

**THE ACTIVITY OF HISBAH IN CRIME CONTROL
IN GORONYO LOCAL GOVERNMENT**

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APPROVAL PAGE

This project has been carefully supervised and approved as having satisfied one of the requirement for the award of Bachelor of Art (B.A) in Islamic Studies, Usman Dan Fodiyo University, Sokoto

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DEDICATION

I hereby dedicate this project, whole heartedly to my beloved parents for their unlimited support and encouragement given to me throughout my studies and the whole of my life. To this, I am therefore highly indebted to them. And I pray to Almighty Allah to give me strength to do the same to them as he the Almighty taught us in the Holy Qur'an in such Isra'a

“And say, “May lord! Bestow on them your mercy as they did bring me up when I was young (Ch 17:24).

Also in surah Ibrahim:

“Our lord! Forgive me and my parents and all the believers on the day when the reckoning will be established, (14:41).

ACKNOWLEDGEMENT

My humble thanks and gratitude are due to Almighty Allah whose worthy cannot be described by speaker, whose bounties cannot be counted by calculator, he is only one such that he the self-sufficient master, whom all creatures need, he begets not, nor was he begotten. And there is none like up to him.

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CHAPTER ONE

1.0 General Introduction

In the name of Almighty Allah the most gracious, the most merciful, all praise be to Allah, peace and blessing of Almighty Allah be upon his noble prophet Muhammad ibn Abdullah ibn Abdul-Mutalib (SAW), and members of his family and companion as well as those who follow his foot path.

It is believed that, Hisbah is a commission which originated from the time of our noble prophet Muhammad (SAW) for the purpose of fighting criminal acts in the society, in trying to understand this we have to know the meaning of Islam and Shariah.

Islam is an Arabic word which denotes submission, surrender and obedience. As a religion Islam stand as complete submission and obedience to Allah (SAW), that is why it is called Islam. The other literal meaning of the word “Islam” is “Peace”. This signifies that one can achieve real

peace of body and mind only through submission and obedience to Allah, such as life obedience brings peace of the mind and establishes real peace in the society at large.¹

Shariah is an Arabic word literally means the path to be followed, or way to a watering place.² But technically it is a path not only leading to Allah the most higher, but the path believed by all Muslims to be the path shown by Almighty Allah the creator of the whole universe through his messenger, prophet Muhammad (SAW). In Islam Allah is the only Sovereign, who has the right to ordain a path for the guidance to mankind and Jins.

Thus it is the only Shari'ah that liberates man from servitude to other than Allah. Thus is the reason why Muslim are obligated to strive to follow that path not other path.³

Allah says in the Glorious Qur'an

“We made for you a law, so follow it and not the tancies of those who have no knowledge”⁴

It's also revealed in the Qur'an that the enjoining of what is good and forbidden what is wrong is a religious duty. Again in another verse in Qur'an Almighty Allah says:

He ordains for them what is right and forbids them what is wrong make whole some lawful to them and makes bad things unlawful”⁵

From the above verses we come to know that Islam concern with anything good and fight against anything bad e.g. evil deeds. And its obligatory on each and every Muslim to do it, i.e. to enjoy what is right, by calling people to follow strictly the Islamic teaching and avoid what is wrong by preventing people from disobeying Almighty Allah (SAW) and his messenger, this is what Hisbah is all about.

1.1 Background of the Study

The title of this project is, the activities of Hisbah in crime control in Goronyo local government, so first of all we have know the geographical location and history of Goronyo local government.

Goronyo local government is situated at longitude 8⁰ 22E and latitude 11⁰ 59N. it has been the place where onion and garlic are planted and produced farm product to the Sokoto state for many centuries. Goronyo is among the largest local government in Sokoto state with estimated population of 3,848 according to 2006 census. The majority of Goronyo were Gobirawa, Fulani and are Muslims, the traditional ruler of Goronyo is called Sarkin Gabas and the current or present Sarkin Gabas is Alhaji Muhammad Sambo who is on the throne since 1996 to date.

Also Goronyo local government has eleven (11) wards in Genarla such as Goronyo ward, Kojiyo, Kagara, Kwakwazo, Shinaka, Boye-kai, Sabon Gaminn dole,

Rimawa, Giyawa, Gorau, and Birjingo ward. The people of Goronyo local government are Muslims-Shuni they are the majority, though in minority adherents shi'ite and few Christians as well as followers of paganism. Thus population of Muslim is about 99% while the rest occupies 1%⁶

1.2 Scope and Limitation

The scope of this project is to cover the activities of Hisbah commission in sustaining development of Shari'ah in Goronyo local government which include controlling of crimes like areaboylism, alcoholism, gambling, adultery, fornication, depamation, corruption, the activities of the commission also includes organizing seminars for Jumu'at prayers Imam (Scholars) as well as preaching to the people of Goronyo local government.

Concerning the mission of this commission, the scope and limitation of his research will be centered upon the impact of Hisbah commission in sustenance and

development of Islamic legal system in Goronyo local government.

1.3 Significance of the Study

I discovered that it will be very important to enlighten the Muslim society about the activities of Hisbah in controlling crimes in Goronyo local government. Therefore, this may serve as reminder to the Muslim Ummah or what the Hisbah is all about, so that one may appreciate its tremendous effort in cleansing the Muslim community, especially the Goronyo local government from committing evil acts.

1.4 Statement of Research Problem

The most important issue needs to be examined in this research is the role played by Hisbah in controlling the question that includes:

1. What is the meaning of Hisbah literally and technically?
2. When was it started

3. What are the activities of Hisbah
4. What are the problems Hisbah encountered in the process of controlling crimes?
5. What are the achievements of Hisbah in Goronyo local government?

It is hoped that by the time when these questions are answered something important as a contribution to human knowledge would definitely be realized.

1.5 Aims and Objectives

The aims and objectives of this research project are:

1. To understand the real meaning of the Hisbah
2. To know the aims and objectives of Hisbah
3. Knowing the historical background of the Hisbah
4. To understand the position of Hisbah in Islam
5. To highlight the activities of Hisbah
6. To awake people to know who is Hisbah corps and what are his duties.

7. To enumerate the great effort which Hisbah is doing in controlling crime in Goronyo local government.
8. To examine the relationship between Hisbah and other law enforcement agencies and its challenges
9. Assessing the success of Hisbah from the time of its introduction to date.

1.6 Methodology

As we know every research work needs a good way or method for data collection, the method adopted for this research comprised two things that are oral and written.

1. Interview (oral information): This is a method adopted by which some staff/leaders of the Hisbah commission and other affected Muslims residing within and beyond Goronyo metropolis were interviewed in sourcing information for the research work.
2. Reading materials: the second method used in obtaining information was through reading in the

library, books, thesis, dissertation, pamphlets and other relevant materials related to the topic of research.

However, all the collected data was subjected to scrutiny, in order to give a qualitative and genuine work.

1.7 Structure

This project is structured as follows:

Chapter one is general introduction which consist of background of the study, scope and limitation, significance of the study, statement of the research and literature review.

Chapter two has under it topic as, definition of Hisbah, the position of Hisbah in Islam, Hisbah in the time of Prophet and his pious caliphs, aims and objectives of Hisbah, activities of Hisbah in Goronyo, qualities of Hisbah corps.

Chapter three discussed the activities of Hisbah in controlling crime. Crime prevalent in Goronyo before the

establishment of Hisbah. The role of Hisbah in controlling criminal acts in Goronyo local government, jurisdiction and scope of Hisbah in Goronyo local government. Relationship between Hisbah and other law enforcement agencies, problem and challenges facing Hisbah in Goronyo local government achievement of Hisbah in Goronyo local government.

Chapter four, this is the last chapter which contains summary, recommendation, conclusion and bibliography.

1.8 Literature Review

In trying to collect the data relating to the project materials found to have been written on the topic of this research which were read and however reviewed include:

First and foremost, in the Glorious Qur'an the almighty Allah says:

“Let than rise out of you a group of people inviting all Ma’aruf (all that Islam want) and forbidden all munkar (all that

Islam has forbidden) and it is they was
are successful”⁷.

In another verse also almighty Allah says:

“you are the best people ever raised up
for mankind you are main al-ma’aruf
(all that Islam want) and forbid al-
munkar (all that Islam forbidden) and
you believe in Allah⁸.

In the Hadith, Noble Prophet Muhammad (SAW) said

“whoever among you witness an evil let
him change it with his hands if he is
unable, then let him change it with his
tongue, if he is unable then let him
change it with his heart, this is the
weakest faith”⁹.

The prophet also said

“By him in whose hand in my soul, you
will enjoin lightness and forbid evil or

Allah shall send down a punishment from him to you then you will supplicate to him but he will not accept your supplication¹⁰.

As for the materials reviewed include books such as the book of Sheikh Abdullah ibn Fodiyo in his book called guide to Hisbah stated that indeed, enjoining what is right as well as forbidding what is wrong is the greatest pillar for the betterment of the world and religion, it is the reason for sending messengers of Allah, and if that is understood as well as worked with it where to ne neglected perversion would have wanted towns.¹¹

Abdul-rahman I Dio in his book, shariah the Islamic law, defined shariah as the way shown by Allah (SAW) the creator through his messenger, prophet Muhammad (SAW) in Islam Allah is the sovereign and he is the only one has the right to ordain a path og guidance for mankind. ¹²

In the book of ibn Taymiyyah title Public Duties in Islam, stated that the enjoining of right and forbidding of wrong which Allah has revealed in his Glorious Qur'an and communicated through his messenger is also part of a religion.¹³

Dan Hassan Dogon-dagi mentioned in the book, the institution of Hisbah during the classical period the Hisbah is described as an Islamic institution which implements what is proper and prevent what is improper.¹⁴

In Al-ijtihad, The journal of Islamization of knowledge and contemporary issues Kano (AIT)¹⁵ and implementation of shariah in northern Nigeria prospects and challenges discussed so many issues about shariah and Hisbah, but not details on the activities of Hisbah and its role in eradicating the social vices especially in kan.¹⁶

In a book titled, Hisbah Manufarta da ka'idajinta da muhimmancinta, written by Abdul-wahab Abdullah defined Hisbah as commanding what is right whenever its

performance is neglected and discouraging what is wrong whenever it performance is surfaced”. Also in a book titled Hisbah da ayyuldanta a shariah musulunci and jogoran Hisbah a matalci – mataki a jihar kano, both gave the details of Hisbah historical background, duties, activities and structure of the Hisbah.¹⁷

From the above mentioned therefore, there is need for this kind of research to be undertaking particularly in this contemporary time of evil, wherein the nature and activities of similar established Hisbah commission to be surveyed by giving emphasis on the impact of the objectives of these commission in controlling crime, particularly in Goronyo local government.

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CHAPTER TWO

INSTITUTION OF HISBAH IN ISLAM ITS ORIGIN AND ACTIVITIES

2.1 Definition of Hisbah

The term Hisbah is an Arabic word, which derived its root from a word 'Hisb' means "arithmetic problem" sum or reward.

The verb Hasaba, Yahsuba, means to computer or to measure. The verbal from Ihtasaba means to take into consideration, to anticipate a reward the hereafter by adding pious deeds to one's account with Allah (S.W.T).¹

Technically, the term Hisbah connotes institution established by the state, to promote what is proper and forbid what is improper "Al amru bil ma'aruf wannahayu anil-almunkar".²

Allah says in the Glorious Qur'an

"There are the party of Allah and
Allah's party shall surely triumph".³

In another verse Almighty Allah says:

“You are the best nation that has ever been raised up for mankind you enjoin justice and forbid evil, you believe in Allah”.⁴

Although, Qur’an commands every Muslim to play a positive role in propagation of what is right. (Ma’aruf) and suppression of what is wrong (Munkar).

Therefore, Islamic scholars have attributed the meaning of Hisbah in accordance with their perceptions, probably the most acceptable definition was the definition of Imam Al-mawardi who defined Hisbah as commanding what is right whenever its performance is neglected and discouraging what is wrong whenever its performance is surfaced.⁵ Imam Ibn Al-Arabi gave the definition of Hisbah as follow: commanding what is right and forbidding what is

wrong is what the prophets were sent for and the act of vicegerence after the prophets:

According to Sheikh Al-Islam Ibn Taimiyya Hisbah means commanding what is right and forbidding what is wrong as on what the Qur'an was revealed and prophet was sent with, and the act is religion.⁵ generally, the major meaning of Hisbah according to pious scholars and Islamic jurist is Al-amru bil ma'aruf wannahayu anil munkar”.

2.2 The Position of Hisbah in Islam

Qur'an explains Hisbah in several verses, this includes:

“Let there arise among of you a group of people inviting to all that is good (Islam) enjoining Al-ma'aru (i.e Islamic monotheism and all what Islam orders to do), and forbidding Al-munkar (polytheism and disbelieve and all what Islam

forbids to do) and it is they who are the successful".⁶

"your true believers in Islam monotheists and real followers of prophet (S.A.W) and his Sunnah are the best of people ever raised up for mankind you enjoin al-ma'aruf (i.e Islamic monotheism and all that Islam has ordained) and forbid al-munkar (polytheism disbelief and all that Islam forbids) and you believe in Allah and had the people of the scripture (Jew and Christians) believer. It would have been better for them among them are some who have faith, but most of them are al-fasiqun (disbelievers to Allah and rebellious against Allah's command).⁷

“the believers, men and women are Auliyyaa (helpers, supporters, friends and protectors) of one another; they enjoin Al-ma’aruf and forbid Al-munkar”.⁸

The traditions of the noble prophet (S.A.W) also elaborate the position of Hisbah in Islam some of the traditions are as follows:

“It was reported by Abu Sa’id Al-kudhri R.A said, he heard the prophet (S.A.W) saying “anyone of you see evil deed must change it with his hand if he is unable, then with his tongue and if he also unable, then with his heart, that is the weakest faith”.⁹

Another hadith from him, may Allah bless him said, the prophet (S.A.W) said:

“The best Mujahid is the one who speaks true to the leader who is unjust”.¹⁰

From Abdullah Tarq Ibn Shahab Al-bajali Al-ahmas, may Allah bless him, said: a young man asked prophet (S.A.W) about the best work, prophet answered “to tell trith to a leader who is wikked”.¹¹

2.3 Hisbah in the Time of Prophet (S.A.W) and His Pious Caliphs

Prophet Muhammad (S.A.W) is the seal of the prophets and their leader, kind his nature he likewise mercy for his Ummah; he always guides his Ummah on the best. He commanded what is good and prohibited what is bad, Hisbah was regulated by him especially as it related the market and the Islamic affairs, and he used to visit the market to see how business conducted.

The prophet (S.A.W) once passed near a pile of foodstuff that was for sale, he put his hand on it and felt it

wet, so he asked what is this, oh seller of the foods? He replied it was rained on, oh messenger of Allah, then the prophet (S.A.W) said why don't you put it on top so that people may see it? Whoever deceives us (the people) is not one of us".

Thereafter two other traditions that give an insight into his supervision.

First, one day he stopped by some commissioned agents called Simser and addressed them with a better name saying "oh the merchant community, a lot of oaths is uttered during business transactions, so strict to charity in order to be forgiven".¹²

Secondly, he spoke to a wine merchants saying:
"Who imported wine from Damascus to sell in the market?
O Kaysan, wine has been forbidden while you were absent,
then Kayson approached the wine drinkers and spilled it by kicking it away".¹³

The above two examples show that, the prophet (S.A.W) gave order and warnings where considered necessary to people in a variety of occasions during his inspections to market.

Also besides initiating actual investigation on his own, he received complaints from public and answered questions with regard to business transactions later on, when he was too busy to do this sort of work he appointed some staff to investigate market affairs, Sa'id Ibn Al'as Ibn Mu'awiyah Abdullah Ibn Usaibah Ibn Al'as and Umar Ibn Al-kattab were both assigned to the market of Madinah and some women called Samirah bint Muhaykah, Asadiyah and Shifa bint Abdullah were assigned to market of Madinah to supervise and ensure the conformity to market rules. It should be noted however that, the work of the above ladies officially might have been directed towards the female merchants and customers, since the names of many females merchants like Asma bint Muharribah, Hawlat bint

Suwyb, Mulaal Amariyah, can be found in the literary works of that time.

It can be deduced from several traditions that the prophet (S.A.W) also appointed some temporary even on the spot officials besides the permanent staff. The tradition narrated on the authority of Ibn Umar is a good example.

“When we brought foodstuff at the time of the prophet (S.A.W) he dispatched some one to us in order to monitor their transfer from where we brought them to another place before selling them”.¹⁴

Beside that, there are numerous of prophet Muhammad (S.A.W) condemning cheating, exploitation, monopoly and dishonest business in the community of Muslims, any business deal that involves injustice cheating or exploitation is strictly condemned and forbidden by him.

However, Hisbah in the time of pious caliphs, whose Allah the most exalted, gives the story of pious caliphs, as those who were expelled from their homes unjustly,

because they believed in Allah, that if they were given power in the land they will do things as follows, perform prayers, gives out aims (Zakat) enjoin right and forbid wrong.

Allah (S.W.T) Said:

“Those who have been evicted from their homes without right only because they said, our Lord is Allah, and where it not that Allah checks some people by means of others, there would have been demolished monasteries, churches, synagogues and mosques in which the name of Allah is much mentioned would have been utterly destroyed, and Allah will surely support those support him (i.e. his cause). Indeed, Allah is powerful and exalted in might (and they are)

those who if we give them authority in the land establish prayer and give Zakat and enjoin what is right and forbid what is wrong and to Allah belongs the outcome of (all) Matters”.¹⁵

After the death of prophet (S.A.W) the four righteous caliphs (R.A) carried out the functions of Muhtassib (charged in ordaining what is fit and proscribing improper) themselves.

When Abubakar became the first caliph, after prophet's demise, Muslims found themselves in misfortune of apostasy. The apostasy was of three types:

1. Those who refused to give alms (Zakat).
2. Those who claimed prophet hood.
3. Those who denounced faith.

Thus, those that used to give prophet alms refused to give, while people such as Musailamatul Kaddhabi, Sajah

and Aswadul Ansi claimed prophet hood, many Arabs denounced their faith and reverted to idols worship.

The three problems listed above, faced by the Abubakar Al-sadiq (R.A) and were properly dealt with. He was firm on taking strong and prompt actions so that others may have lessons

Caliph Umar Ibn Al-khattab (R.A) was like any other caliph he commanded what is right and forbade what is wrong, when Umar (R.A) became the second caliph he took the care of markets imperfections, distortions and malpractices whoever Umar (R.A) went out for investigation, he used to carry a whip for tricking any one who deserves it he also used to clear congested roads, crowded by merchants to create no handles. At an instance he destroyed a blacksmith's bellows because it narrowed the road where it was placed.

A comparable case was his action on noticing a man who had diluted milk with water he punished him by spilling it.

Caliph Usman Ibn Affan (R.A) was also like other caliphs, he also enjoined the right and forbid the wrong. It was narrated from Ubaidullah that people were talking too much about Al-walid (caliph Usman's brother) for his too much consuming of alcohol, when Ubaidullah talked to Usman, Usman ordered Ali Ibn Abi Talib to flog him, Ali Flogged him (Al-walid) eight lashes.

Caliph Aliyu Ibn Abi Talib (R.A) commanded what is right and forbid what is wrong (Hisbah), right from the time of prophet Muhammad (S.A.W). Imam Muslim reported that:

Aliyu Ibn Abi Talib said to me, would not send you on the same principles as the messenger of Allah (blessing and peace be upon him) had sent me? Do not leave status but

that you should destroy idols and you should level the right graves.

It can be deduced from the above Hadith that Ibn Abi Talib (R.A) had commanded what is right and forbid what is wrong (Hisbah) right from the time of the prophet Muhammad (S.A.W) up to the time of the caliph Aliyu Ibn Abi Talib.

During Aliyu Ibn Abi-Talib's caliphate, he used to wake-up people for prayers after calling the prayer, holding his staff. One day on this duty he was attacked by two people Inb Maisan said this attacked led to his death.

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CHAPTER THREE

3.1 EMERGENCE OF HISBAH IN GORONYO LOCAL GOVERNMENT

One cannot talk on the emergence of Hisbah in Goronyo local government with out tracing of the emergence of Shari'ah in Sokoto state as well as tracing the establishment of Shari'ah in Zamfara state, as the first that believe the implementation of Shari'ah in Nigeria in general and northern Nigeria in particular on 27th January, 2000 Zamfara state enacted the first Shari'ah panel code in northern Nigeria. Shari'ah court had already been established earlier.

Also other eleven northern states due to the pressure by their people allowed such by introducing Shari'ah criminal laws and set up Shari'ah court with jurisdiction in criminal matters.¹

Base on that, Sokoto is one of the eleven northern states that implemented Shari'ah, and the Shari'ah cannot

go smoothly without the intervention of Hisbah, so that is what warranted to the establishment of Hisbah commission in Sokoto at large and in Goronyo local government in particular.

Hisbah was introduced in the year 2000 and it became well established in 2003 under section 3 of Sokoto State Shari'ah commission law, the section provided that:

“There is hereby established for the state a commission to be known as the Sokoto state Hisbah Commission”.

“The commission so established in pursuant of subsection (1) of this section shall be a body corporate with perpetual succession and a common seal with power to sue in its corporate name: and also holds acauris and disposes of property movable and immovable”.

The commission has chairman as chief executive and assisted by Directors in the administration department, operation department and others.

This give room from the establishment of Hisbah in Goronyo local government and all local government in Soko0to state, so as to perform the Hisbah activities in the local government level.²

3.2 Aims and Objectives of Hisbah in Goronyo Local Government

The Hisbah commission in Goronyo local government has aims and objectives which want to be achieve.

1. The Hisbah in Goronyo aims to see every Muslims become a fiend to his fellow Muslim brother, means he will not backbite him whether in his present or absent.
2. It also tries to see every Muslim is guided or promoted base on Islamic education.
3. It also aims to establish peaceful cooperation between individuals, groups, communities without having to resort to court.

4. T also aims to solve the problems of youth unemployment, moral issue, and good conduct e.t.c for betterment of one another.
5. The Hisbah aims to help enforcement agencies on preventing and combating criminals among the members of the society.
6. It aims to identify the educational need for the community via educating the society on basis of true application of Shari'ah and Islamic in general.
7. It also aims to re-orient people toward a sound and correct appreciation of the Shari'ah for more active and positive participation in communal issue so as to complement government activities.

Finally we can say that, the main aims and objectives of Hisbah in Goronyo are to make proper establishment of Islamic Shari'ah.³

3.3 Activities of Hisbah in Goronyo Local Government

The Hisbah is in charge of the following responsibilities:

1. Preaching, guiding and promotion of Islamic education among Muslim society.
2. Resolution of conflicts, peace making between individuals, groups, and communities with out having to resort to courts.
3. Uniting people of particular community to solve their problems concerning moral issue, welfare, and youth un-employment e.t.c so as to complement government activities.
4. Assisting law enforcement agencies on preventing and conversion of criminals to ensure strict compliance with the Shari'ah.⁴

The Hisbah activities structured in such a way that will ensure maximum achievement of the above mentioned functions.

3.4 Qualities of Hisbah

The Hisbah officers and the members must ensure that, they abide by the following code of conduct.

1. Sincerity: they should carryout their duties with utmost sincerity i.e. for the sake of Allah and the promotion of Shari'ah, not for any personal or worldly gain.⁵
2. Courage and determination: they should be courageous, firm and determined so as to ensure the success of their duties.⁶
3. Sense of justice: Hisbah officers or members must discharge their duties with all sense of justice and must not on fear or favour to temper with their duties. Justice is the backbone o Hisbah activities and it is therefore non negotiable.⁷
4. Sound knowledge of Islam: Hisbah officers or mebers must ensure that, they acquire a reasonable knowledge of Islam and especially on issues that

related to halal and haram (lawful and unlawful) and Wajib and Mandub (obligatory and superogatory), it is worth nothing that an ignorant Hisbah officers or members will bring more harm to Shari'ah hundred times than a chief or drunkard would indulge in committing offence.⁸

5. Hisbah officers or members must necessary ready to obey commands and instructions from superior officers also act within the rules and regulations of the commission.⁹
6. Behaviour: Hisbah officers or members must not be guided by any person sectarian or political consideration, he should always be guided by the will to serve and protect the Shari'ah.
7. Honesty and uprightness: they must therefore not abuse their positions in any form, such as engaging in bribery, corruption or false accusation and blaming of innocent people and or other forms of dishonesty. ¹⁰

8. Odd time of duty: Hisbah officer/member should always be ready and available to answer calls of duty, at the time of work or at odd hours. ¹¹
9. Character: Hsbah officers or member should be kind and be gentle to people and always be ready to jump to the help of people at all times need in whatever forms. ¹²
10. Face and self restrain: Hisbah officers or members must not display an unnecessary use force where same for in of face such as arrest him to be made, it must be with the consent of directive of his offices in charge or commandant.¹³

END NOTES

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2. A Abdullah Opcit P 107 – 108.
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CHAPTER FOUR

ROLE OF HISBAH IN CONTROLLING CRIME

4.1 Crime Prevalent in Goronyo Local Government.

Crime according to the advanced learner dictionary is an activities that involves breaking the law. On the other hand crime can be defined as the violation of the law, especially a serious one such acts in general. ¹

It is known that prior to the formation of Hisbah in Goronyo local government was faced with many crimes ranging from thuggery, prostitution, alcoholism, robbery, pick pocket, stealing, juvenile delinquency, gambling, mix of male and female among many were abundant in Goronyo local government before the formation of Hisbah in the area.²

Thurgery is an act of violent behavior in which people fight and attack one another by using weapons like cutlass, sword, so as to cause wounds and some time it lead to loss of life.

Prostitution means a voluntary sexual intercourse of a married or unmarried person with someone who is not his wife or husband for price, many women left their parents and indulge in sexual relationship with people in return for money.

Alcoholism, literally means the action of alcohol upon the human system, the word alcohol means intoxicating in fermented liquor by extension every substance enable of intoxicating the sense regarded as alcohol, so the act of taking intoxicate materials is alcoholism.

Inter-area crisis, this is the dispute that is usually in the locations. It is situation that people involve in chaos against one area to another, many times minor issues, the above was prevalent in Goronyo local government before the establishment of Hisbah.

Robbery is an act of using weapons or any other means of intimidation to take away properties belonging to

other person. In other word it is pondering someone property by intimidation.

Armed robbery is a national phenomenon in Nigeria, everyday house, banks, business centres, commercial computer centres, cars, motorcycle are robbed, in which many lives are lost in the process. The most common form of armed robbery in Goronyo is house breaking which are all in existence before the formation of Hisbah in Goronyo local government

Pick-pocketing: This is an act which some one steal from one's pocket especially in crowded or in a market place. This act was also rampant among the people especially young age in Goronyo local government before the formation of Hisbah.

Stealing: This is a situation where someone carries other properties belonging with out their knowledge, this act sometimes occurs in manners that somebody closes

others house especially in the night and take their commodities with out their knowledge.

Juvenile Delinquency: this is a situation whereby a young person indulge into a criminal act such as stealing, intoxication, pick-pocked and so on, the young age in Goronyo local government joint a team of children to commit the above mentioned acts. It is discovered that before the coming of Hisbah all areas in Goronyo have experienced such problems, children refuse to go to school, and focused on taking marijuana, gum, solution etc.

Gambling: means playing games of chance for money, in other word. It is to risk money or possession when you do not know the certain what the result would be. The most commonly type of gambling in Goronyo is card game, where money is asked, in this game the player gathered in a circle, an amount or money called pool is collected from every one of them and the winner takes the whole amount after wining. Thus games commonly take place in prostitute

houses, where men and women gathered to play especially in the evening. The above are also the activities of people of Goronyo before the formal formation of Hisbsah.

Mix of male and female: This is termed gender intermingling, where men and women interact without shame, especially during wedding ceremonies, such act was over rampant in Goronyo local government before the formation of Hisbah in the area.

Above act are crime that was committed in Goronyo local government before the formation of Hisbah, which used to provoke all the people of Goronyo local government.

4.2 Activities of Hisbah in Controlling Crimes in Goronyo Local Government.

The Hisbah as body whose emancipation is doing a lot in controlling crimes in Goronyo local government, which being stability and smoothness of the life of people of Goronyo local government.

Hisbah was able to overcome the thuggery problem by providing jobs to youth, it found out that the factors that warranted the youth to involve in thurgery is unemployment, that is why Hisbah create or provides the job opportunity to youth so as to stop them from such act, therefore the issue of thurgery is reduced substantially, because almost all the youth that involved in such act are now employed, so they have no time for thurgery. More so Hisbah make a huge effort in eradicating prostitution in Goronyo local government which mainly cause by force marriage or poverty, so based on that Hisbah took a measure to ensure that all the problem were swiped out. Hisbah engaged in preaching in order to notify the people about negative effect of forced marriage and provided subsidy for any prostitute get marriage by donating her with all necessary materials for marriage such as bed cupboard and so on and even sometimes dowry with accommodation.

More over it gives money to the both bride and groom to conduct a business, this effort assists greatly in eradicating prostitution in Goronyo local government.

Hisbah also confiscate and destroys thousand bottle of beers as a result of its effort, the local government Hisbah commission banned the sale of alcohol within and outside the local government area, and this help Hisbah to watch into any vehicle banned to carry alcohol, drivers helped Hisbah to arrest thousand of beer bottles and destroyed it which assist in eradicating the alcoholism in Gonroyo local government.

Moreover, Hisbah through the effort of its commander was able to flush out centers and locations where conducts related to alcohol selling was prevalent and preached the seller to fear Allah.

It is very important to note that Hisbah set up various committee in order to simplify its activities, such committee were given responsibility to overcome the crime that are

committed within and outside Goronyo local government, these committee patrol all over the Goronyo local government in order to ensure that all the criminal act are prevented and also the commission reserved some vehicles for patrol, in order to solve the act of mixing male and female and also the social gathering that warranted mixing or intermingling between male and female was banned.

Concerning robbery, stealing and rest of them, the commission designed some programme, preaching people to conduct themselves according to the Islamic injunctions. Secondly whoever is caught misbehaving would be taken to court and be judged according to Islamic legal injunctions, these two things assisted greatly in controlling crimes in Goronyo local government.

In a nut shell, Hisbah commission since is establishment was able to improve social morality and sweep out all criminal acts, also prostitution was banned and many prostitutes got to married and some were driven

out from the local government, the sale of consumption of alcohol was banned beer parlours were shut down, gambling and robbery that were common before the implementation of Shari'ah were now banned, thieves are afraid that if they steal their were taken to Islamic Shari'ah court, therefore, they keep away from stealing women, dress more decently now there by reducing the temptation towards immoral acts.

In fact almost all such places now become a history. Also beer parlours disappeared in the local government areas, most of the prostitution houses became either married houses or Islamiyah schools in term of business transaction, Hisbah commission in Goronyo local government came out with new measure and scale for traders.

4.3 Jurisdiction and Scope of Hisbah in Goronyo Local Government

Based on jurisdiction; Hisbah officials have power to make legal decisions which are expected to perform, this includes:

1. Focusing on the area that mischief makers are expected to be found, preaching, guiding and counseling, like in business places, public gathering to ensure appropriate and adequate adherence to Islamic laws and its teaching.
2. Guiding and counseling in a polite and brilliant way.
3. Arresting and apprehending criminals and hand over them to relevant authorities.
4. Teaching and educating the populace on good virtues such as:
 - a. Assisting orphans
 - b. Rendering necessary assistance to the poor widows

- c. Forming a cooperative society for job creation to reduce unemployment
 - d. Helping and assisting women and children in terms of education to give them a bright future.
 - e. Organizing, seminars and orientation for more enlightenment.
 - f. Counseling and preaching
 - g. Teaching and enlighten people on eating manners such as:
 - Seeking refuge from Allah before eating
 - Not leave remaining food after eating
 - Picking and eating food that falls down
 - Eating what is in front of you
 - Drinking water while sitting
 - Eating and drinking water with right hand
5. Clearing The environment and take away all the necessary thing that causes diseases or injuries such

as stones, broken glasses, such as covering holes in the public roads.

6. Safe keeping the lost materials items one being kept by the Hisbah until the right owner claims.
7. Assisting the needy and those whose right is being infringed in an unjust way.
8. Ensuring justice among the people
9. Educating and teaching the Muslims on how to conduct funeral rites Islamically.
10. Ensuring that food and things measured are scaled and measure accurately
11. Encouraging and teaching people the way that Islam lays in visiting friends or relations such as informing the host before the visit, salutation name when asked to do so without anger, also it teaches a visitor that his visit should be short and he should not stay long and not inform the patient a terrible story which may

deteriorate his condition or lead him to give up from recovery.

All the above are some of the scope and jurisdiction of Hisbah in Goronyo Local government.

4.4 Relationship between Hisbah and Other Law Enforcement agencies

Hisbah as one of law enforcement agency has a good relationship with other law enforcement agencies without them Hisbah could not achieve its aims and discharge its duties effectively, such agencies include: police Army, customs, civil defence, road safety, VIO, traffic worker, national Drug Law enforcement agency (NDLEA), etc

Hisbah in its activities stops anything relating to criminality, i.e. stealing, thuggery etc. and its relationship with police is collaborative if Hisbah arrest the offender, hand over them to police for investigation and for possible prosecution.

Army is body that protects territory from internal and external aggregation. Hisbah assist army in ensuring the full protection of the border as well as the state while Hisbah on the other hand handles unwanted properties brought into the local government.

Civil defence is an agency who has the responsibilities to take care of any issue related to civil relation and other criminal activity, this agency has very close relation with Hisbah as a body almost every activity they are performing that is why they form a team that compromise both agency.

Road safety: this is a body that takes care of safety of our road, to protect road accident and road offender. Hisbah on the other hand helps them in the smoothness their duties by ensuring all the traffic rule and regulation are obeyed.

V.I.O is body that deal with vehicle maintenance and ensuring legal possession of vehicle so as to check the

driving licenses, vehicle particulars, Hisbah assist them in persuading their duties.

Traffic workers: This is an agency that direct a traffic movement reduction traffic conjunctions and Hisbah involving to the core in such duties and in fact those is division of a labour between Hisbah and traffic workers.

National drug law enforcement agency (NDLEA) these are agency that deal with drugs issues like Marijunan, cocaine and other intoxicant substance while Hisbah on the other hand assist them in finding out the place where such criminals hidden and to handle them with the authors.

Going by the above relationship one can rightly say that law enforcement agency has the close relation with other law enforcement agencies which benefit each other in performing their duties and ensuring the active and positive development of the Islamic Shari'ah in Goronyo local government as well as the Sokoto in general.

4.5 Problems and Challenges Facing Hisbah in Goronyo Local Government

Despite the involvement and recognition of Hisbah yet there are many problems that Hisbah is facing towards the performing its duties as it is said, nothing on earth can succeed in totality without one problem or the other, likewise Hibah in Goronyo local government is facing many problems and challenges.

1. Lack of full support from police, although Hisbah recorded remarkable achievement but experienced sabotage in relation to alcohol business by a fraction of the police in local government who clearly indicate that there are out of bound area for Hisbah. Generally speaking despite the introduction of shariah legal system, liquor sellers and prostitution and other abominable things are on increase in the local government.

2. Lack of Adequate Finance is another problem that Hisbah is facing, they faces delay in realizing funds to under take certain project as funds being the backbone of any organization and no organization that regulate without money.
3. Shortage of Officers and Expenditure are problems of Hisbah in Goronyo local government and it necessitate the sacking of officer so they do not get chance to their effectively.
4. Lack of Modern Communication System another challenges that is facing Hisbah was the lack or inadequate of communication equipment that link the Hisbah Corps and their offices and or to link between the headquarters and the individual when the need arises.
5. Lack of Public Support: people are familiar with the criminality so they are not ready to cooperate with Hisbah in performing their duties sometimes Hisbah

corps may loose health and also in market, people refuse to accept the measure “mudu” and sales provided by the government through Hisbah to measure their commodities in the interest of justice and fairness under the Shariah.

Above are some of the challenges and problem facing Hisbah in Goronyo local government and they warrant to retrogressive of Hisbah in the domain.

4.6 Achievement of Hisbah in Goronyo Local Government

Every organization has its aims and objectives to achieve, below are some of the achievement of Hisbah in Goronyo local government.

1. In its effort to make Hisbah self reliant the management agreed to set aside a reasonable amount of money from overhead for investment purpose.

2. The commission was able to confiscate and destroy 3, 564 bottles of beer from February 2012 to December 2012
3. It was also able to give out the sum of 3, 745 assistance to the needy and 2224 cases of reconciliation were successfully conducted by Hisbah board in Goronyo local government.
4. The board is able to repatriate 1020 persons to various places.
5. To prove its existence, the board has installed and put sign boards in all noticeable angles in Goronyo local government that carry the name of Almighty Allah, the prophet tradition that teach and remind us a lot of this concerning Muslim lives.

4.7 Summary

To summarize this project which talks about the activities of Hisbah in crime control in Goronyo local government, one has to overview of the whole works. The

work divided into four chapters and with each chapter there are sub heading which deals with specific issues concerning the subject matter.

Chapter one of this work deals with the general introduction of the research work where I gave the general frame of the work by defining Islam and shariah literally and technically. In the same chapter, I gave the background of the study that is the activities of Hisbah in crime control in Goronyo local government that why I start with the historical background of Goronyo local government in order to know the origin of the area of the study.

Moreover I discussed the geographical location and nature of the people living in the area, were also discussed. In order to give a reader clues of the area so as to know how complex area is and also by trace the history of Islamic background of the area.

Further more, the chapter also talks on the scope and limitation of the study, states that the scope of the study

will cover all the activities and role of Hisbah in controlling crimes in Goronyo local government, while the limitation of the study did the restricted area in which study cannot encircled when tals about significance of the study. I also state that the significance of the study cannot be over emphasized as it aims is to tell the people a role that Hisbah plays in controlling crime in Goronyo local government in particular.

The chapter also states the aims and objectives of the research project as well as method followed during research in literature review of some pass work in the same field made by some scholars in view of the Hisbah and its role in controlling crime.

Chapter two deal with definition of hibah literally and technically by tracing the root of word which derived from the root Hasaba Yahsabu and Ihtasabaj and the noun of the word is Hisbah. The chapter also shows Islamic scholars viewed the word such like Imam Al-mawardi,

Sheikh, Abdullah Ibn Fodiyo, Sheikh Islam Ibn Taymiyyah, Imam Ibn Arabic and other pious scholars who view the Hisbah as commanding what is right and forbidding what is wrong.

The chapter also talks about the position of Hisbah in Islam both from Qur'an and Sunnah of the prophet Muhammad (peace be upon him) which talks about the status and position of Hisbah in Islam as the study which should be adopted by every Muslim where several verses were noted.

The chapter discusses the aims and objectives of Hisbah in Goronyo local government which create harmony and tolerance among the Muslim Ummah by merging together to forget differences, activities and the activities of corps members.

Chapter four being its course work, it covers a lot of things, it deals with the role Hisbah played in controlling crime in Goronyo local government by defining what crime

is all about and also their effect to the Muslim society such crimes are alcoholism, gambling, prostitution, adultery, fornication, pick-pocket, stealing, juvenile delinquency, mix of male and female etc. the chapter also talks about the relationship between Hisbah and other law enforcement agencies such as police, army, customs, civil defence, road safety, VIO and traffic workers. However the chapter discuss the problem and challenges that are facing Hisbah from different angel i.e. finance, man power.

Finally the chapter contains summary, conclusion, recommendation and bibliography.

4.8 Recommendations

In order to prevent people from behaving un-Islamically, the following are my recommendations

1. Islamic laws should at least impose on each and every Muslim.

2. Government should provide effective educational system in order to educate people what Shari'ah is all about.
3. The local government as well as the state should empower Hisbah and equip its corps with modern instruments to enable them in discharging their duties.
4. The government should also set up an effective public complaints commission to look into complaints and give rights where they are due-justice should also not be delayed.
5. The government should provide job opportunities more especially for youth who can easily yield to temptation.

Lastly, as a matter of fact, Hisbah as a commission deserves to be recommended especially on its effect of controlling crimes in the Goronyo local government.

4.9 Conclusion

In conclusion, I would have to close this work with the observance of the activities of Hisbah in crime control and promotion of morality in Goronyo local government which are going simultaneously. However, it can conclude that Goronyo local government has a herculean task in achieving that, because there is lot to do for wiping out the crimes in the local government entirely. Moreover, from the study undertaken, I may conclude that crime come as a result of individual selfishness, nonchalant attitudes of the society towards certain class of people.

Lastly, crime in the country is course for concerns to all being it a great menace that cannot be handled with kindle gloves. The authorities should take strict measures to curb these problems, and this can only be possible by looking at it on the basis of Islam, and attempts to tackle them would only be Islamic since all other venues have failed. Fortunately, the Muslims northern states have

currently adopted Shari'ah legal system. What remains is full enforcement and by the grace of Almighty Allah, if Shari'ah would be fully enforced all criminal acts will become history in Goronyo local government.

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