aforesaid, it is pertinent at this juncture to have a brief foray into what a state in Islam means vis-a-vis the selected states of our focus in Yoruba land. The concept of state in Islam is quite different from the Western concept. In the latter concept, state is a formation or idea of human being arising from social contract. But in Islam, the idea of state is a divine one laid down by the Creator of all human beings and, who knows their needs, humans are granted rights and roles to play in this state but within the framework established by Allah the Ever-knowing. Therefore, the ideal form of Islamic state was established and run by Prophet Muhammad in Medina, and thereafter by the four orthodox Caliphs who succeeded him. Invariably, state in Islam was not an innovation on the part of the Islamic Movement, its founders and advocates. Rather, it is clearly evident in conclusive Islamic texts, documented historical incidents and the comprehensive nature of its call.²¹ The divineness of the idea of state can be established in the following verses of the Quran where Allah declares: Surely Allah commands you to render trusts to their owners and that when you judge between people you judge with justice; verily Allah admonishes you with what is excellent; surely Allah is HE who hears and sees all things. O you who believe! Obey Allah, obey the Apostle and those in authorities from among you; then if you differ in anything among yourselves, refer it to Allah and His Apostle, if you believe in Allah and the last day; this is better and very good in the end.²² From the above verses, it is understood that the first verse is directed to the rulers or the governors as they are commanded by Allah to render trusts to those they are due, then it is obligatory on them to judge with justice whenever the responsibility of governance demands it. There is no gainsaying the fact that wasting the trust and justice inevitably leads the state to destruction and ruin.²³ In the same vein, the second verse addresses the followers or the subjects. They are also commanded to obey their rulers having emerged from among themselves. However, this obedience must come after that of Allah and His Apostle. The verse goes further to warn and ordained that in the event of any dispute, misunderstanding or difference the whole matter must be referred to Allah and His Apostle. This is done through the application of Quran and Sunnah of the Prophet and this is based on the assumption that Muslims have a state that dominates and is to be obeyed. Essentially therefore, a constituted authority in Islam is the one that is based on the dictates of Quran and Sunnah of the Prophet.²⁴

The highest office in an Islamic state is variously known as caliphate, sultanate and Imamate. The occupier of the office whether by election, nomination or appointment is also variously addressed as Amir, Caliph, Sultan and Imam. There are tens of authentic hadiths concerning the caliphate, of Amir office, adjudication, Imam; their attributes, rights to be followed and assisted in matters of righteousness, giving advice, obeying in times of ease and difficulty, being patient with them (tolerating them), and the limits of this tolerance and patience, along with identifying their duties; preserving the rules of Allah, respecting peoples' rights, consulting rational people, appointing the trustworthy and strong to different offices, taking good attendants, establishing prayer, paying Zakah, enjoining good and forbidding evil and other things related to affairs of the state, rule, administration and politics.²⁵ In other word, the workings of the exalted office and operations of the occupier of the office are modelled on the Islamic state established by Prophet Muhammed upon his arrival in the city of Medina.²⁶

Basically, the person saddled with administering justice is known as Qadi or judge. It is pronounced as Alikali in Yoruba. Judges in Islamic judiciary must not only be men of deep insight, profound knowledge of the Shariah, but they must also be Allah-fearing, forthright, honest, sincere men of integrity. His knowledge of Quran and Shariah must be very deep and that he judges justly.²⁷ In addition, he must possess certain characteristics which will stand him out and accord him respect especially as it pertains to judgements he delivers. In an Islamic state therefore, there is a divide in the offices of the Amir, Sultan or Imam and that of the Qadi that is the judge. But, no one is too big before the court as the law giver Himself declares in the Quran that the most honourable among the human beings before Him is the most pious.

From the foregoing, the issues in contention here is to critically interrogate the practice of Islamic law in our areas of study and find out whether in reality we can attribute Islamic legal practice to Yoruba land during the period in focus.

V. TIMI LAGUNJU AND SHARIAH IN EDE

Starting with Ede, and as noted earlier, the golden age of Islam was the period of reign of Timi Abibu Lagunju who was the first Muslim to reign in the town. Oyeweso informed that Lagunju flee to Ilorin during the heat of Ilorin-Ibadan war of 1838-1840. In Ilorin he got converted to Islam and thereafter spent several years at the feet of several mallams in modrasa (Arabic school) learning and acquiring the knowledge of Islam and it

was at this time that he took the Muslim name Abibu (Habeeb). After the acquisition of Arabic and Islam knowledge, Lagunju decided to return back to Ede where he isolated himself to a place known as Abangbe or Sooro to practise the religion. With time, he raised a Muslim community, built a mosque and was made the Chief Imam. He thereafter established himself as a staunch Muslim who was more concerned in the consolidation of the religion. This was aptly demonstrated by the invitation he extended to some of his friends and classmates while he was in Ilorin to come and settle with him in the town.²⁸ Lagunju's activities during this period could be regarded as that of a religion propagator and spiritual leader. In other word, he could be seen as a Muslim cleric who was enthusiastic about the spread of Islam in his domain.

Having come from the royal lineage, Abibu Lagunju was crowned the Timi around 1855/1856 and thus became the first Muslim Oba to reign in Ede. As the situation was in Yoruba land upon the advent of Islam, the converts were always subjected to persecution of various kinds. In fact before the emergence of Timi Abibu Lagunju, it is on record that Muslims in Ede suffered untold hardship, deprivations and indignities especially during the reigns of Timi Bamgbaye and Timi Arohanran his predecessors. With the enthronement of Lagunju, the plight of the Muslims in Ede began to change for the better, himself a devout Muslim. In fact Oyeweso hinted that they found in him a friend, sympathiser, supporter and saviour. He was said to have ordered his chiefs to put on turban and also always led them in prayers.²⁹ An appraisal of Lagunju's rule will reveal that as the Timi and a Muslim, he only strove to pursue Islamic policy in the administration of Ede. This, he did by attempting to implement Islamic code of law, the Shariah in the running of state affairs. In his application of 'Shariah', his administration was particularly strict, hard and harsh on prostitutes, hoarders, burglars and thieves.³⁰ It will be interesting to know the type punishment mete out to offenders who were apprehended and brought to his palace. Lagunju was reported to have ordered a goat thief to be given some facial marks while many robbers were publicly executed. It is even said that some robbers were drowned alive in the Osun River. Not only this, anyone caught in the act of stealing was sold into slavery together with members of his family.³¹ From the point of view of Shariah, all the cases mentioned here no doubt can be classified under criminal law (Al-Uqubaaat) and they have specific punishments (Al-Huduud). The judgements delivered by Lagunju did not correlate with Shariah. For instance, the punishment specified for theft is amputation of a hand; while the punishment for robbery is cutting off a leg and an arm from opposite direction, death or exile according to the seriousness of the crime. In fact, there are certain circumstances which must be proved beyond doubt before the judgement is pronounced.³² The hallmark of Lagunju's reign was that it introduced, to a very large extent, order and sanity into public life, it unfortunately woke up some traditionalist forces from their slumber who now constituted themselves into a bloc in order to check what they considered 'Timi's excesses and barbaric acts.'³³ Lagunju was eventually deposed and exiled to Ibadan where he later died.

The deposition and demise of Timi Abibu Lagunju however did not mark the end of supposed application of Shariah in Ede. Makinde further informed that Shariah was instituted in the post-Lagunju years during the reign of Timi Oyelekan (1899-1924). For him, this was the second phase of Shariah and he attributed the re-introduction to Lagunju's eldest son, Ashiru Lagunju who also appointed his eldest son Mahmud Lagunju as the Qadi. The difference in the operations of Shariah between Lagunju's era and post Lagunju is that there was separation between the traditional authority and the judicial arm. In fact, during the latter period, the Qadi was supported by Jinadu Alabi who served as the representative of the king in the Shariah court. Not only this, one Abubakr Sindiku Sobojeje from Ilorin was the registrar of the court. The court was described as a sort of customary court and was located in Agbeni. It existed until the arrival of the Europeans who moved it to Onike-Olu in Agbongbe area of Ede.³⁴

VI. MOMODU LAMUYE AND SHARIAH PRACTICE IN IWO

Following the demise of Oluwo Ogunmakin Ande in the year 1858, Mahmud Lamuye, his son, ascended the throne of Iwo kingdom as the Oluwo of Iwo. His father was a Muslim and he was the one who changed his name to Mahmud, popularly pronounced Momodu. Oluwo Momodu Lamuye's reign could be regarded as a turning point and a period of significant achievement in the history of Islam in Iwo. He gave total support to the spread and consolidation of Islam in his kingdom. He did not get overwhelmed by the traditional and cultural demands of the throne but instead tilted towards Islam. He was so devout and pious that he became a source of inspiration to Iwo indigenes who were on daily basis converting into Islam, particularly the adherents of African Traditional Religion. It is important to note that most members of the Council of Chiefs of Lamuye were Muslims.³⁵ Oyeweso observed that virtually all his chiefs observed the salat (obligatory prayer) with him.³⁶ Essentially, the hallmark of Momodu Lamuye's reign was the establishment of Shariah court in Iwo. He had a strong belief that the lives of the Muslims must be regulated by the provisions of the Quran and Sunnah of Prophet Muhammad. This of course indicated that Islam enjoyed full royal patronage. Furthermore, this means that there was an appreciable population of Muslims in Iwo and that they were increasingly becoming dominant. It is also plausible to suggest that the overwhelming desire of the vast majority of Iwo Muslims to continue to practise Islam peacefully and that Islamic justice would bring about a more equitable

society, must have accounted for the agitation for the Shariah court. This was further strengthened by the fact that Oluwo Lamuye was a practising and devout Muslim who used his position and status to consolidate Islam and allowed the religion to influence the running of government.³⁷ Therefore, to cater for the judicial aspect of governance, he introduced and implemented Shariah and went ahead to establish the court in the palace. He did one thing which was different from what Lagunju did in Ede. Lamuye delegated the judicial power to a judge (Qadi) whom he appointed and this was to ensure handling of cases by competent and knowledgeable cleric for justice and fair play.³⁸

It is illustrative to note that the modus operandi of the court was the presence of the Qadi assisted by some officials. The last Qadi to adjudicate in the court was reported to be assisted by five officials. The court was later transferred from the palace to a local court at Oja-Oke in Iwo. We can surmise that there are no reliable records of the operations of the court which would guide us to know the type and number of cases brought before the court for judgement whether civil (Al-jaraaim) or criminal (Al-úqubat) and the determination of the cases by the Qadi. However, Makinde hinted that the Shariah court used the Quran and Risalah of Imam Malik as the reference books for delivering judgement on cases involving theft and adultery. He argued further that with evidence in the slang commonly used in the court for one offence or the other like ázimun and ághlalan. The former was used when an accused was alleged of a criminal offence and found guilty while the latter was used when a jailed term was pronounced on an accused. The confirmation for this is further entrenched in the traditional song among the people of Iwo which goes thus:

Ma ma da mi lebi, gasa

Ko je da mi lebi gasa,

Are ni ko da mi gasa,

Are ni ko da mi,

Alikali baba n seria,

Are ni ko da mi

Meaning:

Do not find me guilty

He will never find me guilty

Find me not guilty

Find me not guilty

Alikali (the judge) the father in charge of Shariah

Find me not guilty.³⁹

The above only indicated the willingness of Iwo people to allow Islam influence their socio-economic, political and cultural lives with the traditional ruler tilting towards or giving Islam preference in the administration of the kingdom.

VII. THE OYEWOLE DYNASTY AND SHARIAH IN IKIRUN

Ikirun also presented another town where Shariah was claimed to be adopted as the judicial system during the period of this work. Our focus here will be on the Oyewole dynasty. The first prominent Muslim king of Ikirun from this dynasty was Aliyu Oyewole, The Akinrun of Ikirun who reigned between 1795 and 1820 as the 9th Akinrun. Like Lagunju of Ede, Oyewole also left Ikirun to go and sojourn in Ilorin where he was converted to Islam, adopted Aliyu as his Islamic name and learnt the knowledge of Arabic and Islam. He later returned to Ikirun and was installed the Akinrun of the kingdom. As a devout Muslim, he preferred turban to royal crown and the ultimate was his combination of palace functions with religious leadership as he was the Imam and Qadi in a Shariah court introduced by him.⁴⁰ From the aforesaid, it is a truism that Islam was sufficiently made to influence the life and conduct of royal functions of Oyewole, no available record as to the number, type and degree of cases brought before him for adjudication from the point of pure Shariah provision. In fact, what confirmed Oyewole as an enthusiast was that there was no proof of official sanction that the judicial and administrative business must continue in line with Shariah provisions. Therefore, after Aliyu Oyewole, succeeding Obas preferred the arch-divinity of Ikirun, Irele, to Islam, disregarding the fact that even if they were not Muslims, the turban they adopted was not a mere symbol of authority but an Islamic identity. Folorunsho noted that the gradual decline continued until Akadiri Oyewole (c. 1887-1914), Aliyu Oyewole son, ascended the throne as the 13th Akinrun of Ikirun. He, like his father, also believed that Muslims should be governed by Shariah and therefore re-introduced Shariah in the town. The difference between him and his father was that he did not serve as Qadi but invited one Mallan Inda Salihu popularly known as Bako in some sources, an erudite scholar from Oke –Sunu quarters in Ilorin as the Qadi and teacher in the Quranic school established by Obá Oyewole.⁴¹ To a large extent, the general judicial situation during Akadiri Oyewole era was not different from that of his father where Shariah was only claimed to be the legal code but with no official sanction. The pattern and system of judicial arrangement introduced by Akadiri was strange to the people of Ikirun. In fact, it is instructive for our purpose to express the general feelings of the people during this period

which was aptly captured by Folorunsho thus: 'Bako is a Hausa word which means 'stranger'. Mallam Inda Salihu was given this appellation probably because he was a stranger within the community or because his assignment (Qadi) was strange to the people who were not familiar with any form of formal law prior to the re-introduction of Shariah in the town.⁴² Thus far, from the above account, the three Muslim rulers and their efforts in the consolidation of Islam in their domain, they can be regarded as devout Muslims who were enthusiastic about making the laws of Islam dictate the tune of governance. We can equally argue that Shariah was adopted in Yoruba land during the reigns of these monarchs as it is evident in the reactions of the Yoruba people even up till today when someone is apprehended of wrong doing that *é da Shariah fun* meaning give the judgement on him. It is noteworthy that as crude or peripheral the practice might be, it did not escape the attention of the British Colonialists upon the establishment of colonial rule. They first tolerated the use of the Shariah in these towns but later abrogated it and introduced British legal system with the establishment of courts of different grades. However, going by the practice of Shariah legal code, and the information provided us by Doi, the task of being a Qadi (judge) is a very tasking one. Apart from being men of deep insight, profound knowledge of the Shariah, Allah's fearing, forthright, honest, and sincere men of integrity there are certain guidance from the Sunnah of the Prophet which every judge must follow in their task of administering justice.⁴³ It is deduce able here that for efficient, impartial and affective judicial administration, there should be a demarcation from the office of the Amir or ruler of a state and that of the Qadi. Islam only supplanted the worship of traditional deities in these towns which was for the period of the Muslim monarchs and the return to status-quo after the demise of the kings.

VIII. CONCLUSION

Shariah law as it was practised in Yoruba land during the period under focus can only be seen as attempt by the Muslim rulers who were variously described as helpers, supporters and friends of Muslims to consolidate Islam and ensure that the laws of Islam were adopted or allowed to guide and direct the business of administration in their kingdom. Yoruba people essentially professed and were ardent adherents of traditional religion. Therefore, having predated Islam, traditional worship still held sway as the traditional institutions continued to enjoy the support of the forces of tradition. In fact this period could be said to have laid the foundation for the harmonious interface and interaction between Islamic faithful and traditional worshippers in Yoruba land as it is evident in the common sayings among the Yoruba: *Awa o soro ile wa, imole ko so pe kawa ma soro, awa o soro ile wa* meaning we will observe our family tradition, Islam will not stop us from observing the tradition, we will observe our family tradition.

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- [26] There are numerous books on this subject, see for instance E.I. Rosenthal, *Political Thought in Medieval Islam* (London: Cambridge, 1958), J.S. Ismael, *Politics and Government in Islam* (New York: St. Martins Press, 1985), M. Asad, *The Principle of State and Government in Islam* (Berkeley: Californial Uni. Press, 1961), E.I.J. Rosenthal, 'Islamic Political Thought' in Joseph Schacht and L.E. Bosworth (eds.) *The Legacy of Islam* (Manchester: 1973) pp.420-423
- [27] Abdur Rahman Doi, *Shariah*, p.11
- [28] Siyan Oyeweso, *Eminent Yoruba Muslims*, pp.14-15 (emphasis mine)
- [29] Siyan Oyeweso, *Eminent Yoruba Muslims*, p.16
- [30] *Ibid* p.20
- [31] *Ibid*
- [32] Abdur Rahman Doi, *Shariah*, p.225 (emphasis mine)
- [33] Siyan Oyeweso, *Eminent Yoruba Muslims*, p.21
- [34] For details see Makinde Kola Abdul-Fatah, *The Institution of Shariah in Oyo and Osun States, Nigeria, 1890-2005*, PhD Thesis, Department of Arabic and Islamic Studies, University of Ibadan, 2007 cited in Siyan Oyeweso, 'The Growth of Islam in Ede' in Siyan Oyeweso (ed.) *Islam and Society*, p.5
- [35] See M.O. Raheemson and Raifu Isiaka, *Iwo: The Light House*, p.193
- [36] Siyan Oyeweso, *Eminent Yoruba Muslims*, p.37
- [37] M.O. Raheemson and Raifu Isiaka, *Iwo: The Light House*, p.194
- [38] *Ibid*, pp.195-196
- [39] See Makinde Abdul-Fatah Kola, *The Institution of Shariah*, p.74
- [40] M.A. Folorunsho, *The Oyewole Dynasty*, pp.41-42
- [41] *Ibid*, p.45 (emphasis mine)
- [42] *Ibid*
- [43] For details, see Abdur Rahman Doi, *Shariah*, pp.11-14.