

ABOUT THE BOOK

Towns and Turbans in the Promotion of Islam in Osun State: Essays in Honour of HRM Oba Raufu Olayiwola Olawale Adedeji II, Akinrun of Ikirun is a historical treatise on the place and contributions of traditional rulers (Oba) and scholars/Imams/Muslim clergies in the introduction, spread and consolidation of Islam in Osun State from inception till date. Traditional rulers and scholars occupy important positions in the history of Islam in Nigeria in general and Osun State in particular.

Although traditional rulers were not the earliest set of people that embraced Islam in the region as it was the case in Hausaland, evidence abound that some traditional rulers in Osun State were identified with the Islamic consolidation and implantation in their domains. They not only embraced the religion but they also contributed immensely to its spread. In the same vein, Islamic history in Osun State shows that the learned Islamic scholars, Imams and Sheikhs played pioneering role in the propagation and expansion of Islam in various Osun towns and cities. This book chronicles biographical history of selected Muslim traditional rulers and Islamic scholars/Imams/Sheikhs and their contributions to the development and expansion of Islam during their lifetimes.

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THE CROWN AND THE TURBAN

Edited By: Siyan Oyeweso



The Crown & The Turban

in the Promotion of Islam in Osun State:

Essays in Honour of
HRM Oba Raufu Olayiwola Olawale
Adedeji II, Akinrun of Ikirun

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DEDICATION

To:

HRM Oba Tijani Oladokun Oyewusi, Agbonran II, Timi of Ede,
(1976-2007)

And

HRM Oba Ibrahim Bamigbade, (Late Eburu of Iba)

CHAPTER 5

The Imamate Question in Osun State

L.O. Abbas

SECTION II

*The Turbans***Introduction**

Imam is an Arabic word derived from the Arabic verb 'amma which can be given various English meanings. It can mean to go, betake oneself or go to someone, and has 'ammun as its verbal noun. It can also be translated as, to lead the way, to lead people in salat and has Imamah (Imamate) as its verbal noun. This is the one that we shall concern ourselves with in this paper.

The term Imam is used as the leader for different functions. As a political head of the Muslim government, one can be called Imam or the Khalifah. The four orthodox Khalifah viz: Abubakr, Umar, Uthman and Ali all succeeded the Prophet in both spiritual and political administration of the Muslim state.

Imam can also be a leader of theology or law as eminent scholars of Islam are referred to as Imams. Such are the founders of the orthodox schools of theology. They are Imams Abu Hanifah, Malik, Shafi'i and Hambal. As for the Shite, the title Imam, is of greater value. It is applicable to both the spiritual and the political head of the community. The sect even specifies the kind of people to be honoured with the title.

The common one, which is in general use, is Imam as leader of prayer in the Mosque. This type is a person

elected or appointed based on some qualifications like knowledge of Islam; good conduct etc. to lead the Muslim congregation in daily *salat*, *Jumat*, or *eid* prayers. This type is the focus of this paper. Originally, leader (Imam), means anyone who serves as a guide in prayers. He guides other worshippers in all the activities of prayers.

Imamship in the Qur'an

The Holy Qur'an discusses Imam in many chapters of the Book denoting different meanings. Conferring the title Imam (leader) on Prophet Ibrahim, Allah says:

...إِنِّي جَاعِلُكَ لِلنَّاسِ إِمَامًا

"--- I will make you (Ibrahim) leader in righteousness for mankind" (Q. 2:124).

As a model, Imam is used in the sense of a model. This occurs in the Holy Qur'an where Allah describes the characteristic behaviours of His servants as those who, among other things, pray:

...رَبَّنَا هَبْ لَنَا مِنْ أَزْوَاجِنَا ذُرِّيَّتًا قَرَّةَ أَعْيُنٍ وَاجْعَلْنَا لِلْمُتَّقِينَ إِمَامًا

--- Our Lord, grant unto us wives and offsprings who will be the comfort of our eyes and give us (the grace) to lead the righteous (Q. 25:74).

The Qur'an further describes Imam as a guide, who would show the way and who should be emulated. It says:

أَفَمَنْ كَانَ عَلَىٰ بَيِّنَةٍ مِنْ رَبِّهِ وَيَتْلُوهُ شَاهِدٌ مِنْهُ وَمِنْ قَبْلِهِ كِتَابُ مُوسَىٰ إِمَامًا وَرَحْمَةً

Can those (who desire the life of the present and its glitters) be (like) those who accept a clear (sign) from their Lord, and whom a witness from Himself do teach, as deed the Book of Moses before it ... a guide (Imam) and a mercy (Q. 11:17).

In his commentary on the above Qur'anic verse, Yusuf Ali has this to say: Guide: the Arabic word here is Imam, a leader, a guide, one that directs to the true path. Such direction is an instance of mercy and progress of God to man. The Qur'an and the Apostle Muhammad are also called each, a guide and a mercy and so are these epithets (Guide and Mercy) applicable to previous books and Apostles.

Thus, as an Imam leading a congregational prayer (*salat*), guides other worshippers in all acts of devotion, so do revelations from Allah guide the believers in their thought and actions. The Qur'an, in another area, uses Imam to mean example. It states:

فَاتَّقَمْنَا مِنْهُمُ وَإِنَّهُمَا لَبِإِمَامٍ مُبِينٍ

So we took vengeance on them. They are both on an open highway, plain to see (Q. 15:79).

The verse above shows that, the Qur'an discusses two categories of wrong doers punished openly for all to see. Ibn Kathir refers to the two as people of Prophets Shu'aib and Lut. In another sense, the Qur'an refers to Imam as meaning a model where it states:

إِنَّا نَحْنُ نُحْيِي الْمَوْتَىٰ وَنَكْتُبُ مَا قَدَّمُوا وَآثَارَهُمْ وَكُلَّ شَيْءٍ أَحْصَيْنَاهُ فِي إِمَامٍ مُبِينٍ

Verily, We shall give life to the dead and we record that which they send before and that which they leave behind and of all things we have taken account in a clear Book (of evidence) (Q. 36:12).

Following the above descriptions of whoever occupies the position of Imam, he is the one known as the leader of the Muslim community. The leader, who guides the Muslims in both their religious and mundane activities. The leader (Imam) should be a good model, pattern and an example for the Muslims to emulate. In short, Imam is the religious, moral, political and social head and leader of the Muslim community.

Appointment and Functions of an Imam

For a candidate to be eligible for the post of Imam, he must possess certain qualifications and qualities that could make him fit for the very important religious job. They are:

- I. **Being Male** - The Imam must be a male. A female is not qualified to be an Imam on the ground that her functions are more at home than in the public, since most of the duties of the Imam are done in the public. Also, by her natural make up, a female has to forgo *salat* for some days of the month. She can however lead where only females congregate for *salat*.
- II. **Free Status** - A candidate for the post of Imam must be of free status whose freedom will not be at the mercy of another person or an institution. He also has to be independent minded. Therefore, a slave or someone in captivity is not qualified for consideration for Imamship.
- III. **Religious Affiliation** - The Imam must necessarily be a Muslim since his job is to lead the Muslim community. A non-Muslim, however knowledgeable in Islam, shall not be considered for the post of Imam.
- IV. **Age Consideration** - Candidate for the post of Imam must have reached the age of puberty/majority (*Bulugh*). This is so considering the serious nature of the job. An underage can certainly not appreciate the enormity of the responsibility and importance of

Imamship. Even though a boy could lead *salat*, he cannot be made an Imam.

- V. **Knowledge** - Among the qualifications required of an Imam is adequate knowledge of Islam. He should possess vast knowledge of the *shari'ah* (Islamic Law) to enable him discharge his responsibilities satisfactorily since Imam is to be followed (*al-matbu'*) and not a follower (*at-Tabi'*). He certainly needs to equip himself with sufficient knowledge that could make him be capable of formulating independent decisions in theological matters.

Having vast knowledge of the *shari'ah* does not however, prevent the Imam from making consultations when necessary. The Qur'an recommends that a leader should consult others while making decisions especially in difficult matters. The Qur'an states:

وَأْمُرْهُمْ شُورَىٰ بَيْنَهُمْ

"consult them in the affairs" (Q. 3:59).

Ability to consult widely and to harmonize different opinions into a single but correct view makes a good and effective Imam.

- VI. **Piety** - Another in the group of the acquired virtues is piety. The Imam must have God's consciousness at all times. A proven sinner or hypocrite should not be entrusted with the management of affairs of the Muslims.

- VII. **Justice (*Adalah*)** - Imam must be just since part of his primary functions is the administration of justice according to the Holy Qur'an. In the Qur'anic verse which refers to prophet Dawud as God's vicegerent on earth, Dawud was enjoined to judge between men impartially. The Qur'an states:

يَا دَاوُودُ إِنَّا جَعَلْنَاكَ خَلِيفَةً فِي الْأَرْضِ فَاحْكُم بَيْنَ النَّاسِ بِالْحَقِّ

O Dawud! We did indeed make you a vicegerent on earth, so judge men in truth and justice ... (Q. 38:26).

In the area of quality, the following are some of the required points an Imamship candidate must possess.

- VIII. Sound Mind** - Imam must be of sound mind (Juwaini, 1400: 65) and intelligent. He should not be a dullard let alone an insane.
- IX. Bravery** - Imam must be brave and not a coward. His bravery will assist him in taking positive and sound decisions without entertaining fear from individuals or groups. He should, in addition, be rational in thought and action.
- X. Physical Fitness** - Imam is required to be physically and mentally fit in the discharge of his duties as a leader.

Hearing is another factor in these features. A deaf person who cannot hear properly or who cannot hear at all is not suitable for Imamship even though deafness and weakness of sight may not be a prejudice to the position. But because the Imam needs to engage in much talk when he presents sermons on the pulpit, when he leads prayers and when he preaches at open air services etc., his voice has to be clear, sound and must be free from any defect that could render it ineffective. Therefore, a dumb person is not fit for the post.

With respect to loss of body parts, any limb whose absence has no impact on the sense (brain) and has no direct role on the job of the Imam, is not a prejudice. However, whichever part whose loss can impede the effectiveness of an Imam like loss of the two legs and hands is considered a defect that could disqualify one from being appointed as an Imam.

In case of Imam becoming one eyed or having his nose cut off, the consensus of the jurist is that since this kind of defect does not impede the functions of an Imam, it does not disqualify a candidate. However, some radical opinions hold that such a defect amounts to an ugly sight and that it can distract people's attention, resulting to ridicule for the Imam by members of the congregation.

Some other scholars consider the opinion as a non-condition to disqualify a candidate. Their reason is that since handsomeness of a person does not form part of the requirements for Imamship, ugliness should not also be a condition for disqualification.

Another important quality for Imamship is being from the Quraysh tribe. This provision is added following an hadith against any candidate not from Quraysh descent. Many Jurists supported this hadith believing that it is authentic. The only known jurist who opposed it is Dirar b. 'Amr' but many 'Ulama' are of the opinion that a very few people reported the hadith and as such lacks the necessary frequency.

Another angle to it is that an authentic hadith will normally take into consideration future happenings and, in this case, it could not have been the intention of the Prophet that other nationals would have to wait until they found someone of Qurayshi descent to lead them as Imam. Al-Juwaini argues that the hadith does not reach the status of (*tawatur*) frequency.

Having met the above stated requirements for the appointment of an Imam, a candidate for the post can be appointed in two ways. It can be by election or by designation, that is, he may be elected by an electoral college (*Shurah*) or through nomination by the ruling Imam. The first caliph, Abubakr, was elected by five persons.

The election of a less qualified person in the presence of a more qualified person is perfect and legal as long as the former fulfils all the conditions of the Imamate. This view is at variance with the Shiites' claim that the inferior person cannot have precedence over a superior one. They assert that since Ali, the fourth caliph and his descendants were superior to the rest of mankind, any other person who assumes the Imamate office is, according to the Shiites, a mere usurper. The above argument by the Shiites cannot hold for lack of merit. This is because Islam does not provide for preference of one tribe over another. The Holy Prophet (SAW) in his last sermon, warned against this.

If there is only one candidate for Imamship, he automatically becomes chosen and no election is required. However, some Sunni oppose this view and hold that election must hold even if there is only one candidate contesting, otherwise, the Imam cannot acquire the necessary legal status. Their insistence on election is obviously directed against the Shiites theory of divine appointment. After being duly elected, the Imam is accepted by the community by taking an oath of allegiance.

A ruling Sunni Imam can nominate a successor. This is based on Abubakar's example who nominated Umar b. al Khattab (the second caliph) to succeed him. The Imam can therefore nominate any suitable person as successor provided he does not happen to be his father or son. In case of the latter, the consensus of the people who matter in the administration shall be necessary.

The nomination of a person as heir apparent becomes effective only when he declares his consent to it. The Imam can nominate two or more heirs apparent to succeed him in turns.

The duly elected Sunni Imam who functions as head of Islamic Government enjoys certain privileges. His name is mentioned in the *khutbah* (Sermon). Also, he wears *al-burdah* (the prophetic Mantle) on important occasions. In addition, he keeps in his custody, such holy relics as the staff or the seal. Finally, he enjoys the obedience of the Muslim community.

Other functions of the Sunni Imam are to safeguard and defend the Islamic faith. He must ensure that he upholds justice and fair play in matters of litigation in accordance with *Shariah* provisions. He should also ensure that *Kharaj*, *Zakat* as well as *Sadaqah* are collected and distributed as stipulated by the *Shariah*.

Appointment by Usurpation

Another legitimate method of the appointment of the Imam is by usurpation, i.e. the Imam assumes the office by himself without being appointed by the community or the existing Imam, and asks people to give *bay'ah* (allegiance) to him. This method can, however, be applied only when there is no legitimate Imam in office.

If the usurper possesses full qualification for Imamship and he is the best among the qualified people available, he is then considered as the legitimate Imam. The reason for his legitimacy is due to the urgent need by the Muslims for an Imam.

The Nature of Appointment and Removal

When an Imam is appointed, whether by the community, the predecessor or by usurpation, the appointment is binding permanently on all the Muslims as long as he fulfils all the required qualities and he is free from any of the circumstances, which may disqualify a candidate, and as long as he does not commit any of the grievous offences that may lead to dismissal.

Circumstances which require disqualification, removal or dismissal of an Imam are those that conflict with the required qualities or the objective of the Imamship. They are as follows:

i. **Deviation from Islam**

The Imam shall be disqualified if he is found to have deviated from Islam or he commits apostasy. He is not permitted to retain his position as the Imam even if he, thereafter, renews his faith (Islam). However, he is allowed to retain his position only if his appointment to the post is renewed by a new election.

ii. **Madness or Mental Disorder**

The Imam should be removed if he suffers from complete madness (*junun mutbiq*). A similar rule is applicable to any Imam who suffers from mental disorder, idiocy or defect in reasoning which obviously makes it difficult for the Imam to be independent and capable.

All other defects that can render the Imam incapable of discharging his duties as Imam or which makes his duties very difficult are considered enough reasons for removing him. Such include deafness and dumbness. Others are offences that amount to sins against the Creator like adultery or fornication (*Zinah*) and stealing etc.

iii. **Loss of Obedience**

If the Imam no longer enjoys the obedience of his subjects and the relationship between him and the congregation breaks down as a result, he should be deposed and another one, whom the people would obey, be appointed.

iv. **Severe Illness**

If the Imam suffers from a chronic illness, which causes obvious defect in reasoning, he should be deposed. This is because the congregation could not

be left without a head for a long time, lest they lose direction and consequently disintegrate.

Whenever an Imam resigns or he is deposed, another one must be appointed immediately or at least a person be asked to act pending the appointment of a substantive Imam. This is so to avoid a vacuum. However, the appointment of a new Imam must be made only after the resignation or deposition of the current Imam. A new Imam must not be appointed while the current Imam still holds fort.

The Role of Imams in Early Islam

From the inception of Islam and the emergence of the Muslim Community (*Ummah*), the word Imam has been applied to the person who leads in the ritual movement of each *raka'at* when the believers who assemble in rows for the canonical prayer behind him copy. From the beginning of *Ummah*, the Imam was the Prophet himself or in his absence, someone authorized by him. The Prophet, as the Imam performed the above enumerated roles being the leader of the Muslim Community (*Ummah*) as well as the head of the Islamic State.

The Prophet therefore, performed the dual roles of the religious and mundane head of the *Ummah*. Both roles have since been taken care of by the *Shari'ah*. No one else was qualified to lead others in the observance of *Salat*. All the companions of the Prophet Mohammad usually assembled on a daily basis to get the latest revelation from him and ask questions on matters of mundane and religious interests. The daily session became a routine assembly where the companions had opportunities to get solutions for spiritual and mundane problems. The Prophet as the Imam usually used the occasions to teach his followers the details of religious obligations since the Holy Qur'an is not elaborate on many of such issues.

The Imam's Role: Khalifah Period

After the death of Prophet Muhammad (SAW), his successors (*Khulafa*), the rightly guided khalif or their delegates assumed the position of Imam since the caliphs succeeded the Prophet as rulers of the *Ummah*. The conduct of public worship thus became one of the main duties of the *Khalifah*. But because of the pressing executive functions, the caliphs delegated their powers to the chief Judge (*qadi al-qudat*) in the area of judicial matters and chief imam in the area of religious duties. The *Khalifah* usually led the divine service in addition to his duty of deciding the fate of the *Ummah*, which he led.

The type of administration ran by the four caliphs encompassed the political, economic, religious and judicial lives of the *Ummah*. Many of their successors among the *Umayyad* and *Abbasid* caliphs also assumed Imamship positions both as political and spiritual leaders. However, in view of some of their moral lapses, they were never considered serious Mosque Imams. Some of these Caliphs really recognized this as serious shortcoming and on their own volition, appointed from their subjects, those they considered pious enough as Mosque Imams.

To the Sunni, the imamate is not restricted to the family of Prophet Muhammad (SAW) as the Shi'ite would want us to believe, or to any family, for that matter. The Imam, according to the Sunni, needs not be irreproachable or infallible (*Ma'sum*) in his life. He needs not be the most excellent or eminent person of his time. As long as he satisfies the prescribed conditions for the post such as being free, adult, and sane and having capacity to attend to ordinary affairs of the Muslim Community, he is qualified to be elected or appointed. They (Sunni) also hold that the vices or the tyranny of the Imam cannot reasonably justify his deposition.

The Sunni further hold that the Imam as head of State is indivisible and that it is not lawful to have two Imams in a State simultaneously. The indivisibility of Imamate is however applicable only to one and the same country or two countries contiguous to each other. But when the countries are so far apart, and it happens that the power of one cannot extend to the other, then it is lawful to elect a second Imam. The Sunni hold Imam a patron and trustee of all Muslims in his state. He is at the same time the guardian of their interests during their lives as well after their death. The Sunni-Imam is vested with powers to nominate his successor, subject to the approval of the community.

The Shi'ite Perspective of Imamship

Shi'ism is a sect that embraces a variant doctrine in Islam. This group forms about ten percent (10%) or less of the total Muslim population in the world. The Shi'ite concept of Imamship is significantly different from that of the orthodox Sunni majority.

The Shi'ites hold the belief that the spiritual heritage of Imamate or caliphate bequeathed by Prophet Muhammad devolved on Ali b. Abi Talib and his descendants. Consequent upon this, they (Shi'ites) repudiate the authority of the *Jama'ah* (the people or the community) to elect a spiritual head who should supersede the rightful claims of the Prophet's family. The Imamate, according to the Shi'ite, descends by divine appointment in the Apostolic line. The Imam, apart from being a descendant of the Prophet, must possess certain qualities. One of these is that he must be *Ma'sum* (infallible or sinless). He also must bear the purest and most in-sullied character. In addition, he is expected to be distinguished above all other men in truth and purity. It is not proper, the Shi'ites contend, nor could it be the intention of the Almighty Allah, that a man whose character is not unimpeachable should have the direction of the human

conscience. Human choice, they assert, is fallible as is proved by history of mankind, and people have often had the worst men for their leader.

The Shi'ites opine that God could never have left the religious needs of man to his unaided faculty. If an Imam be needed, they said, he must be one whom the conscience must accept. It is the belief of the Shi'ites that if the choice of an Imam be left to the community, it would be subversive of all morality and consequently the spiritual guidance of mankind has been entrusted to divinely appointed persons.

The above assertion of the Shi'ites lacks merit in that Islam never prefers any tribe or family or colour over and above others. The Prophet therefore could not have directed that his blood relations be made to head the *Ummah*. Muslims are human beings.

The Practice of Imamship in Osun State

Various Muslim Communities and Islamic Organisations have been discovered to adopt different methods in selecting or appointing their Imams. These methods followed no particular paradigm at the initial stage of the emergence of Islam in Osun state.

In the traditional communities for example, the system usually adopted was based on what was in operation at the inception of the city or town with little or no amendment. This is so because rigidity to the old order is seen to be virtue and is even usually preached. Where amendments are made, it is usually with force or with order from "the above". Up till the present, many communities are still averse to changing the old order they are used to even when they are convinced of the need to toe the Islamic requirements.

There are, in Osun State, various ways by which an Imam of the Central Mosque is appointed. This is also true of the rest of Yorubaland. These are:

(a) Struggle for Imamship by scholars

Against the popular hadith (saying of the Prophet) that "one should be Imam only if appointed, and that one should struggle to be *Mu'adhdin* (caller to prayer) even if prevented", Muslim scholars do struggle and even sometimes fight for the post of Imam. They even go to a ridiculous extent of using all available means to accomplish their mission.

At the early period of Islam in each town, most leaders refused to be made Imam, having realised the implication of the responsibilities attached to the office. They would rather look elsewhere for better candidates, regardless of his colour affiliation. Those already made Imams would even step aside on the availability of more learned person. All they desired was honesty of purpose, unity of the community and its development.

A good example of the above description happened in Ilesa, when Islam got there and there was no competent person to lead. One Alfa Shuaibu was selected to lead the congregation in acting capacity while hoping to get a better hand. With the arrival of Alfa Parakoyi from Ilorin, the interim Imam voluntarily handed over the Imamship to him when he realised that Parakoyi was more learned (Abbas, 2003: 201-202).

(b) Imamship by Heredity

In some communities, the position of the Imam has become hereditary in just one family. Where this is practiced, the reason adduced has always been hinged on the *Shariah's* provision which allows the nomination of a successor by the incumbent as a result of ill-health or other reasons of indisposition. The incumbent would just

nominate a member of his family to succeed him. (Abbas, 2003: 208)

In some towns, the system of having the chief Imam appointed from the same family is well established and solidified, so much that the compound has come to be addressed by the post. This runs fowl of the *Sunnah* of the Prophet. The implication is that the best candidate for the post can only emerge from the particular family. Where this is not available, the community is forced to accept the mediocre in preference to a well qualified person. This certainly is not only one of the causes of disaffection among members of Imam-in-council in many towns and cities, but also a cause of backwardness of Muslim communities.

(c) Influence of Traditional Rulers on the Appointment of Imam

The roles played by the palace in introducing and nurturing Islam in many areas of Osun State are notable. Based on these important and unique roles, most traditional rulers often assert their authorities, constituting themselves into the custodians of the religion. Specifically, Islam got to places like Osogbo, Ede and Iwo through the influence of their Obas. In other places where it did not arrive directly through them, it certainly enjoyed their full cooperation and support fall into this category. Most Obas decided to select Imams for their communities notwithstanding their own religious affiliation. Most of the traditional rulers in Yorubaland were (and still are) idol worshippers, yet, they believe that the selection of the Chief Imam falls in their jurisdiction.

In some towns, absence of the traditional ruler automatically prevents the appointment of the Imam whenever the post is vacant. At Iwo, for instance, for the period between 1985 when the 13th Imam died and 1991, when the 14th Imam was appointed, nobody could be

appointed, simply because the Oluwo stool was vacant as a result of the protracted litigation by the contestants.

The period saw the Muslim community of the town very disorganised and unprogressive because of the absence of the Imam whose authority it is to lead and give direction to the *jama'ah*. The fault lies with the scholars who constitute the council of Imam for leaving their job undone. It is not in any Islamic provision or law that affairs of Islam be determined or legislated upon by a non-Muslim or even a Muslim who is not a scholar no matter his status in the community. The leadership of the Muslim community is vested in the hands of Islamic scholars of the area.

Another area in which traditional rulers often usurp the role of Islamic scholar is the disruption of the hierarchy of the Imam-in-council. In 1995 for instance, the Ataoja of Osogbo effected the creation of two additional posts in the council against the wish of the scholars. The problem created by this action has, up till the present, not been solved. It is discovered that the two officers smuggled into the council could not pass the required test to qualify them for membership of the council, hence, their resort to lobbying the Oba.

Around 1983, the then Oluwo of Iwo caused disaffection between two leading members of the Imam-in-council. He demoted the *Otun* (Deputy) Imam to Eketa (Assistant deputy Imam) and elevated the *Eketa* to *Otun*. He did this to favour his candidate and to prepare him for Imamship at the next available appointment.

At Ikirun and Ara, attempts to install unqualified candidates as Imams of the two communities failed as the Muslims rose against the two Obas. At Ikirun, Oba Lawani Adeyemi, who could not believe that his Muslim subjects could defy his order, when he wanted to impose Alhaji Tijani Salawudeen as the Chief Imam of the town, headed

for a law court to challenge his opponents. He lost shamefully but later complied with the court ruling and accepted the leadership. Had the community allowed him to do his wish, he would have caused more damage to the community. The action of the council has proved that no one, however highly placed, should have overriding opinion above that of the *juma'ah* (congregation).

The case of Ara was a bit different because, it was the community that took the Oba to court for unilaterally turbaning his own candidate against the wish of the community. The Muslim community won the case. Instead of settling down with the community, the Oba's candidate withdrew his membership of the mosque and joined another religious sect as their Imam.

It must be placed on record that traditional rulers, most especially the Muslim ones, have also played positive roles in the Muslim community of their towns, including the selection of the Imam in their town. In fact in some cases, such as in Ila-Orangun and Ile-Ife, the Obas have acted promptly as arbiters among contending Alfas for the post of the Chief Imam of their town, and have helped to restore the peace that was being eroded away in the town. When the Alfas who supposed to know and act right refused to do so, and are threatening to cause mayhem or tension among the people as a result, the traditional ruler would have no choice but to step in. Unfortunately, however, such rulers may go extra miles according to their own understanding for instance, the central mosque at Ile-Ife had to be closed down for ten (10) years when the Alfas contesting the Imamship position broke into factions and were both struggling to lead the Jumat together in the same mosque, a situation which the Oba had to quickly rescue.

In Ila-Orangun, the Oba had to set up a committee consisting of notable Alfas in Osun State to invite

applications from interested candidates for Imamship position, to examine, interview and recommend successful candidate to the Oba for appointment. This was the way normalcy was not only resolved, a capable scholar was successfully appointed and not based on hereditary, succession or other untoward means.

(d) Tribalism and Nepotism in the appointment of Imam

Sometimes time, Imams and their councils do set aside the provisions governing the appointment of Imam and introduce sentiments of ethnic and family affiliation into the selection. Such incident happened when in 2005, a branch Imam of Ansar-ud-Deen, Ile Ife was to be appointed to fill the vacancy created by the death of Imam Ya'qub Adeosun Olowosokedile. The normal practice was for Alhaj Misbahuddeen Abdul Hameed, who had been deputy to the former Imam, to assume Imamship. The situation was not so as he was denied the Imamship simply for being a non indigene (Owolabi, 2009: 67).

(e) Leading the Janazah prayers on the dead Chief Imam as a qualification for Imamship

One of the systems adopted by some Yoruba Muslim scholars to be qualified as the next chief Imam is the struggle to lead *Janazah* prayer of the late holder of the office. The practice has become so rampant among Yoruba Islamic scholars that the *Naib* (deputy) or whoever is next to the Chief Imam would prefer to be around always. It is to ensure that he is around at the death of the Imam so that he can lead the funeral salat.

An example of this practice was at Ikire, where the first Imam, Sheikh Ahmad died and was to be buried. His Naib, (deputy) Sanusi, who was to succeed him, had travelled outside the town. His immediate junior in rank, Mallam Badamosi, had to take up the responsibility. He led the *Janazah* and was consequently made the next Imam. When the *Naib* eventually came round, his plea to be made

Imam was rejected on the basis that he was not around to lead the *Janazah* service (Abbas, 2010: 224).

A similar incident happened at Osogbo when Sheikh Onilewura and Sheikh Salahudeen Ogodu struggled with each other to lead the *Salat Al-Janazah* of the dead Chief Imam, Alhaji Tijani Anisere. Sheikh Ogodu succeeded in leading the service because he was the *Naib* and was therefore made the next Imam.

The practice is not only unislamic, it also portrays the council of Imams of such communities as unserious and ignorant people. It creates discord and suspicion among members such that most Imams never trust their deputies or co-contestants. It may explain why many of them always refuse to leave their stations in order to prevent other people from leading the service in their absence. Where the journey is inevitable or the Imam is indisposed, he may nominate his son or his pupil to hold fort for him for the period, instead of his deputy. This is always done to avert a possible plot or game plan for his exit.

This practice is certainly unislamic as no Imam is allowed to nominate his son or relative to take over or at least act for him. Islam is a detribalized religion and should be taken as such. Prophet Muhammad (SAW) when once sick, did not delegate Imamship to Ali, his cousin, in spite of his high level of scholarship and administrative capability. He rather delegated the job to Abubakr and he eventually became the first Caliph after the death of the prophet.

Functions of Imams in Osun State

Typical of Yoruba Muslims, there is usually one central mosque in a town, headed by the Chief Imam and supported by other office holders like the *Naib*, the *Mufassir*, the *Mogaji* and the *Ajanasi*. These officials, together with the Imam, form the council that runs the

affairs of any mosque and administer the spiritual well being of the Muslim community in a particular locality.

(i) Leading *Salat* Sessions

The primary job of the Imam and in fact the most valued one is leading the congregation in *salat*. While the *ratibi* Imam leads all the five daily compulsory *salawat* (the five daily spiritual prayers), the *jami'* Imam leads only the *jum'ah* services. Other duties of *jum'ah* Imam are leading the *Salat al-Idayn-of al-Fitri* and *al-Adha*. He also leads *salat al-Janazah* (funeral service), *Nikah* (marriage) service and *Aqiqah* (naming) service. Other ones are special prayers at occasions of house warming and commissioning of new mosques.

An assessment of sermons delivered at Jum'at and eid services shows that most Imams present sermons that are of low quality which do not reflect contemporary issues. Most of them deliver their sermons in Arabic language alone and such sermons are, most of the time, irrelevant to the community. The very common sermons that Imams are used to are those compiled several decades or even centuries ago and sub-divided into fifty two weeks that make a year. These sermons, after reading them, would not be translated into the language of the audience. Thus, the congregation is denied the good message a sermon should convey and therefore lose the required improvement in morality and spirituality.

However, the agitation by the congregation, mostly the youths, calling for the translation of the sermons into Yoruba language for some years has yielded some dividends. The council of Imams in major towns of our coverage area has since adjusted their programme by allowing the *mufassir* (Exegete) to give some minutes' talk in the local language before the sermon. This system has, to some extent, given relief to the congregation.

Meanwhile, the rigidity of Imams on delivering sermon in Arabic and the low quality of the talk by the *Mufasssir*, has led many Muslims, particularly the youths, to abandon the traditional mosque of the town to the so called "modern" ones established by Muslim organizations like Ansar-ud-deen, Ahmadiyyah, Jamaatul-Islamiyyah and Yusrul Islam or higher institution Central Mosque (where there is one). The sermons there are delivered in arabic or English language and translated into Yoruba language to allow the entire audience benefit from them. Where Arabic or English language is not used, the sermon is conducted in Yoruba and punctuated with relevant Qur'anic references and quotations. Topics are chosen and well researched into before the delivery.

On *janazah* service, the job of performing funeral prayers of dead Muslims is generally a service owed by a Muslim to another. The service can be led by anybody who has the knowledge. Our Imams and *Alfas* have unfortunately taken it as their major exclusive duty, which nobody else could perform. In some areas, whoever performs it without their express permission could be severely dealt with. Ironically, many members of the Muslim community have taken it as a pride and prestige to have the Chief Imam of his town perform *Salatal-al-Janazah* of his dead relation. In fact some people do give a will to the effect that the Chief Imam of his town or a particular place or town be invited to lead his funeral service whenever he dies.

Until recently, the Imam used to collect donations at funeral prayers irrespective of age of the deceased. But when the peoples' outcry became more frequent, the practice was put on hold. Instead, the family of the deceased is charged some amount as deposit before the service is conducted. That does not, however, disturb the collection of money as *Sadaqah* on the 8th day *Fidau* prayers.

While it is not good enough to levy the family of the deceased for funeral service having lost a member, one sympathizes with our Mallams for not being catered for by the community to which they render service. On other social ceremonies like *'aqiqah* (child naming), *nikah* (marriage) and house warming, it is observed that our Mallams concentrate more on supplication than sermon, which the people really need. This being so, since these Mallams do not have any wage, salary or allowance to depend upon, they consider such occasion as an opportunity to collect as much money as possible and this can only be done through supplications for the people who then give them *sadaqah*.

In those days when people loved to listen to sermons and had time for it, the system was meaningful and was of immense benefit. The Mallams would then tell a lot of tales and stories to support their points and sometimes interject it with *waka* to entertain and arrest boredom. Now, the same style has no meaning in this modern day when people are occupied with blue or white-collar jobs and the attractions of radio and television programmes to satisfy their relaxation.

The Islamic commitment prevalent in the olden days has also dwindled. People prefer the entertainment aspect of the programme to the spiritual ones. Our Mallams therefore have to be realistic to the dynamics of the society and adjust appropriately.

(ii) **Da'wah Work**

Da'wah which means call to the way of Allah formed the core of the duties of Yoruba Islamic scholars in the early Islam. There were two types of *da'wah* as understood and conducted by the scholars. First is propagation of Islam through open-air service (*wa'z*). They conducted this in the night after *Salat al-Ishai* till late in the night or

(sometimes) early the following morning. The itinerant *Alfas* would move from town to village for weeks and even months using the open air services to educate Muslims about their religion. Through this, a good percentage of Muslims understood Islam and became committed to it.

Many mosques in Yorubaland were built through funds raised at such open-air programmes. There were some Islamic scholars who specialised in this method of propagation. Sheikh Shittu Onilewura of Osogbo and Sheikh Usamah of Kuta, near Iwo, were some of the famous ones in such da'wah effort. They were often invited to places for *wa'z* because of their sound knowledge of Islam and their brilliant delivery. Their source of living during the trips was the little amount contributed by their hosts at their programmes and they were satisfied with it.

The programme was always made up of sermons on the pillars of Islam, which are the fundamentals of the faith, especially *tawhid* aspect of the pillars. Other areas often touched were good neighborliness, duties of husband and wife and even duties of parents to their children and vice-versa. The sermon was always punctuated with *waka*, which made the programme very interesting, exciting and crowd-pulling.

Nowadays, the programme is becoming unpopular and therefore, very uncommon. The reason for this is traceable to the complexity of the society and the advancement of electronic technology, which has shifted the focus to the use of electronic media. While Christian priests have adjusted to this new reality and different churches and denominations keenly compete in the sponsorship of religious programmes on the media, the Muslim *Ulama* are yet to appreciate this reality.

However, as unpopular as open-air da'wah may be in towns and cities currently, it is still very useful in villages

and hamlets. This is so because of the very low level of development existing there. Incidentally, the Muslim scholars do not focus on the area. Many Islamic youth organizations too do concentrate their activities in towns and cities. It has been discovered that there is danger for the future of Islam in refusing to take *Da'wah* to the doorsteps of these villagers.

The second system is through education. They believed, and rightly too, that knowledge of Islam is an essential tool for the understanding and spread of the religion. They, therefore, began to establish Qur'anic schools which later graduated to *Madaaris* and *Maraakiz*. At these schools, students are taught various subjects like history (*sirah*), geography (*jugrafiyyah*), mathematics (*hisab*), jurisprudence (*fiqh*), literature (*adab*), and grammar (*nahau*); many of them are up to secondary school level. Some graduates of these schools are made to teach in the newly established ones, some take to *da'wah* (propagation) work while a few lucky ones get admitted into universities in some Arab countries and also within Nigeria.

In the recent past, however, there abound many leavers of these schools and many graduates from the Arablands who are without jobs. Their future is bleak since they cannot easily fit into the government structure because of language barrier. Worse still is that no structure is created for them by the *Imams* and *Alfas* back home. Some of these graduates, in order to serve, established similar schools and very few lucky ones join some foreign Arab organizations as staffers.

The Muslim community under the leadership of *Imams* and *Alfas* would have done better if they could restructure the mosques such that they would be made to be registered and given license of operation. Guidelines would also be given for the recruitment of *Imam* and other mosque workers. This, if done would go a long way in

creating jobs for the teeming graduates of the Arabic schools as well as university graduates from Arab lands.

Another way is by introducing western education into the curricula of these schools so that students would, on completion, be qualified to seek for admission into any university of their choice so that whenever they complete their course, there would not be much problem of employment.

It is sad, however, to note that the population of students in these Arabic schools has drastically reduced from what obtained between the early 1960s and mid 1970s because of the above stated facts. Many committed Muslim parents who would have loved to send their children to such schools have, because of lack of structure for their future, opted for purely western schools that guarantee better future for them at least materially. Some of our chief Imams do not even encourage their children to pursue Arabic and Islamic studies at higher levels of education because of the above stated reasons.

Sensing the danger of unemployment and frustration that such Arabic school graduates may face in future, the Department of Arabic and Islamic Studies of the University of Ibadan, designed a one year programme of study in the early 1960's for such students. The main objective of the programme was to expose them to and generate their interest in western education so that they would, after completion, work hard to obtain the ordinary and advanced level certificates of the West African Examination Council. With such certificates, they would qualify for admission into the degree programme.

Through this arrangement, a lot of people have become Professors and senior lecturers in Nigerian and other Universities of the world, as well as leading administrators in government and other corporate services. Some have

become diplomats while some others have risen to positions of manager in banking and insurance industries. The department, having recorded high degree of success in that regard, further thought of another way to strengthen the Muslims academically (Abbas, 2008: 19).

The Department of Arabic and Islamic Studies of the University of Ibadan went further to assist holders of grade two teachers' certificate. A two year diploma programme was designed for such candidates to aid their admission as well as to encourage their interest for the two subjects. Through this programme too, many people have become graduates of Arabic and Islamic studies and are now occupying positions both in teaching and government administrative services. However, when in early 1980s, the University authority decided to do away with sub degrees, the two programmes were among those affected and were thus cancelled.

The various councils of Imams and Alfas should rise up and give education of the Muslim youths the priority it deserves. They should realize that doing it can only guarantee the future of Islam and the Muslims in the society. They should be re-orientated to move with the time and adopt the right system of education, which would in the immediate future attract more people into the fold.

(iii) Finance of the Community

Among the jobs of the Imam-in-Council is to design a way through which the Mosque and other Islamic institutions under him could be adequately funded to enable them run well. The Holy Qur'an provides a way through which the Muslims could secure their major income. This is the payment of Zakat which is the third pillar of Islam which is made compulsory on all those Muslims that are qualified to pay (Q. 9:103).

The Qur'an has also enumerated the manners of disbursing such funds and this has been found to be comprehensive enough to have catered for all the areas of human need. It is the duty of the Imams to ensure adequate information and enlightenment to the congregation about this very important and useful institution to humanity. It is unbelievable that many Imams and Alfas do not comprehend the implication of Zakat payment on the Community. This is perhaps why they have neglected it. They sometimes down-play the rate payable per person or due on a person (*Nisab*) or leave it totally to the payer so as not to scare him away. In effect, only very few Muslims do pay Zakat and what they pay cannot be said to be *Zakat*, but *Sadaqat* since it falls short of the prescribed rate.

Many of those qualified to pay and who really want to pay Zakat get scared on knowing the amount payable from their wealth. When the rate runs into millions of naira, they, instead, think of reinvesting it on other profitable ventures, which can bring more dividends than giving it to the Imams and Alfas who they think may not disburse it properly. This kind of people often resort to distributing beverages like milk, sugar and tea to people, particularly during the month of Ramadan as substitute for Zakat. This situation is a result of lack of proper education about the institution of *Zakat* by those in authority. It is observed that if *Zakat* is properly and adequately disbursed to the qualified people, the amount of money and other property to accrue from there would certainly be enough for the finances of all Islamic projects, and at the same time the Imams and Alfas who fall under the categories of recipients would have enough to take care of their needs. If done, it could reduce to the barest minimum, their dependence on the rich people in the society and provide the needed confidence and courage to do their job for the community with integrity.

Another area of fund generation for the use of the community is by engaging in commercial activities. The community can engage in school business from pre-primary to tertiary levels of education. Apart from the fund it will generate, it will even provide the right Islamic education to members. The community can engage in banking services, which could serve dual advantages of generating funds for the community and as well provide the Islamic prescribed banking system to the society. Various commercial activities abound like bookshop, textile industry and even farming. These, among others, will create jobs for the Muslims.

To achieve the above suggested normal duties of the Imams, people at the helm of affairs of the Muslim Community need to understand the nature of the society they live in. The lack of such understanding by our Imams is the major problem confronting the community. It is observed that the kind of orientation of our Imams is such that cannot cope with the competition posed by other religions.

(iv) **Shari'ah Implementation**

The law governing the practice of Islam and its adherents is called the *Shari'ah*. It is a divine law whose sources are contained in both the Qur'an and the *Sunnah* (tradition) of Prophet Muhammad (SAW). Its other sources are the consensus of the opinion of the Jurists (*Ijma'*) and the analogical deduction (*Qiyas*). Its scope covers the entire life of a Muslim and that is why Islam is said to be a way of life. Allah commands that His laws be abided with and be practiced fully.

It is, therefore, the duty of the Imam as the leader of the Muslim Community and other scholars assisting him to impart knowledge of this law into the congregation so as to understand the religion and be able to practice it well.

Shari'ah as a law was in practice in some parts of Yorubaland before the arrival of the colonialists who brought along with them Christianity as a religion. Prominent among the places where *Shari'ah* was practised are Ede, Ikirun and Iwo. Unfortunately on their arrival, the foreign Christians saw the *Shari'ah* abrogated and left the Muslims to forget it. While magistrate and high courts were established and maintained by government to cater for Christianity and customary courts created for the practitioners of traditional religion, none was created for the Muslims. Therefore, whenever there arises a disagreement for instance, among a Muslim couple who had married under the Islamic tradition, the couple is made to have no option than to resort to a customary court for adjudication.

In such cases, many Muslim marriages have suffered undue dissolution and mis-guidance from the hands of unqualified 'judges' who know nothing about Islam and who oftentimes are non-Muslims.

Conclusion

There are, as provided for in the *Shari'ah*, ways by which an Imam can emerge in a given community. The *Sunni* allows that people who may aspire to become Imam to be tested on the knowledge of Islam and there are many of such aspirants. Consideration should be given to piety etc. so that the better or the best candidate (as the case may be) would be chosen.

A *Sunni* Imam can be chosen by an electoral college on the nomination by the ruling Imam which would just be ratified by members. He can however be deposed when found to have committed a grave offence or if he suffers from a serious disease like loss of mental faculty or a physical deformity that hinders effective performance.

The *Shi'ite* practice in the appointment of an Imam is fundamentally different from the *Sunni*. In *Shi'ism*, Imamship is by divine appointment restricted to only the descendants of the Prophet Muhammad (SAW). An Imam must be traced back to the lineage of Prophet Muhammad (SAW) and must be infallible. Besides, he must be distinguished above all others in truth and piety. There are various groups into which the *Shi'ites* split on the issue of appointment of Imam, with each group holding tenaciously to that belief and practices of its sect. With the spread of Islam to the nooks and crannies of the world, it remains to be seen how descendants of the Prophet could be appointed in all the mosques of the world.

It is discovered that in most Yoruba areas, the scholars strictly complied with the *Sunni* provisions only at the early arrival of Islam in their communities. The system later changed to a situation where merit has been replaced with other considerations. From then onward, the position of Imam became more advanced and therefore began to attract high competition. Aspirants do use any available means possible to get there with little or no regard for legal requirements like knowledge of Islam, which is the primary condition. The effect of this has been failure on the part of many Imams to move the community forward.

The struggle for appointment into the position of Imam in Osun State has become a common phenomenon as evident in our study. Court litigations for several months and in some cases, years, abound in the State. Such ugly situations have caused the split of various communities into fractions and fragments. The disunity caused by litigation has engendered enmity amongst various Muslim communities, which has made progress of the religion difficult.

It is a common knowledge that the coming of Islam into the entire Yorubaland was not a design and therefore

informal. For this reason, the selection or appointment of an Imam in each locality has been characterized by the local peculiarity and circumstances prevailing there.

The duties of the Imam whether *ratibi* (local) or *Jami'* (central) is primarily to lead others in *Salawat* (prayers) at their appointed times, including the *Jum'ah* and the two *Eids* of *al-fitri* and *al-Adha*. He should in addition to this spiritual exercise, attend to the mundane affairs of his congregation. He should do this in consultation with members of his council.

In most towns and villages of Osun State, the duties being performed by Imams, in addition to leading the congregation in *Salawat*, are the conduct of *nikah* (marriage) *'aqiqah* (naming) housewarming, Mosque commissioning and *janazah* (burial) rites of members of the community. It is discovered also that most sermons delivered on Fridays and on *eid* days do not have bearing on the society. It is taken from a collection of sermons compiled in a book called: *khitabul-mambariyyah* (The pulpit sermons).

The sermons had been prepared on various topics numbering about 52 to cover the 52 Fridays in a year. These sermons are delivered in Arabic language to a largely Yoruba audience. The beauty of a sermon is to be delivered in the language understood by the audience for it to be meaningful. The Qur'an supports this when it says:

وَمَا أَرْسَلْنَا مِنْ رُسُولٍ إِلَّا بِلِسَانٍ قَوْمِهِ لِيُبَيِّنَ لَهُمْ

And We sent not a messenger except with language of his people ... (Q. 14:4)

Also, the job of performing *salat al-janazah* on a dead Muslim is a service a Muslim owes another and which any

scholar, be he an Imam or not, can conduct. Our Imams have unfortunately taken that as their exclusive major duty, which nobody does on their behalf. In some areas, it has been established that whoever does it without their permission is frowned at, and may even be severely punished. Ironically and ignorantly, many Muslims consider it a pride and prestige that the Chief Imam of his town performs the *Salat* on his dead one. The Imams may have exploited this to levy various sums of money before the job can be done for this action, the Imams involved could not justify their actions on *Shari'ah* or morality.

Other areas of concentration by our scholars are *zawaj* or *nikah*, *aqiqah* and house warming. Another major duty by our Imams is open air sermon which they conduct in towns and villages and on radio and television. The use of the media in the propagation of Islam is a later development which has brought relief to the Islamic preachers, particularly the itinerant ones because it has lessened the hardship and difficulties they hitherto encountered when they had to trek for long journeys within their operation areas.

However, for these facilities to be used and enjoyed maximally, our preachers have to ensure that the quality of their sermons is such that could further retain the muslims in the fold and as well attract non-Muslims into the religion.

A *ratibi* Imam has to be familiar with all members of his congregation so that he will readily identify who is absent at any *salat*. He should visit members and encourage them on their religious obligations.

It is very uncommon, in our area that an Imam is deposed, even if found to have committed offences or suffers from disease that makes it difficult for him to perform creditably. It has also been discovered that no matter how old an Imam is, he does not have to retire. He only needs

to nominate his favourite, an unambitious person to take over an act for him for the period of his indisposition or absence. Some of them do nominate their sons or son in laws. This shows the level of distrust amongst the principal officers of our mosques. This is why an Imam cannot hand over to his deputy anytime he would not be around. This itself is a major cause of imamship tussle in Yorubaland.

Recommendation

In the appointment of Imam, scholars and Muslim leaders should ensure that the requirements and qualifications set by the *Shari'ah* for the occupier of the post are not compromised. On their part, members of the community should partake actively in the selection to ensure that the right person leads them.

In selecting the Chief Imam and other principal officers of the mosque, consideration should be given to the complex nature of our society which demands high competition with other religious faiths. Therefore, the Imam should have good knowledge of both Islam and Western education to enable him perform creditably.

Efforts should be made by the community to register all *ratibi* and *jami'* mosques with the relevant government organ where available. Other activities in the mosques too should be registered to allow for smooth administration, unity and good record.

All Imams and principal officers of mosques should be made to undergo periodical trainings or refresher courses to update their knowledge and practice of Islam. They should also be graded and given roles commensurate with their levels of education. If this is done, it will go a long way in standardizing sermons in mosques, open air services and on the media.

The administration and finances of the mosque should be the responsibility of the Muslim community. Full time officers, including the Imam, should be employed and should be well remunerated to enable them perform well.

To finance the mosque, the community should evolve a means of implementing maximally the zakat collections (Q. 9:103) and administration (Q. 9:60) as directed by Allah Himself. This is because there is no workable alternative to it. Where zakat fund is well utilized, the problem of finances is reduced to its barest minimum if not completely eradicated.

The community should engage in profitable but lawful business ventures to save the teeming Muslims from financial embarrassment in which they always find themselves.

Wealthy individual Muslims too should cultivate the habit of engaging Muslims in their business. They should reflect the Islamic business ethics in their companies.

With the establishment of Muslims Ummah of South West Nigeria (MUSWEN), the general administration of the Muslims in the region should be entrusted to it. If this is done, it would accelerate the desired progress of the affairs of Islam in Yorubaland.

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