



Islamic Political Institutions Under Sokoto Caliphate with reference to Muhammad Bello's Time

*Muhammad Dahiru Shuni, Ph.D

Department of Islamic Studies, Usmanu Danfodiyo University, Sokoto

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*Corresponding author: [Muhammad Dahiru Shuni, Ph.D](#)

Department of Islamic Studies, Usmanu Danfodiyo University, Sokoto

Abstract

The article reflects on some Islamic political institutions under Sokoto Caliphate and assesses the relevance of these Institutions in the Caliphate. It further discusses how Sultan Muhammad Bello, being the first Caliph after the demise of his father and the founder of the Caliphate ensured the establishment of these institutions during his administration. The article identified three main Islamic institutions being Wizarah, Hisbah and Mazalim, their functions were highlighted and shown how they assist leadership in ensuring Just administration. Qualitative method of data analysis is used in this research. It also identified that Sultan Muhammad Bello held the idea of Islamic political institutions and ensured their existence of these ideal institutions during his administration as Caliph.

Keywords: Islamic, Political, Institutions, Wizarah, Hisbah, Mazalim.

Introduction:

Sokoto Caliphate was founded by Shaykh Uthman bn Foduye. His ancestors had originally moved from Futa Toro into central Sudan. When he settled in Hausaland, the *Shaykh* was able to form Islamic community and preached against corrupt practices in the then Hausaland. At the begging of the 19th Century, from 1804-1810 CE, the Shaykh and his supporters were able to fight corrupt kings and to establish a new Caliphate based on pure Islamic teachings in the entire Hausaland. Muhammad Bello on the other hand was the fourth son of the Shaykh and was among the prominent leaders of Sokoto Caliphate. Bello became a Caliph after the death of his father in 1817 and his administration lasted for two decades from 1817-1837 during these years Bello was able to put into action some of the political ideas he held, these include the idea of Islamic Political institutions. The article identified the existence of three Islamic Political institutions under Bello and discussed the functions as below:

Institution of Wizarah (Vizierate):

a. The Concept of Wizarah

Sokoto Jihad leaders did not go beyond what the earlier political thinkers like Al-mawardi and others had said on the institution of *Wizarah*. Al-Mawardi for instance, explained that there are three different views as far as the root of the word *Wizarah* is concerned. One of the views has it that it came from the word '*al-Wizru*' meaning weight because *Wazir* carries the weight and duties for his *Imam*. Another view puts it that it is from the word '*al-Azru*' that is 'back' this is because an *Imam* is straightened by the *Wazir* as the back straightens the body. While the third view says that it is from the word *al-Wazr* which means '*al-malja*' (referral) because *Imam* refers to *Wazir* for assistance and advice in the discharge of his responsibilities.¹

b. Its types and functions

On the types of this institution for instance, Sokoto leaders Muhammad Bello in particular, concurred with Al-Mawardi as far as political thought is concerned. According to the former, *Wizarah* is of three types; *Wizarah al-Tafwid*, *Wizarah*

¹M.Sulaiman and A Ahmad (eds) Al-Mawardi "*Al-Wizarah Adab al-Wazir*" n.p,n.p 1976,P.64

al-Tanfidih and Wizarah al-Istisharah.² *Wizarah al-Tafwid* (Ministership by delegation) where the authority is delegated to *Wazir* and he exercises it like *Imam* himself. *Wazir* acts in his place and on his own view and judgment. In the first type, (*wizarah al-Taf-wid*), the *Wazir* is given the power to deal with high ranking officials like governors, judges and so on. He, in this type, can appoint, punish or even depose them even without the consent of the Caliph. He is also at liberty to expend *Bayt al-Mal* (public treasury) money and generate *Kharaj* (tax) in the best possible ways. This *Wazir* has the right and power to organize military for war. A person to be appointed to this office must have all qualifications necessary for the office of the *Imamah*.

As regards to the *Wizarah al-Tanfidih* the requirements for it were not very stringent because the scope of its power and the purpose of its exercise were determined by the *Imam* himself and at his own wisdom. The authority of this category extended merely to the enforcement of what he was commanded to enforce by the supreme *Imam*.³ He cannot appoint, punish or depose any official on his own and he was not given the power to make initiatives as it was the case for the *Wazir Tafwid*. With the foregoing discussions the difference between the three types of vizierates is vividly clear.

c. Its foundations

On the foundations of *Wizarah*, Bello opined that the office requires religious minded person who puts the matters of religion ahead of everything. In other words, he should be truthful, upright and a person of excellent character who is guided by religious tenets.⁴ He also mentioned justice as one of the foundations of the office of *Wizarah*, as only justice in his view, can attract the minds of the subjects towards the officer in charge of that office and make them obedient to him.⁵ Justice should also be done by the officer to their wealth and properties. This means that the *Wazir* should collect and distribute it justly devoid of any hatred or favoritism. The officer should also be just in his wordings and actions, he should not punish without any offence or to punish because of anger or to show leniency to the offender as all these are tantamount to injustice.⁸

Bello appointed all the above mentioned *Wuzara'u* in his administration. For instance, Laima was his *Wazir al-Tafwid* who also served in same capacity during the time of the Shaykh. Gidado was given all the freedom by Bello to take his own initiative in the State administration. For example, he was said to have retired the Emir of Daura, Ishaq due to his illness and appointed his son Zubair in his place which Sultan Bello approved.⁶ He also kept strict control over the city and addressed meetings with emirs appointed. He was in charge of correspondence with the eastern allies of Kano, Katsina, Bauchi and it was he who led the Sokoto contingent to the aid of Bauchi in 1826.⁷ However, among Bello's advisory ministers were Abubakar Dan Jada, Galadima Doshiro, Mudegel, son of Umar Alkammu and Aliyu Jedo to mention a few.⁸

Hisbah

The institution of *hisbah* is headed by a Muhtasib (censor) of morals who, according to Bello should be a free-born, just, of sound judgment and well-informed concerning that which is manifestly disapproved.⁹ His main responsibility is to ensure that Islamic precepts were obeyed, offences are discovered and offenders punished.¹⁰ His jurisdiction according to Bello covers commercial transactions dealing with matters such as defective weights and measures, fraudulent sales and non-payment of debts.¹¹ He was also concerned with inspecting buildings and streets to make sure that they conform with the state specification.¹² This, probably, suggests that the institution is established for the purpose of making people to follow the injunctions of Allah and those of the Prophet Muhammad (S.A.W.) which enjoin what is good and forbid what is evil. This function has been interpreted, widely, by jurists and classical Muslim scholars who have written on the subject. Their wider interpretations covered all prevailing social vices of the time. The narrow interpretation based on the then situations, if we are to go with the pragmatic idea of Bello, might not be relevant today because the then social vices have

²O.Bello al-Ghaith Op.cit PP.281-282

³M.Sulaiman and A Ahmad (eds) Al-mawardi "Al-wizarah Adab al-Wazir" op.cit P.65 see also O. Bello al-Ghaith Wablop.cit p.142

⁴Shagari and Jean Boyd 'Uthman Dan Foio: The Idea and Practice of His Leadership. Islamic Publications Bureau, Lagos, Nigeria. 1978 P.50

⁵ Ibid P.50

⁶S. Yamusa (ed&trans) Usul-al-Siyasah Op.cit P. VIII see also O.Bello al-Ghaith Op.cit P.143

⁷Shagari and Jean Boyd 'Uthman Dan Foio: The idea and Practice of His Leadership. Op.cit P.50

⁸ Ibid P.51 See also M.Last Sokoto Caliphate Op.cit.P.94

⁹ O. Bello al-Ghaith Op.cit P.286

¹⁰O.Bello al-Ghaith Op.cit P.147

¹¹O.Bello (ed and trans) M.Bello "al-Gaith al-Wabil fi sirat Imam Adil" Ph.D Thesis University of London. 1983 P.147

See also p.286

¹² Ibid P.148

drastically increased in magnitude and style. What is clear, however, is that the unique purpose of enjoining what is good and forbidding what is evil pervades all times and ages. Thus, that purpose can still be interpreted not only to march the prevailing circumstances but also to correct the prevailing social vices in general and protect human rights endowed by Allah (S.A.W.). *Muhtasib*, as the officer in charge of this institution, has the power to inspect and maintain public utilities. This is done by carrying out regular inspection of the whole town or state to ensure that optimal hygienic condition of the state is sustained; where necessary, it involves evacuation of garbage and sewage. Again, its functions include inspection of schools, hospitals, roads and bridges with a view to calling attention of appropriate authorities to their conditions for adequate repairs. It also entails inspection of water board, electricity board, as well as roads and buildings under construction. This assists in ensuring that the utilities are supplied, and constructions follow minimum standards.¹³ Obviously, need for constant availability of these services on a larger scale is essential in any period of human history.

Other duties of *Muhtasib* according to Bello include inspection and checking the activities of scholars in the state and punishing all those who preach heretical doctrines. He should also ensure that judges tried cases without delay. It is part of his responsibility to ensure the supply of food for livestock if the owners could not afford to feed it, and he punishes all transporters who overload their means of transportation by serving them with two warnings and confiscating the means of transportation at the third offence.¹⁴

The above functions are all encompassing; they encapsulate the civil and political rights, economic, social and cultural rights or what the western writers classified as first, second and third generation rights. Above all, they take adequate care of religious matters - *ibadat*. In other words, institution of *hisbah* functions in multi-farious ways. It takes care of both spiritual and mundane rites. It is therefore, argued that if properly managed, the institution will not only enforce Qur'anic concepts of human rights discussed above but it will also be an institution that protects and promotes them.

Al-Arabi, as quoted by Abd Allah bn Foduye said that, the office of *hisbah* is an innovation, but it is based upon the most important public responsibility which is the duty of "enjoining the right and forbidding the wrong" As cases connected with this are numerous, the rulers should delegate this responsibility to a person who undertakes to do it for all people, at all times.¹

The *Muhtasib*, with the assistance of other officers under him, engages in or propagates the principles of enjoining what is good and forbidding what is evil.¹⁵ But it should be noted here that, they have no right in Islam to spy on people. They have no authority to violate people's privacy; homes may be searched only when several reports have been received about it, or where it is notorious. Similarly, people are discouraged from exposing the privacy of others more especially their neighbours.

Sultan Bello had retained the institution of *hisbah* which was already in place, he had also retained the officer in charge of the institution. Thus, he was said to have retained Julde who had been appointed by Shaykh Uthman.¹⁶ Under Bello's Caliphate, some of the functions of this office were witnessed, for instance, *Muhtasib* moves around in Sokoto town with a standard measure ordering the demolition of any building located too close to the road or encroaching public squares.¹⁷

Mazalim

This institution is headed by Wali Mazalim who deals with miscarriages of justice by judges, as well as corruption of emirs, tax collectors and their tyranny. Walimazalim executes what state officials failed to implement.¹⁸ According to Bello, this office should be established in order to minimize the injustice among the people as it could not be eradicated completely. In other words, no society could be free from such evil.¹⁹ Wali Mazalim should wield more power than the Qadi probably because they too could be tried under that office.²⁰

¹³ O. Bello al-Ghaith Op.cit P.148

¹⁴ M. Las tSokoto Caliphate P.26 see also O.Belloal-GhaithOp.cit P.148

¹⁵ T.A.Bashar The Role of Hisbah in Promoting Ethical Values op.cit P 37

¹⁶ M.LastSokoto Caliphate Op.cit P50 see also O.Bello al-GhaithOp.cit P.148

¹⁷ O.Bello " Note on Muhammad Bello's Conception of Political Values " Al-Nahdah Journal of Islamic Heritage Vol.III No:1&2,2001, P.70

¹⁸ O.Belloal-GhaithOp.cit P.144

¹⁹ Y. Y Ibrahim.The Concept and Application of RaddMazalimOp.cit P.149

²⁰ O. Bello Op.cit P.144

The officer in charge of this institution looks into seven things: Infringement of the law by the state officials against the subjects, tyranny of state officials who collect the revenue, the affairs of the clerks of diwan (account books), the oppression of the salaried soldiers by either reducing or delaying the payment, taking care of the outward forms of worship, such as congregational prayers, festivals and the pilgrimage, returning of that which has been seized illegally by the authority, and scrutinizing injustice in the endowment.²¹

Omar Bello established that he could not find any reference regarding the appointment of Wali Mazalim during Bello's time though he had the idea of the office, and all our effort to trace same in the literatures before us proved abortive.²² It could be assumed that Bello as supreme leader served in that capacity, this can be justified in Bello's responses to complaints lodged before him from different emirates. The following are some of the instances and can also prove the implementation of this idea during the time of Bello as a Caliph:

The case of Dan-Tunku of Kazaure and Ibrahim Dabo over the independency of Kazaure Emirate. The former felt that he was a flag bearer hence he had the right of paying homage to Shaykh Uthman directly and to Bello as well, for this he refused to pay allegiance to the latter when he demanded it. When the case was brought to Bello, he passed judgment in favour of the Dan-Tunku and re-affirmed his independence of the Emir of Kano and since then Kazaure was recognized to be a separate Emirate and its boundaries were demarcated.²³

Similarly, when soldiers attacked the innocent people of kwolde and had their houses burnt and took their properties illegally, Bello had described the action as unjust and stupidity from the ignorant soldiers. He, together with Abd Allah attempted to stop them and to redress that unjust action but they were said to have escaped the wrath of their soldiers.²⁴ Bello had similarly made an attempt to retribute injustice committed against the people of Zamfara by his soldiers an action which he believed to have negated the purpose of the Jihad.²⁵

Even though, Bello had practicalised the function of this institution during his time, he was silent on the other injustices committed during his time. The case of HammanRuwa of Muri and BubaYero of Gombe is enough here. Initially Hammanruwa accords loyalty to BubaYero but later BubaYero became obsessed by suspicions about Hamman's loyalty to him, and that had the fear that Hamman may declare Muri as an independent of Gombe or even to be appointed as emir of Gombe when he died. These put together made BubaYero uncomfortable. For this reason, he was said to have invited HammanRuwa and his eldest son Bose to Gombe only to had the two executed.²⁶ When this case was brought to Sokoto during the time of Bello for restoration of justice, Bello was said to be so worried about the incident and had even written two letters to BubaYero showing his dismay over his blameworthy action. The first letter carried his worry over the action and the second one carried a declaration of Muri as an independent Emirate and HammanRuwa's son was presented with flag.²⁷ Some may ask, what happened to the one who committed this injustice against HammanRuwa?.Some specialists of Sokoto Caliphate literatures do give reasons or philosophy behind Bello's bypassing BubaYero's case, saying that Bello could not, at that material time, find it easy to make a thorough investigation against BubaYero due to his age and even if found guilty, his execution might not provide the best solution, this, they said because of the experience of Konni's case when it was passed in favour of Abd Salam. They also added that, BubaYero's removal or even punishment could not be easy as a result of the revolts that submerged his province.²⁸

Conclusion

The article brings into light the idea of Sokoto Caliphate leaders on Islamic Political institutions and shown the implementation of the idea particularly during the time of Sultan Muhammad Bello. The functions and the relevance of such political institutions in any administration were discussed.

²¹O.Bello*Al-Ghaith al-Wabl* PP.284-286

²² Ibid P.145

²³ H.A. S Johnston. *The Fulani Empire of sokoto* Oxford University Press. London 1967. P.179

²⁴Y.Y.Ibrahim "Administration of Justice in Islamic Polity: The Sokoto Caliphate Model" *Degel Journal of FAIS*. Vol. VI, August, 2003 P.228

²⁵ Ibid P.228

²⁶ *Fulani Empire of Sokoto* P.181

²⁷ *Fulani Empire of Sokoto* Op.cit P.181

²⁸ See Y.Y. Ibrahim "The Concept and Application of *RaddMazalim* Opo.cit P.180-181

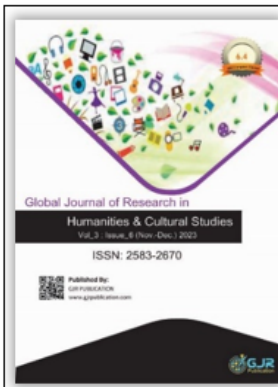
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